



SHORELINE CITY COUNCIL REGULAR MEETING

Monday, April 17, 2023

7:00 p.m.

Council Chamber · Shoreline City Hall

<https://zoom.us/j/95015006341>

Phone: 253-215-8782 · Webinar ID: 950 1500 6341

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:00
2. FLAG SALUTE/ROLL CALL		
(a) Proclamation of 2023 National Volunteer Week	<u>2a-1</u>	
(b) Proclamation of Earth Day 2023	<u>2b-1</u>	
3. APPROVAL OF THE AGENDA		
4. REPORT OF THE CITY MANAGER		
5. COUNCIL REPORTS		
6. PUBLIC COMMENT		

The City Council provides several options for public comment: in person in the Council Chamber; remote via computer or phone; or through written comment. Members of the public may address the Council during regular meetings 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 comments are being recorded.



Sign up for In-Person Comment the night of the meeting. *In person speakers will be called on first.*



[Sign up for Remote Public Comment.](#) *Pre-registration is required by 6:30 p.m. the night of the meeting.*



[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.*

7. CONSENT CALENDAR		7:20
(a) Approval of Regular Meeting Minutes of April 3, 2023	<u>7a-1</u>	
(b) Adoption of the 2023-2025 City Council Goals and Work Plan	<u>7b-1</u>	
(c) Authorize the City Manager to Execute a Construction Contract with Rodarte Construction, Inc. in the Amount of \$1,238,800 for the 2023 Stormwater Pipe Repair and Small Drainage Projects	<u>7c-1</u>	
(d) Authorize the City Manager to Execute a JZ Account Agreement with the Washington State Department of Transportation for the 148 th Street Non-Motorized Bridge Project	<u>7d-1</u>	
(e) Approval of a Multi-Family Tax Exemption (MFTE) Contract with WZL Enterprises LLC for Paramount Apartments Phase Two Located at 305 NE 152 nd Street	<u>7e-1</u>	

- (f) Authorizing the City Manager to Execute Supplement No. 4 to Contract 8463 with H.W. Lochner, Inc. in the Amount of \$1,522,872 for Design, Right-of-Way, and Environmental Services for the SR-523 (N/NE 145th Street) & Interstate-5 Interchange Project 7f-1

8. ACTION ITEMS

- (a) Approval of the Purchase of Real Property Located at 19512 Echo Lake Place N, Identified as King County Tax Parcel No. 223250-0100, and Authorizing the City Manager to Take the Necessary Steps to Complete the Property Purchase 8a-1 7:20
- Staff Presentation
 - Public Comment
 - Council Action

9. STUDY ITEMS

- (a) Discussion of Resolution No. 508 - Approving the Relocation Plan and City Manager Property Acquisition Authority, and Ordinance No. 983 -Authorizing the Use of Eminent Domain for Acquisition of Certain Real Properties to Construct the 148th Non-Motorized Bridge Project 9a-1 7:35
- (b) Discussion of Creating Community Opportunities within the Neighborhoods Program 9b-1 7:50
- (c) Discussion of Ordinance No. 985 – Amending Chapter 3.70 of the Shoreline Municipal Code to Modify the System Improvements Eligible for Park Impact Fees 9c-1 8:20

10. ADJOURNMENT

8:40

Any person requiring a disability accommodation should contact the City Clerk's Office at 206-801-2230 in advance for more information. For TTY service, call 206-546-0457. For up-to-date information on future agendas, call 206-801-2230 or visit the City's website at shorelinewa.gov/councilmeetings. Council meetings are shown on the City's website at the above link and on Comcast Cable Services Channel 21 and Zply Fiber Services Channel 37 on Tuesdays at 12 noon and 8 p.m., and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m.

[DOWNLOAD THE ENTIRE CITY COUNCIL PACKET FOR APRIL 17, 2023](#)



[LINK TO STAFF PRESENTATIONS](#)



[LINK TO PUBLIC COMMENT RECEIVED](#)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Proclamation of 2023 National Volunteer Week		
DEPARTMENT:	Community Services Division		
PRESENTED BY:	Constance Perenyi, Volunteer Management Programs Coordinator		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Proclamation

PROBLEM/ISSUE STATEMENT:

This proclamation recognizes April 6 through 22, 2023, as National Volunteer Appreciation Week in Shoreline and across the nation. This recognition calls upon all community members to celebrate and appreciate the many ways a community benefits from the volunteer services so generously donated by local Shoreline residents each year.

Concrete examples of volunteer contributions can be witnessed daily throughout our City in the form of habitat restoration, produce grown in our community gardens to be shared with neighbors in need, cleaner trails and roads, ongoing protection of Puget Sound's clean water, more connected neighborhoods, and enhanced public safety through continuous emergency preparedness training, among many other volunteer activities.

Throughout the COVID-19 pandemic, many Shoreline residents continued to volunteer as they could. During this past year as we have emerged from the pandemic, volunteers enthusiastically resumed their activities. Their passion, energy and expertise benefit the entire community. By sharing their time, volunteers help maintain a quality of life that a city our size could not otherwise afford to sustain.

Today and this entire week, the City would like to take this opportunity to acknowledge the contributions of Shoreline volunteers, to thank them and celebrate their generous contributions. Accepting this proclamation tonight is Bill Franklin, outgoing Chair of the Parks, Recreation, and Cultural Services/Tree Board.

RECOMMENDATION

Staff recommends that the Mayor read the proclamation.

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



PROCLAMATION

WHEREAS, April 16 through April 22 is Volunteer Week across the country; and

WHEREAS, in 2022, City of Shoreline volunteers logged 8,300 hours of service in a year still impacted by the COVID-19 pandemic; and

WHEREAS, volunteers assist City departments and the community by contributing their time and talents by serving on boards, commissions, task forces and advisory committees; restoring habitat; organizing local neighborhood associations; providing emergency communication capability; cleaning up trails and streets; growing food for neighbors in need; and providing recreational opportunities for their Shoreline neighbors; among other volunteer service; and

WHEREAS, through their many and varied efforts, volunteers enhance the quality of life in Shoreline; and

WHEREAS, City of Shoreline volunteers will be honored at a Volunteer Appreciation Event celebrating their service on Wednesday, April 19th;

NOW, THEREFORE, I, Keith Scully, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim the week of April 16 through April 22, 2023 as

VOLUNTEER WEEK

in the City of Shoreline, and encourage all citizens to seek volunteer opportunities and express appreciation to those who have engaged as such.

Keith Scully, Mayor

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Proclamation of Earth Day 2023		
DEPARTMENT:	Recreation, Cultural and Community Services		
PRESENTED BY:	Cameron Reed, Environmental Services Program Manager		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Proclamation

ISSUE STATEMENT:

Tonight’s proclamation recognizes April 22, 2023 as Earth Day in Shoreline. The first Earth Day took place on April 22, 1970, when millions of people took to the streets to demand action to protect the environment. Since then, people around the world have celebrated Earth Day each April to increase awareness of urgent environmental issues and to invite broad participation in solutions from all parts of society.

Shoreline community members continue to model environmental leadership by acting as stewards of our local ecosystems and taking steps to address climate change. For example, the residents and staff at Ballinger Commons, a 485-unit apartment community, have taken several steps to increase sustainability over the past several years. This community has improved recycling practices, earned EnviroStars recognition, started recycling programs for batteries and plastic bags, built a community garden space, started a bee keeping program, and began offering compost service for residents. The City of Shoreline recognizes these exemplary efforts which will prevent valuable resources from being landfilled, support pollinators, provide access to local food, and reduce climate pollution.

Continued action at the community and individual level is needed to address the climate crisis and ensure a livable future for generations to come. All of us – individuals, organizations, faith groups, businesses, and governments – need to do our part to address climate change and embrace the mantra that Earth Day is every day.

This proclamation calls upon all citizens to celebrate this 53rd anniversary of Earth Day by committing to protect our natural environment for current and future generations. Tonight, Kimberly Travis, property manager of Ballinger Commons will attend the meeting to receive the proclamation.

RECOMMENDATION

The Mayor should read the proclamation.

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



PROCLAMATION

WHEREAS, on April 22, 1970, Americans came together to celebrate the first Earth Day and share the message that the success of future generation depends upon how we act today; and

WHEREAS, a healthy environment is the foundation of a thriving society and economy; and

WHEREAS, on August 15, 2022, the City Council adopted Resolution No. 494 declaring climate change to be a crisis that threatens the health and welfare our community and environment; and

WHEREAS, the actions of individuals, businesses, community groups, and governments can each contribute to protecting a healthy environment and livable future for all; and

WHEREAS, Earth Day offers an opportunity for everyone to act to protect our planet, fight climate change, and build a healthy, resilient, and flourishing community;

NOW, THEREFORE, I, Keith Scully, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim April 22, 2023, as

EARTH DAY

in the City of Shoreline.

Keith Scully, Mayor

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of the 2023-2025 City Council Goals and Work Plan		
DEPARTMENT:	City Manager's Office		
PRESENTED BY:	John Norris, Assistant City 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:

At the City Council's annual Strategic Planning Workshop, which was held March 10 and 11, 2023, the Council discussed their proposed 2023-2025 Council Goals and Work Plan. The Council Goals continue to focus on achievement of Vision 2029 and being an equitable and sustainable city in all respects.

The proposed 2023-2025 City Council Goals are below, shown in strikethrough-underline amendment format. Three of the five Goals are being proposed for slight amendments from the 2022-2024 Council Goals and Work Plan to account for some changes in the Action Steps under these Goals.

1. Strengthen Shoreline's economic climate and opportunities;
2. ~~Continue to deliver highly-valued public services through management of~~
Manage and develop the City's infrastructure, ~~and stewardship of the natural environment and address climate impacts~~;
3. ~~Continue preparation~~ Prepare for regional mass transit in Shoreline;
4. Expand the City's focus on equity and social justice and work to become an Anti-Racist community; and
5. Promote and enhance community safety, ~~healthy neighborhoods~~ broader community connections, and a coordinated response to homelessness and individuals in behavioral health crisis.

In addition to the Council Goals themselves, the Council also reviewed the Action Steps, or sub-goals, that implement the five Council Goals at their Council meeting on April 3, 2023. The staff report for this Council discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2023/staffreport040323-9a.pdf>.

Attachment A to this staff report provides the final proposed 2023-2025 Council Goals and Work Plan as supported by the City Council on April 3rd. At this meeting, the Council directed staff to return the Goals and Work Plan for potential adoption at

tonight's Council meeting. Tonight, staff is recommending that Council adopt the 2023-2025 Council Goals and Work Plan.

RESOURCE/FINANCIAL IMPACT:

Resources needed to accomplish the Council's Goals and Work Plan are generally included in the 2023-2024 Biennial Budget. If additional resources are needed to accomplish this work plan, staff will return to Council in the mid-biennium to seek Council budgetary authority.

RECOMMENDATION

Staff recommends that Council move to adopt their 2023-2025 Council Goals and Work Plan.

ATTACHMENTS:

Attachment A – 2023-2025 City Council Goals and Work Plan

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

2023-2025 City Council Goals and Work Plan

The Council is committed to fulfilling the community’s long-term vision – Vision 2029 – and being an equitable and sustainable city that meets the needs of all residents, in particular:

- community—ensuring it is safe, attractive, inclusive and serves all ages and abilities;
- environment—preserving environmental assets and enhancing the built environment so that it protects natural resources;
- services—supporting quality services, facilities and infrastructure; and
- finances—responsible stewardship of fiscal resources to achieve the community, environment and services desired by residents.

The City Council holds an annual Strategic Planning Workshop to monitor progress and determine priorities and action steps necessary to advance Vision 2029 and the City’s equity goals. This workplan, which is aimed at improving the City’s ability to fulfill the community’s vision, is then reflected in department work plans, the City’s budget, capital improvement plan, and through special initiatives.

Goal 1: Strengthen Shoreline’s economic climate and opportunities

Robust private investment and economic opportunities help achieve Council Goals by enhancing the local economy, providing jobs and housing choices for all income levels, and supporting the public services and lifestyle amenities that the community desires and expects.

ACTION STEPS:

1. Conduct a review of development that has occurred in the 145th Station Area
2. Continue to implement development review and permitting best practices, including management of staffing and contract resources to meet permit review time targets, and expansion of the City’s online permitting
3. Continue business retention and expansion by building relationships and identifying regulatory challenges, safety concerns, and other barriers to business growth, especially with those that are underrepresented and under-resourced
4. Facilitate collaboration with and between members of the business community to support new and existing businesses
5. Implement programs and construct capital projects funded through the American Rescue Plan Act to support community recovery from the COVID-19 pandemic
6. Implement Cottage Housing regulations as the first implementation step of the City’s Housing Action Plan to support housing choices
7. Develop draft policies and amendments to the Development Code to allow middle housing building types in low density residential areas for consideration as part of the 2024 Comprehensive Plan update
8. Incorporate Age-Friendly Community policies into the 2024 Comprehensive Plan update
9. Participate in the State’s Master Plan process for the Fircrest Campus to align with the City’s Comprehensive Plan
10. Monitor the outcomes of the ground floor commercial requirements in the North City and Ridgecrest neighborhoods and use lessons learned from this early adoption area to model future development regulations
11. Monitor the City’s 10 Year Financial Sustainability Model and respond to economic changes to ensure financial sustainability.
12. Support King County Metro’s evaluation of the 192nd Park and Ride as a potential location for expanded transit operations and transit-oriented-development

13. Work with Seattle City Light to ensure electric infrastructure supports Shoreline's planned growth by sharing information and seeking to align timelines of private developments, City projects, and utility capacity expansion projects

Goal 2: Manage and develop the City's infrastructure, steward the natural environment and address climate impacts

The City has identified needed improvements to strengthen its municipal infrastructure to maintain public services the community expects through adoption of the Comprehensive Plan, Surface Water Master Plan, Wastewater Master Plan, Transportation Master Plan and the Parks, Recreation, Open Space, Arts and Culture Plan. As capital improvements are made, it is important to include efforts that will enhance Shoreline's natural environment and address climate change and impacts, ultimately having a positive effect on the Puget Sound region.

ACTION STEPS:

1. Implement the Voter Approved New Sidewalk Program by constructing the 20th Avenue sidewalk project and initiating design of the Westminster Way, 19th Avenue and Ballinger Way sidewalk projects
2. Implement the Sidewalk Rehabilitation Program by completing repair work on 15th and 5th Avenue NE and developing a prioritized plan for the next five years
3. Design and construct the priority park improvements funded through the 2022 Park Bond
4. Update the Parks, Recreation, Open Space, and Arts plan to guide Park and Recreation investments for the next six years and incorporate new plan in an update to the Parks Impact Fee
5. Continue to explore strategies for replacement of the Shoreline Pool and Spartan Recreation Center
6. Update the 2014 Urban Forest Strategic Plan and continue to implement the Green Cities Partnership and volunteer programs with various partner organizations
7. Continue to Implement Salmon-Safe certification and resource conservation and zero waste activities
8. Implement the Climate Action Plan, including development of programs to support electrification of existing buildings, reduce per capita driving, and encourage electric vehicle adoption
9. Implement Phase One of the City Maintenance Facility project to construct the Ballinger Maintenance Facility and preliminary design of the Hamlin and North Maintenance facilities and identify funding for construction of phase 2
10. Develop and implement the 2024-2029 Surface Water Master Plan
11. Update and amend the Comprehensive Sewer Plan to reflect modifications in sewer usage and operations
12. Support the update to the Transportation Master Plan through an updated Transportation Impact Fee, expansion of shared use mobility options and an analysis of connections in high activity areas
13. Complete the major update of the 2024 Comprehensive Plan
14. Complete 90% design of Phase 1 of the N 175th Street Corridor Project from Interstate-5 to Stone Avenue N and initiate Right-of-Way acquisition and develop a funding strategy for both phases of the project
15. Begin construction of the 145th and I-5 Interchange improvements and Phase 1 of the 145th Street Corridor improvements
16. Work with regional and federal partners to fund Right-of-Way acquisition for Phase 2 of the 145th Street Corridor improvements

Goal 3: Prepare for regional mass transit in Shoreline

Our community looks forward to increasing mobility options and reducing environmental impacts through public transit services. The Sound Transit Lynnwood Link Extension light rail project, which includes the Shoreline North/185th Station and the Shoreline South/148th Station, is scheduled to open in 2024. The Sound Transit Bus Rapid Transit project includes funding for corridor improvements and service along State Route 523 (N 145th Street) from Bothell Way connecting to the Shoreline South/148th Station. Engaging our community members and regional transit partners in plans to integrate local transit options and connect multi-modal travel corridors, including the 145th Street and 185th Street corridors, into the future light rail service continues to be an important Council priority.

ACTION STEPS:

1. Support Sound Transit's 145th Street improvements from Bothell Way to Interstate-5 as part of the Stride Bus Rapid Transit Project
2. Work collaboratively with Sound Transit on the Lynnwood Link Extension Project, including negotiation of remaining project agreements and coordination of project construction, inspection, and ongoing permitting
3. Coordinate with developers and seek partnerships and funding to realize the vision of the Light Rail Station Areas, which includes improved multi-modal connections to the light rail stations
4. Create non-motorized connections to the light rail stations including coordinating design elements of the Trail Along the Rail
5. Construct Phase 1 of the 148th Street Non-Motorized Bridge project, begin Right-of-Way acquisition of Phase 2, and work with regional, state, and federal partners to fully fund the project
6. Collaborate with regional transit providers to implement long-range regional transit plans including Sound Transit's ST3 Plan, King County Metro's Metro Connects Long Range Plan, and Community Transit's Blue Line and Long-Range Plan
7. Develop a parking program, including Restricted Parking Zones and a parking enforcement unit

Goal 4: Expand the City's focus on equity and social justice and work to become an Anti-Racist community

The Council values all residents and does not tolerate any form of discrimination. On January 23, 2017, Council adopted Resolution No. 401 declaring the City to be an inviting, equitable, and safe community for all and to be a leader in protecting human rights, equity, public safety and social well-being. And on November 30, 2020, Council adopted Resolution No. 467 declaring the City's commitment to building an anti-racist community through addressing the ways racism is maintained through beliefs, behaviors and policies. We are committed to co-creating a vision with the community to ensuring that Shoreline is an inviting, equitable, and safe community for all.

ACTION STEPS:

1. Identify and implement foundational and ongoing equity and anti-racism training for City staff, Council, PRCS/Tree Board, and Planning Commission
2. Assess the City's employment, hiring, and recruitment practices through an equity lens
3. Continue building trusting working relationships within the community that will support our ability to:
 - a) Better understand strengths, concerns and needed supports within historically marginalized groups and to offer resources to address these;
 - b) Foster engagement and participation in key planning process, community safety, law enforcement, and other topics important to the community;
 - c) Specifically inform the City's community policing practices; and
 - d) Work in partnership to develop long-term strategies for building an anti-racist community
4. Develop resources and training to assist staff in understanding meaningful community engagement practices focused on achieving equitable outcomes

5. Ensure that the City's programs, parks, facilities, activities and communications comply with the Americans with Disabilities Act and are accessible to all Shoreline residents

Goal 5: Promote and enhance community safety, broader community connections, and a coordinated response to homelessness and individuals in behavioral health crisis

The Council recognizes that supporting stronger community connections and making it possible for residents to meet their needs are critical elements of a safe and thriving community. Maintaining a safe community is the City's highest priority. The 2022 Resident Satisfaction Survey reflected that 92% of respondents felt safe in their neighborhood during the day and 73% had an overall feeling of safety in Shoreline. The City is continuing a concentrated work plan to enhance our public safety communication and crime prevention efforts to ensure that our residents and businesses continue to find Shoreline a safe place to live, work and play. The City is also continuing to support those individuals living unhoused in our community or experiencing behavioral health issues by coordinating with regional homeless partners, working to ensure that there is adequate shelter capacity in Shoreline and North King County, and expanding behavioral health engagement and crisis intervention for those in need.

ACTION STEPS:

1. Use data driven policing to address crime trends and quality of life concerns in a timely manner
2. Support efforts to improve public safety by incorporating best practices and model policies for use of force, de-escalation training and police accountability
3. Achieve full staffing for the Shoreline Police Department
4. Participate on the Board of Directors and Operations Board of the recently launched Regional Crisis Response (RCR) Agency to ensure agency effectiveness and coordinate across stakeholder response functions throughout the RCR served community
5. Monitor and support the North King County Crisis Triage Center development, as well as the five additional crisis centers proposed by King County
6. Continue to collaborate with King County District Court and other criminal justice service partners to enhance community safety and provide support services to those in and at risk of being in the criminal justice system
7. Continue partnerships between Community Services, Parks, Economic Development, and Police on Problem Solving Projects and crime prevention to improve safety and the feeling of safety
8. Conduct trainings and community programs to promote safety, awareness, and response
9. Continue to support the North King County Enhanced Shelter through partnership with the King County Regional Homelessness Authority (KCRHA), Lake City Partners and the community
10. Continue providing leadership and engagement with the North King County Coalition on Homelessness (NKCCCH) and the KCRHA to ensure development of appropriate sub-regional homelessness response strategies and implementation activities for North King County
11. Use data driven information to inform the City's actions and plans to provide shelter and affordable housing for low income individuals in our community
12. Finalize and implement strategies to expand the City's community building efforts beyond established neighborhood associations

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute a Construction Contract with Rodarte Construction, Inc. in the Amount of \$1,238,800 for the 2023 Stormwater Pipe Repair and Small Drainage Projects
DEPARTMENT:	Public Works
PRESENTED BY:	Elizabeth S. Kelly, 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:

The Stormwater Pipe Repair and Replacement Program (SWPRRP) is an annual program to replace failing infrastructure identified in the Surface Water Utility’s asset inventory and condition assessment (Basin Plan). The Surface Water Small Drainage Projects Program (SWSDPP) is also an annual program that resolves small public drainage issues that often start as customer service requests or issues found in the field by staff. Staff has combined the two programs’ construction phases to attract lower overall bids and for efficiency in construction management and inspection.

Between February 27 and March 16, 2023, the City solicited contractors to construct the 2023 Stormwater Pipe Repair and Small Drainage Projects. The engineer’s estimate for the construction is \$1,168,453 and the bid from Rodarte Construction, Inc. in the amount of \$1,238,800 was the low bid. City staff has determined that the bid from Rodarte Construction, Inc. is responsive and that they have met the City’s requirements. Staff is therefore requesting that Council authorize the City Manager to execute a contract with Rodarte Construction, Inc. for construction of the 2023 Stormwater Pipe Repair and Small Drainage Projects in the amount of \$1,238,800.

RESOURCE/FINANCIAL IMPACT:

This project is fully funded by the City’s Surface Water Utility fund. Below is a breakdown of the budget for the 2023 Stormwater Pipe Repair and Small Drainage Projects:

Project Expenditures:

Construction:

Staff and other Direct Expenses	\$ 90,000
2023 Construction	\$ 1,238,800
Contingency (10%)	\$ 120,000
Construction Subtotal	\$ 1,448,800

Total Project Expenditures **\$ 1,448,800**

Project Revenue:

Surface Water Capital Fund

SW Small Drainage Projects	\$ 762,288
SW Stormwater Pipe Repair and Replacement	<u>\$ 686,512</u>
Total Project Revenue	\$ 1,448,800

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a construction contract with Rodarte Construction, Inc., in the amount of \$1,238,800 for the 2023 Stormwater Pipe Repair and Small Drainage Projects.

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

BACKGROUND

The Stormwater Pipe Repair and Replacement Program (SWPRRP) is an annual program to replace failing infrastructure identified in the Surface Water Utility's asset inventory and condition assessment (Basin Plan). The Surface Water Small Drainage Projects Program (SWSDPP) is also an annual program that resolves small public drainage issues that often start as customer service requests or issues found in the field by staff. Staff has combined the two programs' construction phases to attract lower overall bids and for efficiency in construction management and inspection.

The stormwater pipes in the Project were identified for priority repair after completion of systematic CCTV inspection condition assessments in conjunction with basin planning efforts. Prioritization efforts include a detailed review of each pipe's inspection results and other characteristics and take into account both the structural condition of the pipe (risk of failure) and pipe criticality (potential consequences of failure).

DISCUSSION

The selected repair method for the Project is open-cut pipe repair and will occur at sixteen (16) project sites throughout the City. The majority of these sites are located within the northwestern area of the City, a result of the high number of pipes in poor condition identified in completed basin plans for those drainage areas.

This Project will also address small-scale surface water related issues at five (5) project sites distributed throughout the City. City stormwater system assets installed as part of these projects will include stormwater pipe, catch basins, infiltration facilities, and asphalt berms. A vicinity map showing the site locations can be found in Attachment A to this staff report.

Project Bid Process – Bid# 10603

Between February 27 and March 16, 2023, the City solicited for contractors to construct the Project under Bid# 10603. Bids were opened on March 16, 2023, and six (6) bids were received. Rodarte Construction, Inc. was the low bidder with a bid of \$1,238,800. The other bids were \$1,389,932; \$1,480,500; \$1,592,056; \$1,735,705; and \$1,769,000.

City staff determined that the bid from Rodarte Construction, Inc. is responsive and has met the requirements of the bid. This was verified by:

- Evaluation of the bid through the creation of bid tabulations, and
- Verification that the contractor is properly licensed in Washington and has not been barred from contracting on federal- and state-funded projects.

The engineer's estimate for construction of the Project was \$1,168,453. Construction is anticipated to start in May 2023 with a contract time of 130 working days.

The alternative of not awarding the contract is not recommended and would result in the delay or cancellation of the project. If this were to occur stormwater infrastructure would not be repaired and could cause damage to private or public property.

COUNCIL GOAL(S) ADDRESSED

This project addresses Council Goal #2: Continue to deliver highly valued public services through management of the City’s infrastructure and stewardship of the natural environment. This project will meet this goal by repairing and replacing failing stormwater pipes.

RESOURCE/FINANCIAL IMPACT

This project is fully funded by City’s Surface Water Utility fund. Below is a breakdown of the budget for the 2023 Stormwater Pipe Repair and Small Drainage Projects:

Project Expenditures:

Construction:	
Staff and other Direct Expenses	\$ 90,000
2023 Construction	\$ 1,238,800
Contingency (10%)	\$ 120,000
Construction Subtotal	\$ 1,448,800
Total Project Expenditures	\$ 1,448,800

Project Revenue:

Surface Water Capital Fund	
SW Small Drainage Projects	\$ 762,288
SW Stormwater Pipe Repair and Replacement	\$ 686,512
Total Project Revenue	\$ 1,448,800

RECOMMENDATION

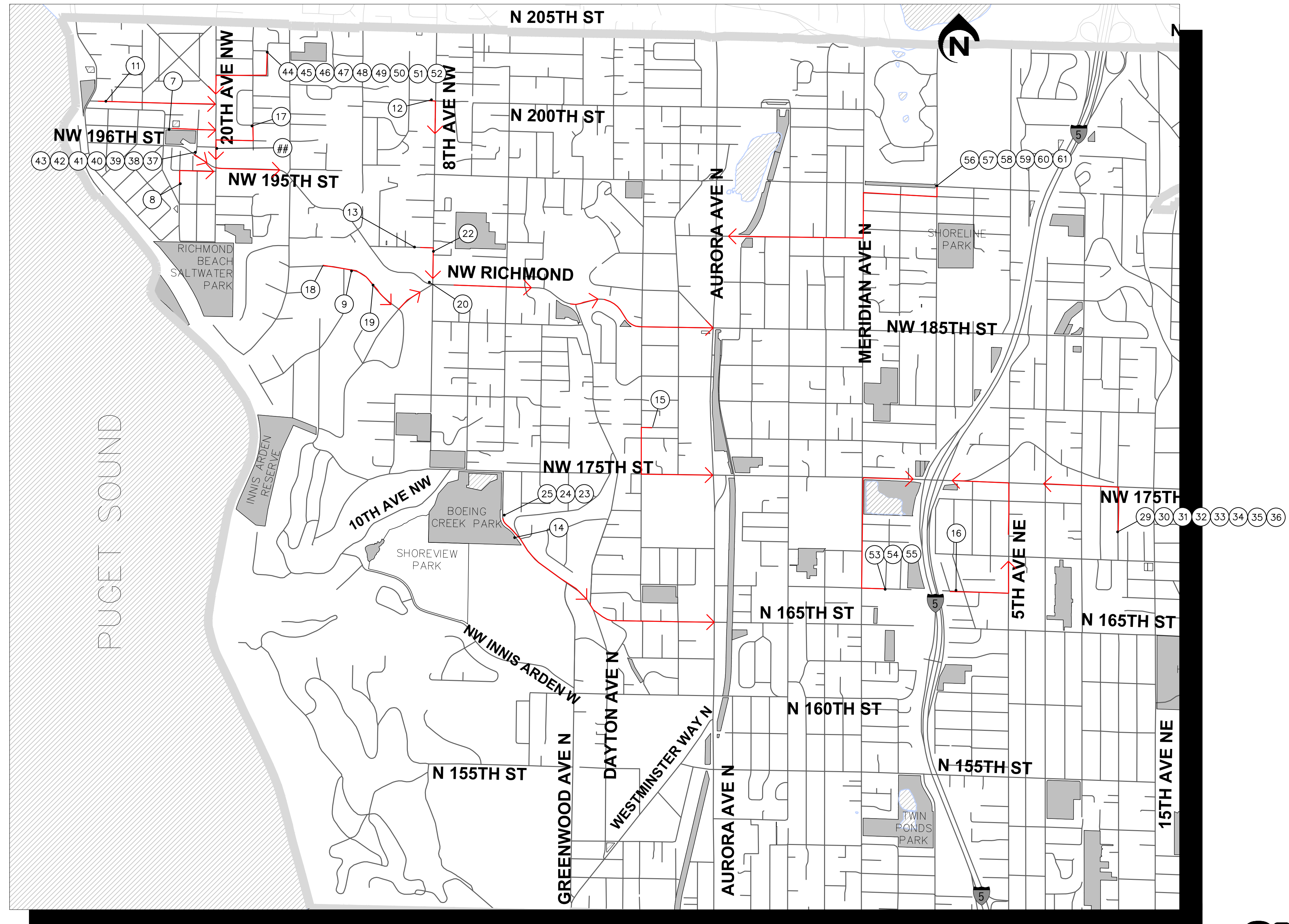
Staff recommends that Council authorize the City Manager to execute a construction contract with Rodarte Construction, Inc., in the amount of \$1,238,800 for the 2023 Stormwater Pipe Repair and Small Drainage Projects.

ATTACHMENTS

Attachment A: Stormwater Pipe Repair and Small Drainage Projects Vicinity Map

ATTACHMENT A

SHEET INDEX		
DRAWING	SHEET #	SHEET TITLE
G01	1	COVER SHEET
G02	2	SHEET INDEX
G03	3	GENERAL NOTES
G04	4	GENERAL NOTES
G05	5	TRAFFIC CONTROL NOTES
G06	6	TRAFFIC CONTROL NOTES
OPEN-CUT REPAIRS (BID SCHEDULE A)		
OC01	7	2148 NW 197TH ST
OC02	8	19336 22ND AVE NW
OC03	9	18790 RIDGEFIELD RD NW
OC04	10	NOT USED
OC05	11	26TH AVE NW AND NW 199TH ST
OC06	12	NW 200TH ST AND 8TH AVE NW
OC07	13	816 NW 190TH ST
OC08	14	2ND AVE NW & NW 171ST ST
OC09	15	714 N 179TH ST
OC10	16	2ND AVE NE AND NE 167TH ST
OC11	17	NW 198TH ST AND 18TH AVE NW
OC12	18	1326 NW 188TH ST
OC13	19	18742 RIDGEFIELD RD NW
OC14	20	NW RICHMOND BEACH RD AND 8TH AVE NW
OC15	21	20TH AVE NW AND NW 196TH PL
OC16	22	8TH AVE NW AND NW 190TH ST
OC17	23	17128 3RD AVE NW
OC18	24	17128 3RD AVE NW
OC19	25	17128 3RD AVE NW
OC20	26	NOT USED
OC20	27	NOT USED
SMALL DRAINAGE PROJECTS (BID SCHEDULE B)		
G07	28	TRAFFIC CONTROL NOTES
12TH AVE (BID SCHEDULE B)		
X01	29	WO2256 - EXISTING CONDITIONS 1
X02	30	WO2256 - EXISTING CONDITIONS 2
SP01	31	WO2256 - TESC AND SITE PREP 1
SP02	32	WO2256 - TESC AND SITE PREP 2
C01	33	WO2256 - PLAN AND PROFILE 1
C02	34	WO2256 - PLAN AND PROFILE 2
LS01	35	WO2256 - PLANTING PLAN 1
LS02	36	WO2256 - PLANTING PLAN 2
RICHMOND BEACH LIBRARY (BID SCHEDULE B)		
X03	37	WO1644 - EXISTING CONDITIONS 1
X04	38	WO1644 - EXISTING CONDITIONS 2
SP03	39	WO1644 - TESC AND SITE PREP 1
SP04	40	WO1644 - TESC AND SITE PREP 2
C03	41	WO1644 - PLAN AND PROFILE 1
C04	42	WO1644 - PLAN AND PROFILE 2
LS03	43	WO1644 - PLANTING PLAN
18TH AVE (BID SCHEDULE B)		
X05	44	WO7079 - EXISTING CONDITIONS 1
X06	45	WO7079 - EXISTING CONDITIONS 2
X07	46	WO7079 - EXISTING CONDITIONS 3
SP05	47	WO7079 - TESC AND SITE PREP 1
SP06	48	WO7079 - TESC AND SITE PREP 2
SP07	49	WO7079 - TESC AND SITE PREP 3
C05	50	WO7079 - PLAN AND PROFILE 1
C06	51	WO7079 - PLAN AND PROFILE 2
C07	52	WO7079 - PLAN AND PROFILE 3
THORTON CREEK AT CORLISS PLACE N (BID SCHEDULE B)		
X08	53	WO13765 - EXISTING CONDITIONS
SP08	54	WO13765 - TESC AND SITE PREP
C08	55	WO13765 - PLAN AND PROFILE
15TH AVE NW AND N 195TH ST (BID SCHEDULE B)		
X09	56	WO6810 - EXISTING CONDITIONS 1
X10	57	WO6810 - EXISTING CONDITIONS 2
SP09	58	WO6810 - TESC AND SITE PREP 1
SP10	59	WO6810 - TESC AND SITE PREP 2
C09	60	WO6810 - PLAN AND PROFILE 1
C10	61	WO6810 - PLAN AND PROFILE 2
C11	62	DRAINAGE DETAILS - 1
C12	63	DRAINAGE DETAILS - 2



VICINITY MAP
SHORELINE, WA

SHEET NUMBER

→ HAUL ROUTE

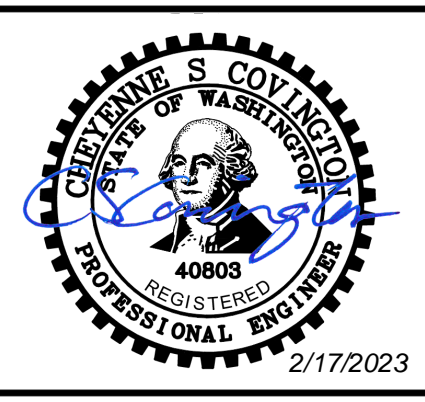
NTS



Know what's below
Call before you dig

02/15/2023 4:24pm P:\10-200011 City of Shoreline 2021-22 Storm Projects\3_CADD\Sheets\10-200011_COVER_OPEN_CUT.dwg

MARK	REVISION DESCRIPTION	BY	APP.	DATE



Osborn Consulting, Inc.
Bellevue | Seattle | Spokane
www.osbornconsulting.com

DRAWN BY JR
DESIGN BY MW
CHECK BY RP
PROJ MGR CC

CITY OF SHORELINE
2023 STORMWATER PIPE REPAIR AND SMALL DRAINAGE PROJECTS

SHEET INDEX

DRAWING NO. G02
PROJECT NO. 9586
FED AID NO. _____
DATE: 02/27/2023
SHEET NO. 2 OF 63

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute a JZ Account Agreement Amendment with the Washington State Department of Transportation for the 148 th Street Non-Motorized Bridge Project
DEPARTMENT:	Public Works
PRESENTED BY:	Elizabeth Kelly, 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:

As part of the design development of the 148th Street Non-Motorized Bridge Project, the City is required to have necessary coordination with the Washington State Department of Transportation (WSDOT). To reimburse WSDOT for costs associated with that coordination, the City has applied for and established a JZ Account with a not to exceed amount for invoicing purposes. JZ Accounts are created when a project requires review/coordination with WSDOT Developer Services, to provide a means for which WSDOT can bill their costs to the City. Reimbursable costs include but are not limited to design milestone plan reviews, Airspace Lease coordination, and construction support.

As WSDOT costs to complete Phase 1 construction and finalization of Phase 2 design of the 148th Street Non-Motorized Bridge Project are anticipated to exceed the City Manager’s signature authority, staff is requesting that Council authorize the City Manager to execute a JZ Account Agreement Amendment (Attachment A) with WSDOT in the amount of \$30,000 for a total amount not to exceed amount of \$110,000.

RESOURCE/FINANCIAL IMPACT:

This project is currently funded in the 2023-2028 CIP. This JZ Account is utilized to help ensure that there is a means to compensate WSDOT for time spent conducting design review, coordination and oversight for the project. A summary of currently estimated project expenditures and revenues is shown below:

DESIGN		
DESIGN (KPFF DESIGN ENGINEERS)		
PRELIMINARY DESIGN CONTRACT	\$	897,854
FINAL DESIGN CONTRACT	\$	2,147,473
CUL-DE-SAC AMENDMENT	\$	173,935
CITY STAFF & OTHER RESOURCES		
CITY EXPENSES	\$	290,000
JZ ACCOUNT	\$	90,000
CONTINGENCY (10%)	\$	320,000
SUBTOTAL		\$ 3,919,262
CONSTRUCTION – PHASE 1		
CONSTRUCTION COST*	\$	6,852,435
*INLCUDES CONTINGENCY (10%)		
CONSTRUCTION MANAGEMENT (KPFF)	\$	1,765,210
CITY STAFF & OTHER RESOURCES		
CITY EXPENSES	\$	280,000
JZ ACCOUNT	\$	20,000
CONTINGENCY (10%)	\$	200,000
SUBTOTAL		\$ 9,117,645
RIGHT OF WAY – PHASE 2		
ACQUISITION COST (INCL CONT)	\$	3,696,767
SUBTOTAL		\$ 3,696,767

Summary of Secured Project Revenues:

DESIGN		
GENERAL FUND	\$	234,262
STP NON-MOTORIZED	\$	2,055,000
ST SYSTEM ACCESS	\$	1,180,000
ST OVERLAP AGREEMENT	\$	450,000
SUBTOTAL		\$ 3,919,262
CONSTRUCTION – PHASE 1		
ST SYSTEM ACCESS	\$	2,520,000
KING COUNTY PARKS LEVY	\$	4,750,000
LEAP FUNDING	\$	1,847,645
SUBTOTAL		\$ 9,117,645
RIGHT OF WAY – PHASE 2		
TRANSPORTATION ALERNATIVES (TAP)	\$	2,500,000
ROADS CAPITAL FUND	\$	1,196,767
SUBTOTAL		\$ 3,696,767

A budget amendment is not required at this time, as current expenditures remain within the authorized amount for the CIP. Staff anticipates presenting a budget amendment later this year to account for additional grant funding and other changes to the CIP.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to the JZ Account Agreement Amendment with the Washington State Department of Transportation in the amount of \$30,000 for a total amount not to exceed \$110,000 for use in the 148th Street Non-Motorized Bridge Project.

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

BACKGROUND

On March 29, 2021, the City Council authorized the City Manager to enter into a contract with KPFF, Inc. for the final design services for the N 148th Street Non-Motorized Bridge project. The staff report for the Council authorization to enter into this contract can be found at the following link: [March 29, 2021 Staff Report](#).

As part of the design development of the Bridge Project, the City is required to have necessary coordination with the Washington State Department of Transportation (WSDOT). To reimburse WSDOT for costs associated with that coordination, the City applied for and established a JZ Account with a not to exceed amount for invoicing purposes. JZ Accounts are created when a project requires review/coordination with WSDOT Developer Services, to provide a means for which WSDOT can bill their costs to the City. Reimbursable costs include but are not limited to design milestone plan reviews, Airspace Lease coordination, and construction support.

DISCUSSION

On September 17, 2019, City staff submitted an application (Attachment B) to establish a JZ Account with WSDOT for the purpose of reimbursing WSDOT for costs incurred through design review. On January 1, 2020, staff increased the JZ Account by \$50,000 to a total not to exceed amount of \$55,000, and on May 12, 2022, staff increased the JZ Account by \$25,000 to a total not to exceed amount of \$80,000.

Funds to date have been used for establishment of the Airspace Lease, design reviews, coordination of a construction agreement for Phase 1 construction with WSDOT. Additional funds will be required to compensate WSDOT for oversight during construction of Phase 1 and further design review/coordination to complete Phase 2 design.

As WSDOT costs to complete Phase 1 construction and finalization of Phase 2 design of the Bridge Project are anticipated to exceed the City Manager's signature authority, staff is requesting that Council authorize the City Manager to execute a JZ Account Agreement Amendment (Attachment A) with WSDOT in the amount of \$30,000 for a total amount not to exceed amount of \$110,000. This Agreement Amendment would amend the initial JZ Account Application with WSDOT. If the Council elects not to authorize the execution of this increase to the JZ Account Agreement with WSDOT, the City will be unable to attain WSDOT support, oversight and approvals required to complete design and construction of this project.

COUNCIL GOAL(S) ADDRESSED

This project supports the City Council Goal 3: "Continue preparation for regional mass transit in Shoreline."

RESOURCE/FINANCIAL IMPACT

This project is currently funded in the 2023-2028 CIP. This JZ Account is utilized to help ensure that there is a means to compensate WSDOT for time spent conducting

design review, coordination and oversight for the project. A summary of currently estimated project expenditures and revenues is shown below:

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CITY EXPENSES	\$	280,000
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CONTINGENCY (10%)	\$	200,000
SUBTOTAL		\$ 9,117,645
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RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to the JZ Account Agreement Amendment with the Washington State Department of Transportation in the amount of \$30,000 for a total amount not to exceed \$110,000 for use in the 148th Street Non-Motorized Bridge Project.

ATTACHMENT

Attachment A: WSDOT JZ Account Agreement Amendment
Attachment B: Initial JZ Account Application



AGREEMENT FOR JZ ACCOUNT

Whereas, the City of Shoreline and the Washington State Department of Transportation (WSDOT) established a JZ Account in September 2019 with a balance \$5,000.00, for the 148th Pedestrian Bridge Project;

Whereas, the purpose of the JZ Account is to account for WSDOT's services of reviewing and commenting on submitted engineering data and plans, completing agreements, meetings, and construction inspections; and

Whereas, the JZ Account balance has been increased on two (2) occasions, by \$50,000.00 in December 2019 and by \$25,000.00 in May 2022; and

Now, therefore, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. **Amendment to Existing Agreement:** The agreement is amended in the following respect(s):

The JZ Account, as established in September 2019 and previously amended, is amended by the amount of \$30,000, for a new not to exceed total of \$110,000.

2. **Terms and Conditions of Existing Agreement Remain the Same:** The parties agree that, except as specifically provided in this amendment, the terms and conditions of the existing agreement continue in full force and effect.

CITY OF SHORELINE

Name:

Title:

Date:



Northwest Region
Sno-King Local Agency and Development Services
15700 Dayton Avenue North
P.O. Box 330310
Seattle, WA 98133

JZ ACCOUNT APPLICATION

City of Shoreline
Attn: Lea Bonebrake, Capital Projects Engineer II
17500 Midvale Avenue N
Shoreline, WA 98133-4921

September 17, 2019

JZ Number: 0543

A JZ charge account number has been opened by this office to cover all of WSDOT's costs for reviewing and commenting on submitted engineering data and plans, completing agreements, meetings and construction inspections.

PROJECT TITLE	148th Pedestrian Bridge		
STATE ROUTE	005	APPROXIMATE MILE POST	174.78
DESCRIPTION OF WORK	Survey work that includes critical area/wetland delineation and archaeological survey for a planned pedestrian bridge over I-5.		
*ESTIMATE COST	\$5,000 96,250		

*Actual costs may vary - additional approval required if costs exceed the Estimated Cost by more than 25%.

By signing this application the requester agrees to pay for all WSDOT costs associated with this request, including administrative costs, until this request is accepted by WSDOT as complete. **Please do not send funds at this time - an invoice will be submitted to you each month.** Payment is due within 30 days of receipt of each invoice. Interest of 1% per month may be charged on past due accounts.

REQUESTER'S INFORMATION	
City of Shoreline	
Developer/City Name (206) 801-2475 Phone Number	Email Address 17500 Midvale Avenue N Billing Address
Lea Bonebrake Authorized Representative (Print or Type)	Shoreline, WA 98133-4921 City, State, Zip
Capital Projects Engineer II Title	911683888 -L Federal ID Number or SSN
 Signature	9/19/2019 Date

To avoid delays, please return this completed application as soon as possible to the following address:

Washington State Department of Transportation
Attention: Peter Alm
Sno-King Development Services, MS 240
P.O. Box 330310
Seattle, WA 98133

If you have any questions, please contact Peter Alm at 206-440-4711.

Sincerely,
Ramin Pazooki
Local Agency and Development Services Manager

FOR DEPARTMENT USE ONLY		
Peter Alm / 412463	0543	020910
WSDOT Representative / Org. Number	JZ Number	Work Op

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of a Multi-Family Tax Exemption Program Contract with WZL Enterprises LLC for Paramount Apartments Phase Two located at 305 NE 152 nd Street
DEPARTMENT:	Community Services
PRESENTED BY:	Kerry Feeman, Housing and Human Services Coordinator
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing <input type="checkbox"/> Discussion

PROBLEM/ISSUE STATEMENT:

The City Manager has approved an application by WZL Enterprises LLC for a Multi-Family Limited Property Tax Exemption (MFTE; also known as PTE for Property Tax Exemption) on a project known as Paramount Apartments Phase Two. The applicant has agreed to a contract (Attachment A) with the City stating that the residential improvements of their projects will be exempt from property taxation for 20 years in exchange for providing affordable housing and other conditions. Shoreline Municipal Code (SMC) Section 3.27.060 specifies that City Manager approval is subject to approval by the City Council. Tonight, staff is seeking Council approval of this MFTE contract for the Paramount Apartments Phase Two project located at 305 NE 152nd Street.

RESOURCE/FINANCIAL IMPACT:

During the development of an MFTE project, the value of the improvements is taxable until the City certifies completion of the project and compliance with MFTE requirements. On the following January 1, the 12-year or 20-year tax exemption begins, but this does not reset tax revenues. Forgone taxes are only those levied on the difference between the value assessed during construction and full value upon completion. The balance will not be added to the assessed value until the 13th or 21st year. When the assessor last valued properties, construction had not begun so a precise estimate was not calculated.

For the purposes of this report, zero tax revenue to the City on the value of the improvements was assumed during the 20-year exemption period. However, due to the assumed increase in population, staff estimates tax revenues to the City from this project would, overall, increase despite the exemption on the improvements. Staff and consultant time is required to process applications, file annual reports to the state and King County, and to monitor compliance with affordable housing requirements. More detailed financial information about this project can be found in the Resource/Financial Impact Section later in this report.

RECOMMENDATION

Staff recommends that the City Council approve the MFTE contract with WZL Enterprises LLC for the Paramount Apartments Phase Two project located at 305 NE 152nd Street.

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

BACKGROUND

The Multi-Family Tax Exemption (MFTE; also known as PTE for Property Tax Exemption) program was instituted by the state legislature to provide incentives to construct multifamily housing and later amended to help create affordable housing. According to the conclusions of the Growth Management Act and the State legislature, multi-family housing and affordable housing are needed throughout the Puget Sound metropolitan area to help mitigate negative environmental impacts of population growth in the region.

The MFTE program provides the property owner an exemption from the *ad valorem* property taxes on new or rehabilitated housing improvements (including residential parking) for the duration of the exemption period. Shoreline has offered an MFTE program in nine (9) designated Residential Targeted Areas for many years. Shoreline Municipal Code (SMC) Chapter 3.27 was most recently updated in 2021 by the adoption of Ordinance No. 944. The current Shoreline MFTE program requires that at least 20% of the project be affordable and provides a qualified project 12 or 20 years of exemption from property taxation.

The 2023 Multi-family Tax Exemption Program Report (Attachment B) provides a listing of the projects currently enrolled in the City's MFTE program, along with those that have either received a Conditional MFTE Certificate or in a designated Residential Target Area and have applied for a permit.

DISCUSSION

The City Manager has approved an application by WZL Enterprises LLC for the Paramount Apartments Phase Two project (Attachment A). The Paramount Apartments Phase Two project complies with all applicable requirements of RCW 84.14.060 and SMC 3.27.040. The next step in the MFTE process is for the City Council to approve or deny the contract that defines the terms under which the City will grant property tax exemptions, including binding the property to provide affordable housing for the period according to the RCW 84.14 and Chapter 3.27 SMC.

Project details for the Paramount Apartments Phase Two project include:

Location:	305 NE 152 nd Street
Residential Targeted Area:	145 th Street Station Sub-Area
Units provided:	115
Affordable units provided:	23
Duration of tax exemption:	20 years
Affordability levels:	Studio and 1-bedroom units: 70% of the King County Area Median Income (AMI) 2-bedroom units: 80% of the King County AMI
Duration of affordability:	20 years
Expected completion:	December 2024
Permit number:	MFR22-1684

Next Steps

If the City Council approves the proposed contract, the City Manager will issue Conditional Certificates of Property Tax Exemption to the applicant. The applicant has three years from the date the application was approved to complete the project and then may apply to the City for a Final Certificate. The City Manager may approve (or deny) the Final Certificate application without Council action. If approved, the City will file the Final Certificate with the County Assessor and the residential improvements will be exempt beginning the following January 1st.

RESOURCE/FINANCIAL IMPACT

During the development of an MFTE project, the value of the residential improvements is taxable until the City certifies completion of the project and compliance with MFTE requirements. On the following January 1st, the 12 or 20-year tax exemption on residential improvements begins, but this does not reset tax revenues for the City or other districts. That taxation—typically less than 100% of the ultimate, finished-project value—is effectively shifted to other taxpayers. If, in the event an assessment of the property is filed at 100% completion, but before issuance of a final certificate of tax exemption, the total value of the project could be added to the City's total assessed value. As an MFTE project, the exempted taxes on the improvements would, in that case be collected from taxpayers across the City. This shift to the City's approximately 22,000 households would amount to approximately \$63,900 in City share of property taxes, or \$2.91 per household per year.

The tax foregone is only that amount levied on the difference between the assessed value when evaluated during construction and upon completion. The balance will not be added to the assessed value until the 21st year. When the assessor last valued properties, construction had not begun so a precise estimate was not calculated. For the purposes of this report, zero tax revenue to the City on the value of the improvements was assumed during the 20-year exemption period. However, due to the assumed increase in population, staff estimates tax revenues to the City overall would increase despite the exemption on the improvements.

Staff and consultant time is required to process applications, file annual reports to the state and King County, and to monitor compliance with affordable housing requirements.

Tax Exemption Savings

While assessor's data won't be available until the project is constructed, rough estimates based on other Shoreline MFTE projects suggest that over the 20 years of exemption the owner will save somewhere between \$610,000 and \$960,000 in city taxes and \$7,400,000 to \$8,100,000 from all taxing districts (about \$340,000 per affordable unit).

Public Benefit Calculation

Attachment C to this staff report provides the current income and rent limits for Shoreline. Using the applicant reported market rents, the City estimates the 20-year value of the affordable housing (the public benefit) to be approximately \$3,300,000 or

\$144,000 per affordable unit. (This “rent gap” could turn out to be higher or lower, depending on relative changes between market and affordable rents over time.)

Limited Fiscal Analysis

Although the valuation of the project may not be fully on the City’s tax rolls for 20 years, therefore lowering the amount of new property tax collected, there are other revenue streams that will be generated by the project and the occupants of the units to off-set the costs of providing services to the new residents. These include one-time revenues and on-going revenues, which are highlighted below.

Estimated One-time City Revenues

One-time revenues for this project include the following:

- **Real Estate Excise Tax (REET):** REET is collected when a property is sold. The REET collected by the City on the developer’s purchase of this property is estimated at approximately \$4,722.
- **Sales and Use Tax:** Sales and use tax is collected by the City on construction when a project is developed in Shoreline. The City’s share of sales taxes, which are collected on the total of a project’s hard and soft costs, are estimated at \$279,300 for this project.
- **Impact Fees:** The City currently collects park and transportation impact fees for all new residential units (single-family and multi-family). In total, \$891,268 in impact fees were collected for the 115 units of this Project. While impact fees are designed to ensure concurrency with a level of service as a result of the growth in population, they also contribute to prioritized projects of benefit to the whole community.

In total, it is anticipated that this project will pay the City an estimated \$1,175,290 in one-time taxes and fees, not including permit fees. This is outlined in Table 1 below:

Table 1: Estimated One-time City Revenues (305 NE 152nd St)

REET on Land Sale	\$4,722
Sales Tax of 1.05% (Construction)	\$279,300
Impact Fees	\$891,268
Total	\$1,175,290

On-Going Revenues

On-going revenues for the project include the following:

- **Sales and Use Tax:** As new residents occupy the multi-family units, they buy goods in Shoreline that generate sales tax. On average, staff estimates that each resident of a multi-family unit generates approximately \$143.57 per year of sales taxes in Shoreline.
- **Utility Taxes:** All residents of multi-family housing use a variety of utilities which are subject to utility taxes and franchise fees. This includes water, wastewater, solid waste, electricity, natural gas, cable, telecommunications, and surface water. On average, staff estimates that each resident of a multi-family unit generates approximately \$102.51 per year of utility taxes.

- **State Shared Revenues:** Many of the state shared revenues distributed to the City are based on a per capita basis. Assuming that the average multi-family unit occupancy is two people per unit, each resident of a unit generates approximately \$75.46 per year of state shared revenues.

Table 2 below provides a comparison of estimated on-going annual city revenues from the property prior to the development, the annual revenues during the 20-year property tax exemption period, and the annual revenues following the expiration of the 20-year tax exemption period. This project is under construction on one (1) former single-family home. Due to confidentiality laws, tax data pertaining to an individual taxpayer was not available for staff’s analysis of the preexisting use. For a rough estimate, staff determined an equivalent of three taxpayers residing on the property could be substituted. As such, the pre-redevelopment City revenues from the property are estimated to have been approximately \$2,300 per year. Despite the tax exemption on the improvements, this total would increase during the 20-year tax exemption period to approximately \$75,300 per year. By staff’s analysis, 98% of those ongoing annual revenues could be attributed to the new residents, not the building developer or owner. Following the expiration of the tax exemption, the addition of the higher assessed value of the new improvements could bring this total to approximately \$139,200 in revenues to the City, 53% of which could be attributed to the new residents.

Table 2: Estimated Annual Revenue – Paramount Apartments Phase Two

	Pre-Development	Development and MFTE Program Duration	Post MFTE Program
Assumptions		(Years 1-20)	(Years 20+)
Total Units	0	115	115
MFTE Program-Enrolled Affordable Units	0	23	23
Population	3	230	230
Property Tax (Land)	\$1,300	\$1,300	\$1,300
Property Tax (Improvements)	0	0	\$63,900
Sales Tax	\$430	\$33,000	\$33,000
Utility Tax	\$300	\$23,600	\$23,600
State-Shared Revenue (restricted)	\$230	\$17,400	\$17,400
Total (Annual)	\$2,260	\$75,300	\$139,200

RECOMMENDATION

Staff recommends that the City Council approve the MFTE contract with WZL Enterprises LLC for the Paramount Apartments Phase Two project located at 305 NE 152nd Street.

ATTACHMENTS

- Attachment A: Proposed Paramount Apartments Phase Two MFTE Contract
- Attachment B: 2023 Multi-family Tax Exemption Program Report
- Attachment C: 2022 Income and Rent Limits

WHEN RECORDED, MAIL TO:

City of Shoreline
ATTN: City Clerk
17500 Midvale Ave N
Shoreline, WA 98133

WASHINGTON STATE COUNTY AUDITOR/RECORDER/S INDEXING FORM

Document Title(s) <i>(or transactions contained therein):</i> MULTI-FAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION CONTRACT
Reference Number(s) of Documents assigned or released: <input type="checkbox"/> Additional reference numbers on page _____ of document.
Grantor(s) <i>(Last name first, then first name and initials):</i> 1. WZL Enterprises LLC <input type="checkbox"/> Additional names on page _____ of document.
Grantee(s) <i>(Last name first, then first name and initials):</i> 1. <u>CITY OF SHORELINE, WASHINGTON</u> <input type="checkbox"/> Additional names on page _____ of document.
<input type="checkbox"/> Legal Description <i>(abbreviated form; i.e., lot, block, plat name, section-township-range):</i> Portion of Lots 8-10, Franklin Addition; V. 45, P. 55, records of King County. <input checked="" type="checkbox"/> Additional legal on Exhibit "A" of document.
Assessor's Property Tax Parcel Account Number(s): 2634500050

***The Auditor/Recorder will rely on the information provided on the form.
The Recorder's Office staff will not read the document.***



MULTI-FAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION CONTRACT
PROJECT NAME: Paramount Apartments Phase Two

This MULTI-FAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION CONTRACT is made this _____ day of _____, 20__, between the City of Shoreline (“City”), a Washington municipal corporation, and WZL Enterprises LLC, a state of Washington limited liability company (“Owner”).

WHEREAS, the City has an interest in stimulating new construction or rehabilitation of multi-family housing in Residential Targeted Areas in order to reduce development pressure on single-family residential neighborhoods, increase and improve housing opportunities, provide affordable housing opportunities, and encourage development densities supportive of transit use; and

WHEREAS, the City has, pursuant to the authority granted to it by Revised Codes of Washington (RCW) Chapter 84.14, designated various areas of the City as Residential Targeted Areas for the provision of a limited property tax exemption for new or rehabilitation multi-family housing; and

WHEREAS, the City has, as set forth in Chapter 3.27 SMC, enacted a program whereby property owners may qualify for a Final Certificate of Tax Exemption which certifies to the King County Assessor that the owner is eligible to receive a limited property tax exemption; and

WHEREAS, the Owner is interested in receiving a limited property tax exemption for constructing one-hundred and fifteen (115) units of NEW multifamily housing (“Project”) within the 145th St Station Sub-Area Residential Targeted Area pursuant to SMC 3.27.030; and

WHEREAS, the Owner submitted to the City a complete application for Property Tax Exemption outlining the proposed Project to be constructed on property located at 305 NE 152nd St in Shoreline, Washington (“Property”) and legally described in **Exhibit A** of this Contract; and

WHEREAS, in consideration of the City’s approval of MFTE Application No. PLN23-0018, the Owner accepts certain conditions affecting the use of the Property and the improvements authorized by Building Permit No. MFR22-1684. It is the purpose of this Contract to set forth those conditions and to impose enforceable restrictions on the use and occupancy of the residential portion of the Property; and

WHEREAS, on February 24, 2023, the City Manager for the City of Shoreline determined that the application met all the eligibility and procedural requirements to qualify for a Conditional Certificate of Acceptance of Property Tax Exemption as provided in Chapter 3.27 SMC, except for entering in to and recording this Contract; and

WHEREAS, on _____, the Shoreline City Council authorized the city manager to execute this contract; and

WHEREAS, the City has determined that the improvements will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption;

NOW, THEREFORE, for and in consideration of the mutual promises aforesaid and made and relied upon by the parties hereto, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and the City mutually agree as follows:

SECTION 1 — DEFINITIONS

Unless otherwise expressly provided herein, the following terms shall have the respective meanings set forth below. If a term is not defined herein, then it shall be defined as provided in Chapter 20.20 SMC or given its usual and customary meaning.

“Affordable Units” means the twenty-three (23) units in the Project designated by the Owner and approved by the City, as set forth in **Exhibit B**, and reserved for occupancy by Eligible Households with maximum rents pursuant to Section 3.

“City’s Designee” mean that individual(s) authorized by the City to administer this Contract.

“Completion Date” means the date of the first certificate of occupancy, temporary or final, issued by the City for the Project.

“Compliance Period” means twenty (20) years from the date of initial occupancy of the Affordable Units.

“Dwelling Unit” means a residential living facility, used, intended, or designed to provide physically segregated complete independent living facilities for one or more persons, including living, sleeping, cooking and sanitation facilities.

“Eligible Household” means one or more adults and their dependents who meet the qualifications for eligibility set forth in Section 3.F. or Section 3.I.

“Household Income” means gross annual income from all household members over the age of 18 residing in the household. Gross annual income consists of all wages, benefits (e.g., military, unemployment, welfare), interest, and other such income. Income of dependents over the age of 18 who reside within a household for less than three (3) months of the year will not be counted toward Household Income.

“Household Size” means all of the persons, related or unrelated, occupying an Affordable Unit. For the purpose of calculating maximum Housing Expenses, the following assumptions apply:

Unit Type	Assumed Household Size
Studio	1 Person
Open 1-Bedroom	1.5 Persons
1 Bedroom	1.5 Persons
2 Bedroom	3 Persons
3 Bedroom	4.5 Persons

“Housing Expense” means a tenant’s costs for rent and Utilities or an equivalent Utility Allowance. Expenses that the Owner makes optional, such as pet rent, extra storage space, or parking, are not considered Housing Expenses for the purpose of this Contract.

“Median Income” means the median family income for the *Seattle-Bellevue, WA HUD Metro FMR Area* as most recently published by the Secretary of Housing and Urban Development (HUD), as amended. In the event that HUD no longer publishes median family income figures, the City may estimate the Median Income applicable to the City in such manner as the City shall determine in its sole discretion.

“Property” means the real property, together with improvements, legally described in **Exhibit A**.

“Project” means the Owner’s multi-family residential building containing one-hundred and fifteen (115) Dwelling Units, located on NE 152nd St, also known as “Paramount Apartments Phase Two.”

“SMC” means the Shoreline Municipal Code, as it now exists or hereinafter amended.

“Utility” or “Utilities” means water, electricity, natural gas, sewer, and garbage collection but not including phone, internet service, or cable or satellite television.

“Utility Allowance” means that portion of Housing Expenses that the City determines, from time to time, is adequate for the reasonable Utility costs of Affordable Units in the event the Owner makes tenants responsible for payment for their own Utilities.

SECTION 2 — THE PROJECT

A. General Description. The Owner will construct the Project for purposes of providing multi-family rental housing, and the Owner shall own, manage, and operate (or cause the management and operation of) the Project. The Owner agrees to construct the Project in compliance with all applicable land use regulations and as approved and permitted by the City. In no event shall such construction provide less than fifty percent (50%) of the space for permanent residential occupancy as required by SMC 3.27.040(A)(2).

B. Completion within 3 years. The Owner agrees to complete construction of the agreed upon improvements within three (3) years from the date the City issues the Conditional Certificate of Acceptance of Tax Exemption, or within any extension thereof granted by the City.

C. Conversion from Renter-Occupied to Owner-Occupied. In the event the Property is proposed for conversion to a condominium, owner-occupied, or non-rental residential use during the Compliance Period, the Owner must submit to the City for its review a plan for preserving the Affordable Units. The City may consider options which would convert the Affordable Units to owner-occupancy by Eligible Households and are consistent with the provisions of Chapter 3.27 SMC and SMC 20.40.235. The Owner must receive authorization from the City prior to conversion to condominium, owner-occupied, or non-rental residential use. This section does not waive the Owner’s obligations to comply with any other law or regulations pertaining to conversion to ownership use.

SECTION 3 — AFFORDABLE UNITS FOR ELIGIBLE HOUSEHOLDS

A. Number of Affordable Units. The Project shall include the number and types of Affordable Units as set forth in the table below.

Dwelling Units in the Project

Unit Type (Bedrooms)	Affordable Units	Total Units
Studio	13	65
Open 1-bedroom	0	0
1-bedroom	8	40
2-bedroom	2	10
3-bedroom	0	0
Total	23	115

B. Location. The location of the affordable housing units shall be approved by the City, with the intent that the units are generally mixed with all other market rate housing in the development. Unless otherwise approved by the City, Affordable Units shall not exceed 40% of the dwelling units on any floor of a single building of the Project.

C. Similar Quality Construction. All of the Dwelling Units in the Project shall be constructed of similar quality. The Affordable Unit(s) shall have substantially the same net square footage, equipment, and amenities as other Dwelling Units in the Project with a comparable number of rooms.

D. Designation of Affordable Units. The Owner agrees to designate the Dwelling Units identified in **Exhibit B** as Affordable Units. The Owner, from time to time, may propose to change the specific Dwelling Units designated as Affordable Units herein, in which case the Owner shall notify the City of the proposed change in writing for the City’s approval. The City will review the proposed changes and shall approve or deny the proposed changes based upon the criteria that at all times at least twenty percent (20%) of all of the Dwelling Units in the Project are designated as Affordable Units, and provided that at all times the same unit mix and affordability mix is retained.

E. Maximum Rents for Affordable Units.

1. The Housing Expense of an Affordable Unit shall not exceed thirty percent (30%) of the Income Level relevant for the Unit Type shown in the following table, with adjustments for assumed Household Size.

Maximum Affordable Rents

Unit Type	Income Level - (Percent of Median Income)
Studio or 1 bedroom	70%
2 or more bedrooms	80%

2. An Affordable Unit's contract rent shall not exceed the unit's maximum Housing Expense less a Utility Allowance, if applicable, and any other recurring expenses required by the Owner as a condition of rental.

3. No Affordable Unit's tenant shall have more than one rent increase for the same Unit in any twelve (12)-month period; provided, however, that in the event an Affordable Unit's lease expires and said tenant elects to continue leasing the Affordable Unit on a month-to-month tenancy, and the tenant remains an Eligible Household, the Owner may increase the rent for that Affordable Unit up to once every thirty (30) days but no higher than the maximum contract rent as set forth in this section.

F. Renting Affordable Units to Eligible Households. During the Compliance Period, the Owner shall lease or rent, or make available for lease or rental, to Eligible Households all of the Affordable Units in the Project. If at any time the Owner is unable to rent or lease an Affordable Unit, then the Affordable Unit shall remain vacant pending rental or lease to Eligible Households.

G. Income Qualifications for Eligible Households.

1. To qualify as an Eligible Household for initial occupancy of an Affordable Unit, a household's Household Income may not exceed the applicable Percent of Median Income set forth in the table below, adjusted for the household's Household Size.

Maximum Income at Initial Occupancy Maximum

Bedrooms	Percent of Median Income
Studio or 1 bedroom	70%
2 or more bedrooms	80%

2. At time of recertification, as provided in Section I below, a tenant will remain an Eligible Household as long as said tenant's Household Income does not exceed the Maximum Income for Recertification.

H. Occupancy Limits for Affordable Units. The Owner shall utilize the following occupancy standards for Affordable Units:

Unit Type	Minimum Occupants
Studio or 1 bedroom	1 person
2-bedroom	2 persons
3-bedroom	3 persons
4-bedroom	4 persons

I. Completion of Certificate of Household Eligibility. Prior to allowing any household to occupy any Affordable Unit, the Owner shall require the prospective tenant to complete a Certification of Household Eligibility ("COHE") that shall be substantially in the form set forth in **Exhibit C**. The

Owner shall also undertake a good faith effort to verify the prospective tenant's Household Income, as reported on the completed COHE. The Owner's obligation to verify the reported Household Income shall be limited to requesting copies of and reviewing the prospective tenant's federal income tax returns, unless the Owner has actual knowledge, or reason to believe, that the information provided by the prospective tenant is materially inaccurate. In the event federal income tax returns are not available, the Owner shall verify Household Income using wage or salary statements, or other income records that the City may consider appropriate.

J. Household Eligibility Recertification. At each renewal of a lease for an Affordable Unit, the Owner shall require all tenants occupying Affordable Units to complete and return to the Owner an updated COHE. The Owner shall undertake a good faith effort to verify the reported Household Income as set forth in Section 3(H). If a tenant's Household Income exceeds the Maximum Income for Recertification set forth below when the tenant's lease expires, then within ninety (90) calendar days either (a) the Owner may charge said tenant the current, applicable market rent for the Dwelling Unit and the Owner must designate and rent the next available comparable market rate Dwelling Unit as an Affordable Unit, or (b) the tenant must vacate the Dwelling Unit, unless otherwise prohibited by law, so as to make it available for an Eligible Household.

Maximum Household Income for Recertification

Bedrooms	Percent of King County Median Income
Studio or 1 bedroom	90%
2 or more bedrooms	100%

K. Equal Access to Common Facilities. Tenants of the Affordable Units shall have equal access to all amenities and facilities of the Project, such as parking, fitness centers, community rooms, and swimming pools. If a fee is charged for the use of an amenity or facility, then all tenants in the Project must be charged equally for such use. If the City prohibits a fee for certain amenities or facilities included in the Project, such as parking, the Owner shall include such amenities or facilities in the rent price of an Affordable Unit. Parking is not guaranteed for all units and will be provided on a first-come, first-served basis.

SECTION 4 – MULTI-FAMILY LIMITED PROPERTY TAX EXEMPTION

A. The City agrees to issue the Owner a Conditional Certificate of Acceptance of Tax Exemption ("Conditional Certificate") once this Contract is approved by the City Council, fully executed, and recorded with the King County Recorder's Office. The Conditional Certificate shall expire three (3) years from the date the City Manager approved the Owner's application for tax exemption, unless extended by the City Manager as provided in SMC 3.27.060(B).

B. The Owner shall, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, file with the City Manager an application for Final Certificate of Tax Exemption ("Final Certificate") with the information and fees required by SMC 3.27.070. Required information includes:

1. A statement of expenditures made with respect to each multi-family housing unit and the total expenditures made with respect to the entire Property;
2. A description of the completed work and a statement of qualification for the exemption;
3. A statement that the work was completed within the required three-year period or any authorized extension; and
4. A statement that the Project meets affordable housing requirements of Chapter 3.27 SMC.

C. The City agrees, conditioned on the Owner's successful completion of the improvements in accordance with the terms of this Contract and on the Owner's filing of the materials described in Section B above, to file a Final Certificate with the King County Assessor within forty (40) days of application.

D. The Owner agrees, by December 15 of the year in which the City issued a Final Certificate for the Project, to provide the City information sufficient to complete the City's report to the Washington State Department of Commerce as set forth in SMC 3.27.090(D).

E. If the Owner converts any of the new or rehabilitated multi-family housing units constructed under this Contract into another use, the Owner shall notify the King County Assessor and the City Manager within sixty (60) days of such change in use.

F. Owner agrees that the Contract is subject to the Shoreline Multi-Family Housing Tax Exemption set forth in Chapter SMC 3.27.

SECTION 5 — ENFORCEMENT

A. Enforcement Provisions. The Owner shall exercise reasonable diligence to comply with the requirements of this Contract and shall correct any such noncompliance within sixty calendar days after such noncompliance is first discovered by the Owner, or would have been discovered by the exercise of reasonable diligence, or within 60 calendar days after the Owner receives notice of such noncompliance from the City, whichever is earliest; provided however, that such period for correction may be extended by the City if the Owner is exercising due diligence to correct the noncompliance. If such noncompliance remains uncured after such period, then the Owner shall be in default and the City on its own behalf may take any one or more of the following actions:

1. By any suit, action or proceeding at law or in equity, require the Owner to perform its obligations under this Contract, or enjoin any acts or things which may be unlawful or in violation of the rights of the City hereunder; it being recognized that the beneficiaries of the Owner's obligations hereunder cannot be adequately compensated by monetary damages in the event of the Owner's default;

2. Have access to, and inspect, examine and make copies of, all of the books and records of the Owner pertaining to the Project. Provided, however, the City shall not divulge such information to any third party unless required by law or unless the same is necessary to enforce the City's rights hereunder; and

3. Take such other action at law or in equity as may appear necessary or desirable to enforce the obligations, covenants, conditions and agreements of the Owner under this Contract.

SECTION 6 – CANCELLATION OF TAX EXEMPTION

A. The City reserves the right to cancel the Final Certificate should the Owner, its successors and assigns, fail to comply with any of the terms and conditions of this Contract, Chapter 3.27 SMC, or for any reason that the Project or that portion of the Property on which the Project is constructed no longer qualifies for the tax exemption.

B. Upon determining that a tax exemption is to be canceled, the City Manager shall notify the Owner by certified mail, return receipt request. The Owner may appeal the determination in accordance with SMC 3.27.100.

C. The Owner acknowledges that, in the event the City cancels the tax exemption, state law requires that an additional real property tax is to be imposed in the amount of (1) the difference between the tax paid and the tax that would have been paid if it had included the value of the non-qualifying improvements, dated back to the date that the improvements became non-qualifying; (2) a penalty of 20% of the difference calculated under Section (1) of this Paragraph C; and (3) interest at the statutory rate on delinquent property taxes and penalties, calculated from the date the tax would have been due without penalty if the improvements had been assessed without regard to the exemptions provided by Chapter 84.14 RCW and Chapter 3.27 SMC. The Owner acknowledges that, pursuant to RCW 84.14.110, any additional tax owed, together with interest and penalty, become a lien on that portion of the Property on which the Project is constructed and attached at the time the portion of the Property is removed from multi-family use or the amenities no longer meet applicable requirements, and that the lien has priority to and must be fully paid and satisfied before a recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the Property may become charged or liable. The Owner further acknowledges that RCW 84.14.110 provides that any such lien may be foreclosed in the manner provided by law for foreclosure of liens for delinquent real property taxes.

SECTION 7 — REPORTING REQUIREMENTS

A. Notice of Occupancy Permit. The Owner shall notify the City's Designee of receipt of the first occupancy permit for the Project within thirty (30) calendar days of the permit's issuance.

B. Initial Project Certification. After the Completion Date and until ninety percent (90%) of all rental units in the Project are occupied, the Owner shall file with the City a Project Certification report, substantially in the form of **Exhibit D**, attached with copies of the COHE required under Section 3 of this Contract.

C. Annual Project Certification. The Owner shall file with the City Manager, within thirty (30) days following the first anniversary of the City's filing of the Final Certificate and each year thereafter for the duration of the property tax exemption, a report substantially in the form of **Exhibit D**, attached with copies of the COHE and which includes information required by SMC 3.27.090, which includes:

1. A statement of occupancy and vacancy of the newly constructed or rehabilitated Project during the past twelve (12) months ending with the anniversary date;

2. A certification by the Owner that the Project has not changed use since the date the City approved the Final Certificate and that Project conforms with affordable housing requirements of Chapter 3.27 SMC; and

3. A description of any subsequent changes or improvements constructed after issuance of the Final Certificate.

D. Maintain Complete Records. The Owner shall maintain complete and accurate records pertaining to the Affordable Units and shall, during regular business hours, permit any duly authorized representative of the City, including, without limitation, the City's Designee, to inspect the books and records of the Owner pertaining to the Affordable Units, including the Initial and Annual Project Certifications, and if applicable, income documentation of households residing in Affordable Units in the Project. The Owner's failure to maintain such records or failure to allow inspection by the City or any duly authorized representative shall constitute a material default hereunder. The Owner shall retain all records pertaining to the Affordable Units for at least six (6) years.

E. Form of Certification. Notwithstanding anything in this Section to the contrary, the Owner shall submit all documentation required by this Section on the forms designated herein, which may be modified by the City from time to time. Changes to forms by the City shall not increase the Owner's obligations hereunder.

SECTION 8 — SUBSIDIZED TENANTS

The Owner shall accept as tenants for Affordable Units, on the same basis as all other prospective households, households who receive state or federal rent subsidies, such as Housing Choice Vouchers under Section 8 of the United States Housing Act of 1937, or other rent subsidies. The Owner shall not apply, or permit the application of, management policies or lease provisions with respect to the Project which have the effect of precluding occupancy of any Dwelling Units by rent subsidy recipients.

SECTION 9 — LEASE PROVISIONS

A. It is the Owner's responsibility to screen and select tenants for desirability and credit worthiness. Except as restricted in this Contract and under state and federal law, such selection is within the Owner's discretion. If written management policies exist, or exist in the future, with respect to the Project, the City may review such written policies and may require changes in such policies, if necessary, so that the policies comply with the requirements of this Contract.

B. All leases for Eligible Households shall contain clauses wherein each individual lessee: (1) certifies the accuracy of the statements made in the COHE, (2) agrees that the Household Income and other eligibility requirements shall be deemed substantial and material obligations of the tenancy, and (3) agrees that misrepresentation in the COHE is a material breach of the lease, entitling the Owner to immediately terminate tenant's lease for the Affordable Unit.

SECTION 10 — SALE OR TRANSFER OF THE PROJECT

The Owner hereby covenants and agrees not to sell, transfer or otherwise dispose of the Project or any portion thereof without first providing a written statement executed by the purchaser that the purchaser understands the Owner's duties and obligations under this Contract and will enter into a contract with the City for the continuation of those obligations. Such notice must be received by the City at least ten (10) working days prior to the close of escrow.

SECTION 11 — TERM

This Contract shall become effective upon its execution and shall continue in full force and effect throughout the Compliance Period, unless sooner modified or terminated by the City or property owner consistent with SMC 3.27.100, as adopted on the date of execution of this Contract.

SECTION 12 — NO DISCRIMINATION

The Owner shall not discriminate on the basis of race, creed, religion, color, sex, sexual orientation, age, national origin, marital status, citizenship or immigration status, honorably discharged veteran or military status, or presence of any sensory, mental, or physical handicap as set forth in RCW 49.60.030, as now existing and as may be amended, in the lease, use, or occupancy of the Project or in connection with the employment or application for employment of persons for the operation and management of the Project.

SECTION 13 — COVENANTS RUN WITH LAND

A. The City and Owner hereby declare their understanding and intent that the covenants, conditions and restrictions set forth herein directly benefit the land: (1) by enhancing and increasing the enjoyment and use of the Project by certain Eligible Households, and (2) by furthering the public purposes of providing housing for Eligible Households.

B. The City and the Owner hereby declare that the covenants and conditions contained herein shall bind the Owner and all subsequent owners of the Project or any interest therein, and the benefits shall inure to the City, all for the Compliance Period. Except as provided in Section 12 of this Contract, each and every contract, deed or other instrument hereafter executed conveying the Project or any portion thereof or interest therein shall contain an express provision making such conveyance subject to the covenants and conditions of this Contract, provided however, that any such contract, deed or other instrument shall conclusively be held to have been executed, delivered and accepted subject to such covenants and conditions, regardless of whether or not such covenants and conditions are set forth or incorporated by reference in such contract, deed or other instrument.

C. Hold Harmless. The Owner shall defend, indemnify, and hold the City, its officers, officials, employees, volunteers and its Designee and any other party authorized hereunder to enforce the terms of this Contract, harmless from any and all claims, injuries, damages, losses, or suits, including attorney fees, arising out of or resulting from this Contract. This provision shall survive termination or expiration of this Contract.

D. No Third-Party Beneficiaries. The provisions of this Contract and of the documents to be executed and delivered in connection herewith are and will be for the benefit of the Owner and the City only and, are not for the benefit of any third party (including, without limitation, any tenants or tenant organizations), and accordingly, no third party shall have the right to enforce the provisions of this Contract or of the documents to be executed and delivered in connection herewith.

E. Binding Provisions. The provisions, covenants, and conditions contained in this Contract are binding upon the parties hereto and their legal heirs, representatives, successors, assigns, and subsidiaries and are intended to run with the land.

SECTION 14 — FORECLOSURE

In the case of any foreclosure, the immediate successor in interest in the Property pursuant to the foreclosure shall assume such interest subject to the lease(s) between the prior Owner and the tenant(s) and to this Contract for Affordable Units. This provision does not affect any state or local law that provides longer time periods or other additional protections for tenants.

SECTION 15 — ESTOPPEL CERTIFICATE

The City agrees, upon the request of the Owner or its successor in interest, to promptly execute and deliver to the Owner or its successor in interest or to any potential or actual purchaser, mortgagor, or encumbrancer of the Project, a written certificate stating, if such is true, that the City has no knowledge of any violation or default by the Owner of any of the covenants or conditions of this Contract, or if there are such violations or defaults, the nature of the same.

SECTION 16 — AGREEMENT TO RECORD

The Owner shall cause this Contract to be recorded in the real property records of King County, Washington. The Owner shall pay all fees and charges incurred in connection with such recording and shall provide the City with a copy of the recorded document.

SECTION 17 — RELIANCE

The City and the Owner hereby recognize and agree that the representations and covenants set forth herein may be relied upon by City and the Owner. In performing its duties and obligations hereunder, the City may rely upon statements and certificates of the Owner and Eligible Households, and upon audits of the books and records of the Owner pertaining to occupancy of the Project. In performing its duties hereunder, the Owner may rely on the Certificates of Household Eligibility unless the Owner has actual knowledge or reason to believe that such Certificates are

inaccurate.

SECTION 18 — GOVERNING LAW

This Contract shall be governed by the laws of the State of Washington, except to the extent such laws conflict with the laws of the United States or the regulations of federally insured depository institutions or would restrict activities otherwise permitted in relation to the operation of federally insured depository institutions. Venue for any legal actions shall be in King County Superior Court or, if pertaining to federal laws, the U.S. District Court for Western Washington.

SECTION 19 — NO CONFLICT WITH OTHER DOCUMENTS

The Owner warrants that it has not executed and will not execute, any other agreement with provisions contradictory to, or in opposition to, the provisions hereof, and that in any event the requirements of this Contract are paramount and controlling as to the rights and obligations herein set forth and supersede any other requirements in conflict herewith.

SECTION 20 — AMENDMENTS

This Contract shall be amended only by a written instrument executed by the parties hereto or their respective successors in interest, and duly recorded in the real property records of King County, Washington. Amendments to **Exhibit B** shall be considered approved in writing when the **Revised Exhibit B** is signed by the Owner and the City without the need for a further written document attaching the revised exhibit and striking prior versions of the exhibit. In the event of conflict between versions of **Exhibits B**, the version maintained by the City as the then-current version, signed by Owner and City, shall prevail.

SECTION 21 — NOTICE

A. Any notice or communication hereunder, except legal service of process, shall be in writing and may be given by registered or certified mail. The notice or communication shall be deemed to have been given and received when deposited in the United States Mail, properly addressed with postage prepaid. If given otherwise, it shall be deemed to be given when delivered to and received by the party to whom addressed. Such notices and communications shall be given to the Parties' representatives hereto at their following addresses:

If to the City:	City of Shoreline 17500 Midvale Ave N Shoreline, WA 98133 Attn: City Manager
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If to the Owner:	WZL Enterprises LLC 4412 Russell Road, Unit B Mukilteo, WA 98275
------------------	--

B. Any party may change its identified representative and address for notices upon ten (10) calendar days prior written notice to the other parties. Legal counsel for a party may deliver notices on behalf of the represented party and such notice shall be deemed delivered by such party.

SECTION 22 — SEVERABILITY

If any provision of this Contract shall be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.

SECTION 23 — CONSTRUCTION

Unless the context clearly requires otherwise, words of the singular number shall be construed to include the plural number, and vice versa, when appropriate. All the terms and provisions hereof shall be construed to effectuate the purposes set forth in this Contract and to sustain the validity hereof.

SECTION 24 — TITLES AND HEADINGS

The titles and headings of the sections of this Contract have been inserted for convenience of reference only, are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof or be considered or given any effect in the construing this document or any provision hereof or in ascertaining intent, if any question of intent shall arise.

SECTION 25 – COUNTERPART ORIGINALS

This Contract may be executed in any number of counterpart originals, each of which shall be deemed to constitute an original contract, and all of which shall constitute one contract. The execution of one counterpart by a Party shall have the same force and effect as if that Party had signed all other counterparts.

SECTION 26 – AUTHORITY TO EXECUTE

Each person executing this Contract on behalf of a Party represents and warrants that he or she is fully authorized to execute and deliver this Contract on behalf of the Party for which he or she is signing. The Parties hereby warrant to each other that each has full power and authority to enter into this Contract and to undertake the actions contemplated herein and that this Contract is enforceable in accordance with its terms.

SIGNATURES ON FOLLOWING PAGE

IN WITNESS WHEREOF, the Owner and City have each executed the Multi-Family Housing Limited Property Tax Exemption Contract on the Date first above written.

Owner:

City of Shoreline

By: _____
Name: Marc Wislen
Its: LLC Manager
Date: _____

By: _____
Name: Bristol S. Ellington
Its: City Manager
Date: _____

Approved as to Form:

Office of the City Attorney
By: Julie Ainsworth Taylor
Title: ASST City Attorney

NOTARIZATIONS ON FOLLOWING PAGE

OWNER:

State of Washington)
) ss
County of King)

On this _____ day of _____, 20____, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, known to me to be the _____ of _____, who executed the foregoing document on behalf of said entity, and acknowledged the said document to be the free and voluntary act and deed of said entity, for the uses and purposes therein mentioned, and on oath stated that he or she was authorized to execute said document.

IN WITNESS WHEREOF I have given under my hand and official seal this _day of _____, 20__.

Notary Public in and for the State of Washington.

Print Name _____
Residing at _____
My commission expires _____

CITY OF SHORELINE:

State of Washington)
) ss
County of King)

On this _____ day of _____, 20____, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, known to me to be the _____ of the CITY OF SHORELINE, who executed the foregoing document on behalf of said City, and acknowledged the said document to be the free and voluntary act and deed of said City, for the uses and purposes therein mentioned, and on oath stated that he or she was authorized to execute said document.

IN WITNESS WHEREOF I have given under my hand and official seal this _day of _____, 20__.

Notary Public in and for the State of Washington.

Print Name _____
Residing at _____
My commission expires _____

EXHIBIT A

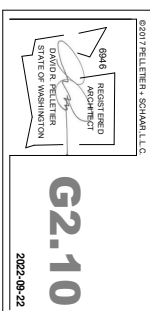
LEGAL DESCRIPTION

PARCEL A

LOTS 8, 9, AND 10, FRANKLIN ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 45 OF PLATS, PAGE 55, RECORDS OF KING COUNTY, WASHINGTON; EXCEPT THE EAST 8 FEET THEREOF; SITUATE IN CITY OF SHORELINE, COUNTY OF KING, STATE OF WASHINGTON.



FLOOR PLAN - LEVEL 3



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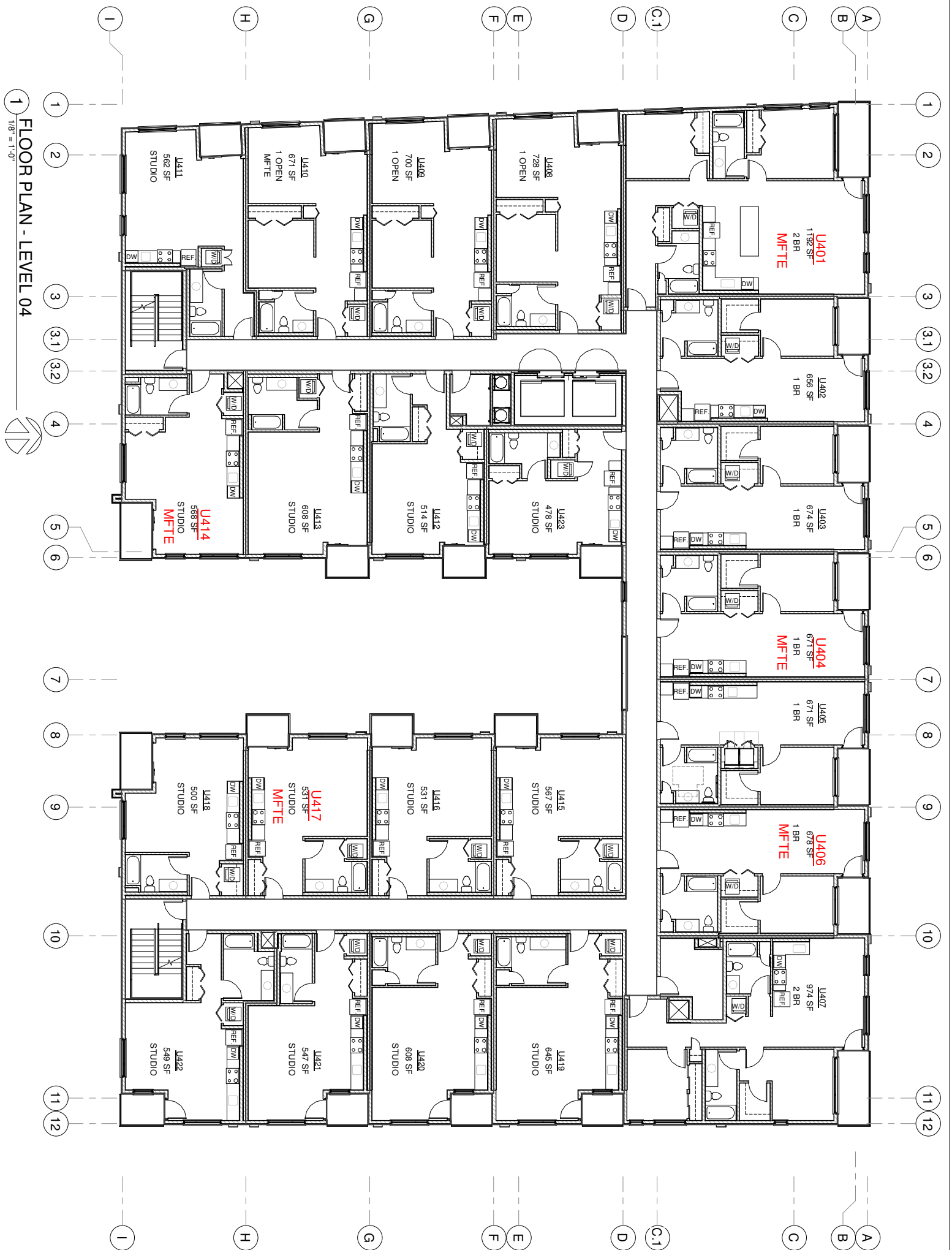
ISSUED:	
PROJECT NUMBER:	305-317 NE 152ND ST SHORELINE, WA 98155
APPROVED BY:	
PROJECT ARCHITECT:	DAVID PELLETIER
PREPARED BY:	

PARAMOUNT PHASE II
305-317 NE 152ND ST
SHORELINE, WA 98155

305 - 317 NE 152ND ST, SHORELINE, WA 98155

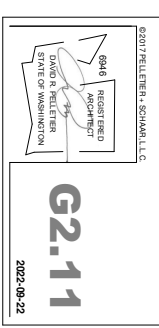
PARAMOUNT PHASE II APARTMENTS

MFTE Contract
CAO/JAT 7-2022
Page 18 of 30



MFTE Contract
CAO/JAT 7-2022
Page 19 of 30

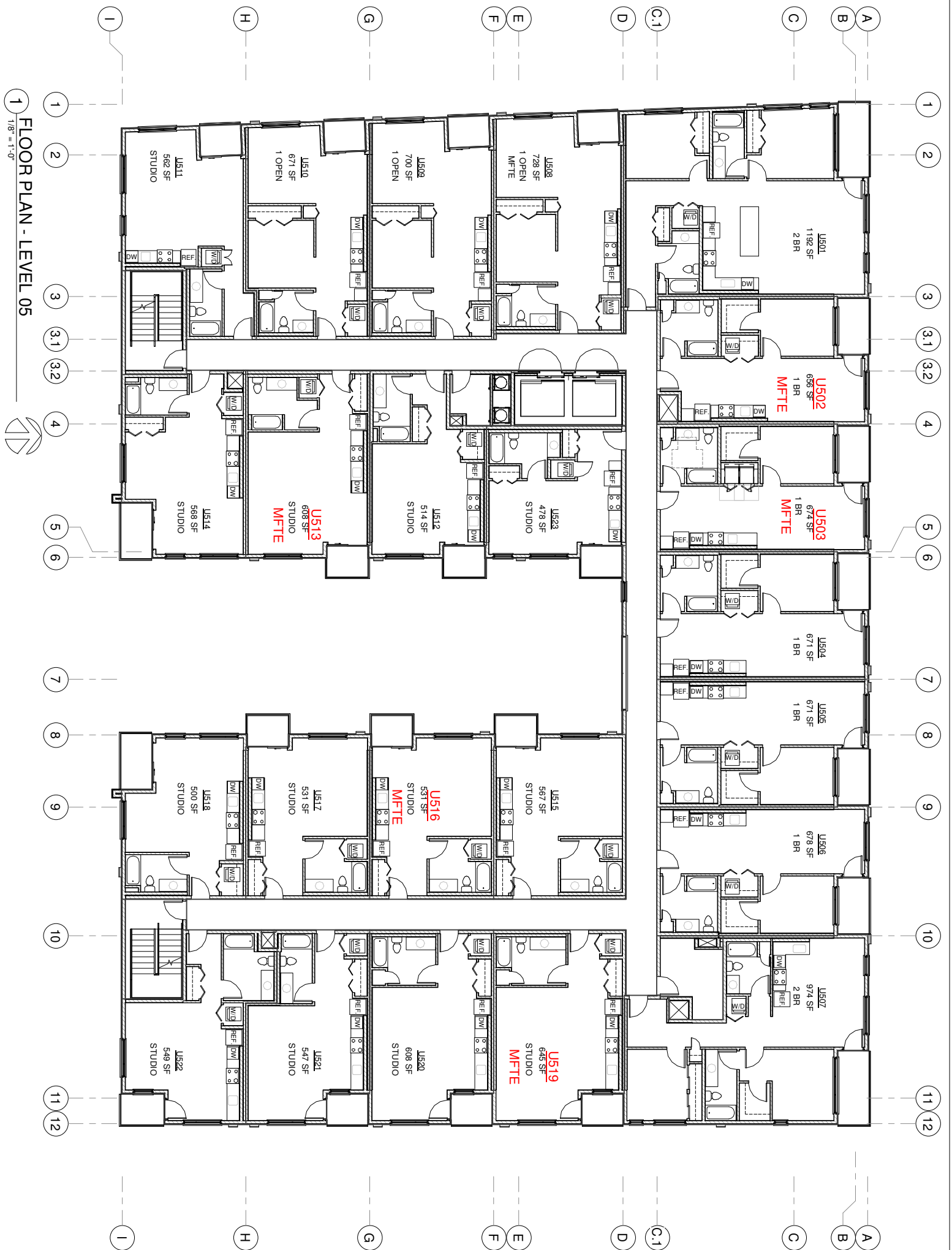
FLOOR PLAN - LEVEL 4



PELLETIER SCHAAR
 Vision Based Architecture
 2640 98th Dr., NW, Suite B - Sammamish, WA
 98050
 www.pelletierschaar.com · 360-639-5375


ISSUED:	
PROJECT NUMBER:	
APPROVED BY:	
PROJECT ARCHITECT:	DAVID PELLETIER
PREPARED BY:	

PARAMOUNT PHASE II
 305-317 NE 152ND ST
 SHORELINE, WA 98155



1 FLOOR PLAN - LEVEL 05
1/8" = 1'-0"

MFTE Contract
CAO/JAT 7-2022
Page 20 of 30


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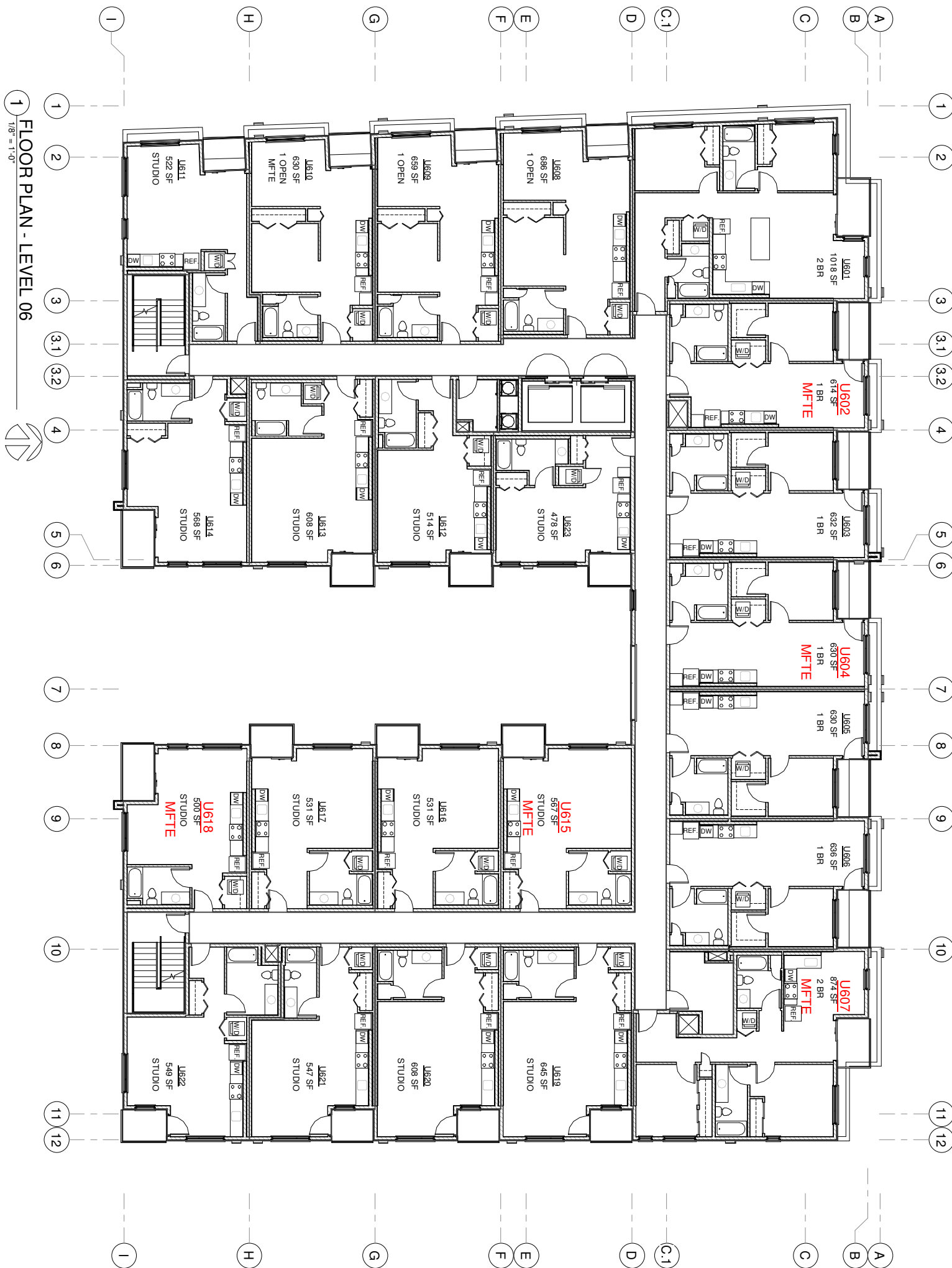
PROJECT NUMBER:
 APPROVED BY:
 PROJECT ARCHITECT: DAVID PELLETIER
 PREPARED BY:

ISSUED:
 DATE: 10/20/2022

PARAMOUNT PHASE II
 305-317 NE 152ND ST
 SHORELINE, WA 98155

6046 RICHARD REED
 ARCHITECT
 DAVID PELLETIER
 ARCHITECT
 DAVID PELLETIER
 ARCHITECT

G2.12
 2022-09-22



1 FLOOR PLAN - LEVEL 06
1/8" = 1'-0"

MFTE Contract
CAO/JAT 7-2022
Page 21 of 30

ISSUED:

PARAMOUNT PHASE II
305 & 317 NE 152ND ST
SHORELINE, WA 98155

PROJECT NUMBER:
APPROVED BY:
PROJECT ARCHITECT: DAVID PELLETIER
PREPARED BY:

PELLETIER SCHAAR
Vision Based Architecture
2640 98th Dr, NW, Suite B - Sammamish, WA
98074
www.pelletierschaar.com · 360-659-5375

6046 RICHTER ROAD
DAVID PELLETIER
DAVID SCHAAR
DAVID PELLETIER ARCHITECTURE
LLC, A PROFESSIONAL CORPORATION
2022-09-22

G2.13

FLOOR PLAN - LEVEL 6



FLOOR PLAN - LEVEL 7

6046 RICHTER RD
 SHORELINE, WA 98155
 DAVID PELLETIER
 ARCHITECT
 2022-09-22

G2.14

PELLETIER + SCHAAR
 Vision Based Architecture
 2640 98th Dr., NW, Suite B - Sammamish, WA
 98074
 www.pelletierschaar.com · 360-639-3375

ISSUED:	
PROJECT NUMBER:	
APPROVED BY:	
PROJECT ARCHITECT:	DAVID PELLETIER
PREPARED BY:	

PARAMOUNT PHASE II
 305 & 317 NE 152ND ST
 SHORELINE, WA 98155



EXHIBIT C
CERTIFICATION OF HOUSEHOLD ELIGIBILITY

City of Shoreline Affordable Housing

I, _____, and I, _____, as applicants for rental of the following Affordable Unit, do hereby represent and warrant that my/our adjusted annual income is \$ _____.

Property: _____ Property Address: _____

Unit # _____ No. of Bedrooms: __ Household size:¹ __ Disabled: Yes / No

The attached computation includes all income I/we received for the date I/we execute a rental agreement for an affordable unit, or the date on which I/we will initially occupy such unit, whichever is earlier.

This affidavit is made with the knowledge that it will be relied upon by the City to determine maximum income for eligibility. I/We warrant that all information set forth in this Certification of Household Eligibility is true, correct and complete based upon information I/We deem reliable, and that the estimate contained in the preceding paragraph is reasonable and based upon such investigation as the undersigned deemed necessary. I/we will assist the Owner in obtaining any information or documents required to verify the statements made in this Certification.

I/We acknowledge that I/we have been advised that the making of any misrepresentation or misstatement in this affidavit will constitute a material breach of my/our agreement with the Owner to lease the unit and will entitle the Owner to prevent or terminate my/our occupancy of this unit by institution of an action for eviction or other appropriate proceedings.

I/We do hereby swear under penalty of perjury that the foregoing statements are true and correct.

Signature _____
Date _____
Mailing Address _____
E-mail Address _____
Phone _____

Signature _____
Date _____
Mailing Address _____
E-mail Address _____
Phone _____

¹ The number of people who will reside with you at least four (4) months of the year.

HOUSEHOLD MEMBERS

Name	Age	Name	Age

INCOME COMPUTATION

"Household income" includes all items listed below, from all household members over the age of 18. Income of dependents over 18, who reside in the unit for less than four (4) months of the year will not be counted toward household income.

For the previous 12-month period, indicate income received from the following sources:

- a) The full amount, before any payroll deductions, of wages, salaries, overtime pay, commissions, fees, tips, bonuses and other compensation for personal services, and payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay and any earned income tax credit to the extent that it exceeds tax liability. \$_____
 - b) Net income from operations of a business or profession or net income of any kind from real or personal property. \$_____
 - c) Interest and dividends; \$_____
 - d) The full amount of periodic payments received from Social Security, pensions, retirement funds, annuities, insurance policies, disability or death benefits, alimony, child support, or any similar type of periodical payments, and any regular contributions or gifts from persons not residing in the unit. \$_____
 - e) Public assistance payments. \$_____
 - f) Regular and special allowances and pay of a member of the Armed Forces who is a spouse or head of the family. \$_____
- TOTAL \$_____

(NOTE: The following are not considered income: occasional, infrequent gifts of money; one-time payments from insurance policies or an inheritance settlement; scholarships or student loans for tuition, fees or books; foster child care payments; the value of Food Stamp coupons; hazardous duty pay to a member of the Armed Forces; relocation payments; assistance received under the Low-Income Home Energy Assistance Program or any similar program).



EXHIBIT D

Multifamily Property Tax Exemption Program
Annual Project Certification

Reporting Requirements

The property owner must file this Annual Report with the City of Shoreline within thirty (30) calendar days after the anniversary of the date the Final Certificate of Tax Exemption was issued- for the term of the exemption period. Failure to submit this annual declaration may result in cancellation of the tax exemption.

Property Owner’s Authorized Representative (if applicable)

Name: _____
Company Name: _____
Mailing Address: _____
Phone: _____ Email Address: _____

Property Owner

Name: _____
Company Name: _____
Mailing Address: _____
Phone: _____ Email Address: _____

Property Information

Property Address: _____
Tax Assessor Parcel Number(s): _____
Project Name: _____
Date Final Certificate of Tax Exemption for this property was issued: _____

Are any units in the property offered as short-term (less than 1 month) rental units?

- Yes
- No

Has the property changed from multifamily use the previous 12 months?

- Yes
- No

If the property has changed use, describe the changes.

Have there been any improvements made to the property in the previous 12 months?

- Yes
- No

If there have been improvements to the property, describe the improvements.

Has the property been in compliance with the affordable housing requirements of the MFTE program during the previous 12 months, including the terms and conditions of the contract with the City of Shoreline?

- Yes
- No

If the property has not been in compliance, describe the reason for non-compliance.

Complete the table below to demonstrate the time the multi-family unit(s) in the Project have been occupied and/or vacant during the previous 12 months.

Unit #	Type	Number of Months Occupied	Number of Months Vacant

Affirmation

As the property owner of record, or authorized representative of the property owner, of the property described in this Annual Report, I declare under penalty of perjury under the laws of the State of Washington that this Annual Report, and any accompanying documents have been examined by me and that they are true, correct, and complete to the best of my knowledge.

Owner/Owner Representative Signature: _____ Date: _____

The below notary section only needs to be completed for properties that received a transportation impact fee or park impact fee exemption based on the provision of low-income housing.

STATE OF WASHINGTON)

) ss

County of King)

On this _____ day of _____, 20____ before me personally appeared _____ to me known to be the individual(s) described in and who executed the foregoing instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

PROJECT NAME _____

REPORTING PERIOD: _____ through _____.

Contract rent included the following (please answer “yes” or “no”):

Electricity and gas? _____

Water and sewer? _____

Garbage and recycling? _____

Other expenses tenants are required to pay in addition to contract rent:

Renter’s insurance? _____

King County Sewer Capacity Charge? _____

Other (specify)? _____

Other (specify)? _____

Does your contract/covenant include parking for one motor vehicle in its definition of “Housing Expense?” _____ If YES, proceed to question A, if NO, proceed to question B.

A) Do all MFTE units include a parking spot? _____
If no, was the parking rate deducted from the maximum allowable rent for those units without parking? _____

B) What is the monthly parking charge for each type of unit?
Market rate? _____
70% AMI? _____
80% AMI? _____

Please attach a copy of the property’s standard residential lease agreement.

Please complete the Details for Income-Restricted Units and submit with this certification.

Details for Income-Restricted Units

Project Name:

Reporting Period:

Electricity & Gas	Does Contract Rent Include:		Water & Sewer	Garbage?	Max residents required to buy				
	Yes	No			Yes	No			
For each "No" enter the Allowance or Fee below (except Renter's Insurance, if it's not required).									
					Renter's Insurance	One Parking Space	Renter's Insurance?	Yes	No

Unit #	Tenant Name	Family Size	Move-In Date	Current Lease Start Date	Current Household Income*	Unit Type (BRs)	Affrd Level	Max Household Income**	Electric & Gas Allowance**	Water & Sewer Allowance**	Garbage Allowance (or Fee)**	Insurance Allowance**	Parking fee	Max Rent**	Current Contract Rent

* As of report date or when current lease was signed.
 ** Find on Rent and Income Limits (Also see charts below)

Utility Allowance	
Studio	
1-bedroom	
2-bedroom	

2023 Multi-Family Tax Exemption Program Report - City of Shoreline

Updated 3/14/2022

Currently in MFTE Program								
Units	Project	Type	Affordable	Start	End	Improvements Valuation (2023)	City Tax Rate (2023)	City Property Tax Abatement
16	3108 Apartments	12-year affordable	4	1/1/2021	12/31/2032	\$ 3,490,000	\$ 1.39000	\$ 4,851
81	Arabella II	12-year affordable	17	1/1/2020	12/31/2031	\$ 20,493,000	\$ 1.39000	\$ 28,485
164	Geo Apartments	12-year affordable	34	1/1/2021	12/31/2032	\$ 64,761,400	\$ 1.39000	\$ 90,018
80	Interurban Lofts	12-year affordable	16	1/1/2018	12/31/2029	\$ 3,720,800	\$ 1.39000	\$ 5,172
129	Malmo	12-year affordable	26	1/1/2015	12/31/2026	\$ 41,409,600	\$ 1.39000	\$ 57,559
5	North City Development	12-year affordable	1	1/1/2015	12/31/2026	\$ 616,100	\$ 1.39000	\$ 856
221	Paceline	12-year affordable	44	1/1/2019	12/31/2030	\$ 87,561,600	\$ 1.39000	\$ 121,711
165	Polaris*	State program	165	1/1/2015	12/31/2026	see note	\$ 1.39000	
60	Sunrise Eleven	12-year affordable	12	1/1/2018	12/31/2029	\$ 16,980,000	\$ 1.39000	\$ 23,602
72	The 205 Apartments	12-year affordable	14	1/1/2019	12/31/2030	\$ 20,273,000	\$ 1.39000	\$ 28,179
124	Green Leaf Shoreline	12-year affordable	25	1/1/2021	12/31/2032	\$ 47,845,100	\$ 1.39000	\$ 66,505
330	The Current	12-year affordable	66	1/1/2022	12/31/2033	\$ 98,662,300	\$ 1.39000	\$ 137,141
15	Pinnacle One	12-year affordable	3	1/1/2023	12/31/2034	\$ 3,606,000	\$ 1.39000	\$ 5,012
243	The Postmark	12-year affordable	49	1/1/2021	12/31/2032	\$ 69,460,500	\$ 1.39000	\$ 96,550
1,705			476			\$ 478,879,400		\$ 665,642

Graduates of MFTE Program								
Units	Project	Type		Start	End	Improvements Valuation (2023)	City Tax Rate (2022)	2021 Revenue
88	Arabella	10-year market	n/a	1/1/2008	12/31/2017	\$ 25,627,600	\$ 1.39000	\$ 35,622
88						\$ 25,627,600		\$ 35,622

Conditional Certificates of MFTE								
Units	Project	Type	Affordable	Cert. Date	Expiration	Status	Est. Completion	Final App
315	18815 Aurora Ave N	12-year affordable	63	4/20/2021	4/20/2024	Construction	Apr-23	no
227	Quinn by Vintage*	State program	226	6/30/2021	6/30/2024	Construction	Jan-23	no
203	Geo II	12-year affordable	41	7/13/2022	7/13/2025	Construction	Mar-23	no
22	Pinnacle 2	12-year affordable	5	10/21/2022	10/21/2025	Construction	Aug-24	no
235	The Line	12-year affordable	46	Pending		Construction		no
252	Ion 149th	12 or 20-year affordable	51	Pending		Predevelopment	May-24	no
547	Shea 108 NE 145th	12-year affordable	110	1/12/2023	1/12/2026	Predevelopment	2025	no
299	Shoreline 147th	20-year affordable	60	11/22/2022	11/22/2025	Construction	Jan-24	no
35	Paramount	20-year affordable	7	7/5/2022	7/5/2025	Construction	May-23	no
161	18551 Aurora Ave N	12-year affordable	33	7/20/2022	7/20/2025	Construction	Sep-23	no
210	Midvale by Vintage	12-year affordable	43	Pending		Predevelopment	Oct-23	no
386	Brea	12-year affordable	77	Pending		Predevelopment	Sep-25	no
385	Modera	12-year affordable	77	Pending		Predevelopment	Sep-25	no
240	Kinect	12-year affordable	48	Pending		Predevelopment	Apr-24	no
11	TenReal 19232 5th Ave NE	12 or 20-year affordable	3	Pending		Predevelopment		no
115	Paramount 2	20-year affordable	23	Pending		Predevelopment	Dec-24	no
300	Grand Peaks	20-year affordable	60	Pending		Predevelopment		no
172	Burl	12 or 20-year affordable	35	Pending		Predevelopment		no
197	18910 8th Ave NE	12 or 20-year affordable	39	Pending		Predevelopment		no
12	Sunrise 12	12 or 20-year affordable	3	Pending		Predevelopment		no
298	811 NE 188th St	12 or 20-year affordable	60	Pending		Predevelopment		no
288	17712 15th Ave NE	12 year	58	Pending		Predevelopment		no
4,910			1,168					

6,703 Total homes**1,644 Affordable homes**

*Participates in alternative state incentive program offering full property tax exemption; the City's MFTE program acts as backup.

2022 Income and Rent Limits

City of Shoreline

Based on the King County (Seattle-Bellevue HFMA) Median Income:
 HUD Very Low-Income Limit:

\$134,600 for a family of 4.
\$64,700 for a family of 4.

Rent Limits						Household Income Limits		
AMI	BEDROOMS	Maximum Monthly Housing Costs	Maximum Rent if No Other Expenses	Maximum Rent if Tenant Pays Own Utilities, and No Other Expenses	Maximum Rent if Tenant Pays Own Utilities, Renters Insurance, and No Other Expenses	AMI: Household Size	50% Initial Occupancy	70% Recertification
		50%	Studio	\$1,133	\$1,133	\$1,025	\$1,012	1
	"Open 1"	\$1,214	\$1,214	\$1,106	\$1,093	2	\$51,800	\$68,100
	One	\$1,214	\$1,214	\$1,106	\$1,093	3	\$58,250	\$76,650
						4	\$64,700	\$85,100
						5	\$69,900	\$91,950
60%	Studio	\$1,311	\$1,311	\$1,203	\$1,190	1	\$52,450	\$66,750
	"Open 1"	\$1,405	\$1,405	\$1,297	\$1,284	2	\$59,950	\$76,250
	One	\$1,405	\$1,405	\$1,297	\$1,284	3	\$67,450	\$85,800
	Two	\$1,686	\$1,686	\$1,552	\$1,539	4	\$74,900	\$95,300
	Three	\$1,948	\$1,948	\$1,778	\$1,765	5	\$80,950	\$102,950
	Four	\$2,098	\$2,098	\$1,887	\$1,874			
70%	Studio	\$1,490	\$1,490	\$1,382	\$1,369	1	\$59,600	\$75,050
	"Open 1"	\$1,596	\$1,596	\$1,488	\$1,475	2	\$68,100	\$85,800
	One	\$1,596	\$1,596	\$1,488	\$1,475	3	\$76,650	\$96,500
	Two	\$1,915	\$1,915	\$1,781	\$1,768	4	\$85,100	\$107,200
	Three	\$2,214	\$2,214	\$2,044	\$2,031	5	\$91,950	\$115,800
	Four	\$2,384	\$2,384	\$2,173	\$2,160			
80%	Two	\$2,145	\$2,145	\$2,011	\$1,998	2	\$76,250	\$95,350
	Three	\$2,479	\$2,479	\$2,309	\$2,296	3	\$85,800	\$107,250
	Four	\$2,669	\$2,669	\$2,458	\$2,445	4	\$95,300	\$119,150
						5	\$102,950	\$128,700

Maximum monthly housing costs are 30% of the maximum household income, and include basic utilities, and any costs required by the property owner (e.g., renter's insurance).

Income and housing cost limits are adjusted from the 4-person basis according to the table below, left.

Maximum contract rents are calculated by deducting charges borne by the tenant: basic utilities or utility allowance and monthly costs required for tenancy (e.g., renters insurance). Instead of deducting actual expenses, the owner may deduct allowances according to the table below.

Other Expense Allowances			
Bedrooms	Electricity & Gas	Water, Sewer, Garbage	Renter's Insurance
Studio	\$38	\$70	\$13
"Open 1"	\$38	\$70	\$13
One	\$38	\$70	\$13
Two	\$53	\$81	\$13
Three	\$70	\$100	\$13
Four	\$93	\$118	\$13

Example: The maximum rent of an 70% AMI studio with all utilities included, and no other required expenses, would be \$1,490
 The maximum rent for the same studio with no utilities included and renters insurance required would be \$1,369
 The maximum rent for the same studio with water, sewer, and garbage included (i.e., no W/S/G allowance) but not electricity and gas, and renter's insurance required would be \$1,439

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorizing the City Manager to Execute Supplement No. 4 to Contract 8463 with H.W. Lochner, Inc. in the Amount of \$1,522,872 for Design, Right-of-Way, and Environmental Services for the SR-523 (N/NE 145 th Street) & Interstate-5 Interchange Project
DEPARTMENT:	Public Works
PRESENTED BY:	Elizabeth Kelly, City Engineer
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

Staff is requesting that the City Council authorize the City Manager to execute Supplement No. 4 to Contract 8463 with H.W. Lochner, Inc. (Lochner), for design, environmental and right-of-way (ROW) services related to the SR-523 (N/NE 145th Street) & Interstate-5 (I-5) Interchange Project. The proposed scope of work for this Supplement is attached to this staff report as Attachment A.

In January 2023, Lochner delivered the 100% design plans and other deliverables to City staff for review. At that time, staff also distributed the 100% plans to other project stakeholders for review and comment. This included the Washington State Department of Transportation (WSDOT), Seattle Department of Transportation (SDOT), Sound Transit (ST), Seattle Public Utilities (SPU), and Seattle City Light (SCL). The City’s and stakeholder’s reviews were completed in February 2023, and Lochner is incorporating their comments into the design plans.

This Supplement is required for Lochner to advance the design plans and specifications from 100% to Advertising-Ready status, and to complete the final construction estimate, obtain approval from SPU and SCL, obtain approval and final permits from WSDOT and SDOT, and provide technical assistance during bidding.

RESOURCE/FINANCIAL IMPACT:

This project is included in the adopted 2023 - 2028 Capital Improvement Plan. The project budget summary is as follows:

EXPENDITURES

City Staff	\$ 498,050
City Direct Expenses	\$ 25,000
Consultant Contracts	
HW Lochner Contract, Including Supplement 1	\$ 2,124,935
HW Lochner Supplement 2	\$ 2,471,183

HW Lochner Supplement 3	\$ 592,312
<i>HW Lochner Supplement 4 (this contract supplement)</i>	\$ 1,522,872
WSDOT Review	\$ 15,000
WSDOT Project Administration	\$ 25,000
Right-of-Way Acquisition	\$ 2,100,000
Construction Administration & Engineering	\$ 4,777,620
Interchange Construction	\$ 17,151,660
Utility Betterment and Relocation Construction	\$ 4,051,060
Construction Contingency	\$ 1,930,500
Arts Fund	\$ 171,520
Total Expenditures	\$ 37,456,712

REVENUE

Secured

Roads Capital Fund	\$ 771,520
Fee In-lieu	\$ 152,910
Federal STP Grant – Design	\$ 3,982,500
Federal STP Grant – Construction	\$ 4,920,000
Seattle Public Utilities	\$ 2,184,060
Seattle City Light	\$ 3,055,060
Shoreline Sewer	\$ 228,180
WSDOT Regional Mobility Grant – Construction	\$ 5,000,000
Sound Transit Agreement – ROW & Construction	\$ 10,000,000
Transportation Improvement Board – Design & Construction	\$ 5,000,000
Total Revenue	\$ 35,294,230

Supplement 4 would increase Lochner’s contract amount by \$1,522,872, from \$5,188,430 to \$6,711,302. It should also be noted that there is a nearly \$2.2 million gap between anticipated expenditures and planned revenues on this project. While staff is currently analyzing options for closing this gap, there is adequate funding to approve this contract supplement. The need for any additional revenue would be handled through a future budget amendment.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute Supplement No. 4 to H.W. Lochner’s professional services contract in the amount of \$1,522,872, for a total contract amount of \$6,711,302 for engineering design, right-of-way, and environmental permitting services for the SR-523 (N/NE 145th Street) & I-5 Interchange Project.

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

BACKGROUND

In 2016, the City began implementing improvements identified in the [145th Street Multimodal Corridor Study](#) to improve access and safety for all travel modes, and to improve access to ST's 145th Street Light Rail Station. Proposed improvements for the SR 523/145th Street – Interstate 5 interchange included traffic signal optimization, a new non-motorized bridge, and a new northbound I-5 on-ramp. In May 2017, the City Council authorized execution of contract 8463 with Lochner for engineering, ROW acquisition, and environmental review up to 30% design completion. The staff report for this Council authorization can be found at the following link: [City Council execution of Contract 8463 with H.W. Lochner](#).

During Lochner's initial design work in 2018, WSDOT requested a design evaluation of the intersections at the east and west ends of the existing I-5 overpass at 145th Street. As a result of the design evaluation, called an Intersection Control Evaluation (ICE), the City found that incorporating roundabouts into the design at these two locations will provide significantly greater multi-modal access and mobility than the signal-controlled intersections that were proposed in the City's 2016 corridor study, and at approximately the same total cost.

In January 2020, the City Council discussed the 145th Street/I-5 Interchange project delivery strategy ([available at Jan. 27, 2020 Council Meeting](#)). The Council concurred with staff's recommendation to continue with completion of 30% design, environmental review and ROW acquisition, and to then turn the project over to WSDOT for completion of final design, permitting, and construction. WSDOT subsequently provided a letter to the City and the US Dept. of Transportation of WSDOT's intent to accept transfer of the project but stipulating that the project must be fully funded at transfer.

In June 2020, [the City Council authorized Supplement 1 to Lochner's contract](#), providing for completion of 30% design, design documentation, environmental review and preliminary ROW acquisition work. In February 2021, Lochner delivered the 30% design plans and other deliverables to City staff for review. At that time, staff also distributed the 30% plans to other project stakeholders for review and comment, including WSDOT, SDOT, ST, SPU, and SCL. The City's and stakeholder's reviews were completed in May 2020, and Lochner has incorporated the comments into the design plans.

In July 2021, [the City Council authorized Supplement 2 to Lochner's contract](#), providing for completion of 90% design, ROW negotiations and acquisition, additional coordination with ST related to construction overlaps, and technical coordination of agreements with utilities and other agencies. The 90% plans were completed in July 2022 and the City's and other stakeholders' comments are being incorporated into the construction documents.

In October 2022, [the City Council authorized Supplement 3 to Lochner's contract](#); providing for additional design costs and advancement of plans, specifications, and the cost estimate to 100% design completion and to provide for additional costs related to

stakeholder review of the design and bidding documents.

DISCUSSION

Supplement 4 to Lochner’s contract includes additional design and coordination with the ST Lynnwood Link Extension (LLE) Project, additional signal interconnection and illumination design, combining the Interchange project with the 145th Corridor project for the construction phase, additional support for utility coordination and ROW acquisition, and technical support for utility agreements with SPU and SCL, and permitting assistance with SDOT and WSDOT. The detailed scope of work is included as Attachment A.

The project is at 100% design and moving towards advertisement. The construction cost estimate was updated in February 2023 and is shown in this staff report including estimated reimbursements from SPU and SCL for utilities that will be constructed by this project on their behalf. Construction bidding is scheduled to occur in either late Spring or Fall 2023 and completion of construction is scheduled for 2025. Staff will be providing a more detailed update on this project at the May 8, 2023 Council meeting.

ALTERNATIVE ANALYSIS

The recommendation is to approve this amendment and continue to progress design, ROW, and final construction planning work to advertising-ready completion as planned. The alternative is not to execute Supplement No. 4 (not recommended) which would halt the project. This would result in loss of the Federal STP and other grants and the requirement to return the approximately \$5.0M of grant funds that has already been paid to the City during design development and 100 percent completion.

COUNCIL GOAL(S) ADDRESSED

This project addresses Goal 2: Continue to deliver highly valued public services through management of the City’s infrastructure and stewardship of the natural environment; and Goal 3: Continue preparation for regional mass transit in Shoreline.

RESOURCE/FINANCIAL IMPACT

This project is included in the adopted 2023 - 2028 Capital Improvement Plan. The project budget summary is as follows:

EXPENDITURES

City Staff	\$ 498,050
City Direct Expenses	\$ 25,000
Consultant Contracts	
HW Lochner Contract, Including Supplement 1	\$ 2,124,935
HW Lochner Supplement 2	\$ 2,471,183
HW Lochner Supplement 3	\$ 592,312
<i>HW Lochner Supplement 4 (this contract supplement)</i>	\$ 1,522,872
WSDOT Review	\$ 15,000

WSDOT Project Administration	\$ 25,000
Right-of-Way Acquisition	\$ 2,100,000
Construction Administration & Engineering	\$ 4,777,620
Interchange Construction	\$ 17,151,660
Utility Betterment and Relocation Construction	\$ 4,051,060
Construction Contingency	\$ 1,930,500
Arts Fund	\$ 171,520
Total Expenditures	\$ 37,456,712

REVENUE

Secured

Roads Capital Fund	\$ 771,520
Fee In-lieu	\$ 152,910
Federal STP Grant – Design	\$ 3,982,500
Federal STP Grant – Construction	\$ 4,920,000
Seattle Public Utilities	\$ 2,184,060
Seattle City Light	\$ 3,055,060
Shoreline Sewer	\$ 228,180
WSDOT Regional Mobility Grant – Construction	\$ 5,000,000
Sound Transit Agreement – ROW & Construction	\$ 10,000,000
Transportation Improvement Board – Design & Construction	\$ 5,000,000
Total Revenue	\$ 35,294,230

Supplement 4 would increase Lochner’s contract amount by \$1,522,872, from \$5,188,430 to \$6,711,302. It should also be noted that there is a nearly \$2.2 million gap between anticipated expenditures and planned revenues on this project. While staff is currently analyzing options for closing this gap, there is adequate funding to approve this contract supplement. The need for any additional revenue would be handled through a future budget amendment.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute Supplement No. 4 to H.W. Lochner’s professional services contract in the amount of \$1,522,872, for a total contract amount of \$6,711,302 for engineering design, right-of-way, and environmental permitting services for the SR-523 (N/NE 145th Street) & I-5 Interchange Project.

ATTACHMENTS

Attachment A – Scope of Work for H.W. Lochner Contract Supplement No. 4.



Supplemental Agreement Number <u>4</u>		Organization and Address	
Original Agreement Number LAA 9075		H.W. Lochner, Inc. 915 - 118th Avenue SE, Suite 130 Bellevue, WA 98005 Phone: (425) 454-3160	
Project Number STPUL-0523(011), LA9075	Execution Date	Completion Date 12/31/2026	
Project Title SR-523 (N/NE 145th Street) and I-5 Interchange Improvements	New Maximum Amount Payable \$6,711,008.00		
Description of Work Prepare plans, specifications, and engineer's opinion of cost to construct multi-lane roundabouts at intersection of I-5 south bound ramps and 5th Ave. NE on SR 523. Re channelize the existing overpass to accommodate two 11-foot lanes in each direction and a buffered two-way bike lane on the north side of the bridge deck. Contraction SUP on the north side of SR523 and sidewalk on the south side of SR 523. Relocate conflicting utilities.			

The Local Agency of City of Shoreline
desires to supplement the agreement entered in to with H.W. Lochner, Inc.
and executed on 5/10/2017 and identified as Agreement No. LAA 9075
All provisions in the basic agreement remain in effect except as expressly modified by this supplement.
The changes to the agreement are described as follows:

I

Section 1, SCOPE OF WORK, is hereby changed to read:
The Scope of Work shall be as set forth in the attached Exhibit A-4, Scope of Work which by this referenece is made par to the Supplement 4.

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: N/A

III

Section V, PAYMENT, shall be amended as follows:
Payment shall be as set forth in the attached Exhibit D-3, Fee Estimate which by this is made a part of this Supplement 4

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.
If you concur with this supplement and agree to the changes as stated above, please sign in the Appropriate spaces below and return to this office for final action.

By: Jim Doyna, COO By: Bristol Ellington, City Manager

H.W. Lochner, Inc. City of Shoreline

Date

Scope of Services – Supplement 4

Project No. STPUL-0523(011), LA 9075
PS&E and Ad Ready Plan Development of NE 145th
Street (SR 523) and I-5 Interchange Improvements

City of Shoreline NE 145th Street (SR 523) & I-5 Interchange Improvements

Prepared for:

City of Shoreline, Washington



February 2023

Prepared by:

LOCHNER

915 118th Avenue SE, Suite 130
Bellevue, WA 98005

Executive Summary of Supplement #4

Supplement #4 is being prepared to cover additional scope of previous contracted tasks or new tasks requested by the City of Shoreline. Supplement 4 has identified 30 tasks for which additional budget is needed to complete the Interchange project. Most of these tasks are related to changes in project scope as a result of the expansion of the Interchange's project scope and City's Constructability workshop and that identified cost savings with changing the wall type of Wall #1, changes in project staging to eliminate temporary roadway construction for shoo-fly, advancing construction to Seattle Public Utilities (SPU) Water Transmission Main (WTM) and pre-construction procurement of WTM pipe materials to minimize construction schedule risk, additional design tasks for the 3rd Avenue NE connection to NE 147th Street, redesign of SCL feeder line civil works, relocate Sound Transit's L200 stormwater system to eliminate Wall #4. The City has also requested additional Consultant services of public outreach, utility coordination, WSDOT Utility permitting, City of Seattle SIP permitting, and bid phase support.

- 1.) **Project Management:**
 - a. The original project management scope included Task 1 of Supplement 2. That scope covered Project Management from March 1, 2021 through June 30, 2022. This additional Project Management task covers the period from July 1, 2022 to September 30, 2023.
 - b. Estimate Budget: \$91,278
- 2.) **Prepare Traffic Control Plans for Permit through WSDOT and SDOT:**
 - a. This is a new task to the contract. To reduce the time for the Contractor to mobilize the Corridor and Interchange. WSDOT and SDOT both require traffic control to be permitted by their respective agencies. This is additional scope to the original contract and prior supplements. If not completed as part of this (or another) consultant contract, this work would be required of the contractor.
 - b. Estimate Budget: \$90,495
- 3.) **Prepare SWPPP and DOE Construction Stormwater Permit:**
 - a. New Task. In order to reduce the time for the General Contractor to mobilize the City has decided to provide the General Contractor with the project SWPPP that can be transferred to the general contractor (GC). If not completed as part of this (or another) consultant contract, this work would be required of the contractor.
 - b. Estimated Budget: \$14,921
- 4.) **Relocate L200 Stormwater Pond and Delete Wall #4:**
 - a. New Task. After Sound Transit declined to construct the Early Works making the Interchange project forward compatible with Sound Transit's L200 the City took a fresh look at the Wall to see if it could be eliminated which would have resulted in a signification savings to the City's Interchange project. It was determined that relocating L200 stormwater pond to the west Wall #4 could be eliminated from the project.
 - b. Estimated Budget: \$32,561
- 5.) **Integration of the Corridor and Interchange Project Contract Documents:**
 - a. This was initially scoped in Task 7 for Supplement #3. Additional time is needed for coordination and Lochner as the primary author of the Project Book.
 - b. Estimated Budget: \$53,774

- 6.) **TSP Signal Design Revisions and Conformance to Sound Transit’s Concept of Operations:**
- Based on coordination with WSDOT, Sound Transit and City of Shoreline the TSP signal was moved from the intersection of 6th Avenue and 145th Street.
 - Sound Transit changed the concept of operations for the transit priority signal from a bus activated signal to work more like a ramp meter.
 - Estimated Budget: \$27,199
- 7.) **Revise Construction Staging Plans:**
- Additional work to Task 12.4, Supplement 2. In order to accelerate the General Contractor’s mobilization, the City has decided to construct the WTM in the first phase and flip phases 1 and 2 as previously planned.
 - Estimated Budget: \$39,292
- 8.) **Change Wall #1 Wall Type from CIP to Cantilever Soldier Pile:**
- Change to Task 6.1, Supplement 2. City of Seattle dictated that Wall #1 be CIP. One of the results of the City’s September 30th, 2022 Constructability workshop it was determined that the Interchange Project would have significant cost savings if the type of wall were changed to Cantilever Soldier Pile.
 - Estimated Budget: \$126,836
- 9.) **3rd Avenue NE Access to NE 147th Street:**
- This is a new task. Due to WSDOT’s full limited access control the remaining homes on 3rd Avenue NE and the stormwater vault need access. The City’s unopened 3rd Avenue ROW will be opened off of 147th to provide this access. The City directed Lochner to prepare plans as part of the of the Interchange Project.
 - Estimated Budget: \$55,126
- 10.) **Redesign SCL Feeder Line Duct Bank on 145th Street:**
- This is additional work originally scoped in Task 5, Supplement 3. SCL has requested the 12.4 feeder line be underground adjacent to Wall #1. The 814 vault and terminal pole east of 6th Avenue had to be relocated due to ROW risk.
 - Estimated Budget: \$89,749
- 11.) **Add SCL 5th Avenue Min Duct Bank Project to the Interchange Project:**
- This is new work. The City and SCL agreed that it would benefit both agencies to include SCL’s mini-Duct Bank project to Interchange Project.
 - Estimated Budget: \$18,614
- 12.) **Integrate City of Shoreline 3rd Avenue Sanitary Sewer PS&E:**
- This is new work. The City found it advantageous to integrate the 3rd Avenue Sanitary Sewer project into the Interchange Project.
 - Estimated Budget: \$10,927
- 13.) **Prepare 6th Avenue Crosswalk Closure Memo for SDOT and WSDOT:**
- This is new work. Since the 5th Avenue/145th Street intersection will be converted to a roundabout and the splitter island barrier curb extends beyond 6th Avenue NE. The City found that it would be safer for pedestrians to cross NE 145th Street at 5th Avenue NE. SDOT and WSDOT required analysis and a technical memo be prepared to close this crosswalk.
 - Estimated Budget: \$10,640

- 14.) Extend City of Seattle SUP path to tie into L230 project limits on 5th Avenue:**
- a. This is new work. The City of Seattle has a project on 5th Avenue to construct a shared use path (SUP) and terminated south of the Interchange Project limits. Seattle requested that the SUP be extended to 145th Street and this work be incorporated into the Interchange Project.
 - b. Estimated Budget: \$19,179
- 15.) Additional Plan Preparation for Descoping Sound Transit LLE L200 Project Overlap:**
- a. This new work. Sound Transit declined to construct the Early Works. This scope needs to be added back into the Interchange Project and coordinated with Sound Transit L200 project.
 - b. Estimated Budget: \$24,400
- 16.) Project coordination with L230 Maintenance of Traffic Management:**
- a. This is new work. Sound Transit's L230 project will be constructed during the same time frame as the Interchange Project. Special Provisions needed to add to the Interchange Project Manual to have General Contractor coordinate construction traffic.
 - b. Estimated Budget: \$16,019
- 17.) Additional SDOT review process for 90% PS&E and preliminary Project Book:**
- a. This is new task. City of Seattle wanted an interim Project Manual to review between the 90% and 100% PS&E submittal.
 - b. Estimated Budget: \$13,362
- 18.) Utility Pothole for SCL and Lumen Duct Bank Crossing and SPU WTM Tie-in:**
- a. This is new task. To deconflict and compete the design of relocation SCL feed line and pre-order the pipe material for SPU's WTM utilities need to be uncovered and surveyed. A pothole plan needs to be prepared.
 - b. Estimated Budget: \$23,392
- 19.) Additional Public and Agency Outreach:**
- a. This additional work scoped in Task 8, Supplement 3. This is subconsultant scope from S&A. The City of Shoreline needed to prepare an update to City Council presentation.
 - b. Estimated Budget: \$7,505
- 20.) Additional Landscape and Urban Design:**
- a. This additional scope Task 9, Supplement 2. This subconsultant work from JA Brennan. The design for landscaping progressed to 60% was change after City maintenance staff weighed in on the design. The changes were to reduce vegetation and increase hardscape urban design.
 - b. Estimated Budget: \$8,501
- 21.) Early Procurement of SPU Water Transmission Main Pipe Materials:**
- a. This is new work. The pipe material is 6-month lead item to be delivered to the project once the order is placed. To reduce the contract time the City has decided to advance procure the pipe materials.
 - b. Estimated Budget: \$8,638
- 22.) Update 100% PS&E Submittal to City of Seattle 2023 Standard Specifications for Road, Bridge and Municipal Work and Standard Plans:**

- a. This is a new task. The City of Seattle is updating their engineering standard March 2023 and have mandated that the Project use their new standards.
 - b. Estimated Budget: \$41,348
- 23.) Acquire City of Seattle SIP Permit:**
- a. This is a new task: At the 100% submittal the City of Seattle is requiring the Interchange Project to be permitted through their SIP process.
 - b. Estimated Budget: \$94,392
- 24.) Update ROW Plan, Exhibits and Legal Descriptions:**
- a. This is additional scope to Task 14, Supplement 2, Original Contract. Lakeside School ROW was altered due to design changes to Wall #1. Access to homes that utilize the Tract parcel needed to be added.
 - b. Estimated Budget: \$25,912
- 25.) Additional Utility Coordination with SCL and SPU:**
- a. This is additional scope to Task 12, Supplement 3. Ongoing work to coordinate utility relocation.
 - b. Estimated Budget: \$37,393
- 26.) Forward Compatibly with WSDOT Thornton Creek Project:**
- a. This is a new task. Thornton Creek has request changes to the Interchange Project to be forward compatible. Wall #3 will be removed and associated walkway redesigned to be temporary.
 - b. Estimated Budget: \$34,836
- 27.) Bid Phase Support:**
- a. This is a new task. The City will need assistance through the bid an award phase.
 - b. Estimated Budget: \$41,396
- 28.) Design Civil Works for Comcast and Zayo Communications Joint Utility Trench:**
- a. This is a new task. Cast and Zayo Communications are being dislocated from SCL power poles on the eastside of the Interchange. The City needs to coordinate JUT layout with City of Seattle.
 - b. Estimated Budget: \$10,553
- 29.) WSDOT Utility Permit Support:**
- a. This a new task. SPU Water, SCL feeder line, and Lumen require WSDOT permitting within WSDOT ROW.
 - b. Estimated Budget: \$28,480
- 30.) City of Seattle Utility Permit Support:**
- a. This is a new task. The City of Seattle requires changed to third party utilities to be permitted within their ROW. In order to accelerate project permitting Lochner will assist the third-party utility.
 - b. Estimated Budget: \$27,312

31.) Additional Transmission Main Replacement Design:

- a. This is additional scope to Supplement 3, Task 11. This subconsultant work is performed by Varela. The delivery date for the project has extended beyond the original schedule. Additional engineering scope is needed for project coordination through the new delivery dates. Please see the attached Varela Supplement #2 to Lochner Supplement #4
- b. Estimated Budget: \$32,826

32.) Completion of Landscape and Hardscape Design:

- a. This is additional scope to Supplement 2, Task 9. This subconsultant work is performed by J. A. Brennen Associates. The delivery date for the project has extended beyond the original schedule and design elements have evolved through the design process. Additional design scope is needed for project delivery. Please see the attached JA Brennen Supplement X to Lochner Supplement #4
- b. Estimated Budget: \$283,365

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EXHIBIT A-4

BACKGROUND

Supplement 4 is being prepared to cover additional scope of previous contracted tasks or new tasks requested by the City of Shoreline. Supplement 4 has identified 30 tasks that additional budget is needed to complete the Interchange project. Most of these tasks are related to changes in project scope as a result of the expansion of the Interchange's project scope and City's Constructability workshop and that identified cost savings with changing the wall type of Wall #1, changes in project Staging to eliminate temporary roadway construction for shoo-fly, advancing construction to SPU WTM and pre-construction procurement of WTM pipe materials to minimize construction schedule risk, additional design tasks 3rd Avenue NE connection to NE 147th Street, redesign of SCL feeder line civil works, relocate Sound Transit's L200 stormwater system to eliminate Wall #4. The City has also requested additional Consultant services of public outreach, utility coordination, WSDOT Utility permitting, City of Seattle SIP permitting, and bid phase support.

TASK 1: PROJECT MANAGEMENT

Task 1 Elements of Work:

1. Contract Management

The CONSULTANT will provide a status/progress report with invoices every four (4) weeks, to the CITY that will describe services provided by the CONSULTANT and its team members during the current reporting period. The progress reports will be prepared in a format provided and approved by the CITY's Project Manager.

Assumptions:

1. Covers time period from July 1, 2022 to September 30, 2023 at which time the PS&E Phase and Bid Phase service scope of work will be completed.

Deliverables:

- a. Every four weeks status/progress reports, and invoice.

2. Subconsultant Management

The CONSULTANT will be responsible for on-going management of the consultant team in accordance with the provisions of this Agreement.

Deliverables:

- a. None

3. Project Management

The CONSULTANT will provide a project manager to prepare interdisciplinary design team monthly and biweekly work plans to complete Ad Ready Plans and procure WSDOT and City of Seattle permits, schedule and assign work and to individual design team members. Prepare project schedule to show overlapping construction activities and construction staging.

Deliverables:

- a. Project Construction Schedule

TASK 2: Prepare traffic control plans and permit through WSDOT and SDOT

Background:

Due to the construction of the combined Corridor and Interchange project late in the 2023 construction season, and getting the Contractor started with construction at the earliest date after notice to proceed has been issued by the City, the City has determined that Traffic Control plans for street use permit from City of Seattle and WSDOT will be pared and submitted for permitting.

Assumptions:

1. References:
 - a. WSDOT Traffic Manual M 51-02Control
 - b. Manual of Uniform Traffic Control Devices (MUTCD)
 - c. WSDOT Standard Specifications for Roads and Bridge, and Municipal Construction
2. SDOT will issue traffic control permits for ROW within the municipal boundary of the City of Seattle
3. WSDOT will issue traffic control permits for WSDOT ROW within I-5 ROW and SR 523 ROW
4. Contractor to prepare Class B traffic control plans for SDOT/WSDOT approval.

Task 2 Elements of Work:

1. Agency Coordination
 - a. Facilitate workshop meeting with SDOT to expedite permit process.
 - b. Facilitate workshop meeting with WSDOT to expedite permit process.
 - c. Meet with SDOT reviewers to resolve comments (up to two meetings).
 - d. Meet with WSDOT reviews to resolve comments (up to two meetings).
2. Prepare Class A traffic control plans for SDOT and WSDOT to permit for each of the five (5) project phases.
 - a. Class A traffic control plans to show:
 - i. Signage and pavement marking type and location.
 - ii. Analysis to re-time signal phases
 - iii. Shift signal heads to line up with temporary lanes.
3. Respond to SDOT/WSDOT review comments up to two reviews.

Deliverables:

- a. Class A Traffic plans for each project phase.

TASK 3: Prepare Project SWPPP and permit through City of Shoreline City of Seattle**Background:**

Due to the construction of the combined Corridor and Interchange project starting late in the 2023 construction season, and getting the Contractor started with construction at the earliest date after notice to proceed has been issued by the City, the City has determined that the Stormwater Pollution Prevention Plan (SWPPP) be prepared and approved by the City prior to issuance of the NTP.

Assumptions:

1. SWPP will follow Washington State Department of Ecology requirements.
2. SWPP approved by City of Shoreline and City of Seattle.

Task 3 Elements of Work:

1. Agency Coordination
 - a. Facilitate workshop meeting with SDOT to expedite permit process.
2. Prepare SWPPP using Department of Ecology template for the combined Corridor and Interchange project.
3. Respond to City of Shoreline and SDOT review comments up to one (1) review.

Deliverables:

- a. Project SWPPP for approval.

TASK 4: Relocate L200 Stormwater Pond to Delete Wall #4**Background:**

The designed and permitted location Sound Transit's LLE L200 stormwater detention pond project required a concrete cast-in-place retaining wall from the bridge abutment on SR523 to the I-5 NB on-ramp on the west side of 5th Avenue NE. Shifting the stormwater detention pond to the west will allow the roadway embankment to be constructed to support the shared use path on the west side of 5th Avenue and eliminate the concrete cast-in-place retaining wall resulting in a cost savings to the Interchange project and Sound Transit's LLE L200 project.

Assumptions:

1. Sound Transit will be the engineer of record for stormwater system changes to relocate the stormwater detention pond and roadway embankment.
2. Sound Transit LLE L200 project will revise stormwater drainage and grading plans for City of Shoreline Construction permit revision.
3. Sound Transit will revise stormwater report to reflect changes to stormwater system.
4. Sound Transit will get approval from WSDOT to modify the stormwater system owned and operated by WSDOT that is the discharge point for the stormwater detention pond.

Task 4 Elements of Work:

1. Agency Coordination
 - a. Meetings with L200 project team to review pond and drainage design changes necessary to delete wall #4
 - b. Meet with WSDOT to discuss design changes to WSDOT owned system and outfall.
2. Prepare plan/cad file to relocate pond as designed within ST ROW
3. Prepare concept plan to adjust storm drainage system inflow and outflow from pond.
4. Prepare new grading plan to delete wall #4
5. Revise Interchange Structural plans removing Wall #4 and design elements

Deliverables:

- a. Grading plan (CAD files to L200 design team)
- b. Concept pond and stormwater conveyance (CAD files to L200 design team)

TASK 5: Integration of Corridor and Interchange Project Contract Documents**Background:**

Due to the timing of construction for the Corridor and Interchange project to be constructed at the same time and having common project boundaries the City determined that it would be more efficient to construct both projects with one contract. Lochner was delegated the task to compile

the contract special provisions for both projects. This task was initially scoped under Task 7, Supplement #3. Integration of the Corridor Project's special provisions and bid schedule with the Interchange Project was initially under-scoped. Special provisions for the Corridor Project were written towards amending the WSDOT Standard Specifications and not using City of Seattle's Standard Provisions. Furthermore, bid items compared to the Interchange were not consistent and need to conform to the Interchange project units, nomenclature and pay item description as not to manufacture unwarranted change orders by the Contractor. Additional meetings with the Corridor design team are needed as well as assigning the Interchange Project as the primary author of the Project Manual.

Assumptions:

1. WSDOT Standard Specifications for Road, Bridge, and Municipal Construction
2. WSDOT General Special Provisions
3. City of Seattle Standard Specifications for Road, Bridge, and Municipal Construction
4. WSDOT specification compiler will be used to assemble the contract special provisions.

Task 5 Elements of Work:

1. Additional coordination with Jacobs Corridor project design team (weekly meetings)
2. Prepare combined contract special provisions for Corridor and Interchange projects.

Deliverables:

- a. Special provision for combined Corridor and Interchange project

TASK 6: TSP Signal Design Revisions and Conformance to Sound Transit's Concept of Operations

Background:

The City of Shoreline has agreed to construct a transit priority signal (TSP) on NE 145th Street at 6th Avenue NE to provide transit priority for east bound traffic. Lochner's initial design of the sign was changed due to WSDOT and Sound Transit's concept of operation for the TSP.

Assumptions:

1. TSP will be designed in accordance with Sound Transit's concept of operations as approved by WSDOT.
2. The signal will be owned and operated by WSDOT.
3. The signal will be designed in accordance with WSDOT standards.
4. The signal will be constructed by Sound Transit's BRT project.

Task 6 Elements of Work:

1. Agency Coordination
 - a. Design review meeting with WSDOT and Sound Transit BRT project
 - b. Coordination with Sound Transit LLE L200 ITS
 - c. Coordination with WSDOT ITS and CCTV
 - d. Submit design of TSP to WSDOT and Sound Transit for review and approval
2. Prepare signal design 30%, 60%, 90% and Final PS&E for integration into Interchange project for construction.
3. Design and prepare PS&E for ITS system compatible with WSDOT system located at I-5 NB on-ramp.
4. Design and prepare PS&E for WSDOT CCTV for east bound traffic on SR 523
5. Respond to City of Shoreline and SDOT review comments up to one (1) review.

Deliverables:

- a. 30% 60% 90% and FINAL PS&E for integration into Sound Transit's BRT project
- b. PS&E elements for forward compatibility to be integrated into Interchange project.

TASK 7: Revise Construction Staging Plans**Background:**

On October 15th, the City of Shoreline convened a constructability review of the Interchange project. An outcome of the constructability review was to have the phasing plans provide more detail on the roundabout construction. The construction phasing phase was initially 5 sheets. Adding the additional detail for the two roundabouts the construction staging plans are now 29 sheets. The constructability review also recommended advance procurement of water transmission main materials which enables the northside of 145th to be constructed in Phase 1 of the project and avoids construction of a temporary by-pass lanes for temporary traffic.

Assumptions:

1. None.

Task 7 Elements of Work:

1. Agency Coordination meeting with City of Shoreline
2. Prepare additional sheets for construction staging plans to detail roundabout construction phasing.
3. Modify staging plans to begin roadway construction on the north side of 145th Street west of I-5 in Phase 1.
4. Prepare revised plans for Construction workshop.

Deliverables:

- a. Additional and revised construction staging plans Final PS&E.

TASK 8: Change Wall #1 wall type from CIP to Cantilever Solider Pile**Background:**

On September 30, 2022, the City convened a Constructability review workshop. A recommendation of the Workshop was to lower the wall height of wall #1 and change the wall type from cast-in-place (CIP) concrete to cantilever soldier pile in effort to reduce the construction cost of Wall #1. City of Seattle Department of Transportation (SDOT) will be the asset manager for Wall #1. On October 5, 2022, a meeting with SDOT staff and the City of Shoreline was convened to discuss changing the wall type from CIP to Soldier Pile. As a result of this meeting SDOT approved the change to Wall #1 with the provision that the soldier pile wall will have no tie-backs.

Assumptions:

1. Soldier Pile wall will have no tie-backs;
2. The ground above the wall can be sloped back with maximum slope 2:1.
3. The soldier pile wall will be designed for shear, bending, and axial stresses according to the latest LRFD-BDS and Geotechnical Design Manual M 46-03 design criteria.
4. WSDOT Standard Specifications for Road, Bridge, and Municipal Construction will be used to specify materials, construction methods and inspection of the soldier pile wall.
5. Wall height will be minimized to avoid use of sub-terrain tie-backs.

- Pile will be installed using drilled shafts with concrete embedment.

TASK 9: 3rd Avenue NE Access to NE 147th Street

Background:

The access to 3rd Avenue NE from 145th Street will be closed as a result of the Interchange Project. Three homes are still occupied on 3rd Avenue which residence will need access to NE 147th Street. An access drive will connect existing 3rd Avenue NE at mid-block to NE 147th Street.

Assumptions:

- Access will meet City of Shoreline Engineering Development Manual, 2022 edition for driveways and will be no wider than 12-feet.

Task 9 Work Items:

- Prepare 100% and Ad Ready PS&E for Driveway and connect to 3rd Avenue NE and NE 147th Street.
- Prepare plan and profile sheets.
- Prepare DTM for driveway.
- Design reinforced earth slope.
- Coordination design with Corridor project stormwater vault.
- Coordinate design with City of Shoreline Stormwater Maintenance Division.

Deliverables:

- Preliminary layout of 3rd Avenue NE.
- 100% PS&E of 3rd Avenue NE.
- Ad Ready PS&E of 3RD Avenue NE.

TASK 10: Redesign SCL Feeder Line Duct Bank on NE 145th Street

Background:

On September 30, 2022, the City convened a Constructability review workshop. A recommendation of the Workshop was to lower the wall height of Wall #1 and change the wall type from cast-in-place (CIP) concrete to cantilever soldier pile in effort to reduce the construction cost of Wall #1. This change deleted the wide footing for the wall. Consequently, the design for the underground vaults and duct banks could be changed to reduce the length of the duct bank and number of underground vaults thus reducing cost of relocation of the SCL 12.4 kV feeder line. The affected feeder line design is between 1st Avenue NE and I-5 SB ramps. SCL has also raised safety concerns that someone standing at the top of retaining Wall #1 could be within the safety zone of feeder line if it remained overhead. SCL has expressed their opinion that the feeder line should be underground in the zone adjacent to Wall #1. In addition to this the 814-feeder line vault originally planned to be sited east of 6th Avenue needed to be relocated along with routing the feeder line duct bank due to Sound Transit not having acquired needed ROW to accommodate the 814 vault.

Assumptions:

- Overhead power can stay within the amenity strip on the south side of 145th Street.
- Use SCL Standard Details and Specifications.
- Where SCL Standard Details and Specifications are deficient then SDOT Standard and WSDOT Standard will be used in this order.

4. SCL to design overhead power relocation, power poles and guy wire, and power conductor replacement and splices.
5. Civil designer responsibility will terminate at riser on SCL terminal poles.
6. SCL to provide one-line diagram of feeder line relocation.
7. Final Plans, special provisions to be integrated into Interchange Project Ad Ready PS&E.

Task 10 Elements of Work: Design civil works for 12.4 kV feeder line relocation:

1. Agency Coordination
 - a. Meet with SCL Engineering Division for:
 - i. Initial scoping of new feeder line layout on the west side of I-5.
 - ii. Over-the-shoulder review of intermediate design (30% and 90%)
 - iii. Final design review and approval
2. Conceptual Design
 - a. Prepare roll plot conceptual design of civil elements to be relocate of move portions of the 12.4 kV feeder line below ground.
 - b. Meet with SCL for over the shoulder review of conceptual design.
3. 30% Design
 - a. Once conceptual design has been approved by SCL, the Consultant will prepare 30% Plans and Engineer's Opinion of Cost. 30% Plans will consist of scaled drawings showing feeder line elements to be removed and new civil element for be install in plan view. Cost estimate will be prepare using unit cost based on specific civil element quantities.
 - b. Submit to 30% Plan and Estimate to SCL for review and approval.
 - c. Two over the shoulder review meetings with SCL and resolve SCL comments.
4. 90% Design Submittal
 - a. plans will be prepared showing plan and profile of civil elements of the feeder line and associated details and or references to SCL standard plans.
 - b. 90% cost estimate will be prepared.
 - c. Special Provisions for technical specifications will be prepared as needed for construction feeder line civil works.
 - d. Respond to SCL review comments.
 - e. Two over the shoulder review meetings with SCL
5. Design and Construction Coordination Workshop
6. Final Design
 - a. Prepare final plans, special provisions and estimate for civil design of 12.4 kV feeder line relocation.

Deliverables:

- a. Conceptual Design
- b. 30% Plans and Cost Estimate
- c. 90% Plans, Special Provisions and Cost Estimate
- d. Final Plans, Special Provision and Cost Estimate

TASK 11: Add SCL 5th Avenue Mini Duct Bank Project to Interchange project

The City of Shoreline and Seattle City Light (SCL) has agreed to integrate SCL's 5th Avenue Duct Bank project into the Interchange project package for construction.

Assumptions:

1. SCL will provide ad ready plans, specifications and bid documents to be integrated into the Interchange Ad Ready package.

Task 11: Work Elements

1. Agency Coordination
 - a. Convene bi-weekly coordination meeting with SCL Duct Bank design team.
2. Add SCL Duct Bank plans, special provisions and bid document to Corridor/Interchange PS&E package.

Deliverables:

- a. Integrated PS&E

TASK 12: Integrate City of Shoreline 3rd Avenue Sanitary Sewer PS&E

The City of Shoreline will upgrade the sanitary sewer from NE 145th Steet to NE 147th Street along 3rd Avenue NE. The City has completed the preparation of plans, specification and bid documents. The City has determined that it would be effect to have the Corridor/Interchange project contractor construct the 3rd Avenue sewer.

Assumptions:

1. City of will provide ad ready plans, specifications and bid documents to be integrated into the Corridor/Interchange Ad Ready package.

Task 12: Work Elements

1. Agency Coordination
 - a. Convene periodic coordination meetings with City's sanitary sewer designer.
2. Add 3rd Avenue Sanitary Sewer plans, special provisions and bid document to Corridor/Interchange PS&E package.

Deliverables:

- a. Integrated PS&E 100% and Ad Ready submittals

TASK 13: Prepare 6th Avenue Crosswalk Closure Memo for SDOT and WSDOT

Background:

With the signalized intersection being converted to a roundabout, and the roundabout has crosswalks with RFFBs at each crosswalk. The intersection of 145th Street and 6th Avenue will be traffic operation of this intersection will be converted to right-in-right-out operation. The Cities of Shoreline and Seattle have decided to prohibit pedestrian crossing of 145th Street and 6th Avenue. To close the crosswalk the City of Seattle and WSDOT require a Crosswalk Memo be prepared to justify the crosswalk closure.

Assumptions:

1. References:
 - a. WSDOT Traffic Manual M 51-02Control
 - b. Manual of Uniform Traffic Control Devices (MUTCD)

- c. WSDOT Standard Specifications for Roads and Bridge, and Municipal Construction
2. SDOT will review and approve the Crosswalk memo.
3. WSDOT will review and approve the Crosswalk memo.

Task 13 Work Items:

1. Agency Coordination
 - a. Meet with SDOT reviewers to resolve comments (up to two meetings)
 - b. Meet with WSDOT reviews to resolve comments (up to two meetings)
2. Prepare crosswalk closure memo.
3. Respond to SDOT/WSDOT review comments up to two reviews.

Deliverables:

- a. Crosswalk Closure memo

TASK 14: Extend City of Seattle SUP path to tie into L230 project limits on 5th Avenue

Background:

The City of Shoreline and City of Seattle has agreed to extend the shared use path on the east side of 5th Avenue NE from the south side of NE 145th Street tying into the future SUP on the east side of 5th Avenue that City of Seattle and Sound Transit L230 will construct.

Assumptions:

1. References:
 - a. WSDOT Design Manual M 22-01
 - b. Manual of Uniform Traffic Control Devices (MUTCD)
 - c. WSDOT Standard Specifications for Roads and Bridge, and Municipal Construction
 - d. City of Seattle Standard Specifications for Road, Bridge, and Municipal Construction
2. City of Seattle will review and approve construction documents for the SUP south of NE 145th Street.

Task 14 Work Items:

1. Agency Coordination
 - a. Meet with SDOT reviewers to resolve comments (up to two meetings).
2. Prepare engineered drawing for construction.
3. Prepare cost estimate of elements to be constructed for SUP.
4. Prepare special provisions for SUP construction.
5. Respond to SDOT/WSDOT review comments up to two reviews.

Deliverables:

- b. Plans, Specifications and estimated to be included in Interchange project PS&E submittal packages.

TASK 15: Additional Plan Preparation for Descoping Sound Transit LLE L200 Project Overlap

Background:

The City's Interchange project and Sound Transit's L200 project overlaps on the east side of I-5 at the intersection of NE 145th Street and 5th Avenue NE. Sound Transit requested the City prepare a set of plans that show the elements of the L200 project that were not forward compatible with the Interchange project and should be removed from the scope of the L200 project.

Assumptions:

1. Sound Transit will coordinate descopeing the L200 with SKH.
2. Sound Transit will provide drawings and CAD files of the L200 project area to descope.
3. Sound Transit will revise the L200 SIP with Cit of Seattle.

Task 15 Work Items:

1. Take Sound Transit L200 plans and prepare plans that show elements of the L200 to be descopeed.
2. Meeting with Sound Transit to review descopeed L200 Plans.
3. Provide Sound Transit CAD files of descopeed plans.

Deliverables:

- c. PDF files of descopeed L200 project elements.

TASK 16: Project coordination with L230 Maintenance of Traffic Management**Background:**

Sound Transit will construct a light rail transit station at NE 130th Street and I-5 Interchange (L230) at the same time. The NE 145th Street and I-5 Interchange project is underway. The L230 will periodically close the NE 130th Street Interchange. Sound Transit and WSDOT desire to coordinate closure of this Interchange with NE 145th Street and I-5 Interchange project.

Assumptions:

1. Sound Transit L230 project and WSDOT will provide liaison staff to coordinate with the City of Shoreline's Interchange project.

Task 16 Work Items:

1. Agency Coordination
 - a. Meet with Sound Transit L230 project team to coordinate Interchange project special provisions (up to three meetings)
2. Prepare contract special provisions for Interchange contractor and L230 contractor traffic management coordination.

Deliverables:

- d. Special provision for Contractor traffic management coordination

TASK 17: Additional SDOT review process for 90% PS&E and preliminary Project Book**Background:**

City of Seattle Public Utilities requested that an interim submittal Project Book be prepared for review between the 90% and 100% PS&E submittal.

Assumptions:

1. Project Book will combine the Corridor and Interchange project.

Task 17 Work Items:

1. Prepare interim Project Book submittal of project to include:
 - a. Cover for Bid Proposal
 - b. Location of Bid Dropoff
 - c. Funding Group Declarations
 - d. Title VI Compliance
 - e. Bidders Check List
 - f. Proposal Inclusion Reminder
 - g. Proposal Form
 - h. Bid Schedule
 - i. Proposal Signature Page
 - j. Non-Collusion Declaration
 - k. Wage Compliance - Form 272-009
 - l. Title VI Compliance Acknowledgement
 - m. Recycled Materials Bid Form
 - n. Local Agency Certification for Federal Aid - Form 272-040A
 - o. Acknowledgement of Apprentice Utilization
 - p. Dear Bidder DBE Utilization
 - q. Disadvantaged Business Enterprise Utilization Certificate w/Inst.
 - r. DBE Written Confirmation
 - s. Proposal Deposit or Bid Bond
 - t. Subcontractor List
 - u. Bidder Qualifications
 - v. Responsible Bidder Certification - Agency
 - w. Cover for Post Award Forms
 - x. Construction Contract
 - y. Performance Bond
 - z. Payment Bond
 - aa. Contract Provisions Cover
 - bb. Bid Package Cover (Notice To Plan Holders, Engineer's Cert.)
 - cc. Notice of Invitation to Bids
 - dd. Project Description
 - ee. Table of Contents
 - ff. Table of Contents for Special Provisions
 - gg. WSDOT Special Provisions
 - hh. City of Seattle Special Provisions
 - ii. Appendix A - 0 Cover for Federal Aid Provisions
 - jj. Appendix A - 1 Federal Aid Provisions - FWHA 1273
 - kk. Appendix B - 0 Cover for Federal Wages
 - ll. Appendix B - 1 Federal Wages (Davis Bacon)
 - mm. Appendix C - 0 Cover for WA Prevailing Wage
 - nn. Appendix C - 1 Prevailing Wage Rates - King
 - oo. Appendix C - 2 Supplemental to Wage Rates
 - pp. Appendix C - 3 Benefit Code Key
 - qq. Appendix D - 0 Cover for Geotechnical General Notes
 - rr. Appendix D - 1 Geotechnical General Notes
 - ss. Appendix E - 0 Cover for NPDES
 - tt. Appendix E - 1 Transfer of Coverage
 - uu. Appendix E - 2 Coverage Letter
 - vv. Appendix E - 3 CSWGP
 - ww. Appendix E - 4 Coverage Packet

- xx. Appendix F - 0 Cover for Standard Plans
- yy. Appendix F - 1 Standard Plans - WSDOT
- zz. Appendix F - 2 Standard Plans -City of Seattle
- aaa. Appendix G - 0 Cover for Proposal
- bbb. Appendix G - 1 Bid Proposal Cover Page
- ccc. Appendix G - 2 Location of Bid Dropoff
- ddd. Appendix G - 3 Funding Groups Declaration
- eee. Appendix G - 4 Proposal Inclusion Reminder
- fff. Appendix G - 5 Proposal
- ggg. Appendix G - 6 Non-Collusion Declaration
- hhh. Appendix G - 7 Certification for Federal Aid
- iii. Appendix G - 8 Dear Bidder DBE Utilization
- jjj. Appendix G - 9 Instructions for DBE
- kkk. Appendix G - 10 DBE Utilization Cert
- lll. Appendix G - 11 DBE Written Confirmation
- mmm. Appendix G - 12 Proposal Signature Page
- nnn. Appendix G - 13 Proposal Bond
- ooo. Appendix G - 14 Subcontractor List
- ppp. Appendix G - 15 Bidder Qualifications
- qqq. Appendix H - 0 Cover for Temporary Construction Easements
- rrr. Appendix H - 1 Temporary Construction Easements
- sss. Appendix I - 0 Cover for Construction Permits
- ttt. Appendix I - 1 WSDOT General Permit Application
- uuu. Appendix I - 1 SDOT Permit Application
- vvv. Appendix J - 0 Contract Plans Cover Bid Proposal

Deliverables:

- e. Project Book in PDF format

TASK 18: Utility Pothole for SCL and Lumen Duct Bank Crossing and SPU WTM Tie-in

Background:

The City has decided to pre-purchase WTM pipe. Before the pipe order can be placed, the City will need to pothole the WTM in three locations. In addition to the City has designed a duct bank for SCL that crosses NE 145th Street at 6th Avenue NE. The SCL duct bank will cross Lumen's communication duct bank at this location and will require pothole survey to deconflict and complete the design.

Assumptions:

1. City will use On-Call contractor for pothole work.
2. City's On-Call contractor will submit work zone traffic control plans to City of Seattle
3. City will use On-Call surveyor.
4. City of Seattle Minor Utility Street permit can be re-opened.

Task 18 Work Items:

1. Prepare pothole plan.
2. Coordinate pothole permit with City of Seattle permit portal.

Deliverables:

- f. Pothole plan

TASK 19: Additional Public and Agency Outreach

Background:

A project presentation to City of Shoreline Council was prepared to update the Council on progress of the Interchange project and path forward to complete the project. S&A participated in preparing the City Council presentation, Lochner prepared graphics and content and presentation.

1. PROJECT MANAGEMENT AND ADMINISTRATION

General administration, progress reporting and invoicing (up to 24 months)

2. PUBLIC INVOLVEMENT PLAN UPDATE

The CONSULTANT will update and manage the implementation of the Public Involvement Plan (PIP) in accordance with City of Shoreline's public communications requirements. Once the PIP has been approved, a work plan will be developed and actively managed. At approximately 90% design, the CONSULTANT will develop a preconstruction communications plan.

Assumptions

- a. CONSULTANT developed a PIP for outreach activities during 30% design. CONSULTANT will update this version of the PIP for final design.
- b. CONSULTANT will draft a Key Messages appendix as part of the PIP.
- c. CONSULTANT will have one planning meeting with City of Shoreline to review the plan and discuss implementation.
- d. CONSULTANT will develop and manage a project work plan that provides a schedule and outline for implementation of the PIP.

Deliverables

- a. One (1) update to the Public Involvement Plan
- b. Key messages document (up to two (2) updates)
- c. Preconstruction communications plan – one (1) draft and one (1) final.

3. PROJECT MEETINGS AND TEAM COORDINATION

The CONSULTANT will plan, facilitate, and report on communication coordination meetings with the CITY, and the CONSULTANT. The purpose of these meetings will be to plan and coordinate outreach and communication efforts with CITY staff. CONSULTANT staff will plan and meet regularly as a team to coordinate work.

City of Shoreline 145th Corridor Communications Team Meetings

The CONSULTANT will attend weekly 145th Corridor Team Coordination meetings. for up to six (6) months. These meetings will occur online.

Consultant Team Meetings

The CONSULTANT will plan and facilitate up internal consultant team meetings to coordinate work. These meetings will be 30 minutes and will occur online with up to three consultant staff at

each meeting. Meetings will occur weekly from Feb – March 2022. Meetings might occur biweekly from April to December 2022.

Internal Team Coordination Meetings

The CONSULTANT will meet to coordinate internal tasks. Up to two (2) staff will attend.

Assumptions:

- a. Six (6) months of 145th Corridor Communications meetings.
- b. Twelve (12) weeks of Consultant Team Coordination meetings.
- c. These meetings will occur online.

Deliverables:

- a. Agenda and attendance at Consultant Team Coordination Meetings.

4. BRIEFINGS AND COMMUNITY PRESENTATIONS

CONSULTANT, in coordination with City of Shoreline, schedule, prepare for, staff and report on one-on-one meetings, stakeholder briefings and community presentations. This includes briefing support with City Council, neighborhood associations and adjacent property owners. Prepare graphics and content for Power Point presentation.

Assumptions:

- a. Assumes up to four (4) briefings.
- b. City of Shoreline will provide existing property owner contact information.
- c. City of Shoreline will participate in briefings.
- d. One (1) CONSULTANT staff and Lochner Project Manager will attend these briefings and presentations.
- e. CONSULTANT will coordinate interpretation services, if required. City of Shoreline will pay for interpretation services, if required

Deliverables:

- a. Materials and graphics for one (1) City Council presentation.
- b. Draft and Final briefing reports (up to 4) (electronic copy).

5. COMMUNICATIONS MATERIALS DEVELOPMENT

CONSULTANT will coordinate with City of Shoreline and the project team to facilitate preparation, production, and distribution of communications materials, including email updates and frequently asked questions (FAQ) and topic sheets (topic-specific sheets might describe elements of roundabouts).

Assumptions:

- a. CONSULTANT will draft email update content.
- b. City of Shoreline will review, approve, and send final email update.

- c. CONSULTANT will coordinate translation services.
- d. City of Shoreline will be invoiced directly translation services.

Deliverables:

- a. Project email updates: one (1) draft and one (1) final for each of the two (2) updates (at 60% and 90%) (electronic copy)
- b. Project FAQ update: one (1) draft and one (1) final for each of the two (2) updates (at 60% and 90%) (electronic copy)
- c. Project topic sheets: one (1) draft and one (1) final, for one (1) topic sheet (electronic copy)

6. CORRESPONDENCE & REPORTING

CONSULTANT will support City in the development of responses to public communications and reporting of project related community outreach during design.

Assumptions:

- a. CONSULTANT will draft responses. The City will review, finalize, and distribute responses.
- b. CONSULTANT will draft a summary of community outreach activities that details how the community was informed of, and involved in, the project. This report will be drafted in a manner that it may be used with internal and external audiences.

Deliverables:

- a. Up to twenty-five (25) draft communication responses (electronic copy)
- b. One (1) draft and one (1) final community outreach report

7. ONLINE, SOCIAL AND MEDIA ENGAGEMENT

To increase project reach and accessibility of project information, and to provide additional avenues for the public to engage with the project, CONSULTANT will, in close coordination with City of Shoreline, employ online tools and tactics.

Elements include:

1. City of Shoreline project webpage development and updates:
2. CONSULTANT will provide updates to City of Shoreline for City-hosted page. Webpage updates will be submitted to City of Shoreline for review, approval, and posting.
3. Virtual open house: CONSULTANT will plan, develop content, set up, assess, support promotions, and report on one (1) joint virtual open house for the 145th Corridor Projects. The virtual open house will have up to eight (8) pages, contact project and City of Shoreline branding elements, and include a survey.
4. Online presentation: CONSULTANT will plan, coordinate, promote and attend one (1) online presentation to be coordinated with the 145th Corridor Projects. The online presentation will provide information and answer questions about both projects. CONSULTANT will prepare a detailed event plan for each online presentation that identifies goals, team member roles, promotions, and a work back schedule for meeting preparation. Two (2) practice sessions for each online presentation will be facilitated by CONSULTANT.

Assumptions:

1. CONSULTANT will provide content updates, photos, and graphics to City of Shoreline for review, approval and posting.
2. Up to two (2) drafts, one final and maintenance of virtual open house site for up to three weeks.
3. Will utilize CONSULTANT's virtual open house platform infocommunity.org.
4. The virtual open house will meet City branding standards and guidelines.
5. Google translate will be utilized for translations.
6. Graphics will be provided by the other design team members.
7. CONSULTANT will coordinate printing and mailing, and translation services.
8. The City of Shoreline will be invoiced directly for printing and mailing, and translation and interpretation services.
9. The City of Shoreline will use their communication channels to actively promote the online presentation and online open house.
10. Assumes one (1), 1-hour events with closed captioning. Interpretation services will be provided upon request and coordinated by CONSULTANT.
11. Assumes up to two (2), 2-hour practice sessions per online presentation.
12. Up to three (3) CONSULTANT staff will attend the online presentation.

Deliverables:

- a. Website update content (up to 3)
- b. Virtual open house comment form/question
- c. Virtual open house and survey, two (2) drafts and one (1) final
- d. Review of up to five hundred survey responses
- e. Virtual open house activity reports (2)
- f. Virtual open house activity and survey report (1 draft, one final)
- g. Detailed event plan for one (1) online presentation
- h. Mailer/postcard for one (1) online presentation (jointly promoting online open house)
- i. One (1) draft and one (1) final online presentation activity report and summary.

8. MOT WORKSHOPS

CONSULTANT will plan, facilitate, and report on up to five (5) workshops. Workshops will be organized around the following focus areas: Utilities, Traffic, Transit, Communications and Capital Projects. CONSULTANT will work with project team to set the agenda and prepare for the workshops. CONSULTANT will lead discussion during Communications workshop.

Assumptions:

1. CONSULTANT will take notes and provide a list of action items in planning sessions.
2. CONSULTANT will provide a summary report of the strengths, opportunities, weaknesses, and threats identified at each of the five (5) focused workshops.

Deliverables:

- a. Workshop planning session agenda and summary
- b. Project team planning workshop, agenda, and summary report

TASK 20 Additional Landscape and Urban Design**Tasks 20 Work Items:**

1. Coordinate Urban design with structural wall design.

See JA Brennan's Scope of work attached as appendix A to this document.

TASK 21: Early Procurement of SPU Water Transmission Main Pipe Materials**Background:**

Due to the long procurement time to acquire the pipe material and the construction of the water transmission main (WTM) is on the critical path and also scheduled to be constructed in Phase 1 of the Interchange project. The City has determined that it will benefit the City to procure the pipe material in advance and provide the pipe material to the Contractor to install.

Assumptions:

1. SPU technical specifications from the PS&E package for the Interchange will be used.
2. Drawings prepared by Varela for the WTM construction can be used.
3. Pipe will be purchased sole source purchase for NW Pipe.
4. Buy America Act applies to pipe purchase.
5. Use City procurement policy to prepare procurement package.

Task 21 Work Items:

1. Prepare technical package that include SPU special provisions and standard specifications and plans of the WTM.
2. Prepare contract package for material procurement.
3. Respond to one round of contract package review with City and SPU
4. Review technical submittal and pipe laying drawings.
5. Coordinate with SPU for technical submittal review.

Deliverables:

- a. Contract package for advance procurement of WTM materials.

TASK 22: Update 100% PS&E Submittal to City of Seattle 2023 Standard Specifications for Road, Bridge and Municipal Work and Standard Plans**Background:**

The City of Seattle is in the process of updating their standard specifications and plans and desire to use the 2023 edition which is scheduled to be published late February 2023.

Assumptions:

1. References:
 - a. City of Seattle Standard Specifications for Road, Bridge and Municipal Construction, 2023 edition
 - b. City of Seattle Standard Plans for Municipal Construction, 2023 edition

Task 22 Work Items:

1. Convert 100% PS&E documents from City of Seattle standard specifications and plans from 2020 edition to 2023 edition. Conversion will be part of Interchange design team response to SDOT 100% PS&E review.
 - a. Update GSPs to 2023 edition
 - b. Updated Bid schedules.

Deliverables:

- c. Revised Plans, Specifications, General Special Provisions and Bid Forms.

TASK 23: Acquire City of Seattle SIP Permit**Background:**

The City of Seattle has determined that SDOT will issue a Street Improvement Permit for the Combined Corridor and Interchange project.

Assumptions:

1. References:
 - a. City of Seattle Services Permit Portal – SIP permit

Task 23 Work Items:

1. Process SIP permit for Corridor and Interchange project.
 - a. Respond to City of Seattle comments.
 - b. Comment resolution meeting with City of Seattle
 - c. Prepare document for resubmittal.
 - d. Process document through City of Seattle permit portal

Deliverables:

- a. SIP permit for Corridor and Interchange project.

TASK 24: Update ROW Plan, Exhibits and Legal Descriptions**Background:**

Wall #1 was redesigned changing the wall type from Cast-in-Place to Solider Pile. As a result, Wall #1 requires less Right-of-Way (ROW) and permanent easement. In addition to the Chuo parcel submitted application for development thus requiring reduction in temporary construction easement (TCE), and the legal description for three homes on 3rd Avenue NE required revision to add access to 147th Street.

Assumptions:

1. None:

Task 24 Work Items:

1. Revise ROW plan for ROW and TCE and Easement required for Wall #1 on Lakeside School parcel.
2. Coordinate updated ROW, TCE and easement with Surveyor to prepare ROW and TCE exhibits and legal description.
3. Revise ROW plan for TCE reduction on Chuo parcel.
4. Coordinate TCE reduction with Surveyor to prepare TCE exhibit and legal description.

5. Revise ROW plan to show access point for 3rd Avenue to 147th Street.
6. Coordinate 3rd Avenue access with surveyor to prepare TCE exhibit and legal description.
7. Coordinate ROW plan revisions, ROW and TCE exhibits and legal description revisions with ROW Consultant.

Deliverables:

2. Revised ROW Plans, ROW and TCE exhibits, and Legal Description

TASK 25: Additional Utility Coordination with SPU and SCL

Background:

The Interchange project widens SR 523 and lowers the grade for SR 523. The geometric changes of SR 523 have resulted in numerous utility conflicts that will cause the utilities to relocate. The following utilities need relocation:

1. SPU water transmission main
2. SPU sanitary sewer
3. SCL 12.4 kV feeder line
4. Lumen Communications duct banks
5. PSE gas main
6. Comcast Communications lines
7. Zayo Communications lines

Assumptions:

1. None.

Task 25 Work Items:

1. Attend weekly and bi-weekly meetings with utility purveyors.
2. Attend utility design meetings.
3. Coordinate Interchange design with affected utilities.
4. Deconflict utilities that are relocated.
5. Coordinate pothole for utility de-conflicting and design.

Deliverables:

- a. Coordinated utility design for SCL duct bank for 12.4 kV feeder line.
- b. Coordinated utility design for SPU WTM.
- c. Coordinated utility design for SPU sanitary sewer.

TASK 26: Forward Compatibly with WSDOT Thornton Creek Project

Background:

WSDOT is moving forward with the daylighting of Thornton Creek that passes through the project area. WSDOT has requested that the Interchange project make specified design changes to make the Interchange project forward compatible with the Thornton Creek project.

Assumptions:

2. None.

Task 26 Work Items:

1. Delete Wall #3 and replace with 2:1 fill slope.
2. Design a 2:1 fill slope with 4-foot maintenance bench behind traffic barrier.
3. Design temporary HMA surface for walkway.

4. Design temporary traffic barrier.
5. Coordinate location of SCL 814 splice vault for 12.4 kV feeder line.
6. Prepare 100% PS&E plans to reflect changes.
7. Design team bi-weekly meetings with Thornton Creek design team
8. Update quantities and bid schedule.

Deliverables:

- a. Revised 100% Plans

TASK 27: Bid Phase Support

Background:

It is anticipated the combined Corridor and Interchange project will go on advertisement on May 9, 2023, for bidding purposes. The City has requested Consultant services for bid phase support during the advertisement period for bidding purposes.

Assumptions:

1. Scope of Services is only for the Interchange project.

Task 27 Work Items:

1. Support City with bid analysis
2. Deliverables: Draft the advertisements for publishing.
3. Post the construction documents at Plan Centers.
4. Assist the City in maintaining a listing of bidders.
5. Field bidder questions and provide clarifications, as necessary.
6. Assist the City with addressing Contractor RFI's during the bid phase.
7. If necessary, prepare up to two contract addendums.
8. Attend pre-bid conference and site visit to answer questions or provide design clarifications to potential bidders and subcontractors.

Deliverables:

1. Draft advertisement notice.
2. Written responses to contractor requests for information.
3. Contract Addenda, as required.
4. Updated engineer's estimate incorporating addenda, as required.
5. Updated "Issued for Construction" drawings and bid proposal form, as required.

TASK 28: Design Civil Works for Comcast and Zayo Communications Joint Utility Trench

Background:

Since the overhead 12.3 kV feeder line poles on the east side of I-5 to 6th Avenue NE are being removed and the feeder line going underground Comcast and Zayo Communications will have to be moved underground into a joint utility trench (JUT):

Assumptions:

1. SCL design standards apply to location of JUT, current edition.
2. Comcast and Zayo Communications will provide JUT design criteria.

3. Comcast and Zayo Communications will design cabling for JUT and overhead support and guy anchors.

Task 28 Work Items:

1. Develop concept of plan of JUT on roll plot for SCL review
2. Coordination with SCL, Comcast and Zayo Communications

Deliverables:

- a. Preliminary layout of JUT roll plot format and CAD files

TASK 29: WSDOT Utility Permit Support

Background:

The Interchange project is partially in WSDOT right-of-way for SR 523 and Interstate 5. WSDOT requires utilities with State ROW to be permitted. Since there are numerous utilities on the Project was determined that WSDOT could expedite the permit process having one point of contact to coordinate with on utility permitting. The following utilities will require WSDOT Utility permitting:

- Seattle City Light
- Seattle Public Utilities
- Lumen Communications
- Puget Sound Energy
- Zayo Communications
- Comcast
- City of Shoreline (Sanitary Sewer)

Assumptions:

1. None:

Task 29 Work Items:

1. Prepare draft utility permit applications.
2. Coordinate application with WSDOT NWR Utilities Division
3. Coordinate application with Utilities.

Deliverables:

- a. WSDOT Utility applications for Utility submittal

TASK 30: City of Seattle Utility Permit Support

Background:

The Interchange project is partially in City of Seattle right-of-way for NE 145th Street. The City of Seattle requires utilities with their ROW to submit a Major Street Utility permit for the project. Since there are numerous utilities on the Project was determined that the City of Seattle could expedite the permit process having one point of contact to coordinate with on utility permitting. The following utilities will require Major Street Utility permitting:

- Lumen Communications
- Puget Sound Energy
- Zayo Communications
- Comcast

Assumptions:

1. None:

Task 30 Work Items:

1. Prepare draft utility permit applications.
2. Coordinate application with City of Seattle Utilities Division
3. Coordinate application with Utilities.

Deliverables:

- a. City of Seattle applications for Utility submittal

TASK 31: Additional Transmission Main Replacement Design

Background

As the delivery date for the project has been extended beyond the original schedule, additional engineering scope is needed to complete the project to the satisfaction of the City of Seattle. This supplement will allow for the completion of the deliverables identified below. See the attached Scope, Supplement #2 to Lochner Supplement #4.

Deliverables:

- a. Ad-Ready Plan Sheets, GSP's, Special Provisions, Details, Opinion of Probable Cost.

TASK 32: Completion of Landscape and Hardscape Design

Background

This is additional scope to Supplement 2, Task 9. This subconsultant work is performed by J. A. Brennen Associates. The delivery date for the project has extended beyond the original schedule and design elements have evolved through the design process. Additional design scope is needed for project delivery. Please see the attached JA Brennen Supplement X to Lochner Supplement #4

Deliverables:

- a. See the attached JA Brennan Supplement X to Lochner Supplement #4 for complete list of deliverables.

Exhibit A-4
Lochner Supplement 4
Sub-consultant Scope of Work
Varlea & Assoc.
JA Brennan

SCOPE SUPPLEMENT #2
TO LOCHNER SUPPLEMENT #4

ATTACHMENT 1

Scope of Project, Scope of Services, Compensation, Schedule, Authorization to Proceed

Lochner

Shoreline Interchange Transmission Main Replacement

1. SCOPE OF PROJECT

The City of Shoreline, WA has retained Lochner to design improvements to the SR523 (N/NE 145th St) & I-5 interchange. The improvements include two new roundabouts and associated improvements to the connected streets.

2. SCOPE OF SERVICES

The improvements to the interchange will affect a 24-inch water transmission main owned by Seattle Public Utilities (SPU). Initially earthquake resistant ductile iron pipe (ERDIP) was chosen as the material to replace the existing 24-inch main. However, due to concerns related to supply chain disruption, high demand, and potential long lead times for ERDIP, the City of Shoreline decided to change to welded steel pipe for the replacement material for the 24-inch main. In Refer to Scope Supplement #1 for the additional engineering scope granted by Lochner to Varela for updating and adapting the design for the new pipe material and coordinating SPU's additional requirements for the welded steel material type. Scope Supplement #1 also included additional scope for replacement of SPU's valve chamber at NE 145th St & 5th Ave NE.

As Lochner worked out the construction phasing for the project they determined that pre-purchase of the steel main would likely be necessary to ensure the construction sequence can proceed as desired. Additional engineering scope is needed to modify the plans and specifications for pre-purchase of the steel main. In addition, the delivery date for the project has extended beyond the original schedule. Additional engineering scope is need for project coordination through the new delivery dates. This Scope Supplement adds engineering scope for the preceding items.

The scope of services included are final design phase as described and further detailed in Attachment 2 Engineering Scope and Cost Worksheets.

3. COMPENSATION

All T&E tasks will be performed on a time and expenses (T&E) basis in accordance with the T&E Schedule contained in Attachment 3 to the Agreement. The estimates shown are good faith estimates of the work and level of effort appropriate for each task. The sum of the respective T&E estimates shown for tasks for which the Owner authorizes Engineer to proceed shall not be exceeded without authorization from the Owner.

4. SCHEDULE

The following outlines the dates for completing deliverables:

- Ad-Ready Plan Sheets, GSPs, Details, Opinion of Probable Cost 4/25/2023

Ability to meet schedule hinges on responsiveness/coordination with both Lochner and SPU.

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[Supplement X – Task A] TO LOCHNER SUPPLEMENT #4

TASK A: Administration/Coordination

Background:

Administration tasks include meeting coordination, scheduling, and contract administration.

Assumptions:

1. The client will provide coordinated review of each submittal. Additional fee will be required for additional review steps.
2. J.A. Brennan Associates will not be responsible for working with adjacent landowners or developers, except at public meetings, if applicable. No public meetings are anticipated.
3. The client will be responsible for the reproduction and distribution of all documents.
4. Arborist services are included as an expense item.

Task A:

1. Scheduling and invoicing
2. General project management, correspondence, meeting coordination, issue tracking

Deliverables:

- Invoices

Jan 9, 2023

[Supplement X – Task B] TO LOCHNER SUPPLEMENT #4

TASK B: Construction Documents 60%/Over Shoulder review, 90% and Final

Background:

J.A. Brennan Associates (JAB) will advance the preliminary design approved by the client. Construction documents will be submitted for client review at 60%/over the shoulder review and 90% design comments will be incorporated prior to issuing final design. Design elements will include detailed design of all 30% design features based on client direction received at the end of 30% design and by end of November 2022.

Task B includes the 60%/over the shoulder review, 90% and final plans, cost estimate, and specifications for the streetscape and gateway urban design elements and landscape areas as developed in the JAB 30% design submittal (Nov 2, 2022) and as directed by City of Shoreline on Nov. 9, 2022. JA Brennan will engage an arborist subconsultant (Tyler Holladay, Urban Forestry Services Bartlett Consulting) for existing tree assessment, tree removal and tree mitigation requirements determination and arborist report for the full extents of the Project. (See Bartlett Consulting's Arboricultural Services Proposal, attached.) JAB will coordinate with the arborist to provide available survey, existing and proposed site plans and limits of disturbance needed to facilitate their work. JAB will prepare a tree mitigation summary memo, based on information provided by the arborist report and will provide coordination with City of Seattle Urban Forester related to meeting City of Seattle tree mitigation requirements. JAB will provide tree removal plans, draft and final, for documentation of project existing trees to be removed with a summary table for City of Seattle trees to be removed, as required for coordination with City of Seattle Urban Forester.

JA Brennan shall provide roundabout landscape accent lighting fixture selection and coordination. Light fixture installation details will be provided by others; JAB will review. JA Brennan will provide irrigation, planting and urban design detailing with documentation in plans, details, Roundabout (RAB) detail plans and sections, for the SR523 & I-5 Interchange area gateway/intersections. Wall face elevations and details will be developed and refined from the previous 30% design phase. JA Brennan will provide input for wall finishes only. Wall design by others.

JA Brennan will develop special provisions to City of Shoreline/WSDOT 2022 Standard Specifications and City of Seattle 2020 Standard Specifications as a part of Lochner Engineer's two project manuals, based on a determination of jurisdictional asset. Specifications will be in outline format at 60% completion with full versions at 90% and Final. It is assumed that the project will be published for bidding electronically, by others. Estimate of Probable Construction Cost will be prepared at 60% and updated at 90% and Final. A project bid item list, cost estimate and summary of quantities list will be provided for the City of Shoreline and separately for the City of Seattle.

JA Brennan will provide a public interest finding letter as may be required for specification of custom or proprietary items selected for the project, where no equal products are available. Unique and/or proprietary items anticipated include concrete wall form liners, proprietary metal handrail and accent lighting products.

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JAB will provide review of the project's interlocal agreement, as required to tailor special provisions and cost estimates to each jurisdiction.

JAB will provide a brief maintenance recommendation memorandum addressing landscape, irrigation, wall, and paving long term maintenance requirements/considerations. The design tech memo provided by JAB is considered complete and will not be revised. JAB will provide input to Lochner's Issues Matrix for tracking decisions.

JA Brennan will join in client review meetings and web meetings with Lochner and HBB, as identified in the Supplement #3 Fee Schedule. Additional meeting and coordination time may be required if there is a change to the project schedule. These services can be provided within a future contract supplement proposal.

Assumptions:

1. JAB will be designing for the areas and elements identified in the 30% design, along with the added 3rd Ave NE project area. Fee is associated with number of plan sheets required to cover the project area at 20 scale. Additional areas or design elements may require additional fee.
2. Changes to the site plan which increase or decrease impacts, significantly change proposed design elements, or where stated assumptions in the scope of work are not met, may require a change in scope and fee with a contract supplement.
3. J.A. Brennan does not provide contaminated soils remediation services.
4. JAB will use Lochner title block and will match Lochner project CAD standards.
5. The client will review cost estimate assumptions and bid schedule areas prior to initiation of cost estimating quantity take-off work.
6. Arborist services will be provided by subconsultant to JA Brennan. Lochner will provide property owner coordination and will acquire rights of entry to properties, as required for arborist on site tree evaluations. Lochner will provide additional tree location survey as required for the work.
7. It is assumed that City of Shoreline existing trees removed for the Interchange project will not require to be mitigated for if the removed trees are within the project ROW or on private property that will be redeveloped within the project implementation period.
8. All structural engineering is by others.
9. All submittals will be provided in pdf format unless otherwise noted. Final bid set will be provided in AutoCad.
10. Special provisions to the WSDOT/City of Shoreline APWA 2022 standard specifications and a second set of special provisions to the 2020 City of Seattle Standard Specifications are anticipated. JAB will provide limited custom special provision sections that relate to landscape, concrete formliners for walls, color and sealer finishes for walls and railings, patterned concrete paving, accent lighting products and irrigation design elements.
11. It is anticipated that the 90% landscape, irrigation and urban design special provisions developed for the 145th Corridor project will be the starting point for the Project landscape, irrigation and urban design special provisions and JAB will review and provide input to these. JAB will also provide input to Lochner special provisions, where these include JAB design elements. Where both JAB and HBB have provided design and review to specification special provisions, these will be stamped by each firm.

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12. Additional gateway elements and lighting special provisions by others.
13. It is assumed that proprietary items may be specified, as long as there are at least 2 additional equal products identified in the special provisions or plans.
14. Signage design work is by others.
15. The client will provide a current topographic and boundary survey that includes all utilities, trees, vegetation edge, and built elements. The client is responsible for meeting surveying criteria as defined by local jurisdiction. JAB is not responsible for discrepancies between survey and actual conditions.
16. Grading and planting design for natural drainage stormwater features is not anticipated. All grading design is by Lochner. JAB will provide limited review and input.
17. The client will provide coordinated review of each submittal. Additional fee will be required for additional review steps.
18. J.A. Brennan Associates will not be responsible for working with adjacent landowners or developers, except at public meetings, if applicable. No public meetings are anticipated.
19. The client will be responsible for the reproduction and distribution of all documents.
20. Detailing, specifications and cost estimating of railings and walls will be in coordination with Lochner structural engineers.
21. Arborist services are included as an expense item.
22. JAB will consolidate, edit, and print up to 3 copies of contract documents at review stages, and 2 copies of the final plans and specifications.

Task B:

1. Arborist subconsultant coordination
 - a. Existing Tree Species Identification & General Health Assessment
 - b. Tree Mitigation Coordination
2. Prepare Tree Mitigation Summary Memo for SDOT, Shoreline and WSDOT Trees
 - a. Submit draft & final
3. Prepare Tree Removal Plan set, draft and final
4. Lighting fixture (at roundabouts) selection and coordination (up to 2 types)
5. Prepare sheet set:
 - a. Irrigation Plan, Schedule, and Set Cover
 - b. Planting Plan, Plant List, and Set Cover
 - c. Roundabout Sections and Detail Area Plans
 - d. Urban Design Sheets, Schedule, and Set Cover
 - e. Wall #1 Formliner Layout Elevation
 - f. Railing Formliner Layout Elevation
 - g. Urban Design, Irrigation, and Planting Details
 - i. Coordinate with and provide review and input to HBB's details
6. Prepare Cost Estimate
 - a. Prepare separate bid schedules for City of Shoreline/WSDOT and City of Seattle
7. Prepare Specifications
 - a. Separate (APWA) special provisions for City of Shoreline/WSDOT and City of Seattle
8. Prepare Public Interest Finding Letter (draft and final) for up to 2 proprietary and/or custom items

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9. Prepare JAB Maintenance Recommendations Memorandum
10. Attend Web Meetings with Lochner weekly through end of February (Up to 17)
11. Attend Web Meetings with HBB (up to 3) and general project team lead coordination
12. Attend up to 3 client review meetings

Deliverables:

- Tree Mitigation Summary Memo – draft and final
- Tree Removal Plan set, draft and final (8 sheets)
- Irrigation Plan (8 sheets)
- Irrigation Schedule & Set Cover (2 sheets)
- Planting Plan (8 sheets)
- Plant List & Set Cover (2 sheets)
- Sections at Roundabouts (up to 1 sheet)
- Roundabout Detail Area Plans (1 sheet)
- Urban Design Plan (5 sheets)
- Urban Design Schedule & Set Cover (up to 1 sheet)
- Wall #1 Formliner Layout Elevation (3 sheets)
- Railing Formliner Layout Elevation (up to 2 sheets)
- Details: Wall Formliner Details (up to 3 types) (1 sheet)
- Details: Railing Design Details (up to 2 railing types; up to 2 sheets)
- Stamped Concrete Patterns & Colors, and Color Banding Details (1 sheet)
- Irrigation Details (2 sheets)
- Planting Details (up to 5 sheets)
- Cost Estimate (2 submittals):
 - Bid Schedule for City of Shoreline/WSDOT
 - Bid Schedule for City of Seattle
- Summary of Quantities (2 sets: City of Shoreline/WSDOT and City of Seattle)
- Specifications (2 sets: City of Shoreline/WSDOT and City of Seattle)
- Public Interest Finding Letter (draft and final)
- JAB Maintenance Recommendations Memorandum (up to 4 pages; draft and final)

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[Supplement X – Task C] TO LOCHNER SUPPLEMENT #4

TASK C: Permit Support

Background:

This task includes City of Shoreline Right-of-Way and City of Seattle Street Improvement Permit (SIP) support services. JA Brennan will provide support to Lochner Engineers (lead) by providing plans showing planting, irrigation and hardscape within the City of Seattle street right-of-way, on SDOT title block. Up to two submittals of permit plans will be provided as a part of the SDOT SIP process. For City of Shoreline Right-of-Way permit, JAB will provide plans showing existing trees to be removed, planting, irrigation and pedestrian hardscape within City of Shoreline right-of-way, as required by City of Shoreline Planning & Community Development Public Works. Up to two submittals of permit plans will be provided as a part of the City of Shoreline ROW permit process.

Assumptions:

1. Permit support other than that specifically identified below, is not included in this scope of work.
2. Changes to the site plan which increase or decrease impacts, significantly change proposed design elements, or where stated assumptions in the scopes of work are not met, may require a change in scope and fee with a contract supplement.
3. The client will provide coordinated review of each submittal. Additional fee will be required for additional review steps.
4. The client will be responsible for the reproduction and distribution of all documents.

Task C:

1. Coordination with Project Team
 - a. Respond to limited permit review comments
2. Prepare Seattle SIP Plans
3. Prepare Shoreline ROW Permit Plans

Deliverables:

- Seattle SIP Plans: hardscape; irrigation; planting; hardscape details & wall elevations (up to 28 sheets) Draft and Final
- Shoreline ROW Permit Plans: hardscape; irrigation; planting; hardscape details (up to 24 sheets) Draft and Final

Jan 9, 2023

[Supplement X – Task D] TO LOCHNER SUPPLEMENT #4

TASK D: Bid Support

Background:

Bid support tasks include attendance at one on-site pre-bid meeting, providing response to bidder questions, assistance to Lochner in development of addenda and review of bid results with Lochner and client.

Assumptions:

1. JAB will consolidate, edit, and print up to 3 copies of contract documents at review stages, and 2 copies of the final plans and specifications.
2. The project will be bid in 1 package, together with the 145th Corridor project. Each project will have a separate set of plans, bid list/cost estimate, but one consolidated set of special provisions (The project manual will be split into one manual for City of Seattle and one for City of Shoreline). More than one bid package can be provided for additional fee.
3. The project is slated to be at bid-ready completion by April 2023. Advertisement for bidding is anticipated to be in early May 2023. If the schedule extends significantly beyond this period, additional project management, meeting and coordination time may be required and can be provided as a part of an additional services proposal.
4. Construction support is not included in this scope of work.
5. City of Shoreline and/or Lochner Engineers will lead bid support and construction administration.

Task D:

1. Attend on-site pre-bid meeting (1)
2. Answer questions during bidding phase (up to 5)
3. Assist with Addendums (up to 3)
4. Assist with review of bid results

Deliverables:

- Response to bidder questions (up to 5)
- Written input to Addenda (up to 3)
- Bid results review comments

Exhibit D-4 Lochner Supplement 4 Budget

**City of Shoreline
Contract Supplement 4 - Labor Budget**

Project Name: SR 523 (NE 145th Street) and I-5 Interchange Improvements - Supplement 4 Labor Estimate

Design Estimate Cost Worksheet

Firm Name: H.W. Lochner, Inc.

WSDOT Classification	Hours	Direct Labor Rate	Cost
SR. PRINCIPAL, VICE PRESIDENT	60	\$110.58	\$ 6,634.80
TRANSPORTATION PLANNING SPECIALIST 5	57	\$82.82	\$ 4,720.74
TRANSPORTATION PLANNING SPECIALIST 5	1287	\$80.71	\$ 103,873.77
CONSTRUCTION PROJECT COORDINATOR 4	1014	\$50.49	\$ 51,196.86
BRIDGE ENGINEER 3	56	\$50.99	\$ 2,855.44
BRIDGE ENGINEER 4	17	\$54.60	\$ 928.20
BRIDGE ENGINEER 7	208	\$86.16	\$ 17,921.28
BRIDGE ENGINEER 3	416	\$49.50	\$ 20,592.00
TRANSPORTATION ENGINEER 5	382	\$69.30	\$ 26,472.60
TRANSPORTATION ENGINEER 5	166	\$70.17	\$ 11,648.22
CIVIL ENGINEER 4	126	\$65.39	\$ 8,239.14
CIVIL ENGINEER 4	426	\$62.07	\$ 26,441.82
CIVIL ENGINEER 3	135	\$59.11	\$ 7,979.85
CIVIL ENGINEER 3	100	\$48.15	\$ 4,815.00
CIVIL ENGINEER 2	772	\$43.46	\$ 33,551.12
CIVIL ENGINEER 2	1122	\$43.27	\$ 48,548.94
CIVIL ENGINEER 2	138	\$42.31	\$ 5,838.78
CIVIL ENGINEER 2	6	\$32.65	\$ 195.90
CIVIL ENGINEER 2	16	\$37.50	\$ 600.00
CIVIL ENGINEER 2	96	\$37.26	\$ 3,576.96
ADMINISTRATIVE ASSISTANT 5	68	\$32.45	\$ 2,190.38

Total Hours 6668 \$ 388,821.80

Subtotal Direct Labor \$ 388,821.80
Escalation @ 6% \$ 23,329.31
Total Direct Labor \$ 412,151.10

Overhead & Fee

Overhead Cost @	159.09% of Direct Labor	\$	655,691.19
Fee @	30.0% Direct Labor	\$	123,645.33

Total Direct Labor, Overhead and Fee \$ 1,191,487.62

Direct Non-Salary Costs

	Cost
Automobile (1500 Mi. @ \$ 0.625)	
Photocopies (5000 @ \$ 0.05 / copy)	
Origin & Destination Survey	
Intersection Turning Movement Counts	
Postage / Delivery (allowance) Est.	

Direct Non-Salary Costs Total \$ -

Prime Subtotal \$ 1,191,487.62

Subconsultant Expenses

JA Brennan	\$	288,365.00
Varela & Associates	\$	38,225.00
James Wonneberg Consultant	\$	4,500.00

Total Subconsultant Expense \$ 331,090.00

Total \$ 1,522,577.62

Rounded \$ 1,522,578

Exhibit B – Fee Estimate**City of Shoreline – SR 523 (145th Street) and I-5 Interchange Improvements****Supplement 4 – Task Budget Summary**

Task	Description	Budget
1	Project Management	\$91,278
2	Prepare Traffic Control Plans for Permit through WSDOT and SDOT	\$90,495
3	Prepare SWPPP and DOE Construction Stormwater Permit	\$14,921
4	Relocate L200 Stormwater Pond and Delete Wall #4	\$32,561
5	Integration of the Corridor and Interchange Project Contract Documents	\$53,774
6	TSP Signal Design Revisions and Conformance to Sound Transit's Concept of Operations	\$27,199
7	Revise Construction Staging Plans	\$39,292
8	Change Wall #1 Wall Type from CIP to Cantilever Solider Pile	\$126,836
9	3 rd Avenue NE Access to NE 147 th Street	\$55,126
10	Redesign SCL Feeder Line Duct Bank on 145 th Street	\$89,749
11	Add SCL 5 th Avenue Min Duct Bank Project to the Interchange Project	\$18,614
12	Integrate City of Shoreline 3 rd Avenue Sanitary Sewer PS&E	\$10,927
13	Prepare 6 th Avenue Crosswalk Closure Memo for SDOT and WSDOT	\$10,640
14	Extend City of Seattle SUP path to tie into L230 project limits on 5th Avenue	\$19,179
15	Additional Plan Preparation for Descoping Sound Transit LLE L200 Project Overlap	\$24,400
16	Project coordination with L230 Maintenance of Traffic Management	\$16,019
17	Additional SDOT review process for 90% PS&E and preliminary Project Book	\$13,362
18	Utility Pothole for SCL and Lumen Duct Bank Crossing and SPU WTM Tie-in	\$23,392
19	Additional Public and Agency Outreach	\$7,505
20	Additional Landscape and Urban Design	\$8,501
21	Early Procurement of SPU Water Transmission Main Pipe Materials	\$8,638
22	Update 100% PS&E Submittal to City of Seattle 2023 Standard Specifications for Road, Bridge and Municipal Work and Standard Plans	\$41,348
23	Acquire City of Seattle SIP Permit	\$94,392
24	Update ROW Plan, Exhibits and Legal Descriptions	\$25,912
25	Additional Utility Coordination with SCL and SPU	\$37,393
26	Forward Compatibly with WSDOT Thornton Creek Project	\$34,836
27	Bid Phase Support	\$41,396
28	Design Civil Works for Comcast and Zayo Communications Joint Utility Trench	\$10,553
29	WSDOT Utility Permit Support	\$28,480
30	City of Seattle Utility Permit Support	\$27,312

Project Name: SR 523 (NE 145th Street) and I-5 Interchange Improvements - Supplement 4 Labor Estimate

Prime: H.W. Lochner, Inc.

Employee Name		Aaron Butters	Robert McCaughey	John Tuttle	Richard Hill	David Horvath	Megan Briden	Brian Byrne	Brian Haman	Gerald Wilhelm	Yongliang Zhu	Joshua Phillips	Miguel Sandoval	Matt Randall	Andrew Robinson	Karlo Velez	Gage Bull	Juyong Alan Kim	Brittany Chung	Eli Magnan	Roberto Gomez	Heather Gallagher		
WSDOT Classification		SR, PRINCIPAL VICE PRESIDENT	TRANSPORTATION PLANNING SPECIALIST 5	TRANSPORTATION PLANNING SPECIALIST 5	CONSTRUCTION PROJECT COORDINATOR 4	BRIDGE ENGINEER 3	BRIDGE ENGINEER 4	BRIDGE ENGINEER 7	BRIDGE ENGINEER 3	TRANSPORTATION ENGINEER 5	TRANSPORTATION ENGINEER 5	CIVIL ENGINEER 4	CIVIL ENGINEER 4	CIVIL ENGINEER 3	CIVIL ENGINEER 3	CIVIL ENGINEER 2	CIVIL ENGINEER 2	CIVIL ENGINEER 2	CIVIL ENGINEER 2	CIVIL ENGINEER 2	CIVIL ENGINEER 2	ADMINISTRATIVE ASSISTANT 5		
Direct Labor Rate		1	\$110.58	\$82.82	\$80.71	\$50.49	\$50.99	\$54.60	\$86.16	\$49.50	\$69.30	\$70.17	\$65.39	\$62.07	\$59.11	\$48.15	\$43.46	\$43.27	\$42.31	\$32.65	\$37.50	\$37.26	\$32.45	
Overhead Rate FYE 2022		159.09%	\$175.92	\$131.76	\$128.40	\$80.32	\$81.12	\$86.86	\$137.07	\$78.75	\$110.25	\$111.63	\$104.03	\$98.75	\$94.04	\$76.60	\$69.14	\$68.84	\$67.31	\$51.94	\$59.66	\$59.28	\$51.62	
Fixed Fee/Profit		30.00%	\$33.17	\$24.85	\$24.21	\$15.15	\$15.30	\$16.38	\$25.85	\$14.85	\$20.79	\$21.05	\$19.62	\$18.62	\$17.73	\$14.45	\$13.04	\$12.98	\$12.69	\$9.80	\$11.25	\$11.18	\$9.74	
Loaded Labor Rate			\$319.68	\$239.42	\$233.32	\$145.96	\$147.41	\$157.84	\$249.08	\$143.10	\$200.34	\$202.85	\$189.04	\$179.44	\$170.88	\$139.20	\$125.64	\$125.09	\$122.31	\$94.39	\$108.41	\$107.71	\$93.81	
Work Item	Total Hours																							
1	Project Management	409	60	33	248																	68	\$91,278.19	
1	General Project Administration	153		33	120																			
2	Invoicing and Progress Reports	140	24		48																		67.5	
3	Project Coordination Meetings	116	36		80																			
2	Prepare Traffic Control Plans and Permit through WSDOT and SDOT	572			24					120			142			104	80	90				12	\$90,495.11	
1	Agency Coordination	-																						
1a	Facilitate workshop meeting with SDOT to expedite permit process	12								12														
1b	Facilitate workshop meeting with WSDOT to expedite permit process	12								12														
1c	Meet with SDOT reviewers to resolve comments (up to two meetings)	26			8					12			6											
1d	Meet with WSDOT reviews to resolve comments (up to two meetings)	26			8					12			6											
2	Prepare Class A traffic control plans for SDOT and WSDOT to permit	346								40			106			80	48	60				12		
3	Respond to SDOT/WSDOT review comments up to two reviews	150			8					32			24			24	32	30						
3	Prepare SWPPP and DOE Stormwater permit through City of Shoreline	88			8	48						32											\$14,921.90	
1	Agency Coordination	-																						
1a	Prepare SWPPP using Department of Ecology template for the	48			8	24						16												
1b	Respond to City of Shoreline and SDOT review comments up to one	40				24						16												
4	Relocate L200 stormwater pond to delete Wall #4 from project	208			8				16	24			60				100						\$32,561.48	
1	Agency Coordination	-																						
1a	Meetings with L200 project team	18			6								12											
1b	Meeting with WSDOT	14			2								12											
2	Prepare plan/cad file to relocate pond as designed within ST ROW	40															40							
3	Prepare concept plan to adjust storm drainage system inflow and	76											36				40							
4	Prepare new grading plan to delete Wall #4	20															20							
5	Revise Interchange drawing to remove Wall #4	40						16	24															
5	Integration of Corridor Project Contract Documents	160			102	196									8								\$53,774.61	
1	Coordination with Jacobs Corridor project design team (weekly	40			40																			
2	Prepare combined contract special provisions for Corridor and	120			12	100									8									
1	Project Book Preparation	-																						
1a	Meetings with Corridor project design team to combine projects into	48			24	24																		
1b	Review Corridor special contract provision for duplication with	36			12	24																		
1c	Combine special provisions from Corridor project with Interchange	40			8	32																		
2	Review bid schedules to Corridor and Interchange project to combine	22			6	16																		
6	TSP signal redesign due to relocation and new Con-ops issued by BRT project	129			35						14	80											\$27,199.47	
1	Agency Coordination	-																						
1a	Design review meeting with WSDOT and Sound Transit BRT project	8										8												
1b	Coordination with Sound Transit LLE L200 ITS	6										6												
1c	Coordination with WSDOT ITS and CCTV	8										4												
1d	Submit design of TSP to WSDOT and Sound Transit for review and approval	10			6							4												
2	Prepare signal design 30%, 60%, 90% and Final PS&E for integration into Interchange project for construction	38			8						6	24												
3	Design and prepare PS&E for ITS system compatible with WSDOT system located at I-5 NB on-ramp.	22			4					2	16													
4	Design and prepare PS&E for WSDOT CCTV for east bound traffic on SR 523	19			5					2	12													
5	Respond to City of Shoreline and SDOT review comments up to one (1) review	18			8					4	6													
7	Revise Construction Staging Plans	212			16					52	12		114				18						\$39,292.65	
1	Agency Coordination	10			4								6											
2	Prepare additional sheets for construction staging plans to detail	52										12												
3	Prepare Revised plans for 100% PS&E	89			8					40		32					9							
4	Prepare Revised plans for Construction Coordination Workshop	61			4					12		36					9							
8	Change Wall #1 wall type from CIP to Cantilever Soldier Pile	751			36		56	17	80	210	108	48		30			166						\$126,836.73	
1	Agency Coordination meet with SDOT Structures Division for:	-																						
1a	Initial wall design scoping	7			6				1															
1b	Over-the-shoulder review of intermediate design (30% and 90%)	5			4				1															
1c	Final design review and approval	5			4				1															
2	Geotechnical recommendations for cantilever soldier pile wall design	3							3															
3	Prepare type, size, and location plans and grading plan for	-																						
3a	Determine maximum wall height without tie-backs. Wall height	14			2				2	10														
3b	Model grading and make changed to DTM.	4			4																			
3c	Prepare grading plan using 2H:1V slope showing top of slope	22			6					16														
4	Prepare 30% Design	157			5				12	80														
5	Prepare 90% Design	383			2		56	17	36	64	54	48												
6	Prepare Final Design	151			3				24	40	24													
9	3rd Avenue to provide access to remaining homes on 3rd Avenue	403			20					16		24	8	1	40		240	48	6				\$55,126.02	
1	3D modeling for new roadway	168																						
2	Layout of roadway and driveway connections	100			20																			
3	Reinforced Slope	110								16														
4	Stormwater management	25										24		1	40									

Project Name: SR 523 (NE 145th Street) and I-5 Interchange Improvements - Supplement 4 Labor Estimate

Prime: H.W. Lochner, Inc.

Employee Name	Aaron Butters	Robert McCaughey	John Tuttle	Richard Hill	David Horvath	Megan Briden	Brian Byrne	Brian Haman	Gerald Wilhelm	Yongliang Zhu	Joshua Phillips	Miguel Sandoval	Matt Randall	Andrew Robinson	Karlo Velez	Gage Bull	Juyong Alan Kim	Brittany Chung	Eli Magnan	Roberto Gomez	Heather Gallagher	
WSDOT Classification	SR, PRINCIPAL VICE PRESIDENT	TRANSPORTATION PLANNING SPECIALIST 5	TRANSPORTATION PLANNING SPECIALIST 5	CONSTRUCTION PROJECT COORDINATOR 4	BRIDGE ENGINEER 3	BRIDGE ENGINEER 4	BRIDGE ENGINEER 7	BRIDGE ENGINEER 3	TRANSPORTATION ENGINEER 5	TRANSPORTATION ENGINEER 5	CIVIL ENGINEER 4	CIVIL ENGINEER 4	CIVIL ENGINEER 3	CIVIL ENGINEER 3	CIVIL ENGINEER 2	CIVIL ENGINEER 2	CIVIL ENGINEER 2	CIVIL ENGINEER 2	CIVIL ENGINEER 2	CIVIL ENGINEER 2	ADMINISTRATIVE ASSISTANT 5	
Direct Labor Rate	1	\$110.58	\$82.82	\$80.71	\$50.49	\$50.99	\$54.60	\$86.16	\$49.50	\$69.30	\$70.17	\$65.39	\$62.07	\$59.11	\$48.15	\$43.46	\$43.27	\$42.31	\$32.65	\$37.50	\$37.26	\$32.45
Overhead Rate FYE 2022	159.09%	\$175.92	\$131.76	\$128.40	\$80.32	\$81.12	\$86.86	\$137.07	\$78.75	\$110.25	\$111.63	\$104.03	\$98.75	\$94.04	\$76.60	\$69.14	\$68.84	\$67.31	\$51.94	\$59.66	\$59.28	\$51.62
Fixed Fee/Profit	30.00%	\$33.17	\$24.85	\$24.21	\$15.15	\$15.30	\$16.38	\$25.85	\$14.85	\$20.79	\$21.05	\$19.62	\$18.62	\$17.73	\$14.45	\$13.04	\$12.98	\$12.69	\$9.80	\$11.25	\$11.18	\$9.74
Loaded Labor Rate		\$319.68	\$239.42	\$233.32	\$145.96	\$147.41	\$157.84	\$249.08	\$143.10	\$200.34	\$202.85	\$189.04	\$179.44	\$170.88	\$139.20	\$125.64	\$125.09	\$122.31	\$94.39	\$108.41	\$107.71	\$93.81
1a.i	Initial scoping of new feeder line layout on the west side of I-5.	6														6						
1a.ii	Over-the-shoulder review of intermediate design (30% and 90%)	9			5											4						
1a.iii	Final design review and approval	4														4						
2	Conceptual Design																					
2a	Prepare roll plot conceptual design of civil elements to be relocate of	40														40						
2b	Meet with SCL for over the shoulder review of conceptual design	4														4						
3	60% Design																					
3a	Prepare plans	85			5											80						
3b	Prepare Cost Estimate	26			2											24						
3c	SCL Review meetings	8			2											6						
4	90% Design Submittal																					
4a	Prepare Plans	84			4											80						
4b	Prepare Cost Estimate	82			2		40									40						
4c	Prepare Special Provisions	72			40											32						
4d	Respond to SCL comments	24			12											12						
4e	OTS meetings with SCL	38			6											32						
5	Design and Construction Coordination Workshop	12														12						
6	Final Design																					
6a	Prepare Plans	60			6											54						
6b	Prepare Special Provisions	24			12											12						
6c	Prepare Cost Estimate	34			2		24									8						
11	Add SCL 5th Avenue Ductbank project to Interchange project	100			46		54															\$18,614.85
1	Agency Coordination - Bi-week coordination meetings with SCL	12			6		6															
2	Integrate 5th Ave Ductbank and PS&E into Interchange Project	88			40		48															
12	Integrate City of Shoreline 3rd Avenue Sanitary Sewer project into	60			22		6							20			12					\$10,927.60
1	Agency Coordination - Convene periodic coordination meetings with	16			8									8								
2	Plan revision and integration	16			6		2							8								
3	Add 3 rd Avenue Sanitary Sewer plans, special provisions and bid	28			8		4							4			12					
13	Prepare 6th Avenue cross walk closure memo for SDOT and WSDOT	58			4					42											12	\$10,640.13
1	Agency Coordination																					
1a	Meet with SDOT reviewers to resolve comments (up to two meetings)	7			1					6												
1b	Meet with WSDOT reviews to resolve comments (up to two meetings)	7			1					6												
2	Prepare crosswalk closure memo	37			1					24											12	
3	Respond to SDOT/WSDOT review comments up to two reviews	7			1					6												
14	Extend SUP path to tie into L230 project limits on 5th Avenue	136			12									60	40	24						\$19,179.39
1	Agency Coordination - Meet with SDOT reviewers to resolve	4			4																	
2	Prepare engineered drawing for construction.	114			2									60	40	12						
3	Prepare cost estimate of elements to be constructed for SUP.	6			2											4						
4	Prepare special provisions for SUP construction	6			2											4						
5	Respond to SDOT/WSDOT review comments up to two reviews	6			2											4						
15	Additional plan preparation for descope L200 Project overlap Additional	162			26								32			80					24	\$24,400.76
1	Take Sound Transit L200 plans and prepare plans that show elements	132			16								32			60					24	
2	Meeting with Sound Transit to review descope L200 Plans.	26			10											16						
3	Provide Sound Transit CAD files of descope plans.	4														4						
16	Project coordination with L230 for intersection design and traffic closures	106			24	4				12						18					48	\$16,019.52
1	Coordinate design interface at the intersection of 5 th Avenue NE and I-	12			12																	
2	Intersection design and traffic channelization	60														12					48	
3	Grading and paving match	6														6						
4	Meetings with SDOT and L230 design team.	4			4																	
5	Prepare contract special provision for coordination of MOT with L230	24			8		4			12												
17	Additional SDOT review process for 90% PS&E and preliminary Project Book	76			24	48						4										\$13,362.09
1	Prepare interim Project Book submittal of project to include:	76			24	48						4										
18	Utility Pothole for SCL and Lumen duct bank crossing and SPU WTM Tie-in	144		24		40				8				32		24				16		\$23,392.24
1	1. Prepare pothole plan	40														24				16		
2	2. Coordinate pothole permit with City of Seattle permit portal	104		24		40				8				32								
19	Additional Public Outreach	60														60						\$7,505.35
1	Additional Graphics preparation for City Council Presentation	60														60						
20	Additional Landscape and Urban Design	48			4			12	32													\$8,501.44
1	Coordination Urban Design with Structural Design	48			4			12	32													
21	Early Procurement of WMT pipe materials	52			12	40																\$8,638.36
1	Prepare documents for material purchase	52			12	40																
22	Update 100% PS&E Submittal to City of Seattle 2023 Standard Specifications for Road, Update 100% PS&E Submittal to City of Seattle	222			64	86		12	12	12	12	12		12								\$41,348.95
1	Update Special Provisions	142			40	54		8	8	8	8			8								
1a	Updated GSPs	40			12	16		2	2	2	2			2								
1b	Update Bid Schedule	40			12	16		2	2	2	2			2								
23	Acquire City of Seattle SIP Permit	560			90	160		32	80			40	40	24		40	54					\$94,392.05
1	City of Seattle SIP Permit																					
1a	Respond to City of Seattle Comments	18							8													
1b	Comment Resolution meetings with City of Seattle	18							8													
1c	Resubmittal of 100% PS&E for permitting	474			60	120		16	80			40	40	24		40	54					
1d	Processing documents through City Permit Portal	50			10	40																
24	Update ROW Plan, Exhibits and Legal Descriptions	176			36											140						

Exhibit E-4
Sub-consultants Budget
to Lochner Supplement 4
Varlea & Assoc.
JA Brennan

SCOPE SUPPLEMENT #2 TO LOCHNER SUPPLEMENT #4 ATTACHMENT 2 - Engineering Scope and Cost Worksheets LOCHNER SHORELINE INTERCHANGE TRANSMISSION MAIN REPLACEMENT (190-01) January 12, 2023						
Consultant Fee Determination - Summary Sheet						
Task 1 - Project Management, Administration, and Inter-Agency Coordination						
	Classification	Man-Hours:	x	Rate:	=	Cost:
	Principal Engineer - Jesse Cowger	56.00		\$ 51.49		\$ 2,883.44
	Senior Engineer	24.00		\$ 47.16		\$ 1,131.84
	Design Engineer	0.00		\$ 42.64		\$ -
	Technician	0.00		\$ 37.40		\$ -
	Admin. Asst.	8.00		\$ 26.39		\$ 211.12
					DSC Subtotal	\$ 4,226.40
					Overhead	\$ 6,183.65
					Fixed Fee	\$ 1,267.92
					Fee Subtotal	\$ 11,677.97
Task 2 - T-main Replacement Design						
	Classification	Man-Hours:	x	Rate:		
	Principal Engineer - Jesse Cowger	44.00		\$ 51.49		\$ 2,265.56
	Senior Engineer	76.00		\$ 47.16		\$ 3,584.16
	Design Engineer	0.00		\$ 31.01		\$ -
	Technician - Tran Pham	44.00		\$ 37.40		\$ 1,645.60
	Admin. Asst.	6.00		\$ 26.39		\$ 158.34
					DSC Subtotal	\$ 7,653.66
					Overhead	\$ 11,198.07
					Fixed Fee	\$ 2,296.10
					Fee Subtotal	\$ 21,147.83
Task 3 - T-main Bid Period & Construction Engineering						
	Classification	Man-Hours:	x	Rate:		
	Principal Engineer	0.00		\$ 51.49		\$ -
	Senior Engineer	0.00		\$ 47.16		\$ -
	Design Engineer	0.00		\$ 42.64		\$ -
	Technician	0.00		\$ 37.40		\$ -
	Admin. Asst.	0.00		\$ 26.39		\$ -
					DSC Subtotal	\$ -
					Overhead	\$ -
					Fixed Fee	\$ -
					Fee Subtotal	\$ -
Task 4 - T-main Record Drawings						
	Classification	Man-Hours:	x	Rate:		
	Principal Engineer	0.00		\$ 51.49		\$ -
	Senior Engineer	0.00		\$ 47.16		\$ -
	Design Engineer	0.00		\$ 42.64		\$ -
	Technician	0.00		\$ 37.40		\$ -
	Admin. Asst.	0.00		\$ 26.39		\$ -
					DSC Subtotal	\$ -
					Overhead	\$ -
					Fixed Fee	\$ -
					Fee Subtotal	\$ -
Overhead:						
	(OH Cost -- including Salary Additives):					
		OH Rate x DSC =	146.31%			
Fixed Fee (FF):						
		FF Rate x DSC =	30%			
Reimbursables:						
	None					
					Total Fee This Supplement	\$32,825.79

SCOPE SUPPLEMENT #2 TO LOCHNER SUPPLEMENT #4
ATTACHMENT 2 - Engineering Scope and Cost Worksheets
LOCHNER
SHORELINE INTERCHANGE TRANSMISSION MAIN REPLACEMENT (190-01)
January 12, 2023

	Estimated Hours						JJC
	Principal Engineer	Senior Engineer	Design Engineer	Technician	Admin Assistant	Other	
Task 1 - Project Management, Administration, and Inter-Agency Coordination							
<i>Scope to be added to this task listed below:</i>							
Allowance for general project administration assistance and inter-agency coordination Supplement 1 covered meetings thru 8/1/22. This Supplement covers Meetings from 8/1/22 to current advertisement date of 4/25/23.	24	24			8		
Assume 16 meetings, one hour each, plus half hour prep, and half hour follow up (bi-weekly utility coordination meetings)	32						
Total	56	24	0	0	8	\$0	
Task 2 - T-main Replacement Design							
<i>Scope to be added to this task listed below:</i>							
Allowance for coordination with steel main supplier and inclusion of submittal data in plans/specifications	24	24		24			
Adapt Specifications, Special Provisions for pre-purchased steel pipe	8	24					
Update bid items	2	8		4			
Update Opinion of Probable Cost (t-main and appurtenances only)	2	8		4			
Allowance for final revisions based on SPU comments	8	12		12	6		
Total	44	76	0	44	6	\$0	
Task 3 - T-main Bid Period & Construction Engineering							
<i>No change to this task</i>							
Total	0	0	0	0	0	\$0	
Task 4 - T-main Record Drawings							
<i>No change to this task</i>							
Total	0	0	0	0	0	\$0	

5. AUTHORIZATION TO PROCEED

Execution of this Agreement by Owner shall authorize Engineer to proceed with all tasks.

SCOPE SUPPLEMENT #2 TO LOCHNER SUPPLEMENT #4**ATTACHMENT 3
Time and Expenses Schedule****Lochner
Shoreline Interchange Transmission Main Replacement****PROFESSIONAL SERVICES**

Professional services will be invoiced in accordance with the Cost Plus Fixed Fee calculation shown in Attachment 2.

REIMBURSABLE EXPENSES

The following items of direct project expense will be invoiced as follows:

1. Automobile travel at the current allowable Federal mileage rate
2. Travel, meals, lodging expenses as incurred (or per diem if specified).
4. Shipping costs for samples, equipment, documents, or other items as required
5. Materials or other expendable items expended in the course of the work
6. Rentals, fees, permits or other charges for special services or special equipment necessary for the work.
7. Outside services utilized for the work, including outside reproduction of drawings, documents, reports or specifications

J.A. Brennan Associates, PLLC

January 12, 2023

Exhibit A - Amendment #2 Fee Schedule TO LOCHNER SUPPLEMENT #4
for Lochner Engineers

City of Shoreline SR 532 & I-5 Interchange - 60%/Over Shoulder Review, 90%, Final Construction Documents - Supplement #3

WORK ITEM Rate	DESCRIPTION	JB PIC \$219.96	TW PM/PLA \$129.28	DC RLA \$124.16	SS Designer \$93.49	VS/SY Admin \$121.24	Total JAB Hours	Total Labor	Total Expenses	Grand Total
A Administration / Coordination										
1	Scheduling and invoicing	1	3		1	10	15	\$1,914		\$1,914
2	General project management, correspondence, meeting coordination, issue tracking	1	24		2		27	\$3,510		\$3,510
Total Task A		2	27	0	3	10	42	\$5,423	\$0	\$5,423
B Construction Documents 60%/Over Shoulder review, 90% and Final										
1	Existing Tree Species Identification & general health Assessment (Arborist subconsultant coordination)	2	12	2	12	5	33	\$3,968	\$27,858	\$31,826
2	Tree Mitigation Summary Memo - for SDOT, Shoreline and WSDOT Trees (JAB) (draft & final)	1	10	1	10		22	\$2,572	\$100	\$2,672
3	Tree Mitigation Coordination (with arborist)	1	10		12		23	\$2,635	\$50	\$2,685
4	Tree Removal Plan (8 shts 20 scale)	2	40		76		118	\$12,716	\$450	\$13,166
5	Lighting fixture (@RABs) selection and coordination (up to 2 types)	1	10		14		25	\$2,822	\$100	\$2,922
6	Irrigation Plan (8 shts 20 scale)	3	54	16	98		171	\$18,790	\$450	\$19,240
7	Irrigation Schedule & Set Cover (up to 2 shts)	1	10	3	16		30	\$3,381	\$150	\$3,531
8	Planting Plan (8 shts 20 scale)	8	65	16	106		195	\$22,059	\$450	\$22,509
9	Plant list ; Planting Set Cover (up to 2 shts)	3	16	4	24		47	\$5,469	\$150	\$5,619
10	Sections at RABs (up to 1 sht)	1	16	2	30		49	\$5,341	\$65	\$5,406
11	RAB Detail Area Plans (1 sht)	2	24	2	40		68	\$7,531	\$65	\$7,596
12	Urban Design Plan (5 shts 20 scale)	7	35	14	65		121	\$13,880	\$450	\$14,330
13	Urban Design Schedule & Set Cover (up to 1 sht)	1	6	3	10		20	\$2,303	\$65	\$2,368
14	Elevations: Wall Formliner Layout (Wall #1) (3 shts) - (1/4 scale)	3	24	10	30		67	\$7,809	\$200	\$8,009
15	Elevations: Railing Design (Wall #3 and #4) (up to 2 shts) Scale TBD	1	12	8	30	2	53	\$5,812	\$150	\$5,962
16	Coordination with fabricator (re: custom railing)	1	8		8	2	19	\$2,245	\$100	\$2,345
17	Details: Wall Formliner Details (up to 3 types) (1 sht)	1	8	2	16		27	\$2,998	\$65	\$3,063
18	Details: Railing Design Details (2 railing types) (up to 2 shts)	3	20	6	26		55	\$6,421	\$150	\$6,571
19	Details: Stamped Concrete Patterns and Colors & Color Banding (1 sht)	1	10		16		27	\$3,009	\$65	\$3,074
20	Details: Planting (up to 5 shts) - Review HBB details & add ST mixes & new mixes	3	20	5	45		73	\$8,073	\$350	\$8,423
21	Details: Irrigation (2 shts) - Review/Input HBB details	1	12	4	14		31	\$3,577	\$150	\$3,727
22	Cost Estimate (2 submittals & bid item coordination) (assume 2 separate bid schedules - WSDOT and Seattle)	6	28	8	34	4	80	\$9,597	\$50	\$9,647
23	Summary of Quantities (2 sets; 2 submittals) (include in drawing set)	2	20	5	24	4	55	\$6,375	\$150	\$6,525
24	Specifications - two sets - Shoreline/WSDOT & Seattle (APWA Specials)	6	80	10	20	30	146	\$18,411	\$200	\$18,611
25	Public Interest Finding Letter (draft and final) (for up to 2 proprietary and/or custom items)	3	10			2	15	\$2,195	\$20	\$2,215
26	JAB Maintenance Recommendations Memorandum (up to 4 pages; draft and final)	3	10	2		1	16	\$2,322	\$20	\$2,342
27	Web Meetings with Lochner (up to 17 - weekly thru end Feb - 1 hour)	4	20		8		32	\$4,213	\$20	\$4,233
28	Web Meetings with HBB (up to 3) and general project team lead coordination	3	16		6		25	\$3,289	\$20	\$3,309
29	Up to 3 client review meetings	3	12		5		20	\$2,679	\$60	\$2,739
Total Task B		77	618	123	795	50	1,663	\$192,490.19	\$32,173.00	\$224,663.19
C Permit Support										
1	Seattle SIP Plans: hardscape; irrigation; planting; hardscape details & wall elevations (up to 28 sheets)	12	50	40	94		196	\$22,858	\$200	\$23,058
2	Shoreline ROW Permit Plans: hardscape; irrigation; planting; hardscape details (up to 24 sheets)	12	44	30	84		170	\$19,906	\$150	\$20,056
3	Coordination with Team and response to permit review comments	3	20		8		31	\$3,993	\$20	\$4,013
Total Task C		27	114	70	186	0	397	\$46,757.18	\$370.00	\$47,127.18
D Bid Support										
1	Attend on-site pre-bid meeting		8		4		12	\$1,408	\$40	\$1,448
2	Answer questions during bidding phase (up to 5)	2	6		6		14	\$1,777	\$25	\$1,802
3	Assist with Addendums (up to 3)	3	6		8		17	\$2,183	\$20	\$2,203
4	Assist with review of bid results	2	2				4	\$698		\$698
Total Task D		7	22	0	18	0	47	\$6,066.70	\$85.00	\$6,151.70
LANDSCAPE ARCHITECTURE TOTAL		113	781	193	1,002	60	2,149	\$250,737.42	\$32,628.00	\$283,365.42

Note:
Specifications will include specials for: wall finishes, concrete colors, stamped concrete, light fixtures, custom railing and review/edits to HBB landscape and irrigation specs.
Detailing, specifications and cost estimating of railings and walls will be in coordination with Lochner structural engineers.
Arborist services are included as an expense item.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of the Purchase of Real Property Located at 19512 Echo Lake Place N, Identified as King County Tax Parcel No. 223520-0100, and Authorizing the City Manager to Take the Necessary Steps to Complete the Property Purchase
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Nathan Daum, Economic Development Program 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 City has the opportunity to acquire a 13,000-square-foot (0.3-acre) parcel so as to expand the area of City public parks in an area of increasing density. This acquisition would add a public access point to Echo Lake from the west side, with easy access by transit riders, residents of existing and future low-income housing, and would preserve an undeveloped natural area within the lake's watershed. The City Manager has entered into a fully executed Purchase and Sale Agreement with the property owner at \$975,000, subject to City Council approval. Tonight, the City Council is scheduled to take action to approve or deny the proposed acquisition.

As per Council Rules of Procedure 6.1.B, which states that for an Action Item that is before the City 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. Council should therefore allow for Public Comment following the staff report, and the same rules for Public Comment provided as part of the Council's Regular Meeting Agenda shall apply.

RESOURCE/FINANCIAL IMPACT:

The estimated total cost of this property is \$1,045,000 in just compensation, appraisal, and other associated costs related to the acquisition. The City applied to the King County Conservation Futures Tax (CFT) grant program for a 100% funding award and as such would require no matching funds from the City. The Council was informed prior to the execution of the Purchase and Sale Agreement that the seller did not agree to a closing date aligned with the CFT Grant timeline. As such, also for discussion tonight is the staff recommendation to adjust the City's Park Impact Fee (PIF) policies in order to fund this acquisition using PIF, to be reimbursed should the CFT grant application be approved.

Design has not been completed for the eventual use of the site and so park development construction costs are not known at this time. Design of the park may be possible in 2024 with other recently acquired park properties. Prioritization and timing of

development will be based on guidance from the updated PROSA Plan, scheduled for adoption later this year. Funding for development has not been identified but could be funded with PIF.

Given the location in a rapidly growing neighborhood, staff anticipates conservation costs while we wait for development to occur – such as removal of invasive species and efforts to deter unwelcome activity on the property. Funding will be requested as a one-time maintenance budget in the 2023-2024 mid-biennial budget update.

RECOMMENDATION

Staff recommends that the City Council approve the purchase of real property located at 19512 Echo Lake PL N, Identified as King County Tax Parcel No. 223520-0100, and authorize the City Manager to take the necessary steps to complete the property purchase.

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

BACKGROUND

On July 31, 2017, the City Council approved the update to the Parks, Recreation, and Open Space (PROS) Plan. The Plan identified parkland needs of 95 acres citywide to maintain a level of service of 7.38 acres per 1,000 population.

The City has the opportunity to acquire a 13,000-square-foot (0.3-acre) vacant parcel (Attachment A) of land so as to expand the area of City public parks in an area of increasing density. This acquisition would add a public access point to Echo Lake from the west side, with easy access by transit riders, residents of existing and future low-income housing, and would preserve an undeveloped natural area within the lake's watershed. This acquisition is supported by low-income housing and supportive service providers planning or operating multifamily buildings nearby (Attachments B, C and D).

Echo Lake West Access Parcel - 19512 Echo Lake PL N

The subject property is a vacant parcel located in the Echo Lake neighborhood on the western shore of Echo Lake between N 196th and 198th Streets. The property is zoned R-48 (Multifamily Residential, 48 units per acre) and is adjacent to MB (Mixed Business) zoning. It is envisioned to provide a natural forested, waterfront open space for nearby low-income, disabled, senior and high-density multifamily residents with potential features that would fit within the 15% maximum developed area allowed under CFT rules. Such features could include a natural walking trail, seating, access for hand-held water craft, or fishing. Based on the recommendation of a resident with some direct knowledge of the situation, the City has reached out to the owner of the parcel. This property owner had sought to subdivide the parcel for development, but he indicated a willingness to sell. Based on a recent staff analysis, the Echo Lake neighborhood has the second lowest open space per capita in the city with 1.4 acres per 1,000 residents, far below the citywide average of 7.38 acres per 1,000 residents identified in the 2017 PROS Plan (Attachment E).

King County Support/CFT Process Overview

Staff in early 2023 was informed that the CFT Grant Program would, for the 2023 application due March 6, 2023, have significant dollars to award for eligible park and open space projects and the City of Shoreline was encouraged to make an application. The City included this proposed acquisition in its application, requesting 100% funding as the parcel is located in an area that meets the program's "match-waiver" equity criteria. As noted above, included in the City's application materials were letters of support for the acquisition of the proposed Echo Lake West Access parcel from low-income housing and supportive services providers planning or operating multifamily buildings nearby (Attachments B, C and D). The City's application was selected for review by the CFT Committee and staff made presentations on the proposed acquisitions on April 4th and April 15th.

In August, the CFT Committee will formally recommend awards, which will be included in the King County Executive's transmittal to the King County Council. The County Council formally approves awards in November after which funds will be disbursed in early 2024.

DISCUSSION

The City obtained a third-party appraisal by an independent, licensed appraiser which concluded the market value of the property is \$975,000. Under the terms of CFT, properties obtained under eminent domain or threat of condemnation are not eligible for CFT grant funding; only voluntary negotiated purchase and sale agreements with willing sellers are eligible.

On March 1, 2023, the City Manager made an offer of \$975,000 to the property owner, subject to Council approval. The offer further stated the City's intention to purchase the property using CFT grant funding and included a provision for an extended closing period of six (6) months to accommodate time to determine availability of grant funding for the purchase. The seller agreed to the City's proposed purchase price but proposed a faster closing of 60 days. Due to an earlier closing date than the County's Grant funding decision, staff is recommending, in a separate agenda item for discussion tonight, that Park Impact Fees be utilized for the purchase.

Tonight's Council Action

Tonight, the City Council is scheduled to take action to approve or deny the proposed acquisition of the parcel located at 19512 Echo Lake PL N, identified as King County Tax Parcel no. 223520-0100. As per Council Rules of Procedure 6.1.B, which states that for an Action Item that is before the City 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. Council should therefore allow for Public Comment following the staff report, and the same rules for Public Comment provided as part of the Council's Regular Meeting Agenda shall apply.

RESOURCE/FINANCIAL IMPACT

The estimated total cost of this property is \$1,045,000 in just compensation, appraisal, and other associated costs related to the acquisition. The City applied to the King County Conservation Futures Tax (CFT) grant program for a 100% funding award and as such would require no matching funds from the City. The Council was informed prior to the execution of the Purchase and Sale Agreement that the seller did not agree to a closing date aligned with the CFT Grant timeline. As such, also for discussion tonight is the staff recommendation to adjust the City's Park Impact Fee (PIF) policies in order to fund this acquisition using PIF, to be reimbursed should the CFT grant application be approved.

Design has not been completed for the eventual use of the site and so park development construction costs are not known at this time. Design of the park may be possible in 2024 with other recently acquired park properties. Prioritization and timing of development will be based on guidance from the updated PROSA Plan, scheduled for adoption later this year. Funding for development has not been identified but could be funded with PIF.

Given the location in a rapidly growing neighborhood, staff anticipates conservation costs while we wait for development to occur – such as removal of invasive species and

efforts to deter unwelcome activity on the property. Funding will be requested as a one-time maintenance budget in the 2023-2024 mid-biennial budget update.

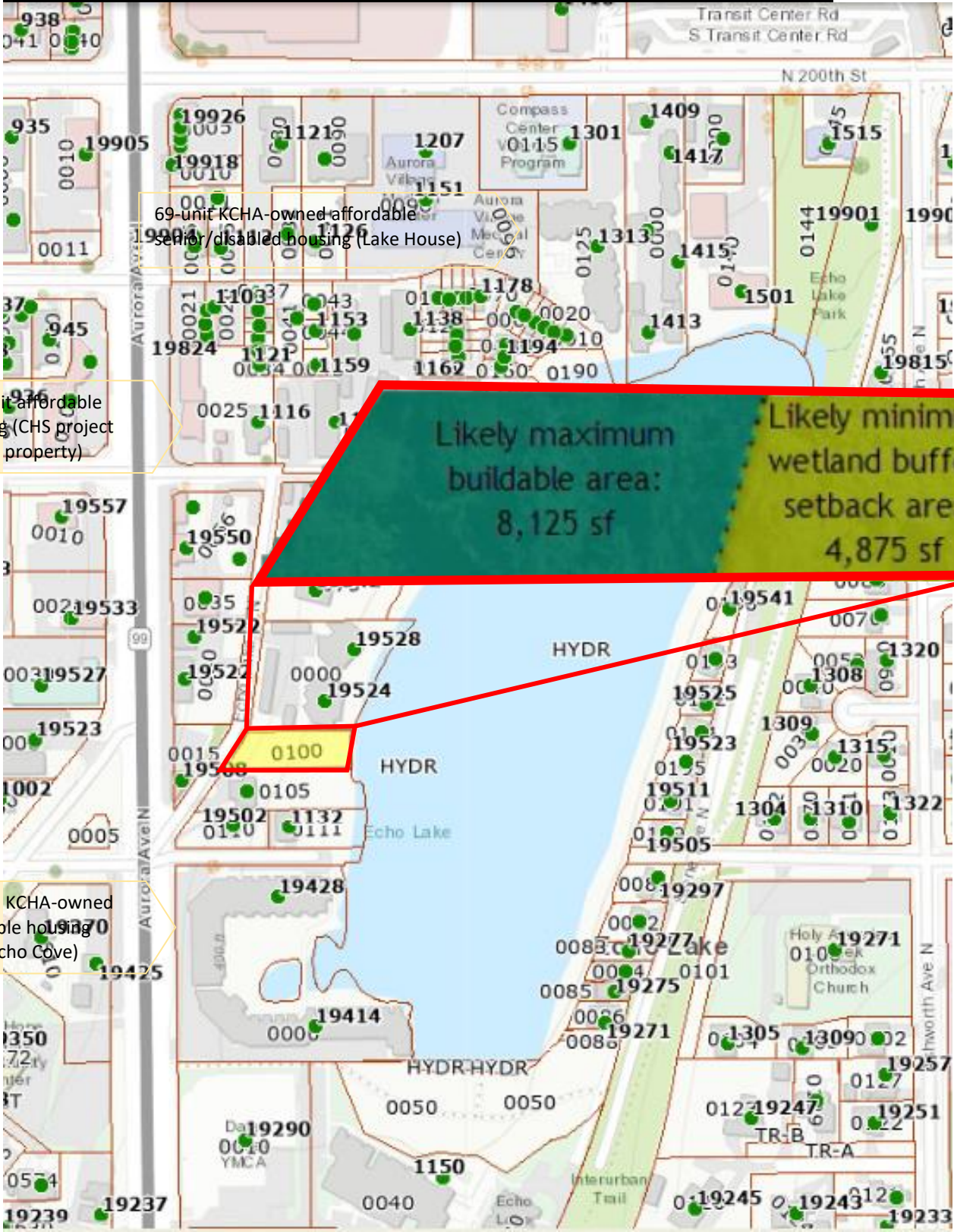
RECOMMENDATION

Staff recommends that the City Council approve the proposed purchase of real property located at 19512 Echo Lake PL N, identified as King County Tax Parcel No. 223520-0100, and authorize the City Manager to take the necessary steps to complete the property purchase.

ATTACHMENTS

- Attachment A: Tax Parcel No. 223520-0100 Area Map
- Attachment B: Alpha Supported Living Services Letter of Support
- Attachment C: Catholic Community Services Letter of Support
- Attachment D: King County Housing Authority Letter of Support
- Attachment E: 2017 PROS Plan - Parks and Population Level of Service by Neighborhood

Attachment A: Echo Lake West Access (Proposed) Parcel# 223520-0100 Area Map



69-unit KCHA-owned affordable senior/disabled housing (Lake House)

100-unit affordable housing (CHS project on City property)

Four (4) KCHA-owned affordable housing units (Echo Cove)

RE: WEST ECHO LAKE POTENTIAL PROPERTY ACQUISITION

To whom it may concern,

This letter is in support of the effort of the City of Shoreline to purchase an undeveloped property on the west side of Echo Lake to be a future park with lake access.

Alpha Supported Living Services provides residential and community support for children and adults with intellectual and developmental disabilities. Recently we partnered with TWG, an Indianapolis based real estate developer, on a project called 192 Shoreline. This is affordable housing with 250 apartments in a seven-story development at 19022 Aurora Ave N. in Shoreline. Fifty-five of the units are reserved for people with developmental disabilities. Alpha will have designated apartment units within the building for our clients needing affordable housing. The project has begun and is set to be finished July of 2024.

As part of this project Alpha will have a community center on the second level of the housing complex. This new space will allow us to reach more individuals with intellectual and developmental disabilities and continue our vision of an inclusive community.

One of the main goals of the space is to house our Community Projects Program. Alpha's Community Projects Program is a substitute for the no longer state funded adult day services programs. Our Community Projects team works on getting the individuals we serve out into the community. One of the activities is Walking Club. This is often the highlight of the week for our clients. It ensures regular interaction with community members. And structured activities support positive behavioral health, and a sense of purpose and connections. Preserving the property on the west side of Echo Lake for Lake access would benefit the individuals we serve as well as the surrounding community. People with developmental disabilities are marginalized and many of the things that you and I take for granted, like driving to the beach or park are not accessible to our clients.

Alpha supports this land acquisition by the city. It will be a great opportunity and space for all to enjoy and promote diversity and inclusion in the Shoreline neighborhood.

Sincerely,



Scott Livengood
CEO, Alpha Supported Living Services
livengood@alphasls.org



CATHOLIC COMMUNITY SERVICES
CATHOLIC HOUSING SERVICES
OF WESTERN WASHINGTON

Most Rev. Paul D. Etienne, DD, STL
Archbishop of Seattle

Very Rev. Bradley R. Hagelin
Vicar for Catholic Charities,
Chair of the Board of Trustees

Michael L. Reichert
President & CEO

100 - 23rd Avenue South
Seattle, WA 98144-2302
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March 2, 2023

Conservation Futures Citizens Oversight Committee
201 S. Jackson St., Suite 600
Seattle, WA 98104

Re: City of Shoreline Application for North 195 "Echo Lake" Open Space Acquisition (Parcel no. 2232500100)

Dear Conservation Futures Tax Oversight Committee:

I am writing to you on behalf of Catholic Community Services (CCS) and Catholic Housing Services (CHS) of Western Washington and all the individuals, families and communities we serve to express our support for the City of Shoreline's proposed acquisition of the North 195th "Echo Lake" open space. This acquisition will help ensure adequate natural green space is retained in an area of rapid growth and transformation and provide waterfront access to local economically and socially disadvantaged residents.

CCS provides an array of programs to tens of thousands of people each year, including emergency services, shelters, transitional housing, mental health and chemical dependency services, as well as pregnancy support, case management and volunteer services. CHS seeks to build better lives, stronger families and healthier communities across Western Washington through our affordable housing communities. CHS owns or manages more than 2,500 affordable housing units at 60+ properties throughout Western Washington for single adults, veterans, families, seniors, and people with special needs.

CHS is currently developing supportive permanent housing at 198th and Aurora, a very short walk from the North 195th "Echo Lake" parcel that is being considered. Our supportive housing approach is committed to breaking the cycle of homelessness and poverty by providing subsidized housing coupled with appropriate supportive services on site. The benefits of a place to call home are many, including long-term housing stability, stronger relationships, and the opportunity for residents to become more fully engaged with the community around them. Access to parks and trails allows us to encourage outdoor activity to support this process.

A waterfront park at this location, so close to our development and other future and existing affordable housing developments, would benefit the residents of those communities immeasurably. As a partner in efforts to increase the availability of affordable housing and supportive services in the region, we are pleased to see the significant increase in multifamily housing, including affordable housing, coming to Shoreline's Aurora Corridor. We hope you will support the City of Shoreline's vision of increased public open space to ensure the health of the environment and its residents as the community grows.

Sincerely,


Michael Reichert
President & CEO

Strengthening children and families, sheltering the most vulnerable, preventing homelessness, providing permanent supportive housing and ensuring dignity and security for our seniors.



Board of Commissioners
Doug Barnes, *Chair*
Susan Palmer, *Vice-Chair*
Regina Elmi
TerryLynn Stewart
John Welch

Executive Director
Robin Walls

March 2, 2023

Conservation Futures Citizens Oversight Committee
201 S. Jackson St., Suite 600
Seattle, WA 98104

**RE: City of Shoreline Application for North 195 “Echo Lake” Open Space Acquisition
(Parcel no. 2232500100)**

Dear Members of the Conservation Futures Tax Oversight Committee:

The King County Housing Authority (KCHA) provides affordable housing and rental assistance to more than 55,000 people every night. Ensuring that our housing is connected to transit, good schools, services, and adequate green space is a top priority for the agency. Our community centers and educational programs promote strong educational outcomes for children and our investments in smart, sustainable growth support strong and vibrant communities. We wish to express our support for the City of Shoreline’s proposed acquisition of the North 195th “Echo Lake” open space parcel to ensure adequate natural green space is retained in an area of rapid growth and transformation.

KCHA is one of the largest landowners in the City of Shoreline with more than 1,200 affordable homes, including a subsidized housing property serving seniors just 300 feet south of the North 195th “Echo Lake” parcel. The development of new multifamily units along the Aurora Corridor in Shoreline will bring thousands of new residents to the area and represent smart growth principles in action. This type of housing investment will add much needed housing close to small businesses, services, and transit.

Yet, while the center of Shoreline experiences robust growth, the majority of the City’s parkland is located within its outlying neighborhoods, making acquisitions of parkland like this, adjacent to the high-density mixed-business zoning all the more critical to the health and wellbeing of the greater community. Simply put, a park at this location, so close to existing and future affordable housing, would benefit the residents of those communities immeasurably. As a partner in efforts to increase the availability of affordable housing and supportive services in the region, we are pleased to see the significant increase in affordable and market-rate multifamily housing coming to Shoreline’s Aurora Corridor.

We hope you will support the City of Shoreline's vision of increased public open space to promote the health of its residents and the environment as the community grows.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin Walls". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

Robin Walls
Executive Director

Neighborhood	Population	Parks	Park acreage	Acres of Open space per 1,000 pop. *
Westminster Triangle:	1,044	Westminster Triangle Park, Westminster Park	0.74	0.7
Echo Lake:	9,425	Echo Lake Park, Shoreline Park	14.03	1.4
Hillwood:	5,406	Hillwood Park	10	1.8
Ballinger:	3,183	Ballinger Open Space, Brugger's Bog	7.45	2.3
Ridgecrest:	7,034	Northcrest Park, Ridgecrest Park, Paramount School Park, Paramount Open Space	30.83	4.4
Parkwood:	3,762	Twin Ponds	21.6	5.7
Meridian Park:	5,854	Park at Town Center, Cromwell Park, Ronald Bog, Meridian Park, James Keough Park, Darnell Park, Edwin T. Pratt Park	37.7	6.4
Richmond Beach:	5,133	Kayu Kayu Ac Park, Richmond Beach Community Park, Kruckeberg Botanical Garden, Richmond Reserve, Richmond Beach Saltwater Park	41.17	8.0
North City:	7,098	North City Park, Hamlin Park, Rotary Park	70.1	9.9
Briarcrest:	2,591	Southwoods, Briarcrest/Hamlin East	27.06	10.4
Richmond Highlands:	4,879	Richmond Highlands Park, Sunset School Park, Shoreview Park (half), Boeing Creek Park(half), Boeing Creek Open Space (half)	52.985	10.9
Innis Arden:	1,437	Innis Arden Reserve	22.94	16.0
Highland Terrace:	2,004	Shoreview Park (half), Boeing Creek Park(half), Boeing Creek Open Space (half)	42.255	21.1
The Highlands:	332			
<p>* National Recreation and Park Association suggests 6.25 to 10.5 acres of developed open space per 1,000 population. Breakdown: 1. Playlots (serving toddlers to age 9) 0.1 to 0.3 acres per 1,000; 2. Neighborhood Playground (ages 5-14) - 1.5 acres for cities of 25,000 to 100,000; 3. Neighborhood Park (all ages) - 1.5 acres for cities of 25,000 to 100,000; 4. Community Playfields - 15 to 25 acres for cities of 1,000 to 250,000; Major Community Park - 5.0 acres for cities of 1,000 to 100,000; Urban Greenspace or Open Space - Cities of up to 100,000 1.0 per 1,000 persons https://www.mybigspring.com/258/National-Park-Land-Standards</p>				

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Resolution No. 508 - Approving the Relocation Plan and City Manager Property Acquisition Authority, and Ordinance No. 983 - Authorizing the Use of Eminent Domain for Acquisition of Certain Real Properties to Construct the 148 th Street Non-Motorized Bridge Project
DEPARTMENT:	Pubic Works
PRESENTED BY:	Tricia Juhnke, Public Works 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 148th Street Non-Motorized Bridge Project (Bridge Project) has recently entered the right-of-way (ROW) phase. Property appraisals are underway and settlement offers and negotiations with property owners will begin soon. The City will be purchasing ROW needed to construct improvements to the Bridge Project. This Capital Improvement Project (CIP) will support growth and promote safety for pedestrians and cyclists with a new pedestrian and bike crossing over Interstate-5 at N 148th Street.

Currently, the City Manager has property acquisition and relocation claims authority up to \$50,000 under Shoreline Municipal Code (SMC) Section 2.60.090. The SMC allows for project specific adjustments in these acquisition policies. In order to keep the ROW process moving in a timely manner for the Bridge Project, staff is requesting that the City Council review and provide feedback on proposed Resolution No. 508 (Attachment A), which is project specific.

Proposed Resolution No. 508 increases the City Manager’s signing authority to \$1,000,000 for property acquisition in the ROW phase for the Bridge Project. Additionally, it approves the Relocation Plan that authorizes the City Manager to approve documented relocation claims up to the limits prescribed by federal or state law regardless of amount.

Eminent domain is a power granted to political subdivisions, such as the City of Shoreline, through RCW 8.12 to acquire private property for a public use. Staff would like the City Council to consider moving forward with a condemnation ordinance as a precautionary step to keep the project on schedule. Staff have included all the acquisition properties in the city required for the project as part of proposed Ordinance No. 983 (Attachment B). In the event a settlement agreement cannot be reached with a property owner, eminent domain is the next step. Passage of proposed Ordinance No.

983 authorizes the City Manager or designee to proceed with eminent domain in the event the negotiations with any specific property owner reaches an impasse.

Tonight, Council is scheduled to discuss and provide feedback on proposed Resolution No. 508 and proposed Ordinance No. 983. Council is currently scheduled to take potential action on both pieces of legislation on May 1, 2023.

RESOURCE/FINANCIAL IMPACT:

The 148th Street Non-Motorized Bridge Project has sufficient funds for property acquisition. Proposed Resolution No. 508 and proposed Ordinance No. 983 do not negatively impact the project funding or financial impact.

Proposed Resolution No. 508 impacts project resources and costs in two primary ways:

1. It reduces staff time needed to prepare staff reports and present property specific acquisitions or relocation to Council for approval.
2. In saving time in approving acquisitions, it reduces the likelihood of property costs increasing while staff receives Council approval.

Property values are professionally determined under contract with a Washington State Department of Transportation (WSDOT) approved ROW consultant (RES Group Northwest) and are not affected by this proposed Resolution. All properties over \$25,000 are appraised by an independent firm, then that appraisal is reviewed by a second independent firm. Offers are subject to WSDOT review. Since the City does not have a real estate division and staff with the expertise for property acquisition, the City is required to use a ROW consultant as approved by WSDOT. This ROW consultant prepares offers based on appraisals and federal regulations on the City's behalf. The ROW expert also provides guidance on relocation claims submitted to the City citing appropriate code.

Proposed Ordinance No. 983 does not in itself affect the settlement amount. If use of eminent domain is authorized under this Ordinance, negotiations will continue as normal. Council passing this Ordinance is the first step for moving forward with the use of eminent domain if negotiations come to an impasse. There are some associated costs for notices and correspondence. A notice of the final action, adoption of Ordinance No. 983, will have been published in the Seattle Times once a week for two successive weeks; and notice sent certified mail to every property owner impacted by the final action at least 15 days prior to final action; all at the City's expense (see Attachments C and D.)

A Statutory Evaluation Allowance (SEA) is available to the property owner if an offer is made under the threat of eminent domain to help defray the owner's expenses. Under RCW 8.25.020, when the City is acquiring property by eminent domain or under the threat of it, property owners are entitled to reimbursement of up to \$750 for costs they incurred evaluating the City's offer.

RECOMMENDATION

No action is required tonight. Staff asks that the City Council discuss and provide feedback on proposed Resolution No. 508 and proposed Ordinance No. 983. Potential action for both pieces of legislation is scheduled for the May 1, 2023, City Council meeting.

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

BACKGROUND

In 2016 and 2017, the City conducted a study to evaluate and recommend options for linking the communities on the west side of Interstate-5 (I-5) to the future Sound Transit Shoreline South/148th Station. The City evaluated five bridge location options and estimated the location at N 148th Street would cost the least to construct, likely draw the most users, and of the routes possible, provide the shortest and most direct access to the Light Rail Station. The City also reviewed WSDOT and Sound Transit regulations in order to address safety needs around and across I-5. The Shoreline City Council approved this location at their [February 27, 2017](#), City Council meeting.

The 148th Street Non-Motorized Bridge Project (Bridge Project) will support growth, provide a vital new pedestrian/bike connection over I-5, improve safety, reduce travel times, and improve access to regional transit at the future Shoreline South/148th Station.

The Bridge Project is in final design and is entering the right-of-way (ROW) phase. The Project is currently conducting property appraisals and reviews and will be ready to make offers in the near future. The City will utilize a combination of TAP Grant funding and Roads Capital Funds to fund property acquisition. To streamline the early acquisition ROW process, staff is requesting that Council increase the City Manager's purchasing authority and approve the current Relocation Plan for the Bridge Project.

DISCUSSION

Three (3) parcels have been identified for the Bridge Project that require some type of ROW acquisition. This includes property acquisition and other rights, such as temporary construction easements (TCEs), which are needed to allow the City contractor to be on private property to complete construction. One (1) parcel will require a relocation benefit. This includes moving personal private property from one area to another on the property.

The Bridge Project has received federal funding for design, and, therefore, the City must follow a very specific process when purchasing ROW, including following the Uniform Relocation Assistance and Real Property Acquisition Act (URA). This process is designed to protect the interests of all parties and ensure that property owners are treated fairly, including adequate time to review offers and secure independent appraisals if desired. The City has subcontracted with a ROW consultant approved by WSDOT (RES Group Northwest) to assist the City with this process.

RES Group Northwest arranges an independent appraisal and separate professional appraisal review and then prepares offers to property owners based on these appraisals. The final offers presented by the City must be consistent with the requirements of the federal acquisition process for which there are specific allowances for payment. Relocation claims follow a separate set of allowances.

Proposed Resolution No. 508 – Property Acquisition Approval

Currently, the City Manager has property acquisition and relocation claims authority up to \$50,000 under Shoreline Municipal Code (SMC) Section 2.60.090. This threshold is appropriate for the occasional situation/opportunity that may arise on any particular

property but are challenging for a large capital project with significant ROW acquisition needs and schedule constraints. SMC 2.60.090 anticipates the need for increased authority on a project specific basis. In proposing a resolution to request higher property acquisition and relocation claim authority for the City Manager for the Bridge Project, staff refers to the 145th Corridor Project, the 145th Street Interchange Project, and the N 175th Street Project as a precedent:

- **145th Corridor Project** - [Resolution No. 476](#) increased the City Manager's purchasing authority for the State Route 523/ (N/NE 145th Street) Aurora Avenue N to Interstate 5, Phase 1 (Interstate 5 to Corliss Avenue) Project. There were 21 parcels that needed ROW acquired at the time Resolution No. 476 was adopted, and it was estimated all but three (3) acquisitions would be at or below the requested \$1,000,000 revised purchasing limit. The percentage of properties covered within the newly approved limit was approximately 92%.
- **145th Interchange Project** - [Resolution No. 488](#) increased the City Manager's purchasing authority for the State Route 523 (N/NE 145th Street) & I-5 Interchange Project. There were 10 parcels that needed ROW acquired at the time Resolution No. 488 was adopted, and it was estimated all but one (1) acquisition would be at or below the requested \$1,000,000 revised purchasing limit. The percentage of properties covered within the newly approved limit was 90%.
- **175th Street Project** - [Resolution No. 487](#) increased the City Manager's purchasing authority for the N 175th Street, Stone Avenue N to I-5 Project. There were four (4) parcels that needed ROW acquired at the time Resolution No. 487 was adopted, and it was estimated all acquisitions would be at or below the requested \$1,000,000 revised purchasing limit. The percentage of properties covered within the newly approved limit was 100%.

A Right-of-Way Funding Estimate (RWFE) is a detailed parcel-by-parcel estimate of total expected ROW acquisition costs for the project and is used to obtain authorization and funding. Dollar amounts in the RWFE are based on 2023 comparison estimates; actual dollar amounts will be determined during the appraisal process. A Relocation Plan and RWFE have been prepared for the Bridge Project and approved by WSDOT.

Staff recommends Council increase the City Manager authorization for property acquisition (per parcel) to \$1,000,000 for the Bridge Project. The reasons for this recommendation include:

- To limit the number of transactions that require Council approval thereby shortening the time needed for acquisition and settlement.
 - It is in the City's best interest to settle these issues quickly, particularly in a rapidly increasing housing market.
 - The property owners benefit from reducing delay and inconvenience uncertainty while going through the acquisition process. Quick resolution allows residents to make plans and move forward quickly.

- The project is required to follow the URA Policy which has a prescribed and defined process for establishing offers. The process is designed to protect the homeowners and ensure they are treated fairly and receive fair compensation. There is little/no opportunity for the Council to influence or negotiate the acquisition costs and it would result in project delay.
- This is a Council-approved project with a fully funded budget for property acquisition.

For the Bridge Project, three (3) parcels require a partial acquisition and TCE. Based on the acquisition numbers in the following table, a signing authority of \$1,000,000 would represent 67% of the parcel acquisitions.

148th Street Non-Motorized Bridge Project				
SUMMARY OF RWFE LIST OF 3 PARTIAL ACQUISITIONS & TCE <i>(based on 2023 costs)</i>				
Estimated Acquisition Offer	Equal to or less than \$499K	\$500K - \$749K	\$750K - \$999K	\$1M & Over
3 PARCELS	1	0	1	1
<i>running count</i>	<i>1</i>	<i>0</i>	<i>2</i>	<i>3</i>
Percent	33%	33%	67%	100%

If any acquisitions exceed the \$1,000,000 administrative authority, staff will bring the acquirors to the City Council for approval. This authority is provided for in proposed Resolution No. 508.

Proposed Resolution No. 508 – Relocation Claims

Per SMC Section 2.60.090, the City Manager is authorized to approve properly documented relocation claims up to the limits prescribed by federal or state law regardless of amount, provided the City Council has approved a project relocation plan for the project which includes any good faith parcel relocation cost estimate that exceeds \$50,000 or such higher parcel relocation limit approved by City Council for a particular project.

A Relocation Plan has been developed for the Bridge Project and submitted to WSDOT for review. It addresses relocations for this project in the early acquisition ROW phase. As it has been submitted to WSDOT for review, staff asks that the plan be approved recognizing that acquisitions are the upcoming work. One (1) parcel has been identified for relocation costs with estimates ranging up to \$6,000. Staff is requesting that the City Council approve the Relocation Plan that is part of proposed Resolution No. 508 to authorize the City Manager and their designees to approve properly documented claims regardless of amount. The Relocation Plan is included in proposed Resolution No. 508 as Exhibit A.

Relocations are an entitlement for the displaced person(s). There is little to no negotiation in relocation costs as URA Policy establishes what is allowable. RES Group Northwest, the City’s WSDOT approved relocation specialist for the Bridge Project,

makes recommendations for each claim, and cites the appropriate Washington Administrative Code (WAC).

Finally, the City's purchasing policies allow the City Manager to delegate a portion of their authority to other staff. This would apply to property acquisition and relocation claims as long as that staff is also listed in WSDOT approved ROW Procedures.

Proposed Ordinance No. 983 – Eminent Domain

State law (RCW 8.12) allows Shoreline to “condemn” land (hence the term condemnation is often used) and other property for public use after just compensation having been first made or paid into court for the owner. Private property ownership is a privilege that the City of Shoreline respects. The city's property owners are one of the bedrocks of our community, and with others, support City infrastructure and programs through taxes. As a recipient of federal funding for the Bridge Project, the project team is guided through strict property acquisition regulations in order to arrive at an equitable and just settlement with property owners, each compensated with tax dollars that support the project funding. The City therefore must pay property owners a fair price and cover relocation costs but cannot make a gift of public funds.

To reach a fair and equitable offer, the City's ROW consultants will have an independent company appraise each parcel. These appraisals are then reviewed by a second independent appraiser. Offers are created based on these determinations. A property owner also has the right to hire their own appraiser for an additional appraisal to be considered if they feel more comfortable with that approach. Under threat of eminent domain, the property owner must be informed of and is entitled to up to \$750 in actual costs to review the City's offer.

It is assumed that most property owners, if not all, will come to an agreement on property value with the City; then escrow, closing, and title transfer will follow. In the event a negotiation reaches an impasse, eminent domain may be the only solution to keep the project moving forward. Proposed Ordinance No. 983 provides for this condemnation authority if negotiations fail.

Approval of a condemnation ordinance does not necessarily mean that eminent domain will be used, but rather gives the City authority to move forward with the use of eminent domain if necessary. The project team and ROW consultant will continue negotiations as normal with every property owner if proposed Ordinance No. 983 is adopted. No eminent domain petition will be filed on any property unless negotiation efforts have truly been exhausted.

The City's ROW consultants have been reaching out to all property owners to make them aware of this upcoming action, let them know that by law they must be notified via certified mail so that they are expecting this notification, and reassure them that negotiations will continue as normal. The ordinance only gives the authority for use of eminent domain; it does not mean that eminent domain will be used on their property.

Proposed Ordinance No. 983 will include only the three acquisition properties identified in the acquisition map, included in proposed Ordinance No. 983 as Exhibit A.

COUNCIL GOAL(S) ADDRESSED

The 148th Street Non-Motorized Bridge Project directly supports two of the City Council Goals:

- Goal #2 - Continue to deliver highly-valued public services through management of the City's infrastructure and stewardship of the natural environment.
- Goal #3 - Continue preparation for regional transit in Shoreline.

RESOURCE/FINANCIAL IMPACT

The 148th Street Non-Motorized Bridge Project has sufficient funds for property acquisition. Proposed Resolution No. 508 and proposed Ordinance No. 983 do not negatively impact the project funding or financial impact.

Proposed Resolution No. 508 impacts project resources and costs in two primary ways:

3. It reduces staff time needed to prepare staff reports and present property specific acquisitions or relocation to Council for approval.
4. In saving time in approving acquisitions, it reduces the likelihood of property costs increasing while staff receives Council approval.

Property values are professionally determined under contract with a Washington State Department of Transportation (WSDOT) approved ROW consultant (RES Group Northwest) and are not affected by this proposed Resolution. All properties over \$25,000 are appraised by an independent firm, then that appraisal is reviewed by a second independent firm. Offers are subject to WSDOT review. Since the City does not have a real estate division and staff with the expertise for property acquisition, the City is required to use a ROW consultant as approved by WSDOT. This ROW consultant prepares offers based on appraisals and federal regulations on the City's behalf. The ROW expert also provides guidance on relocation claims submitted to the City citing appropriate code.

Proposed Ordinance No. 983 does not in itself affect the settlement amount. If use of eminent domain is authorized under this Ordinance, negotiations will continue as normal. Council passing this Ordinance is the first step for moving forward with the use of eminent domain if negotiations come to an impasse. There are some associated costs for notices and correspondence. A notice of the final action, adoption of Ordinance No. 983, will have been published in the Seattle Times once a week for two successive weeks; and notice sent certified mail to every property owner impacted by the final action at least 15 days prior to final action; all at the City's expense (see Attachments C and D.)

A Statutory Evaluation Allowance (SEA) is available to the property owner if an offer is made under the threat of eminent domain to help defray the owner's expenses. Under RCW 8.25.020, when the City is acquiring property by eminent domain or under the threat of it, property owners are entitled to reimbursement of up to \$750 for costs they incurred evaluating the City's offer.

RECOMMENDATION

No action is required tonight. Staff asks that the City Council discuss and provide feedback on proposed Resolution No. 508 and proposed Ordinance No. 983. Potential action for both pieces of legislation is scheduled for the May 1, 2023, City Council meeting.

ATTACHMENTS

Attachment A: Proposed Resolution No. 508

Attachment A, Exhibit A: Relocation Plan for the 148th Street Non-Motorized Bridge Project

Attachment B: Proposed Ordinance No. 983

Attachment B, Exhibit A: Acquisition Map

Attachment C: Published Notice of Condemnation Action

Attachment D: Example of Notice to Property Owner

RESOLUTION NO. 508

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON APPROVING THE RELOCATION PLAN FOR THE 148TH NON-MOTORIZED BRIDGE PROJECT, AND INCREASING CITY MANAGER PROPERTY ACQUISITION AUTHORITY FOR CERTAIN PROPERTIES.

WHEREAS, for several years the City has been seeking to develop a comprehensive pedestrian and bicycle network and, with the development of Sound Transit's Shoreline South/148th Light Rail Station, the City determined that a non-motorized bridge traversing Interstate-5 would not only facilitate the movement of transit riders but also provide for an east-west connection, and has designed a project in this regard, the 148th Non-Motorized Bridge Project; and

WHEREAS, the 148th Non-Motorized Bridge Project is contained in the City's Capital Improvement Plan and the City has obligated City Roads Capital Funds and Transportation Alternatives Program grant funds for the Project; and

WHEREAS, pursuant to SMC 2.60.090(A)(2), the City Manager may acquire real property interests as part of an approved and funded project contained in the City's Capital Improvement Plan up to \$50,000 unless another amount is specifically authorized for a particular project; and

WHEREAS, SMC 2.60.090(A)(3) states that when property acquisition requires relocation of the residents that exceeds the City Manager's acquisition authority, the City Manager may authorize relocation claims up to the limits prescribed by federal or state law provided that the City Council has approved a project relocation plan; and

WHEREAS, three (3) properties identified for the acquisition of easements for the 148th Non-Motorized Bridge Project are expected to exceed the City Manager's authority granted in SMC 2.50.090(A)(2) given the current real estate market; and

WHEREAS, the City has developed a Relocation Plan for the 148th Non-Motorized Bridge Project which includes good faith parcel relocation costs estimates that exceed the City Manager's acquisition authority and the City Council may approve a higher relocation limit for the 148th Non-Motorized Bridge Project and issue an addendum to that Relocation Plan due to changes in acquisition requirements; and

WHEREAS, given the potential for property interests acquisition and relocation costs to exceed the City Manager's authority set forth in SMC 2.60.090(A) for the 148th Non-Motorized Bridge Project, the City Council has determined that it would be more efficient to increase that authority;

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

Section 1. Real Property Interest Acquisition Authority. The City Manager is authorized to acquire the necessary property interests on the three (3) properties identified below for the 148th Non-Motorized Bridge Project, when the cost of the property is no greater than \$1,000,000.00, subject to SMC 2.60.090(A)(2)(a)-(b). All purchases in excess of this amount shall be approved by the City Council.

Parcel Address	Parcel Tax Parcel Number
14800 1 st Ave NE	288170-0340
14724 1 st Ave NE	288170-0342
14734 1 st Ave NE	288170-0343

Section 2. Relocation Plan. Exhibit A is approved as the Project Relocation Plan for the 148th Non-Motorized Bridge Project. The City Manager is authorized to approve properly documented relocation claims up to the limits prescribed by federal or state law, regardless of the amount.

Section 3. Effective Date. This Resolution shall take effect and be in full force upon passage.

ADOPTED BY THE CITY COUNCIL ON MAY 1, 2023.

Mayor Keith Scully

ATTEST:

Jessica Simulcik Smith, City Clerk

Project Title: 148th Street Non-Motorized Bridge – Phase II	Agency: City of Shoreline
Relocation Plan Prepared By: Becky Gilberg	Date: 2/17/2023

The relocation services provided on this project will adhere to state and federal laws and regulations.

1. **Project Description:** The construction of a new pedestrian and bicycle crossing over Interstate 5 (I-5) at N. 148th Street with connection between the Parkwood neighborhood on the west side and the new Shoreline South/148th Station to the east accommodating pedestrians and bicyclists as well as complying with Americans with Disabilities Act (ADA) standards.

2. **Assurances:**

The Agency, or its consultant, will inform all displaced parties of relocation payments and services that will be provided. No displaced person, lawfully occupying real property, will be required to move from the acquired dwelling or business without being provided a written assurance of at least ninety (90) days prior to the earliest date by which they could be required to vacate the property.

There are NO residential or business displacements on this project.

3. **Number of Displacements:**

There is one (1) property affected by this project and the acquisition(s) will result in the relocation of personal property only from the proposed right of way.

4. **Inventory of Individual Needs:**

The proposed acquisition of right of way for this project, at the time of this report, identifies the following Personal Property Only (PPO) displacements:

Parcel Number: 288170-0343

Displacee Number: 001

Type of Displacee: Personal Property Only

Displacee Name(s): Philippi Presbyterian Church of Seattle

Mailing Address: [REDACTED]

Telephone/Email: [REDACTED]

The Philippi Presbyterian Church of Seattle has a wooden storage shed that is currently in the location of the temporary construction easement and the permanent trail easement that will be needed to construct the 148th Street Non-Motorized Bridge across I-5 to new Shoreline South/148th Light Rail Station.

The wooden shed is approximately 10x8 feet in size and is in fair condition. During an onsite meeting it was determined that the shed door was screwed shut and was not accessible to view the contents of the shed. However, a church representative was able to provide general contents of the shed which contains interior and exterior maintenance tools such as lawnmowers, ladders, and other miscellaneous maintenance tools. Arrangements will be made to see the inside contents of the shed for the move estimate.

Attachment A Exhibit A
**Personal Property Only
Relocation Plan**

It is possible that the shed could be relocated using a forklift, power jack, ramps, or truck. A contractor will be contacted to provide input as to whether the shed is moveable given its condition. If the shed is not able to be relocated, then substitute personal property will be utilized by providing the displacee with a cost estimate to replace the non-moveable shed.



5. Decent, Safe, & Sanitary Requirements:

Not Applicable-Personal Property Only Displacement(s)

6. Analysis of Available Property:

Not Applicable-Personal Property Only Displacement(s)

7. Last Resort Housing Discussion:

Not Applicable-Personal Property Only Displacement(s)

8. Sources of Information:

Information Gathering: Onsite meeting with church representative who provided a brief list of items in shed.

Other: Online search for similar sized wooden sheds for substitute of personal property. Similar sized sheds found at Lowes, Home Depot and Tuff Shed with costs ranging from \$1,800 to \$4,500.

9. Relocation Assistance Office Address:

**RES Group Northwest
2450 6th Ave. S, #202
Seattle, WA 98134**

10. Summary-Estimated Personal Property Only Relocations Costs: \$6,000

ORDINANCE NO. 983

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AUTHORIZING ACQUISITION OF INTERESTS IN CERTAIN REAL PROPERTY LOCATED ON THE WESTERN SIDE OF INTERSTATE 5 IN THE VICINITY OF 1ST AVENUE NE AND NE 147TH STREET, BY NEGOTIATED VOLUNTARY PURCHASE, UNDER THREAT OF CONDEMNATION, BY CONDEMNATION, OR BY SETTLING CONDEMNATION LITIGATION, FOR THE PURPOSE OF SECURING PROPERTY RIGHTS FOR CONSTRUCTION AND OPERATION OF THE 148TH NON-MOTORIZED BRIDGE PROJECT; FINDING PUBLIC USE AND NECESSITY; AUTHORIZING JUST COMPENSATION FROM THE ROAD CAPITAL FUND AND A FEDERAL GRANT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has an obligation to provide for a transportation system that serves its residents in a safe and efficient manner; and

WHEREAS, the 148th Non-Motorized Bridge will provide a pedestrian and bicycle pathway crossing over Interstate 5, thereby providing connection to Sound Transit’s Shoreline South/148th Light Rail Station and the City’s expanding pedestrian and bicycle network, including the future “Trail Along the Rail,” without pedestrians and bicyclists interacting with motor vehicles; and

WHEREAS, the City Council finds that acquisition of permanent and temporary easements over the properties located within the City generally depicted and described in Exhibit A, attached hereto (the “Acquired Easements”), are necessary for the construction and future operation of the 148th Non-Motorized Bridge Property; and

WHEREAS, just compensation for the Acquired Easements can be funded with Road Capital Funds and the Transportation Alternatives Program, a federal grant; and

WHEREAS, there will be sustained efforts to negotiate with the owners of the Acquired Easements, and eminent domain action will be taken judiciously after reasonable efforts to reach a negotiated settlement with the owners; and

WHEREAS, in the event that negotiated acquisition of the Acquired Easements is not fully successful, it is essential that the City be prepared to initiate condemnation proceedings; and

WHEREAS, the owners of the Acquired Easements were given notice according to state statute that this condemnation Ordinance was included for discussion by the City Council at its April 17, 2023 meeting and for final action at its May 1, 2023 meeting, and were afforded an opportunity to submit comment at or for those meetings; and

WHEREAS, the City has provided notice of the adoption of this Ordinance in the manner set forth in RCW 8.12.005 and 8.25.290; and

WHEREAS, the City has the power to acquire lands through eminent domain for the purpose of providing for streets, approaches, and bridges; and

WHEREAS, acquisition of the Acquired Easement is categorically exempt from SEPA review under WAC 197-11-800(5)(a);

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

Section 1. Condemnation Authorized. The City Manager is hereby authorized to take necessary steps to acquire all necessary property interests in the land located within the City of Shoreline, County of King, State of Washington, depicted and legally described in Exhibit A attached hereto and by this reference incorporated herein (the “Acquired Easements”) which is necessary for the public use of a pedestrian and bicyclist bridge over Interstate 5 to provide non-motorized connection, and is hereby condemned, appropriated and taken for such public use, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

The City Manager or designee is hereby authorized and directed to execute all documents for the acquisition of all interests for the Acquired Easements and bring proceedings in the manner provided for by law to condemn, take, damage, and appropriate the Acquired Easement described in this Ordinance pursuant to the powers granted to the City of Shoreline including RCW 35A.64.200 and Chapters 8.12 and 8.25 RCW. This authorization includes the right to condemn all reversionary interests, easements, and options in said Acquired Easements.

The City Attorney is authorized to begin and prosecute legal proceedings in the manner provided by the law to purchase, condemn, take, appropriate, and otherwise acquire the interests and property rights and privileges necessary to carry out the purposes of this Ordinance. The City Attorney is also authorized to make minor amendments to any property descriptions or maps of the properties, generally depicted on the attached Exhibit A, as may become necessary to correct scrivener’s errors or to conform the legal description to the precise boundaries of the Acquired Easements.

Section 2. Finding of Public Use and Necessity. The Shoreline City Council finds that the acquisition of the Acquired Easements is for a public use and purpose, to-wit: to provide for the construction and future operation of a non-motorized bridge over Interstate 5 so as to provide a pedestrian and bicyclist connection to transit and the City’s non-motorized trail network. The City Council further finds the properties generally depicted in Exhibit A are necessary for the proposed public use and for the benefit of the public. The Whereas clauses set forth above are hereby incorporated into and made part of the Council’s findings.

Section 3. Compensation. Compensation to be paid to the owners of the Acquired Easements identified in Section 1, above, and costs and expenses of litigation authorized by this Ordinance, shall be paid from the City’s Roads Capital Fund and the Transportation Alternative Program.

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

PASSED BY THE CITY COUNCIL ON MAY 1, 2023.

Mayor Keith Scully

ATTEST:

APPROVED AS TO FORM:

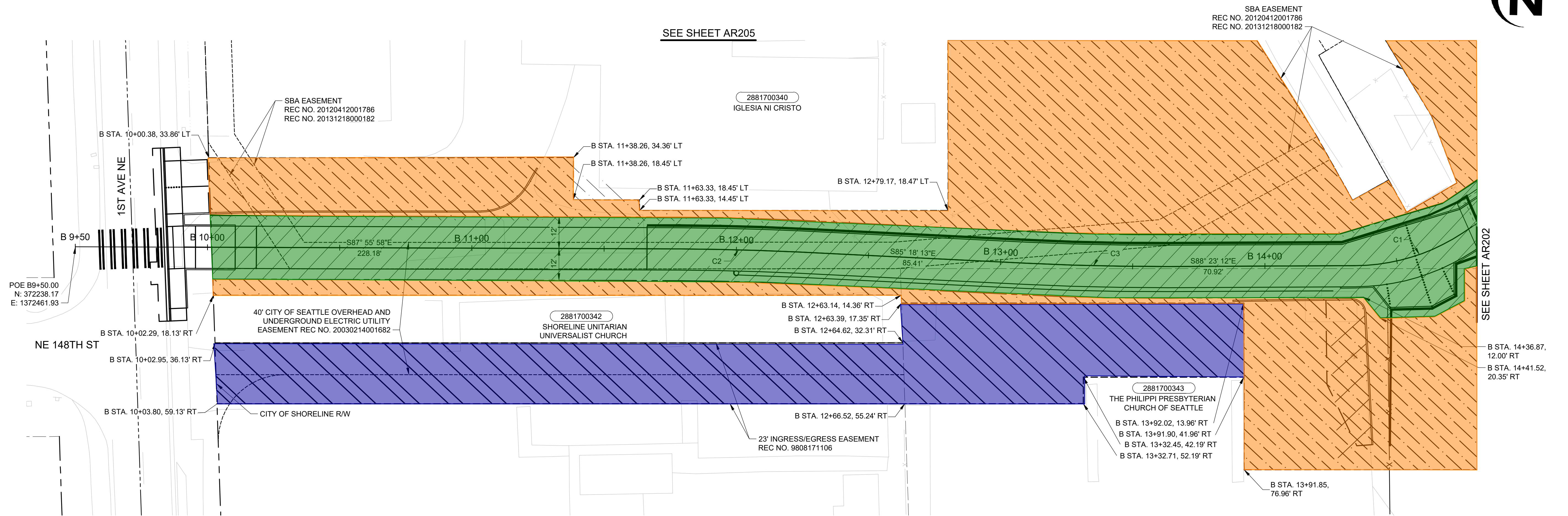
Jessica Simulcik Smith

Margaret J. King
City Attorney

Publication Date: _____, 2023

Effective Date: _____, 2023

ATTACHMENT B, EXHIBIT A



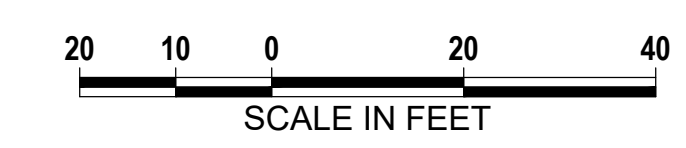
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C1	B 14+55.66	372215.28	1372945.51	033°12'53"	74.00'	22.07'	42.90'
C2	B 12+01.13	372229.94	1372689.97	002°37'45"	1000.00'	22.95'	45.89'
C3	B 13+36.38	372220.24	1372820.89	003°04'58"	1000.00'	26.91'	53.81'

LEGEND:

- TRAIL EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT (ACCESS)
- PROPOSED TRAIL EASEMENT LINE
- EXISTING RIGHT OF WAY LINE
- EXISTING ROW CENTERLINE
- EXISTING PROPERTY LINE
- EXISTING EASMENT
- EXISTING BUILDING OUTLINE
- TEMPORARY CONSTRUCTION EASMENT

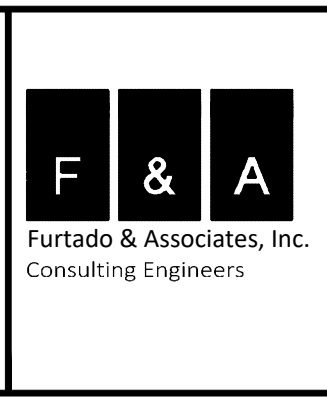
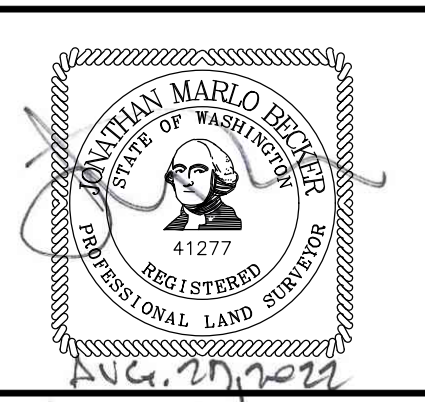
* PARCEL IS AREA TAKEN FROM COUNTY ASSESSOR RECORDS

PARCEL NO. (TAX ACCOUNT NO.)	OWNERS	PARCEL AREA SQ. FT.	R/W	REMAINDER SQ. FT.	TRAIL EASEMENT SQ. FT.	TEMPORARY CONSTRUCTION SQ. FT.
2881700343	THE PHILIPPI PRESBYTERIAN CHURCH OF SEATTLE	79,704*		79,704	2,455	14,453 4,289 (ACCESS)
2881700340	IGLESIA NI CRISTO	137,214*		137,214	10,176	27,497 8,097 (ACCESS)
2881700342	SHORELINE UNITARIAN UNIVERSALIST CHURCH	69,103*		69,103	1,219	1,383 5,983 (ACCESS)



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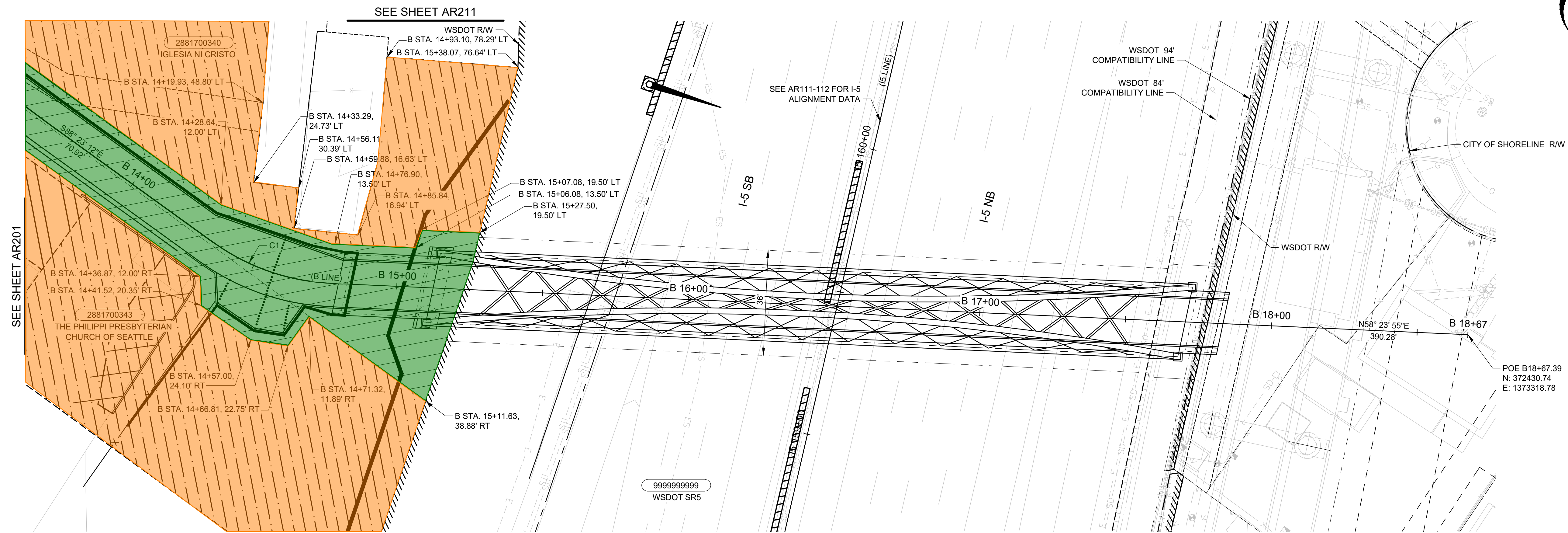
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DESIGN BY	AL
CHECK BY	JB
PROJ MGR	JB

CITY OF SHORELINE

148TH STREET NON-MOTORIZED BRIDGE

PHASE I
ALIGNMENT / RIGHT OF WAY PLAN

DRAWING NO.	AR201
PROJECT NO.	9263
FED AID NO.	
DATE:	09/20/2022
SHEET NO.	OF



SEE SHEET AR201

SEE SHEET AR211

SEE AR111-112 FOR I-5 ALIGNMENT DATA

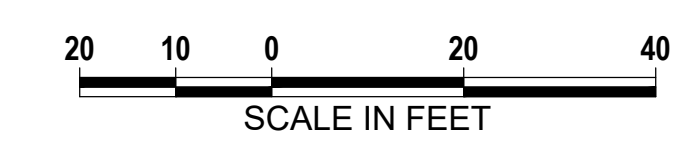
* PARCEL IS AREA TAKEN FROM COUNTY ASSESSOR RECORDS

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2881700343	THE PHILIPPI PRESBYTERIAN CHURCH OF SEATTLE	SEE SHEET AR201				
2881700340	IGLESIA NI CRISTO	SEE SHEET AR201				

LEGEND:

- TRAIL EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT (ACCESS)
- PROPOSED TRAIL EASEMENT LINE
- EXISTING RIGHT OF WAY LINE
- EXISTING ROW CENTERLINE
- EXISTING PROPERTY LINE
- EXISTING EASMENT
- EXISTING BUILDING OUTLINE
- TEMPORARY CONSTRUCTION EASEMENT

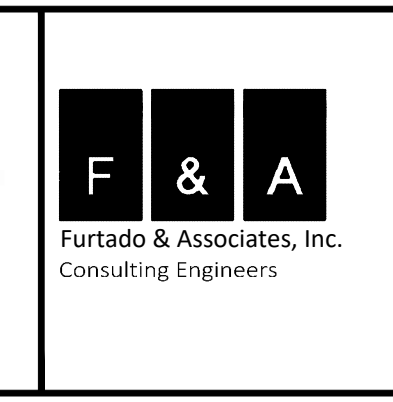
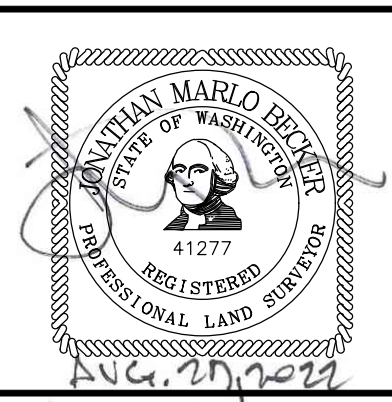
NOTE:
1. FOR B-LINE CURVE DATA SEE SHEET AR201.



**Know what's below
Call before you dig**

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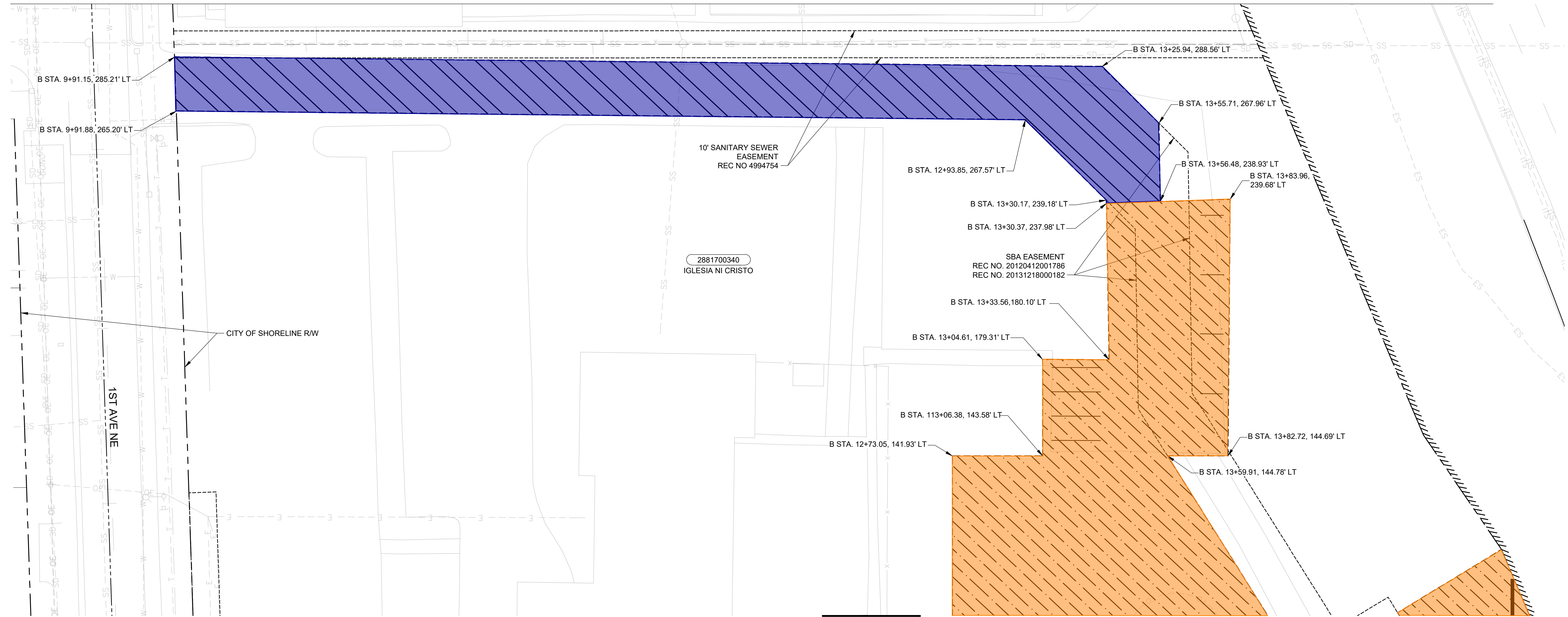
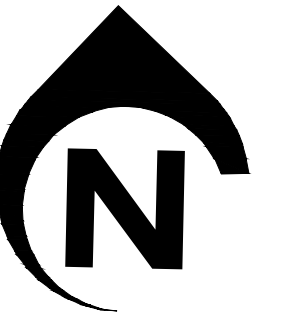
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CHECK BY	JB
PROJ MGR	JB

CITY OF SHORELINE
148TH STREET NON-MOTORIZED BRIDGE
PHASE I
ALIGNMENT / RIGHT OF WAY PLAN

DRAWING NO.	AR202
PROJECT NO.	9263
FED AID NO.	
DATE:	09/20/2022
SHEET NO.	___ OF ___



SEE SHEET AR201

NOTE:
1. FOR B-LINE CURVE DATA SEE SHEET AR201.

LEGEND:

- TRAIL EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT (ACCESS)
- PROPOSED TRAIL EASEMENT LINE
- EXISTING RIGHT OF WAY LINE
- EXISTING ROW CENTERLINE
- EXISTING PROPERTY LINE
- EXISTING EASEMENT
- EXISTING BUILDING OUTLINE
- TEMPORARY CONSTRUCTION EASEMENT

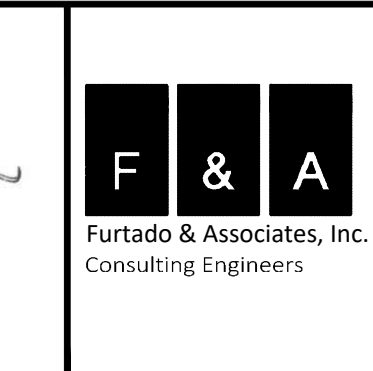
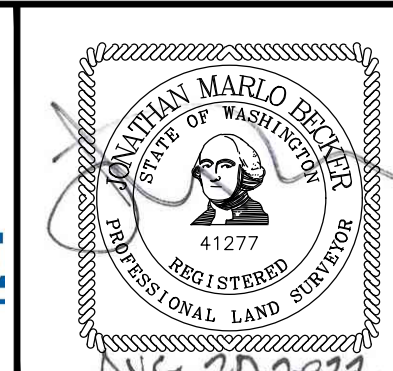
PARCEL NO. (TAX ACCOUNT NO.)	OWNERS	PARCEL AREA SQ. FT.	R/W	REMAINDER SQ. FT.	TRAIL EASEMENT SQ. FT.	TEMPORARY CONSTRUCTION SQ. FT.
2881700340	IGLESIA NI CRISTO	SEE SHEET AR201				



Know what's below
Call before you dig

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CITY OF SHORELINE
148TH STREET NON-MOTORIZED BRIDGE
PHASE I
ALIGNMENT / RIGHT OF WAY PLAN

DRAWING NO.	AR205
PROJECT NO.	9263
FED AID NO.	
DATE:	09/20/2022
SHEET NO.	OF



NOTICE OF CONDEMNATION ACTION BY THE SHORELINE CITY COUNCIL

NOTICE IS HEREBY GIVEN pursuant to RCW 8.25.290 that the City Council of the City of Shoreline, Washington, is meeting at its Council Meetings on Monday, **April 17, 2023**, at 7:00 pm to discuss and on Monday, **May 1, 2023**, at 7:00 pm to consider and/or act upon the following:

ORDINANCE NO. 983 AUTHORIZING THE USE OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN REAL PROPERTIES WITHIN THE CITY OF SHORELINE LOCATED ON N FIRST AVENUE NE FROM N 147TH STREET TO N 148TH STREET, IDENTIFIED AS PARCELS 288170-0343, 288170-0340, AND 288170-0342.

At this time, City Council meetings are using a hybrid format where both in-person and online attendance is allowed. You can attend one or both meetings using the following information:

- **Attend in-person at Council Chamber in Shoreline City Hall located at 17500 Midvale Avenue N, Shoreline, WA 98133**
- **Attend via Zoom Webinar: <https://zoom.us/j/95015006341>**
- **Join by Phone: 253-215-8782 Webinar ID: 950 1500 6341**
- **Submit a written public comment here:**
<http://www.shorelinewa.gov/government/council-meetings/comment-on-agenda-items>.
- **Sign-up to provide oral public comment in the Zoom Meeting here:**
<http://www.shorelinewa.gov/government/council-meetings/city-council-remote-speaker-sign-in>

For further information, contact:

Lea Bonebrake, P.E.

Phone: (206) 801-2475

Email: lbonebrake@shorelinewa.gov

A declaration of publishing will be filed with the City Clerk for the Shoreline City Council. Publication Dates: April 12 and 19, 2023 (Seattle Times)

**SHORELINE CITY COUNCIL**

Mayor Keith Scully
 Deputy Mayor Betsy Robertson
 Councilmember Doris McConnell
 Councilmember Laura Mork
 Councilmember Eben Pobe
 Councilmember John Ramsdell
 Councilmember Chris Roberts

NOTICE OF SHORELINE CITY COUNCIL ACTION FOR USE OF EMINENT DOMAIN

March 31, 2023

Sent by U.S. Certified Mail

TAXPAYER NAME
TAXPAYER ADDRESS
CITY, STATE ZIP

RE: 148th Street Non-Motorized Bridge Project
 King County Tax Parcel#: **XXXXX-XXXX**

Dear Shoreline Property Owner:

You are receiving this notice because you are the owner of record for property located on or near the City of Shoreline's 148th Street Non-Motorized Bridge Project (the "Project"). The City of Shoreline is currently designing the Project with construction anticipated to begin in early 2024.¹

As part of the design process, the City has identified that easements over a portion of your property, located at **[SITE ADDRESS]**, and identified by **King County Tax Parcel No. [XXXXX-XXXX]**, are necessary for this Project.

The City's right-of-way acquisition consultant, RES Group Northwest will soon be contacting you to negotiate the purchase of permanent easements and temporary construction easements on your property. Although it is anticipated that a negotiated agreement can be reached, the Shoreline City Council will hold a discussion on the potential use of eminent domain for this Project at its **April 17, 2023**, regular meeting to

¹ Information about the 148th Street Non-Motorized Bridge Project can be found on the City's website at: [148th Street Non-Motorized Bridge | City of Shoreline \(shorelinewa.gov\)](https://www.shorelinewa.gov/148th-Street-Non-Motorized-Bridge)

address if an agreement cannot be reached. Final action on whether to authorize the use of eminent domain for the Project will be at the **May 1, 2023**, regular meeting.

At this time, City Council meetings are being conducted in a hybrid format. You may attend the meetings in person, join via Zoom, or over the phone. You can attend one or both meetings, which begin at 7:00 pm Local Time and/or provide written or oral comment using the following information:

- **Attend in-person at Council Chamber in Shoreline City Hall located at 17500 Midvale Avenue N, Shoreline, WA 98133**
- **Watch live streaming video:**
<http://www.shorelinewa.gov/government/council-meetings>
- **Attend the Meeting via Zoom Webinar:** <https://zoom.us/j/95015006341>
- **Call into the Live Meeting: 253-215-8782 Webinar ID: 950 1500 6341**

To submit a written public comment:

<http://www.shorelinewa.gov/government/council-meetings/comment-on-agenda-items>.

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.

To sign-up to provide oral public comment in the Zoom Meeting at:

<http://www.shorelinewa.gov/government/council-meetings/city-council-remote-speaker-sign-in>. To provide oral public comment, pre-registration is required by 6:30 pm the meeting night.

It is the City's intent and obligation to ensure that property owners are fairly compensated for the value of the property needed for this Project. If agreement cannot be reached through negotiations, state law permits the City to acquire property, including easements, utilizing eminent domain (i.e., condemnation). For the City, use of this right will be a last resort, to be used only when all negotiations have truly reached an impasse as to the fair market value of the property. If eminent domain is required, the court determines the fair market value of the property and then orders the transfer of the property after payment to the owner.

In order to utilize eminent domain, the City Council must adopt an ordinance authorizing its use. Adoption of the ordinance does not mean that the City will discontinue current negotiations – it only provides the City with the option to use eminent domain if it is needed in the future. It does not change the tone and nature of the current negotiations. Property acquisition is being brought before the City Council now so the 148th Street Non-Motorized Bridge Project can remain on schedule.

Once again, inclusion of your property in the City Council's action does not mean that the City will discontinue current negotiations and proceed directly to court. It only means that the City will have the authority to proceed to court, if needed.

If you have any questions or need additional information about this notice or any other aspect of the Project, please feel free to contact me. I look forward to working with you.

Sincerely,

Lea Bonebrake, P.E.
Project Manager
(206) 801-2475
lbonebrake@shorelinewa.gov

Enclosures: Vicinity Map, Public Notice

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Creating Community Opportunities within the Neighborhoods Program
DEPARTMENT:	Recreation, Cultural and Community Services
PRESENTED BY:	Constance Perenyi, Neighborhoods Coordinator Bethany Wolbrecht-Dunn, Community Services 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:

In February 1996, Shoreline’s first City Council officially recognized the importance of engaged and informed residents by initiating the City’s Neighborhoods Program. Recognizing that Shoreline is an evolving city and that staff had never undertaken an evaluation of the Neighborhoods Program, staff began an assessment of the Program in 2022 as the community began to emerge from the COVID-19 pandemic. The goal was to understand how the structures in place supported Neighborhood Associations, and how they serve the larger community and the principles of City Council Resolution No. 467, which declared the City’s commitment to building an Anti-Racist community.

To conduct this evaluation, staff engaged cross-cultural organizer Courtney Wooten of Suburbia Rising to research what a robust, welcoming and equitable neighborhoods program might look like for the City of Shoreline. Staff is now recommending proposed changes to the Neighborhoods Program regarding Neighborhood Association structure, the Neighborhood Mini-Grant Program, and the Council of Neighborhoods based on the findings of the evaluation. Tonight, staff will share the outcomes from this evaluation and these proposed program changes for Council’s feedback and consideration.

RESOURCE/FINANCIAL IMPACT:

There is no financial impact of these proposed program changes. All of these changes can be accommodated within the approved Neighborhoods Program budget.

RECOMMENDATION

No action is required tonight. Staff will present the proposed Neighborhoods Program changes regarding Neighborhood Association structure, the Neighborhood Mini-Grant Program, and the Council of Neighborhoods. Staff recommends that the City move forward with these proposed changes and that Council provide feedback on these recommendations.

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

BACKGROUND

In February 1996, Shoreline's first City Council officially recognized the importance of engaged and informed residents by initiating the City's Neighborhoods Program through [Resolution No. 54](#). Since that time, Neighborhood Associations (NAs) have played a significant role in Shoreline. With City support, they have created opportunities for engagement through events, activities, and neighborhood improvement projects. Although many NAs are known for their signature events with attendance limited to just their neighborhoods, others have invited more representative community participation in recent years. An example is the Ballinger Friendship Festival, an annual multicultural celebration with active participation from residents at nearby Ballinger Homes.

Also established under Resolution No. 54 was the Council of Neighborhoods (CON), which has historically served to connect NA representatives with the City and community partners. Monthly meetings have provided appointed representatives (2 per NA) with information to share with NA board members. Each January, CON representatives and other NA members have been offered a training covered by the Neighborhoods Program budget. Topics have focused on inclusion, from engagement of people living in multi-family housing to moving through conflict while building community.

Neighborhoods Program Assessment

Recognizing that Shoreline is an evolving city and that staff had never undertaken an evaluation of the Neighborhoods Program, staff began an assessment of the Program in 2022 as the community began to emerge from the COVID-19 pandemic. The goal was to understand how the structures in place supported NAs, and how they serve the larger community and the principles of City Council [Resolution No. 467](#), which declared the City's commitment to building an Anti-Racist community.

Staff began with an assessment of NA structure. To be recognized officially by the City, NAs have been required to meet specific requirements, including registration as a nonprofit corporation with the State of Washington and maintenance of an IRS tax number. Even prior to the COVID-19 pandemic, many NAs struggled with maintaining boards and updating bylaws which are necessary to retain State incorporation status. During and since the pandemic, it has been even more of a challenge.

Program Assessment Survey

Staff also sent a survey to 64 NA leaders, who were asked to share the survey with others in their association. The intention of the survey was to get a snapshot of how Shoreline's Neighborhoods were doing as they began to emerge from two challenging years of the pandemic. To encourage candid responses, self- and neighborhood identification was optional.

Thirty-eight (38) surveys responses were received, with 18 individuals identifying themselves and 11 neighborhoods represented. Responses indicated that prior to the pandemic, in-person events and open meetings were key to developing and maintaining

relationship. During the pandemic, virtual meetings and social media helped maintain connections. NAs found that without in-person opportunities, it was difficult to keep residents engaged. Many NAs still struggle to maintain their boards. Even the most established NAs have had a difficult time meeting full criteria for formal standing with the State, IRS, and City. Most others met only partial organizational requirements.

Program Assessment Consultant Research

Following the survey, staff engaged cross-cultural organizer Courtney Wooten of Suburbia Rising to research what a robustly welcoming, equitable neighborhoods program might look like for the City of Shoreline. Ms. Wooten facilitated a series of Welcoming Workshops for the Council of Neighborhoods (CON) in January 2022, and worked with the Ridgecrest Neighborhood Association Board in 2021.

Throughout the summer and fall of 2022, Ms. Wooten conducted one on one interviews or focus groups with over 30 individuals. She had content-specific email or phone conversations, focus groups and interviews with over 35 people for roughly 50 data collection points.

She was also able to observe and interact with CON meetings in real time, including an informal CON Executive Committee workshop, and to observe recordings of CON meetings and other public City of Shoreline events that allowed her to gather data from roughly 70 unique perspectives. With the exception of The Highlands, all Shoreline Neighborhoods were represented in individual interviews and/or focus groups, and through observation at CON meetings.

Although Ms. Wooten did not track comprehensive demographic data, the majority of these participants were:

- Long time residents of Shoreline (grew up here, had owned homes for 5-40 years in the area);
- Active in the community (with their NA, and/or other community organizations such as USOAR, PTA, faith communities, environmental advocacy, and general volunteering); and
- White, 40 or older, and homeowners.

While Ms. Wooten's information gathering process was not a fully representational, as it was weighted toward NA members and identified community leaders, she did interview people of color, some younger adults, and some self-identified LGTBQIA community members (but likely not in proportions that match Shoreline's demographics.).

Ms. Wooten's research summary findings are attached as Attachment A to this staff report. Her findings and suggestions are reflected in the staff recommendations noted below.

DISCUSSION

Recommended Changes in NA Structure

In conducting interviews and focus groups, Courtney Wooten from Suburbia Rising noted that the strengths of NAs include informed, participatory citizenry and community bonding at events. She also heard that individual NAs have been struggling with relevance: low membership and event attendance, member burnout and little sense of direction or purpose. She has recommended building on the inherent benefits of community building by simplifying program structure to make participation easier.

Based on these findings, staff is recommending that the City provide NAs a choice of structure that fits their purpose and is more responsive to the needs of their neighborhood. Staff proposed two options for NA structure:

- 1) Incorporation with State, IRS, and City; or
- 2) Unincorporated standing, which will allow neighborhoods to work within the community without having to maintain standing with the State or IRS.

Incorporated NAs will continue to engage in the structural benefits of how the Neighborhood Program is currently established. This includes:

- Being able to apply for one Partnership Mini-Grant each year;
- Receiving up to \$750 per NA for pre-approved expenses for events, activities, projects;
- Requesting one all-neighborhood mailing per NA and have events information included in special editions of Currents;
- Requesting printing and lamination at City Hall;
- Receiving information about City functions for distribution through NA communications networks; and
- Scheduling space at City Hall and other City facilities for NA meetings or events and receiving waived fees for events in Parks.

Unincorporated NAs will have the option of working towards full incorporation should they choose, and they will receive City staff support in that process. They will also be supported in organizing activities and they will be able to:

- Apply for one Love Your Community Grant each year as long as proposed activities benefit the community;
- Request printing and lamination at City Hall;
- Receive information about City functions for distribution through NA communications networks;
- Schedule space at City Hall and other City facilities for NA meetings or events.

Recommended Changes in the Neighborhood Mini-Grant Program

Historically, Council approves an annual allocation of \$20,000 to fund Neighborhood Mini-Grants. Typically, only NAs with high capacity apply for and receive these grants. This means that the same four to five NAs receive funding every year. There has been

little or no collaboration between NAs or other community groups using Mini-Grant funds.

In her recommendations, Ms. Wooten suggests increasing diversity and representation in event planning and participation. The City can facilitate this by prioritizing funding for collaborative events. For example, NAs can work with other community groups to plan and offer events at apartment complexes, or within faith and ethnic communities.

Staff proposes moving to a new Mini-Grant model based on collaboration. Incorporated NAs can apply for Partnership Grants up to \$5,000 per year when they propose a project or event involving another NA or a community group.

The goal of this proposed change is twofold: to encourage NAs to create more connections within the community with the additional benefit of enhancing their sustainability, and to create more equitable funding opportunities (i.e., broader access and participation) for groups that have not previously been represented in the NA structure.

Recommended Changes to CON

CON is made up of a small number of NA representatives who meet monthly. Historically, attendance at meetings is limited to two elected representatives from each neighborhood.

CON faces many of the same issues NAs do, with limited participation and membership that is not representative of Shoreline's current demographics. Prior to the pandemic, meeting attendance averaged 12 people per month. During the pandemic when meetings moved to a Zoom platform, numbers rose to between 16 to 18 attendees per month. Even if a maximum number participated, and if information from CON meetings is shared at NA meetings, the number of people who benefit is very small.

The main goal of CON is to support an informed, participatory group of residents, and to facilitate active two-way communication with the City. Ms. Wooten noted that this process has not been inclusive of many communities in Shoreline. She recommends creating opportunities so more community members have a chance to learn about the City, develop relationships with presenting Council members and staff, and have their voices heard.

Staff therefore proposes shifting from monthly CON meetings to a new format called CityLearn, to start in September 2023. Rather than content-rich meetings for just a few neighborhood representatives, CityLearn will be widely promoted to all residents as an opportunity to connect with the City and to learn about how the City works. Following the format of current CON meetings, CityLearn meetings will start with a Council update and feature a timely presentation from City staff or partner organizations. They will not have a specific neighborhood focus, although all neighborhood association members will be encouraged to attend. This will also be an opportunity for the 137 graduates of CityWise to continue to engage and learn about Shoreline.

With the proposed change above, the current structure of CON will be discontinued. In its place, staff propose hosting an annual CON summit. Members of all NAs will be invited to gather and discuss challenges and opportunities in their neighborhoods and to discuss ideas for the year ahead. Staff will work with a steering committee of neighborhood representatives to plan and host the CON Summit. Staff will also continue to offer at least one training each year focused on equity and inclusion for members of NAs.

Staff presented these proposed changes at the April 5, 2023, CON meeting. While seeing the need for CON to be more inclusive, CON representatives emphasized the need for leaders to continue to meet together. In line with Neighborhood Program guidelines, the City will provide space to CON representatives as requested.

SUMMARY

To support NAs in being more sustainable and relevant to their neighborhoods, staff recommends offering two options for structure. To encourage inclusivity and partnership building, staff recommends Partnership Mini-Grants be available to incorporated NAs. To expand access to the City for all members of our community, staff recommends shifting from CON meetings to CityLearn, with ongoing support to CON through trainings and an annual Neighborhoods summit. All of these proposed changes are in alignment with the findings of the Suburbia Rising Neighborhoods Program evaluation conducted by Ms. Wooten on behalf of the City, and they are also in alignment with the foundational Resolution ([Resolution No. 54](#)) that established the Neighborhoods Program.

RESOURCE/FINANCIAL IMPACT

There is no financial impact of these proposed program changes. All of these changes can be accommodated within the approved Neighborhoods Program budget.

RECOMMENDATION

No action is required tonight. Staff will present the proposed Neighborhoods Program changes regarding Neighborhood Association structure, the Neighborhood Mini-Grant Program, and the Council of Neighborhoods. Staff recommends that the City move forward with these proposed changes and that Council provide feedback on these recommendations.

ATTACHMENTS

Attachment A: Suburbia Rising Neighborhoods Program Research Summary Findings



Summary

The City of Shoreline's Neighborhoods Program has a history that predates the incorporation of the City itself. Supporting community belonging and relationship-building, the 14 Neighborhood Associations (NAs) and Council of Neighborhoods (CON) support citizen participation to build strong neighborhoods and a vibrant, interconnected community with active two-way communication with the City. This assessment and analysis included a web-based survey for NA members, individual qualitative interviews with community stakeholders, and two focus groups using affirmative inquiry to dream and design a system that might better support belonging, inclusion and equity in the City of Shoreline.

The Urgency

Individual NAs are struggling with relevance: low membership and event attendance, member burnout and little sense of direction or purpose. From the outside, NAs have a poor community reputation (e.g., as exclusionary, in/out group, predetermined goals).

The Strengths

Benefits of the NAs include: informed, participatory citizenry; community bonding at events; and neighborhood beautification and safety projects. From the outside, NA benefits primarily include: community bonding at events; the potential/hope for belonging.

Recommendations

For **sustainability**:

- Simplify program structure to make citizen participation easier (e.g., loosening bylaws and legal requirements) and align NAs across the City
- Reimagine Mission, Vision and Values to modernize and clarify the purpose of NAs and aid in communicating potential value of membership and participation

For **inclusivity**:

- Required Training and Skill Building on inclusive facilitation, cultural responsiveness and humility to promote citizen leadership and create a more welcoming culture
- Creative, Targeted Communication that engages multiethnic, youth, and immigrant communities

For **diversity**:

- Prioritize Funding for Collaborative Events (e.g., NAs in conjunction with PTA, USOAR, hosted at apartment complexes, or faith and ethnic communities)
- Targeted Recruitment from Partnerships, including City Wise, Diversity & Inclusion Dept.

For **belonging**:

- Broaden Input Channels to hear more community members' voices (e.g., open CON meetings so more citizens can develop relationships with City Staff)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Ordinance No. 985 – Amending Chapter 3.70 of the Shoreline Municipal Code to Modify the System Improvements Eligible for Park Impact Fees
DEPARTMENT:	Parks, Recreation and Cultural Services
PRESENTED BY:	Katrina Steinley, Senior Management Analyst
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

On July 31, 2017, with the adoption of Ordinance No. 786, the City established Chapter 3.70 SMC Impact Fees for Parks, Open Space, and Recreation Facilities, as provided in State law (Chapter 82.02 RCW.) The methodology used to establish Park Impact Fees is based on anticipated costs associated with capital projects that expand the City’s park system. Those capital projects are listed in Exhibit B1 of the *Rate Study for Impact Fees for Parks, Open Space, and Recreation Facilities*, City of Shoreline, dated July 2017, City Clerk Receiving No. 8871, which was incorporated by reference per SMC 3.70.010. Use of Park Impact Fees is restricted to projects that are identified on Exhibit B1.

The proposed amendment to Exhibit B1 is necessary to add the area around Echo Lake to the list of park acquisitions and projects that add capacity. Proposed Ordinance No. 985 provides for this modification of system improvements eligible for Park Impact Fees. Tonight, Council is scheduled to discuss proposed Ordinance No. 985. Proposed Ordinance No. 985 is schedule to be brought back to Council for potential action on April 24, 2023.

RESOURCE/FINANCIAL IMPACT:

There is no resource or financial impact to implementing proposed Ordinance No. 985. This proposed Ordinance would allow Park Impact Fees to be used for acquisition of property and park system growth in the area around Echo Lake.

RECOMMENDATION

This agenda item is for discussion only. Staff recommends adoption of proposed Ordinance No. 985 when this item is scheduled to be brought back to Council for potential action, which is currently scheduled for April 24, 2023.

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

BACKGROUND

On July 31, 2017, with the adoption of [Ordinance No. 786](#), the City established Chapter 3.70 SMC Impact Fees for Parks, Open Space, and Recreation Facilities, as provided in Chapter 82.02 RCW. The methodology used to establish Park Impact Fees is based on anticipated costs associated with capital projects that expand the City's park system. Those capital projects are listed in Exhibit B1 of the *Rate Study for Impact Fees for Parks, Open Space, and Recreation Facilities*, City of Shoreline, dated July 2017, City Clerk Receiving No. 8871, which was incorporated by reference per SMC 3.70.010. Use of Park Impact Fees is restricted to projects that are identified on Exhibit B1.

On February 10, 2020, with the adoption of [Ordinance No. 876](#), the City first amended Exhibit B1 of the *Rate Study for Impact Fees for Parks, Open Space, and Recreation Facilities* to expand the geographic boundaries of the Aurora - I-5 155th - 165th Acquisition project and the Aurora - I-5 155th - 165th Development project west to Dayton Avenue and south to 145th Street.

Parks, Recreation, and Open Space Plan

On July 31, 2017, the City Council approved the update to the Parks, Recreation, and Open Space (PROS) Plan. The Plan identified parkland needs of 95 acres citywide to maintain a level of service of 7.38 acres per 1,000 population and includes an emphasis on acquiring properties in the City's Light Rail Station Areas. The Plan also identified a need for natural areas, particularly in the Echo Lake and Hillwood neighborhoods, with a target of having natural area parks within a 15-minute walk of every resident or approximately $\frac{3}{4}$ of a mile.

Strategic Action Initiative No. 5 in the PROS Plan is to *Support Diverse Communities*. In addition to overall parks system growth, the PROS Plan emphasizes equitable distribution of resources and inclusive parks and recreation services.

DISCUSSION

Exhibit B1 of the *Rate Study for Impact Fees for Parks, Open Space, and Recreation Facilities* lists park and open space acquisition and development projects that were used to analyze and establish the Park Impact Fee rates. The projects listed in Exhibit B1 were generated through the development of the PROS Plan and are included in its Recommendations and Implementation section.

The proposed amendment to Exhibit B1 would expand the geographic area for acquisition and development to include the area around Echo Lake making projects in that area eligible for Park Impact Fee funding. The amendment to Exhibit B1 is noted as follows:

- [Echo Lake Acquisition](#)
- [Echo Lake Development](#)

The addition of the area around Echo Lake would allow for Park Impact Fees to be used for acquisition of property and park system growth in that area.

Park Property Acquisition and Development in the Area Around Echo Lake

The Echo Lake neighborhood was identified in the PROS Plan as being devoid of natural park areas, with no natural areas within a 15-minute walk. The only publicly owned parks and spaces in the Echo Lake neighborhood include Echo Lake Park on the northern end of Echo Lake, part of the interurban trail, and Shoreline Park on the eastern side of the neighborhood, which is more than a 15-minute walk from the area around Echo Lake. The newly acquired, but not yet developed, Hemlock open space property, located at N 192nd Street, is on the other side of Highway 99 from Echo Lake. The area around Echo Lake is not in the 185th Light Rail Subarea but is near the 185th Street Corridor and would be accessible to transit riders. Additionally, the area is very accessible from the Bus Rapid Transit line on Aurora.

Most of the area around Echo Lake has median household income levels in the 19th percentile, placing it in the lowest third of median household income in King County. Housing being developed in the area around Echo Lake, specifically on the western side, is primarily anticipated to be affordable housing. This includes the City-owned land under development for future housing with supportive services for 100 formerly homeless individuals or those at risk of becoming homeless, and an area along Aurora Avenue where more than 1,400 units of housing are planned or under construction, including more than 500 affordable units. The area around Echo Lake also has high rates of hospitalization, residents with disabilities, and residents lacking healthcare.

Parks property acquisition and parks system growth in the area around Echo Lake would add additional public access to the lake. This waterfront area would be accessible by transit riders, provide a natural area for residents of nearby existing and future low-income housing, preserve undeveloped natural areas within the lake's watershed, and help seek to redress historic disparities in access to open space.

Proposed Ordinance No. 985 (Attachment A) provides for this second amendment to Exhibit B1. Tonight, Council is scheduled to discuss proposed Ordinance No. 985. Proposed Ordinance No. 985 is schedule to be brought back to Council for potential action on April 24, 2023.

RESOURCE/FINANCIAL IMPACT

There is no resource or financial impact to implementing proposed Ordinance No. 985. This proposed Ordinance would allow Park Impact Fees to be used for acquisition of property and park system growth in the area around Echo Lake.

RECOMMENDATION

This agenda item is for discussion only. Staff recommends adoption of proposed Ordinance No. 985 when this item is scheduled to be brought back to Council for potential action, which is currently scheduled for April 24, 2023.

ATTACHMENTS

Attachment A: Proposed Ordinance No. 985, Including Exhibit A

ORDINANCE NO. 985

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING CHAPTER 3.70 OF THE SHORELINE MUNICIPAL CODE TO MODIFY THE SYSTEM IMPROVEMENTS ELIGIBLE FOR PARK 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 planning pursuant to the Growth Management Act, chapter 36.70A RCW; and

WHEREAS, on July 31, 2017, with the adoption of Ordinance No. 786, the City established chapter 3.70 SMC Impact Fees for Parks, Open Space, and Recreation Facilities, as provided in chapter 82.02 RCW; and

WHEREAS, the methodology used to establish the Park Impact Fees is based on capital facilities growth projects that add capacity to the City's park system as set forth in Exhibit B1 of the *Rate Study for Impact Fees for Parks, Open Space, and Recreation Facilities*, City of Shoreline, dated July 2017, City Clerk Receiving No. 8871, which was incorporated by reference per SMC 3.70.010; and

WHEREAS, chapter 82.02 RCW and chapter 3.70 SMC restricts the use of Park Impact Fees to those system improvements identified by the City in its capital facilities plan and Exhibit B1 represents those identified system improvements for which Park Impact Fees may be expended; and

WHEREAS, on February 10, 2020, the City Council amended Exhibit B1 of the *Rate Study* to address changes in the City since development of the Park Impact Fees; and

WHEREAS, an additional amendment to Exhibit B1 is necessary to include further acquisition and development of land near or bordering on Echo Lake so as to use Park Impact Fees for the same; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and considered the proposed amendment at its regularly scheduled meeting on April 17, 2023;

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

Section 1. Amendment to SMC 3.70.010. Exhibit B1 of the *Rate Study for Impact Fees for Parks, Open Space, and Recreation Facilities*, as incorporated by reference, is amended as set forth in Exhibit A to this Ordinance.

Section 2. Directions to the City Clerk. The City Clerk shall append a copy of this Ordinance to City Clerk Receiving No. 8871 so as to reflect the amendment to Exhibit B1.

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

PASSED BY THE CITY COUNCIL APRIL 24, 2023

Mayor Keith Scully

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Margaret King
City Attorney

Date of Publication: _____, 2023
Effective Date: _____, 2023

Exhibit B1. Shoreline CFP Park Projects that Add Capacity – 2018-2035

Project Name	Cost (1)	% Capacity (2)	Capacity Cost (3)	Non Capacity Cost (4)
Park Ecological Restoration Program	\$ 560,000	0%	\$ 0	\$ 560,000
Parks Minor Repair and Replacement Project	1,572,995	0%	0	1,572,995
Kruckeberg Env Ed Center (Residence Stabilization)	265,000	0%	0	265,000
Turf & Lighting Repair and Replacement	2,678,000	0%	0	2,678,000
Boeing Creek-Shoreview Park Trail Repair & Replacement Project	1,892,000	0%	0	1,892,000
Richmond Beach Community Park Wall Repair Project	1,154,000	0%	0	1,154,000
Richmond Beach Saltwater Park Fire Suppression Development Project	491,000	0%	0	491,000
Aquatic-Community Center Development	75,362,000	28%	21,371,000	53,991,000
Park Facility Recreation Amenities Planning	150,000	50%	75,000	75,000
Richmond Highlands Recreation Center Outdoor Basketball Court	50,000	100%	50,000	0
Soccer Field Conversion (Shoreview Park)	3,615,000	0%	0	3,615,000
Briarcrest Neighborhood Park @ Upper Hamlin & 25th Av NE Development	817,000	100%	817,000	0
Brugger's Bog Park Development Project	1,210,000	0%	0	1,210,000
Hillwood Park Master Plan & Development Project	3,823,000	0%	0	3,823,000
Lower Shoreview Park Development Project	4,937,000	0%	0	4,937,000
North City Neighborhood Park Adventure Playground @ Hamlin	437,000	100%	437,000	0
Park at Town Center Phase 1	980,000	50%	490,000	490,000
James Keough Park Development Project	972,000	50%	486,000	486,000
Ridgecrest Park Development Project	1,153,000	50%	576,500	576,500
Westminister Playground Project	209,000	0%	0	209,000
195th Street Ballinger Commons Trail	69,000	0%	0	69,000
Kruckeberg Env Ed Center Development - Match Foundation	500,000	0%	0	500,000
Twin Ponds Trail Development	219,000	100%	219,000	0
Paramount Open Space Trail Development	195,000	100%	195,000	0
Hamlin Wayfinding and Interpretive Signage	166,000	0%	0	166,000
Cedarbrook Acquisition	2,779,000	100%	2,779,000	0
Rotary Park Expansion Acquisition	3,992,000	100%	3,992,000	0
Rotary Park Development	1,406,000	100%	1,406,000	0
145th Station Area Acquisition	6,291,000	100%	6,291,000	0
145th Station Area Development	1,113,000	100%	1,113,000	0
185th & Ashworth Acquisition	1,203,000	100%	1,203,000	0
185th & Ashworth Development	520,000	100%	520,000	0
5th & 165th Acquisition	7,041,000	100%	7,041,000	0
5th & 165th Development	4,456,000	100%	4,456,000	0

Ordinance 985 – Exhibit A

Paramount Open Space Expansion	3,734,000	100%	3,734,000	0
Paramount Open Space Improvements	257,000	100%	257,000	0
Cedarbrook Playground	503,000	100%	503,000	0
Dayton- I-5 145th - 165th Acquisition	9,931,000	100%	9,931,000	0
Dayton - I-5 145th - 165th Development	1,615,000	100%	1,615,000	0
DNR Open Space Access Development	2,027,000	100%	2,027,000	0
DNR Open Space Access Acquisition	616,000	100%	616,000	0
Ronald Bog Park to James Keough Pk Trail	84,000	100%	84,000	0
<u>Echo Lake Acquisition</u>	<u>1,045,000</u>	<u>100%</u>	<u>1,045,000</u>	<u>0</u>
<u>Echo Lake Development</u>	<u>600,000</u>	<u>100%</u>	<u>600,000</u>	<u>0</u>
	\$151,044,995		\$72,284,500	
Totals	<u>\$152,689,995</u>		<u>\$73,929,500</u>	\$78,760,495