



SHORELINE CITY COUNCIL REGULAR MEETING

Monday, May 1, 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 Asian/Pacific American Heritage Month	<u>2a-1</u>	
(b) Proclamation of National Bike Month	<u>2b-1</u>	
(c) Proclamation of Mental Health Awareness Month	<u>2c-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>7a1-1</u>	
Approval of Regular Meeting Minutes of April 10, 2023	<u>7a2-1</u>	
(b) Adoption of Resolution No. 508 - Approving City Manager Property Acquisition Authority for the 148 th Non-Motorized Bridge Project	<u>7b-1</u>	
(c) Adoption of Ordinance No. 983 - Authorizing the Use of Eminent Domain for Acquisition of Certain Real Property for the 148 th Non- Motorized Bridge Project	<u>7c-1</u>	
(d) Authorize the City Manager to Execute a Contract with Otak for Professional Planning and Environmental Review Services for the 2024 Comprehensive Plan Update	<u>7d-1</u>	

8. STUDY ITEMS

- (a) Discussion of the Enhanced Operationalized Use of Drones by the Shoreline Police Department 8a-1 7:20

9. ADJOURNMENT

7:50

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 Ziplly 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.

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[LINK TO STAFF PRESENTATIONS](#)



[LINK TO PUBLIC COMMENT RECEIVED](#)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Proclamation Declaring May Asian Pacific American Heritage Month
DEPARTMENT:	Recreation, Cultural, Community Services
PRESENTED BY:	Suni Tolton, Equity and Social Justice Program 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

ISSUE STATEMENT:

May is Asian Pacific American Heritage Month, also known as Asian American Pacific Islander (AAPI) or Asian American, Native Hawaiian, Pacific Islander (AANHPI) Heritage Month. AANHPI includes many diverse groups, including all of the Asian continent and the Pacific Islands of Polynesia, Melanesia, and Micronesia. The 2020 U.S. Census found that Asian, Native Hawaiian, and Pacific Islanders make up approximately 12% of WA State population, 23% of King County, and 16% of the city of Shoreline. AANHPI were the second largest population of color in WA after Hispanic/Latino population and the fastest growing, with a growth rate of 40%, compared to Hispanic/Latino 29% from 2010 to 2020.¹

In 1977, members of the United States Congress dedicated several days at the beginning of May to celebrate the history, heritage, and contributions of Asian Americans and Pacific Islanders. President Jimmy Carter signed it into law in October 1978 and proclaimed the beginning of May 1979 as Asian Pacific American Heritage Week. In 1992, Congress expanded the week to the current month-long celebration.

May was chosen to honor significant events in U.S. history. May 7, 1843 is when the first Japanese immigrant, a 14-year old fisherman named Manjiro who arrived by a whaling ship arrived in the United States. The transcontinental railroad, built largely by Chinese immigrants, was completed on May 10, 1869. AANHPI communities have and are continuing to impact and shape U.S. history, arts and culture, science, technology, and society in meaningful ways to this day, even as Asian Americans have long fought against discrimination, prejudice, and institutional racism.

Although categorized together, different AANHPI communities have very specific histories, cultural practices, challenges, and unique to each group. Throughout the pandemic, anti-Asian bias, xenophobia, harassment, and violence were witnessed

¹ [WA State Commission on Asian Pacific American Affairs 2020 Asian American, Native Hawaiian, and Pacific Islander Demography Report](#)

throughout all the country and have been part of a long a history of anti-Asian harassment and discrimination, which continues to today. In 2022, anti-Asian hate crimes increased 339%, compared to the year before.²

The City of Shoreline is collaborating with community volunteers, the Shoreline Community College, Shoreline School District, Shoreline Historical Museum, Korean Community Service Center, and the Seattle Chapter of the Japanese American Citizens League (JACL) to provide two community events.

On Wednesday May 10th a free screening of the film [NAMBA: A Japanese American's Incarceration and Life of Resilience](#) will be shown followed by a Q&A with local JACL leaders and the filmmaker Emily Momohara. On Wednesday May 24th an evening cultural celebration with performances by a local groups will include K-Pop, Hawaiian hula, Filipino folk dancing, and Japanese taiko drumming. Both events will be at Shoreline Community College theater.

This proclamation recognizes the history, culture, achievements, and contributions made by Asian, Native Hawaiian, and Pacific Islander Americans in the U.S. and encourages all to learn more, not only in May, but throughout the year.

RECOMMENDATION

Staff recommends that the Mayor announce the issuance of the proclamation.

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

² [White House Proclamation on Asian American, Native Hawaiian, and Pacific Islander Heritage Month, 2022](#)



PROCLAMATION

WHEREAS, May was adopted as Asian Pacific American Heritage month by Congress in 1992 to honor and celebrate the history, heritage, and contributions of Asian Americans, and Pacific Islanders in the U.S.; and

WHEREAS, Asian, Native Hawaiian, and Pacific Islander populations are made up of many diverse cultures with unique histories and experiences, which enrich our communities every day; and

WHEREAS, Asians, Native Hawaiians, and Pacific Islanders are important members of our communities and have made valuable contributions to all parts of our society throughout U.S. history; and

WHEREAS, Asians, Native Hawaiians, and Pacific Islanders are the second largest population group in Washington state and the fastest growing; and

WHEREAS, We recognize the xenophobia, harassment, violence, and racism that Asian, Native Hawaiian, and Pacific Islander communities have faced for generations and most recently manifested during the COVID-19 pandemic; and

WHEREAS, May provides an opportunity to celebrate and learn more about the current work our Asian, Native Hawaiian, and Pacific Islander communities are engaged in and how to support those efforts;

NOW, THEREFORE, I, Keith Scully, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby recognize May 2023 as

ASIAN PACIFIC AMERICAN HERITAGE MONTH

in the City of Shoreline and encourage all to learn more about the histories, cultures, contributions and achievements of Asians, Native Hawaiians and Pacific Islanders.

Keith Scully, Mayor

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Proclamation of National Bike Month		
DEPARTMENT:	Public Works		
PRESENTED BY:	Nytasha Walters, Transportation Services Mana		
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:

May is National Bike Month, which is celebrated in communities nationwide with an ever-expanding diversity of events to promote bicycling for recreation and transportation. Locally, groups will be celebrating Bike Everywhere Day on Friday, May 19, 2023. The City of Shoreline recognizes national grassroots movements and local organizations supporting bicycling and the City continues to develop and build a bicycle network throughout Shoreline that is safe and convenient for all bicyclists. The creation of bicycle friendly communities has been shown to improve people’s health, well-being, and quality of life; grow the local economy; improve traffic safety; support student learning outcomes; and reduce pollution, congestion, and wear and tear on streets.

Declaring the month of May as National Bike Month in the City of Shoreline reaffirms the City’s commitment to the value and benefit of bicycling for recreation and transportation and emphasizes the health and economic health benefits derived from bicycling throughout Shoreline. This proclamation encourages all people to join communities across the nation in celebrating May 2023 as National Bike Month.

RECOMMENDATION

Staff recommends that the Mayor read the proclamation.

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



PROCLAMATION

WHEREAS, the City of Shoreline recognizes national grassroots movements and local organizations supporting bicycling, and the City of Shoreline continues to develop and build a bicycle network throughout Shoreline that is safe and convenient for all bicyclists; and

WHEREAS, residents and visitors of all ages and abilities engage in bicycling for recreation and transportation; and

WHEREAS, using a bicycle as a mode of travel helps to reduce pollution, stimulate the local economy, and improve bicyclists' health and well-being; and

WHEREAS, groups are promoting greater public awareness of bicycle operation and safety to reduce collisions and improve health and safety for everyone on the road;

NOW, THEREFORE, I, Keith Scully, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, hereby proclaim the month of May 2023 as:

NATIONAL BIKE MONTH

in the City of Shoreline and encourage all citizens to celebrate the month of May by bicycling for recreation and transportation.

Keith Scully, Mayor

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Proclamation of Mental Health Awareness Month		
DEPARTMENT:	Recreation, Community and Cultural Services		
PRESENTED BY:	Bethany Wolbrecht-Dunn, Community Services 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

PROBLEM/ISSUE STATEMENT:

In observance of May as Mental Health Awareness Month, this proclamation recognizes the prevalence of mental illness and the significant impact it has on many individuals and families. The City of Shoreline provides support for individuals experiencing mental health impacts by providing funding to the Center for Human Services Behavioral Health Program which provides services on a sliding fee scale. Additionally, COVID Response Funding is supporting additional mental health services through Charmd Behavioral Health.

Because stigma related to mental illness can be a barrier to seeking needed treatment, it is especially important to raise awareness that mental health is an integral part of overall health, and that support and treatment options are available.

RECOMMENDATION

Staff recommends that the Mayor read the proclamation.

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



PROCLAMATION

WHEREAS mental health is a part of overall health; and

WHEREAS, mental health sustains an individual's thought processes, relationships, productivity, and ability to adapt to change; and

WHEREAS, one in 25 adults live with mental illness, such as major depression, bipolar disorder, or schizophrenia; and

WHEREAS, roughly one-half of chronic mental illness begin by the mid-teens and three-fourths by the mid-20s; and

WHEREAS, surveys conducted by the Centers for Disease Control (CDC), have shown substantial increases in self-reported behavioral health symptoms as a result of the COVID-19 pandemic; and

WHEREAS, early identification and treatment can make a difference in successful management of mental illness and recovery; and

WHEREAS, it is important to maintain mental health and to recognize the symptoms of mental illness and seek help when it is needed; and

WHEREAS, every citizen and community can help end the silence and stigma surrounding mental illness; and

WHEREAS, Mental Health Awareness Month is an opportunity to increase public understanding of the importance of mental health and to promote the identification and treatment of mental illness;

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

MENTAL HEALTH AWARENESS MONTH

in the City of Shoreline.

Keith Scully, Mayor

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

The purpose of these minutes is to capture a high-level summary of Council's discussion and action. This is not a verbatim transcript. Meeting video and audio is available on the [City's website](#).

Monday, April 3, 2023
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

PRESENT: Mayor Keith Scully, Deputy Mayor Betsy Robertson, and Councilmembers Doris McConnell, Eben Pobee and Chris Roberts

ABSENT: Councilmembers John Ramsdell and Laura Mork

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

Upon roll call by the City Clerk, all Councilmembers were present except for Councilmembers Mork and Ramsdell. Mayor Scully shared they both contacted him asking to be excused for personal reasons.

Deputy Mayor Robertson moved to excuse Councilmembers Mork and Ramsdell. The motion was seconded and passed by unanimous consent.

(a) Proclamation of Sexual Assault Awareness Month

Mayor Scully announced April is Sexual Assault Awareness Month in the City of Shoreline.

3. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

4. REPORT OF THE CITY MANAGER

John Norris, Assistant City Manager, reported on various City meetings, projects, and events.

Margaret King, City Attorney, reported on the City's attempts to acquire tideland property at the southern end of 27th Avenue NW in Richmond Beach, identified as King County Tax Parcel No. 727810-0905. She said the Council authorized condemnation to obtain this property and the City has received an appraisal and is negotiating with the owner. She informed Council that she has

decided to file a petition for condemnation with the court as a formality and staff will continue to negotiate with the owner as this action goes through the court process.

5. COUNCIL REPORTS

Councilmember Roberts reported on his attendance at the National League of Cities (NLC) Congressional Conference in Washington DC. He shared highlights from the Executive Board Meeting conversations and other meetings he attended.

Deputy Mayor Robertson shared how valuable it was to interact and network with colleagues and counterparts from other government agencies at the NLC Conference.

Mayor Scully recognized Councilmember McConnell for her work to help guide policy on the NLC National Board. He shared the highlights from his trip were making contact with BNSF, raising awareness on the City's RAISE Grant application, and lobbying for the creation of a medium-sized city grant program. He also reported on the Washington State Legislature's progress on committing funding to the 148th Street Non-Motorized Bridge Project.

Councilmembers commended Councilmember Roberts on his participation in creating the NLC Local Indigenous Leaders (LIL) Caucus, a new constituency group to serve municipal leaders of indigenous heritage.

6. PUBLIC COMMENT

The Council heard comments from the public from approximately 7:15 p.m. to 7:16 p.m. Written comments were also submitted to Council prior to the meeting and are available on the [City's website](#).

Alan Charnley, Shoreline, stated that he recently ran into people attempting to gain access to buildings at Brugger's Bog Park. He asked that the City require subcontractors to make themselves identifiable when they are working on public property.

7. CONSENT CALENDAR

Upon motion by Deputy Mayor Robertson, seconded, and unanimously carried 5-0, the following Consent Calendar items were approved:

(a1) Approval of Workshop Dinner Meeting Minutes of February 27, 2023

(a2) Approval of Regular Meeting Minutes of February 27, 2023

(a3) Approval of Workshop Dinner Meeting Minutes of March 20, 2023

(b) Authorize the City Manager to Execute Amendment 3 to Contract 8961 with Herrera Environmental Consultants in the Amount of \$298,853 for the Hidden Lake Dam Removal Construction and Permitting Support Services

(c) Authorize the City Manager to Amend a Contract with Landau Associates, Inc. in the Amount of \$36,800 for Additional Geotechnical Work Related to the Parks Bond Project

8. ACTION ITEMS

(a) Action on Resolution No. 510 - Declaring Support for King County Proposition 1: The King County Council passed Ordinance No. 19572 concerning funding for mental health and substance use disorder services. If approved, this proposition would fund behavioral health services and capital facilities, including a countywide crisis care centers network; increased residential treatment; mobile crisis care; post-discharge stabilization; and workforce supports. It would authorize an additional nine-year property tax levy for collection beginning in 2024 at \$0.145 per \$1,000 of assessed valuation, with the 2024 levy amount being the base for calculating annual increases in 2025-2032 under chapter 84.55 RCW, and exempt eligible seniors, veterans, and disabled persons under RCW 84.36.381. Should this proposition be: Approved? Rejected?

Jim Hammond, Intergovernmental Relations Manager, stated the Council will be considering adoption of proposed Resolution No. 510, which would declare support for King County Proposition No. 1. He explained Prop 1 is intended to provide funding for crisis care across King County. The three core elements to a core crisis system are providing someone to talk to; someone to respond; and someplace to be. Currently, the County is providing for the first two elements but there is a gap in places for people to go, be, or be brought. Mr. Hammond said the Levy's three goals are to create five new regional centers; preserve residential treatment beds currently in the County; and to grow the behavioral health workforce pipeline. He explained the services a crisis care center will provide and reviewed the cost to taxpayers, noting it is a 9-year countywide levy with projected costs at \$0.145 cents per \$1,000 of assessed value. In Shoreline the most recent median assessed value is \$625,000, which would cost Shoreline taxpayers around \$90.63 per year.

Mayor Scully opened the public comment period, and after seeing no one in the audience wishing to speak, he closed the public comment period.

Councilmember McConnell moved to adopt proposed Resolution No. 510 declaring support for King County Ballot Proposition No. 1 - the Crisis Care Centers Levy. The motion was seconded and passed 5-0.

9. STUDY ITEMS

(a) Discussion of the 2023-2025 Council Goals and Action Steps

John Norris, Assistant City Manager, recalled Council discussed their 2023-2025 Goals at their Strategic Planning Workshop on March 10 and 11, 2023 and agreed their current Goals are still relevant and supportive of Vision 2029. Council proposed slight amendments to Council Goals #2, 3, and 5, as well as to several action steps under Goals #1, 2, 3, and 5. Mr. Norris stated these

amendments are shown in the strikethrough and underline format in the staff report and asked Council for their feedback or any additional direction.

Councilmember Pobee asked if action items coming out of the Workshop will be incorporated into the Agenda Planner. Mr. Norris replied that an Action Item List has been created. These items will be incorporated into Department Workplans and staff plans to bring back a number of the items to Council later this year. Mayor Scully asked that the Action Item List be shared with Council.

Councilmember McConnell stated the future of electric vehicles is dependent on access to chargers. Mr. Norris said staff agrees and stated Goal 2, Action Step 8 is to implement the Climate Action Plan, including development of programs to support electrification of existing buildings, reduce per capita driving, and encourage electric vehicle adoption.

Deputy Mayor Robertson said she is happy with how the wording turned out for Goal 1, Action Step 3.

Mayor Scully stated this will come back for approval on the Consent Calendar on April 17, 2023.

10. ADJOURNMENT

At 7:30 p.m., Mayor Scully declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

The purpose of these minutes is to capture a high-level summary of Council's discussion and action. This is not a verbatim transcript. Meeting video and audio is available on the [City's website](#).

Monday, April 10, 2023
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

PRESENT: Mayor Keith Scully, Deputy Mayor Betsy Robertson, and Councilmembers John Ramsdell, Laura Mork, Doris McConnell, Eben Pobee and Chris Roberts

ABSENT: None.

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

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

3. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

4. REPORT OF CITY MANAGER

Bristol Ellington, City Manager, reported on various City meetings, projects, and events.

5. COUNCIL REPORTS

Councilmember Pobee said he and Councilmember McConnell attended the SeaShore Transportation Forum to hear presentations on traffic safety and the Transportation Master Plan.

Councilmember Mork reported her attendance to a Regional Water Quality meeting where plans were discussed to lobby for wastewater funding. She said the 5.75% wastewater rate increase will soon be presented for approval.

Mayor Scully shared that funding for the 148th Street Non-Motorized Bridge was approved for \$8 million in the House and \$10 million in the Senate. He also said he attended the Lake Ballinger Forum to discuss whether the Forum should continue as an intergovernmental body. Mayor Scully expressed support for deformalizing the forum and opening it to additional stakeholders who could participate and vote.

6. PUBLIC COMMENT

The Council heard comments from the public from approximately 7:04 p.m. to 7:08 p.m. Written comments were also submitted to Council prior to the meeting and are available on the [City's website](#).

Doug Darling, Shoreline resident, expressed concern with the property tax increase and asked how tax dollars are being spent in parks and recreation programs.

Tyler Weber, Shoreline resident, spoke about safety issues at the Aurora Village Transit Center.

7. CONSENT CALENDAR

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

- (a) Approval of Special Meeting Minutes of March 10-11, 2023**
- Approval of Regular Meeting Minutes of March 20, 2023**

- (b) Approval of Expenses and Payroll as of March 31, 2023 in the Amount of \$9,876,381.73**

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
10/16/22 - 10/29/22	11/4/2022			87255	(\$92,813.62)
10/16/22 - 10/29/22	2/23/2023			WT1315	\$92,813.62
1/22/23 - 2/4/23	2/13/2023			WT1325- WT1326	\$161,369.10
10/30/22 - 11/12/23	2/22/2023			WT1331	\$96,427.10
11/13/22 - 11/26/22	2/22/2023			WT1317- WT1318	\$142,565.48
11/27/22 - 12/10/22	2/22/2023			WT1319- WT1320	\$149,648.14
12/11/22 - 12/24/22	2/22/2023			WT1321- WT1322	\$97,456.16
12/25/22 - 1/7/23	2/22/2023			WT1323- WT1324	\$151,553.39
Q4 2022 DOLI	2/23/2023			WT1316	\$52,281.71
2/5/23 - 2/18/23	2/24/2023	107066-107294	18084-18093	88245-88247	\$585,728.82
2/5/23 - 2/18/23	2/27/2023			WT1327- WT1328	\$162,472.90
2/19/23 - 3/4/23	3/10/2023	107295 - 107522	18094-18106	88375-88376	\$576,478.84
2/19/23 - 3/4/23	3/17/2023			WT1329- WT1330	\$161,641.62

03/2023 AWC	3/20/2023			88377	\$240,314.54
		107523 -	18107 -		
3/5/23 - 3/18/23	3/24/2023	107749	18118	88481-88483	\$572,509.80
					<u>\$3,150,447.60</u>

***Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
		<u>\$0.00</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
2/22/2023	88131	88136	\$94,202.76
2/22/2023	88137	88137	\$25,000.00
2/22/2023	88137	88137	(\$25,000.00)
2/22/2023	88138	88161	\$1,127,682.31
2/22/2023	88162	88189	\$204,398.35
2/22/2023	88190	88190	\$25,000.00
3/1/2023	88191	88191	\$212,425.42
3/1/2023	88192	88195	\$109,935.78
3/1/2023	88196	88220	\$124,923.20
3/1/2023	88221	88243	\$741,673.22
3/1/2023	87886	87886	(\$16,211.05)
3/1/2023	88244	88244	\$15,149.87
3/7/2023	88248	88248	\$83,291.84
3/8/2023	88249	88249	\$7,300.76
3/8/2023	88250	88287	\$402,016.89
3/8/2023	88288	88324	\$117,822.96
3/15/2023	88325	88328	\$665,576.56
3/15/2023	88329	88329	\$1,971.99
3/16/2023	88330	88350	\$344,993.12
3/16/2023	88351	88373	\$110,343.52
3/16/2023	88374	88374	\$3,274.42
3/22/2023	88273	88273	(\$2,625.60)
3/22/2023	88378	88396	\$1,128,692.59
3/22/2023	88397	88426	\$266,129.44
3/22/2023	88427	88427	\$1,147.41
3/28/2023	88427	88427	(\$1,147.41)
3/29/2023	88428	88448	\$672,202.59
3/29/2023	88449	88479	\$282,763.19
3/29/2023	88480	88480	\$3,000.00
			<u>\$6,725,934.13</u>

- (c) Authorize the City Manager to Execute a Local Agency Agreement with the Washington State Department of Transportation for the 148th Street Non-Motorized Bridge Project**
- (d) Authorize the City Manager to Execute a Contract with Play-Well TEKologies in the Amount of \$180,000 for Three Years**
- (e) Authorize the City Manager to Execute a Contract with Dandylyon Drama in the Amount of \$150,000 for Three Years**

8. ACTION ITEMS

- (a) Public Hearing and Discussion of the 2024–2029 Transportation Improvement Plan (TIP)

Nytasha Walters, Transportation Services Manager, stated the Transportation Improvement Plan (TIP) is required by state law to identify transportation projects for the next six years. From the previous 2023-2028 TIP, the Meridian Avenue N and NW Richmond Beach Rd safety improvement projects are due to be completed in 2023. The Meridian Avenue N project was modified to cover improvements from 175th to 200th due to the proposal of another project. The proposed project would cover 200th Street north across SR-104. Ms. Walters explained that the 148th Street Non-Motorized Bridge will need around \$9 million in local funds to complete the project, but staff are going after a RAISE Grant. With the grant, the City can reallocate local funds for other priority projects instead of the bridge. Lastly, following the Council’s direction, a new sidewalk project was added to the previous TIP to service Cascade K-8 School.

For the 2024-2029 TIP, Ms. Walters stated the total cost of funded and partially funded projects is about \$255 million and the total cost of unfunded projects is around \$95 million. An additional \$205 million is needed to fully fund the \$350 million total needed for TIP projects. Ms. Walters listed some projects eligible for grant funding and noted a grant match could make the projects more competitive. Ms. Walters explained that the City sets aside \$100,000 annually through the Real Estate Excise Tax to cover a percentage match for capital improvement projects. With several current large projects, the City may need more funding to provide for grant matches. Staff recommends the Council continue setting aside revenue annually to utilize as match and to consider General Fund Contributions for specific grants.

Mayor Scully opened the Public Hearing.

Doug Darling, Shoreline resident, asked about the reasoning behind the plans for the 148th Street Non-Motorized Bridge and if the project could be deferred to conserve local funds.

Seeing no additional members of the public wishing to offer testimony, Mayor Scully closed the Public Hearing.

9. STUDY ITEMS

- (a) Discussing Ordinance No. 981 - Amending the 2023-2024 Biennial Budget (Ord. No. 973) for Uncompleted 2021-2021 Operating and Capital Projects and Increasing Appropriations in Certain Funds (2022-to-2023 Carryover)

Sara Lane, Administrative Services Director, introduced Meng Liu, Budget and Tax Manager, to present on the 2023-2024 Biennial Budget amendment. Ms. Liu explained the amendment would approve the carryover of unspent funds from the previous budget to the current budget. Proposed Ordinance No. 981 would impact expenditures and resources, as follows:

- Increases appropriations for operating and capital expenditures by \$21.578 million
- Increases appropriations for transfers out by \$4.018 million
- Provides revenues totaling \$13.275 million
- Provides transfers in totaling \$4.018 million
- Uses of available fund balance of \$15.265 million offset by the anticipated provision of fund balance by certain activities totaling \$6.960 million.

As a result of the proposed ordinance, net reserve funding requirements, the 2023 beginning fund balance available for appropriation in 2023 is estimated to be \$15.716 million.

A question was asked about the \$5.096 million fund reserved for the Park Bond Projects as it was approved for \$6.3 million in December. Ms. Lane clarified that the presented balance shows the remaining reserve minus what has been expended.

A Councilmember asked for clarification on what is included in the \$4.018 million transfers out. Ms. Liu explained the transfers out shows the appropriation funds movement from one budget to the next.

It was asked how the City Maintenance Facility reserve will be used and Ms. Liu answered the funds are used for major work on the City Maintenance Facility. Ms. Lane added the reserve currently acts as a savings account for the work, but the funds have not been appropriated.

- (b) Discussing Ordinance No. 982 – Amending the 2023-2024 Final Biennial Budget (Ordinance Nos. 973 and 981)

Meng Liu, Budget and Tax Manager, explained Ordinance No. 982 would make amendments to the 2023-2024 Biennial Budget. Proposed Ordinance No. 982 would impact in 2023-24 Biennial expenditures and resources as follows:

- Increases appropriations for operating expenditures by \$2.632 million
- Increases appropriations for transfers out by \$0.389 million
- Provides revenues totaling \$0.653 million
- Provides transfers in totaling \$0.389 million
- Uses of available 2022 ending fund balance totaling \$1.980 million.

As a result of the proposed ordinance, net reserve funding requirements, the 2023 beginning fund balance available for appropriation in 2023 is estimated to be \$13.865 million.

Staff recommends an administrative change to the budget process starting in 2025 which would combine the carryover and spring budget amendment request processes, and a Councilmember asked for rationale behind the change. Ms. Lane explained that combining the ordinances would be a process improvement so reappropriations are more clearly communicated without sacrificing transparency.

It was asked if the financial impact of actions from Council's Strategic Planning Workshop was considered for the budget amendment. Ms. Lane stated the workshop action items are too new and will be considered in the mid-biennium review to give staff time to evaluate the impacts.

A question came up about the focus on park acquisition opposed to park development for the funds associated with the Parks, Recreation, and Open Space and Arts Plan. Ms. Lane explained that park design and development is planned for next year and the immediate need is extra help to research park acquisition.

10. EXECUTIVE SESSION: Potential Litigation RCW 42.30.110(1)(i) and Property Acquisition RCW 42.30.110(1)(b)

At 7:47 p.m., Mayor Scully announced that, after a five-minute recess, Council would recess into an Executive Session at 7:55 p.m. for a period of 20 minutes as authorized by RCW 42.30.110(1)(i) and RCW 42.30.110(1)(b) to discuss with legal counsel matters relating to agency enforcement actions or litigation or potential litigation to which the City is or is likely to become a party and to consider the selection of a site for the acquisition of real estate. He stated the Council may potentially take action following the Executive Session. Staff attending the Executive Session included Nathan Daum, Economic Development Manager; Nicolas Borer, Parks, Fleet and Facilities Manager; Margaret King, City Attorney; and Julie Ainsworth-Taylor, Assistant City Attorney.

Councilmember McConnell recused herself from the Executive Session at 8:04 p.m. and returned at 8:13 p.m.

At 8:14 p.m. Mayor Scully emerged from the Executive Session to extend it for 16 minutes until 8:30 p.m. At 8:30 p.m. Mayor Scully emerged from the Executive Session to extend it for 10 minutes until 8:40 p.m. The Executive Session ended at 8:36 p.m. and Mayor Scully called the meeting back to order at 8:37 p.m.

Deputy Mayor Robertson moved to approve an amendment to the Shoreline Woodway Settlement and Interlocal Agreement deadline regarding annexation of the Point Wells property to extend the settlement and interlocal agreement for a period of three months and authorize the City Manager to execute the extension. The motion was seconded and passed unanimously, 7-0.

11. ADJOURNMENT

At 8:39 p.m., Mayor Scully declared the meeting adjourned.

Kendyl Hardy, Deputy City Clerk

DRAFT

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Resolution No. 508 – Approving City Manager Property Acquisition Authority for the N 148 th Street Non-Motorized Bridge Project
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, Public Works Director
ACTION:	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

The 148th Street Non-Motorized 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 148th Street Non-Motorized Project. This Capital Improvement Project (CIP) will support growth and promote safety for pedestrians and cyclists with a new pedestrian and bike crossing over I-5 at N 148th Street.

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 section allows for project specific adjustments in these acquisition policies. To keep the ROW process moving in a timely manner for the N 148th Street Non-Motorized Bridge Project, staff are requesting that the City Council take action on proposed Resolution No. 508 (Attachment A), which is project specific.

Proposed Resolution No. 508 increases the City Manager’s signing authority from \$50,000 to \$1,000,000 for property acquisition. The increase is limited to the acquisitions for the N 148th Street Non-Motorized Bridge Project. Additionally, the resolution 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.

The City Council discussed proposed Resolution No. 508 at their April 17, 2023, Council meeting, and directed staff to return the proposed Resolution to Council for potential action. Tonight, Council is scheduled to take action on proposed Resolution No. 508.

RESOURCE/FINANCIAL IMPACT:

The N 148th Street Non-Motorized Bridge Project has sufficient funds for property acquisition. Proposed Resolution No. 508 does not negatively impact the project funding.

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

1. Allows the relocation process to move forward without delay in a housing market that requires rapid response.
2. Reduces staff time needed to prepare staff reports and present property specific acquisitions or relocation to Council for approval.
3. 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 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 expertise in 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.

RECOMMENDATION

Staff recommends that the Council adopt proposed Resolution No. 508 approving the relocation plan and granting the City Manager property acquisition authority to \$1,000,000 for the N 148th Street Non-Motorized Bridge Project.

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 I-5 to the future Sound Transit Shoreline South/148th Station via a non-motorized/pedestrian bridge. The City estimated the bridge location at N 148th Street would cost the least to construct, draw the most users, and of the routes possible, provide the shortest and most direct access to the Shoreline South/148th Station. The City also reviewed WSDOT and Sound Transit regulations to address safety needs around and across I-5. The City Council approved this bridge location at their [February 27, 2017](#), Council meeting.

The 148th Street Non-Motorized 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 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 148th Street Non-Motorized Project. This Capital Improvement Project (CIP) will support growth and promote safety for pedestrians and cyclists with a new pedestrian and bike crossing over I-5 at N 148th Street.

DISCUSSION

The City Council discussed proposed Resolution No. 508 (Attachment A) at their April 17, 2023, Council meeting. 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/staffreport041723-9a.pdf>.

Following discussion of the proposed Resolution, the Council provided direction to staff to bring proposed Resolution No. 508 back for potential action at tonight's Council meeting.

COUNCIL GOAL(S) ADDRESSED

The N 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 N 148th Street Non-Motorized Bridge Project has sufficient funds for property acquisition. Proposed Resolution No. 508 does not negatively impact the project funding.

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

4. Allows the relocation process to move forward without delay in a housing market that requires rapid response.
5. Reduces staff time needed to prepare staff reports and present property specific acquisitions or relocation to Council for approval.
6. 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 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 expertise in 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.

RECOMMENDATION

Staff recommends that the Council adopt proposed Resolution No. 508 approving the relocation plan and granting the City Manager property acquisition authority to \$1,000,000 for the N 148th Street Non-Motorized Bridge Project.

ATTACHMENTS

Attachment A: Proposed Resolution No. 508

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

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

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

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

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 983 – Authorizing the Use of Eminent Domain for Acquisition of Certain Real Property for the 148 th Non-Motorized Bridge Project
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, Public Works Director
ACTION:	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

The 148th Street Non-Motorized 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 148th Street Non-Motorized Project. This Capital Improvement Project (CIP) will support growth and promote safety for pedestrians and cyclists with a new pedestrian and bike crossing over I-5 at N 148th Street.

Eminent domain is a power granted to political subdivisions, such as the City of Shoreline, through RCW 8.12 to acquire private property for public use. City staff would like the Council to consider moving forward with a condemnation ordinance as a precautionary step to keep the project on schedule. City staff have included all the acquisition properties in the City of Shoreline required for the project as part of proposed Ordinance No. 983 (Attachment A). In the event a settlement agreement cannot be reached with a property owner, eminent domain is the next step. Passage of this Ordinance authorizes the City Manager or designee to proceed with eminent domain in the event the negotiations with any specific property owner reaches an impasse.

The City Council discussed proposed Ordinance No. 983 at their April 17, 2023, City Council meeting and directed staff to return the proposed Ordinance to Council for potential action. Tonight, Council is scheduled to take action on proposed Ordinance No. 983.

RESOURCE/FINANCIAL IMPACT:

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

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 these ordinances 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.

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

Staff recommends that the City Council adopt proposed Ordinance No. 983 which would authorize the use of eminent domain for the 148th Non-Motorized Bridge Project.

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 I-5 to the future Sound Transit Shoreline South/148th Station via a non-motorized/pedestrian bridge. The City estimated the bridge location at N 148th Street would cost the least to construct, draw the most users, and of the routes possible, provide the shortest and most direct access to the Shoreline South/148th Station. The City also reviewed WSDOT and Sound Transit regulations to address safety needs around and across I-5. The City Council approved this bridge location at their [February 27, 2017](#), Council meeting.

The 148th Non-Motorized 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. To acquire the right-of-way needed to construct the bridge, eminent domain made need to be used. Eminent domain is a power granted to political subdivisions, such as the City of Shoreline, through RCW 8.12 to acquire private property for public use. City staff recommends the Council to move forward with a condemnation ordinance as a precautionary step to keep the project on schedule.

City staff have included all the acquisition properties in the City of Shoreline required for the project as part of proposed Ordinance No. 983 (Attachment A). In the event a settlement agreement cannot be reached with a property owner, eminent domain is the next step. Passage of this proposed Ordinance authorizes the City Manager or designee to proceed with eminent domain in the event the negotiations with any specific property owner reaches an impasse.

DISCUSSION

The City Council discussed proposed Ordinance No. 983 at their April 17, 2023, Council meeting. 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/staffreport041723-9a.pdf>.

Following discussion of the proposed Ordinance, the Council provided direction to staff to bring proposed Ordinance No. 983 back for potential action at tonight's Council meeting.

A notice of final action regarding the adoption of proposed Ordinance No. 983 has been published in the Seattle Times once a week for two consecutive weeks, and the notice was sent by certified mail to every property owner impacted by the final action at least fifteen (15) days prior to final action, all at the City's expense. Publication in the Seattle Times was on April 12, 2023, and April 19, 2023, and the notice was sent by certified mail[®] on March 31, 2023. Property appraisals are currently being conducted and offers will be prepared over the coming months.

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 Ordinance No. 983 does not negatively impact the project funding.

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 these ordinances 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.

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

Staff recommends that the City Council adopt proposed Ordinance No. 983 which would authorize the use of eminent domain for the 148th Non-Motorized Bridge Project.

ATTACHMENTS

Attachment A: Proposed Ordinance No. 983
Attachment A, Exhibit A: Acquisition Map

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:

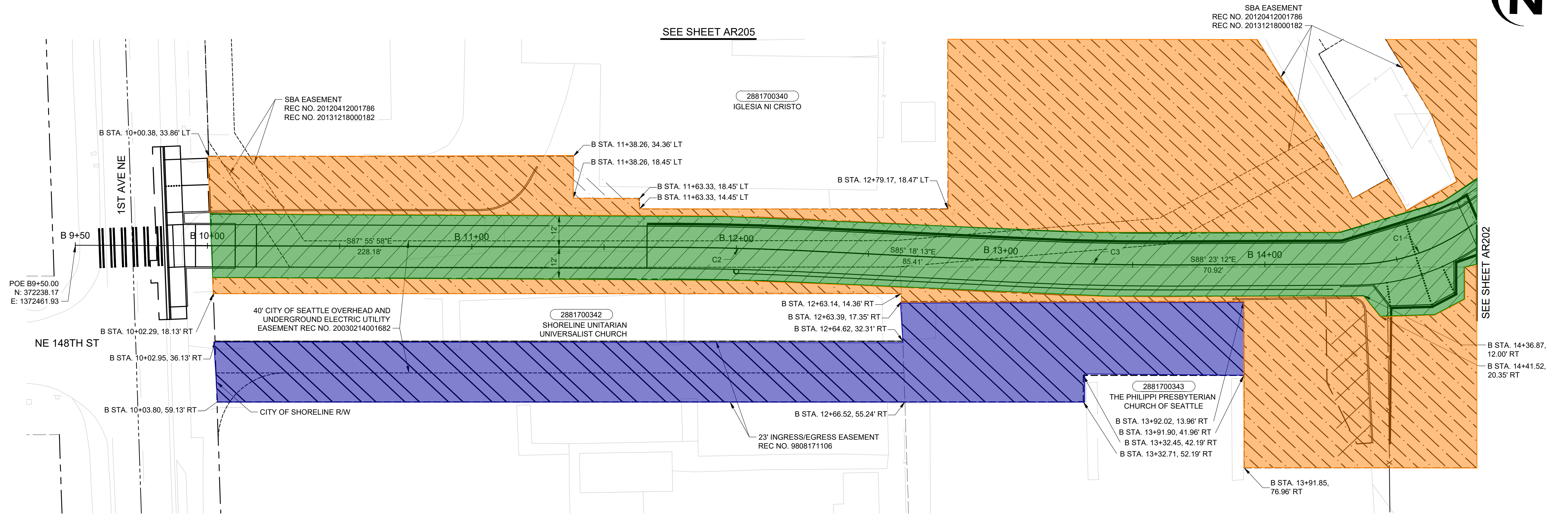
Jessica Simulcik Smith

Margaret J. King
City Attorney

Publication Date: _____, 2023

Effective Date: _____, 2023

ATTACHMENT A, EXHIBIT A



ALIGNMENT B CURVE DATA							
CURVE #	PI STATION	NORTHING AT P.C.	EASTING AT P.C.	DELTA	RADIUS	TANGENT	LENGTH
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

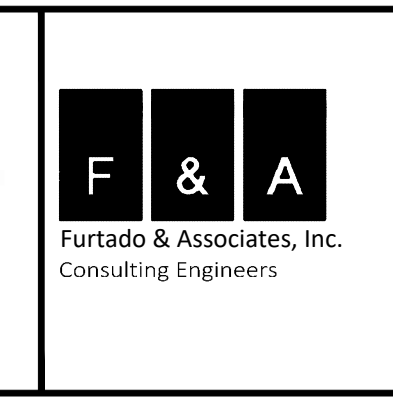
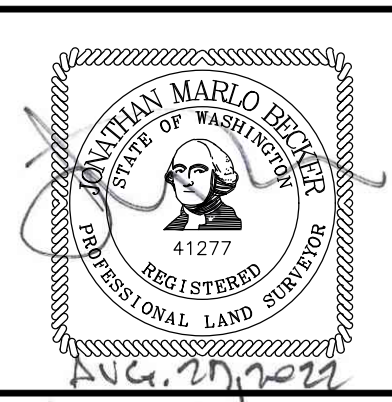
* PARCEL IS AREA TAKEN FROM COUNTY ASSESSOR RECORDS

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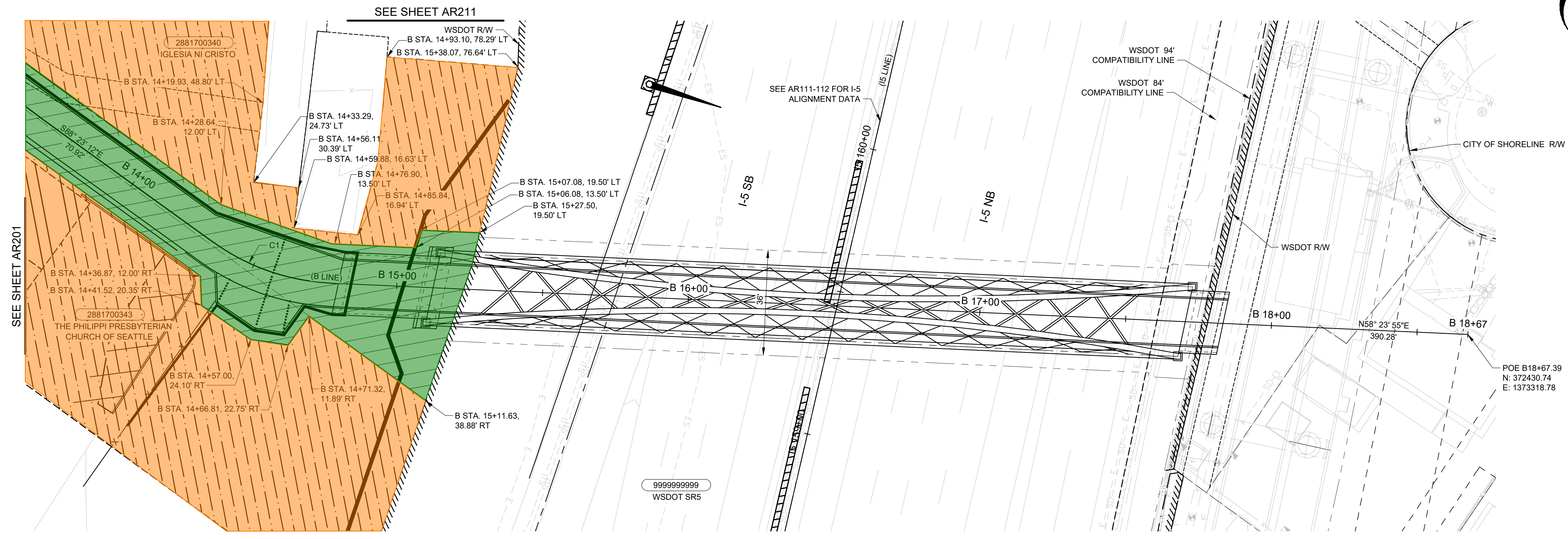
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CITY OF SHORELINE
148TH STREET NON-MOTORIZED BRIDGE
 PHASE I
 ALIGNMENT / RIGHT OF WAY PLAN

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



SEE SHEET AR201

SEE SHEET AR211

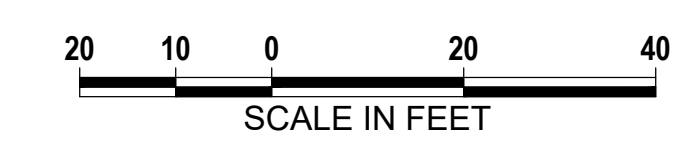
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- EXISTING ROW CENTERLINE
- EXISTING PROPERTY LINE
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- TEMPORARY CONSTRUCTION EASEMENT

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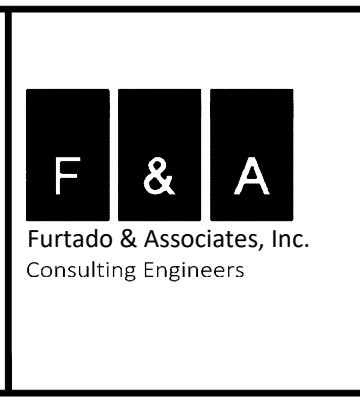
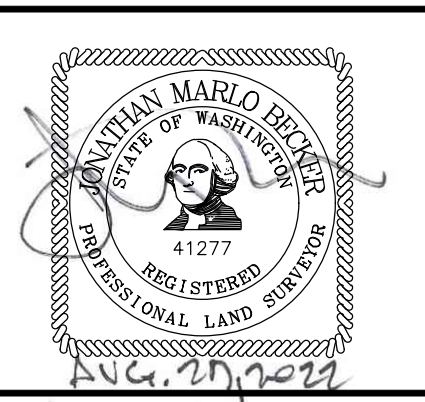
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2881700343	THE PHILIPPI PRESBYTERIAN CHURCH OF SEATTLE	SEE SHEET AR201				
2881700340	IGLESIA NI CRISTO	SEE SHEET AR201				

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



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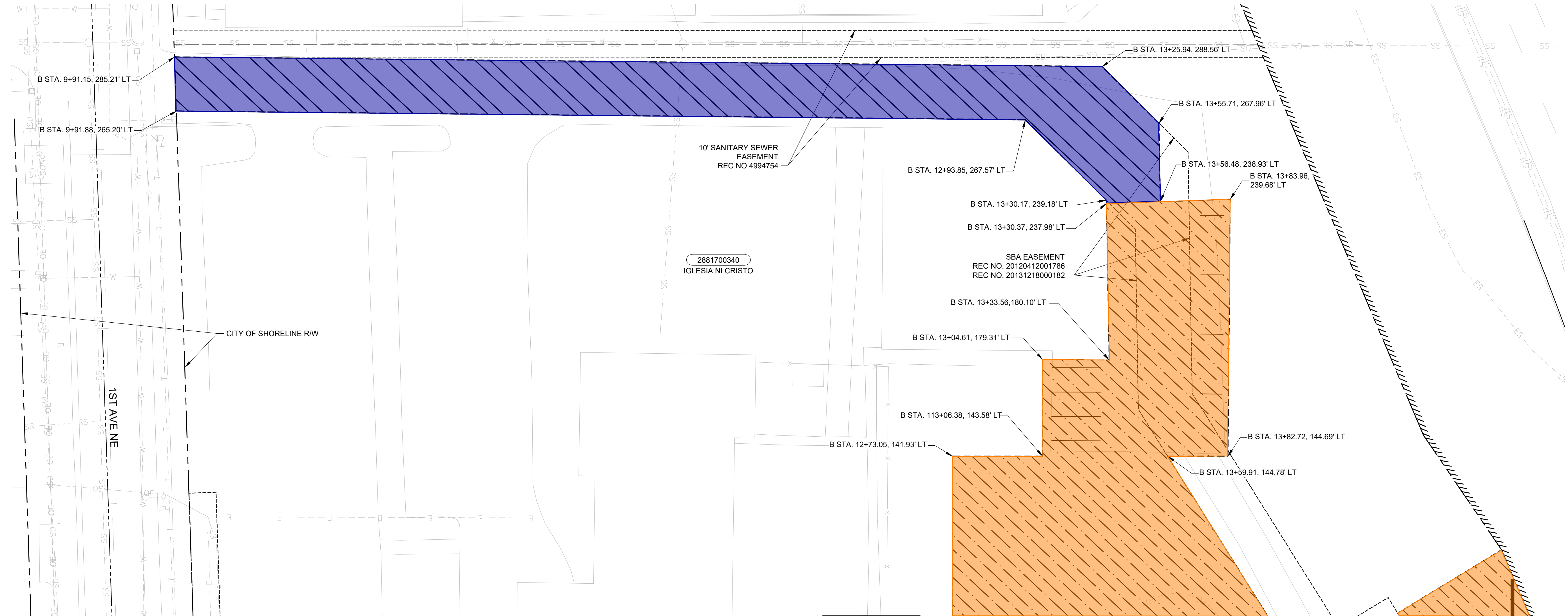
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CITY OF SHORELINE
148TH STREET NON-MOTORIZED BRIDGE
PHASE I
ALIGNMENT / RIGHT OF WAY PLAN

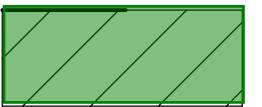
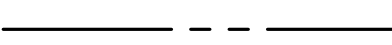
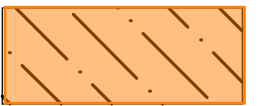

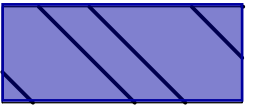

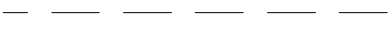
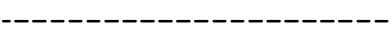

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PROJECT NO.	9263
FED AID NO.	
DATE:	09/20/2022
SHEET NO.	OF



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

SEE SHEET AR201

LEGEND:

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	TEMPORARY CONSTRUCTION EASEMENT (ACCESS)		EXISTING ROW CENTERLINE
			EXISTING PROPERTY LINE
			EXISTING EASMENT
			EXISTING BUILDING OUTLINE
			TEMPORARY CONSTRUCTION EASEMENT

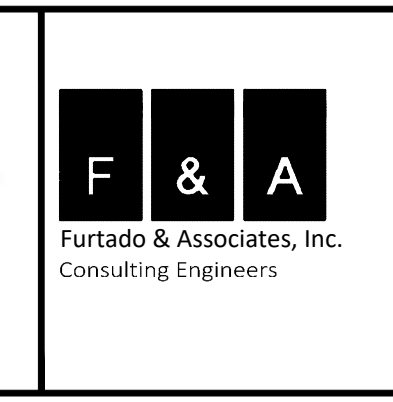
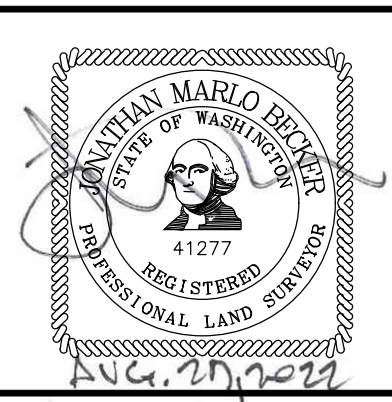
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2881700340	IGLESIA NI CRISTO	SEE SHEET AR201				



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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

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute a Contract with Otak for Professional Planning and Environmental Review Services for the 2024 Comprehensive Plan Update
DEPARTMENT:	Planning and Community Development
PRESENTED BY:	Andrew Bauer, Planning 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 periodic update to the City’s Comprehensive Plan is underway. The plan is mandated by the Growth Management Act (GMA) to be updated periodically. The last major update of the Plan occurred in 2012. The next update is required to be completed by December 31, 2024.

After a competitive Request for Proposals (RFP) process, the Planning and Community Development Department have selected Otak to support staff in the technical development and environmental analysis (including preparation of an Environmental Impact Statement (EIS)) for the plan. Tonight, staff is seeking Council authorization for the City Manager to execute a contract in the amount of \$450,000 with Otak for Professional Planning and Environmental Review Services for the 2024 Comprehensive Plan Update.

FINANCIAL IMPACT:

The Comprehensive Plan is funded through General Fund appropriations authorized in the 2023-2024 Biennial Budget and a Washington State Department of Commerce grant. The base budget in the scope of work is fully funded and does not include tasks related to SEPA environmental analysis and preparation of an EIS. Costs associated with preparation of a SEPA EIS are shown as an option. General Fund appropriations for the SEPA EIS option are pending adoption of the budget amendment with proposed Ordinance No. 982, which is scheduled for Council action April 24, 2023. If authorized, the contract would support the 2024 Comprehensive Plan update.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract with Otak in the amount of \$450,000 for Professional Planning and Environmental Review Services for the 2024 Comprehensive Plan Update.

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

BACKGROUND

The periodic update to the Comprehensive Plan is underway. The plan is mandated by the Growth Management Act (GMA) to be updated periodically. The last major update of the Plan occurred in 2012. The next update is required to be completed by December 31, 2024.

On November 7, 2022, the City Council adopted [Resolution No. 502](#), establishing the scope and schedule for the Comprehensive Plan update. On February 27, 2023, the Council adopted [Resolution No. 506](#), approving the Public Participation Plan for the Comprehensive Plan update.

A communications consultant (Stepherson & Associates) has been selected and hired to support in the ongoing implementation of the Public Participation Plan and the initial phase of community engagement and online open house was launched on March 31st.

DISCUSSION

Subsequent to starting the implementation of the Public Participation Plan, staff worked to identify a consultant partner to support staff in the technical development and environmental analysis (including preparation of an Environmental Impact Statement (EIS)) for the Comprehensive Plan Update. After a competitive Request for Proposals (RFP) process, the Planning and Community Development Department have selected Otak for this role.

If approved, the contract with Otak would support staff in several key tasks associated with updating the Comprehensive Plan, such as:

- Data and demographic analysis,
- Policy analysis,
- Determining the appropriate level of environmental review required under the State Environmental Policy Act (SEPA), up to the preparation of an EIS,
- Supporting in implementation of the Public Participation Plan,
- Compiling a cohesive draft Comprehensive Plan for public review, and
- Support in the final adoption and plan certification process.

The proposed Scope of Work of the contract with Otak is included in this staff report at Attachment A, and the cost of the contract is \$450,000.

FINANCIAL IMPACT

The Comprehensive Plan is funded through General Fund appropriations authorized in the 2023-2024 Biennial Budget and a Washington State Department of Commerce grant. The base budget in the scope of work is fully funded and does not include tasks related to SEPA environmental analysis and preparation of an EIS. Costs associated with preparation of a SEPA EIS are shown as an option. General Fund appropriations for the SEPA EIS option are pending adoption of the budget amendment with proposed Ordinance No. 982, which is scheduled for Council action April 24, 2023. If authorized, the contract would support the 2024 Comprehensive Plan update.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract with Otak in the amount of \$450,000 for Professional Planning and Environmental Review Services for the 2024 Comprehensive Plan Update.

ATTACHMENTS

Attachment A – Otak Comprehensive Plan Update Contract Scope of Work

City of Shoreline 2024 Comprehensive Plan Update

Final Scope of Work—April 10, 2023



Introduction

The City of Shoreline is retaining Otak, Inc. (Otak) to review, revise, and update the Comprehensive Plan, including related technical and supporting data/documents, to align with the community's future vision and priorities as well as to conform with amendments to the Growth Management Act, Multicounty Planning Policies, and Countywide Planning Policies. The updated Comprehensive Plan will provide City elected officials, staff, residents, and the development community with a comprehensive guide to the City's decision-making and development to the year 2044.

Shoreline City Council adopted Resolution No. 502 in November 2022, identifying the following three overarching themes, or lenses, to be incorporated throughout the review and interwoven into the content of Comprehensive Plan.

- Housing
- Equity and Social Justice
- Climate

Otak's interdisciplinary team will work collaboratively with City staff, the City's engagement consultant, Stepherson & Associates Communications, various providers of utilities and services, and other interests to prepare the updated Comprehensive Plan. Our work will ensure that the process and resulting plan are compliant with all applicable requirements of the Washington State Growth Management Act (as administered by the Department of Commerce/DOC), the Washington State Environmental Policy Act (SEPA), Puget Sound Regional Council (PSRC) VISION 2050, King County Countywide Planning Policies and growth allocations, and other applicable provisions (such as checklist requirements of DOC and PSRC).

We have prepared the following scope of work, integrating scope language from the City into the process we proposed in our proposal.

Scope of Work

We anticipate the following four primary phases of work. This scope of work provides a description of each phase and the major tasks associated with each phase, along with deliverables for each phase:

- Phase 1—Initiate Planning Process; Review Background Information; and Prepare Existing Conditions and Community Profile Content
- Phase 2—Analyze Equity and Housing Needs; Confirm Where Growth Targets Will be Met; Develop Preliminary Draft Goals and Policies and Other Content
- Phase 3—Draft Comprehensive Plan including update of supporting analysis and Review and update of Development Regulations to implement Comprehensive Plan Amendments
- Phase 4—Finalize Comprehensive Plan; Support Adoption Process

PHASE 1—INITIATE PLANNING PROCESS; REVIEW BACKGROUND INFORMATION; AND PREPARE EXISTING CONDITIONS AND COMMUNITY PROFILE CONTENT

This phase will kick-off the project with the City team. We will finalize a collaborative project work plan and gather and review pertinent and relevant background information and analyze existing conditions and trends. We will prepare graphic templates for the Comprehensive Plan, maps, illustrations, and photos. Along with closely collaborating with City management and staff, we also will support periodic briefings and overviews to City boards

City of Shoreline 2024 Comprehensive Plan Update

Final Scope of Work—April 10, 2023



and commissions, including the Planning Commission, City Council, and contacts at DOC, PSRC, King County, and others.

During this phase of work, we will also review the Public Participation Plan (PPP) prepared by Stepherson & Associates and provide input and work related to the following (as identified in the scope of work provided by the City):

- Identifying areas that Otak can help with PPP implementation.
- Identifying priorities for engagement related to the Comprehensive Plan update and SEPA process.
 - Equity is a key priority.
- Branding and name for Comprehensive Plan – “2044 Comprehensive Plan: Picture it. Plan it. Build it.”
- Support in gathering perspectives from people who have been under-represented in past planning processes.
 - BIPOC
 - Youth
 - Seniors
 - Persons with varying levels of physical or mental abilities
 - Cost burdened households
- Providing recommendations for ongoing engagement strategies related to Middle Housing.
- Support work with Community liaisons.
- Support engagement with Community Based Organizations.

This phase of work also will include consideration of the following:

- Updating the plan’s introduction and community profile content to include more history on pre-white settlement. We anticipate that this will be informed by interactions with others such as the Shoreline Historical Museum and/or tribes.
- Reviewing racially restrictive covenants and how these shaped the form of the City.
- Updating plan graphics with design of template options. We will discuss the City’s interest in the look and feel of the document and develop design templates for review; select a preferred approach and move forward with approach for the plan development. The objective will be to design and prepare a user-/reader-friendly Comprehensive Plan document that is compatible in a variety of formats (e.g., online, mobile, etc.)
- Setting up the framework for GIS mapping and analysis.
- Integrating with applicable functional and/or strategic plans (starting in this phase and ongoing throughout all phases of work).

This phase of work also will involve coordination and collaboration with the City to map out the approach for State Environmental Policy Act (SEPA) compliance, which could include a SEIS or an EIS. (separately budgeted as an optional task). As part of this phase or Phase 2 work, we will conduct scoping under SEPA as part of ongoing engagement efforts, following the proper steps for noticing and holding a public meeting.

- Based on public scoping and consideration of potential significant adverse impacts that would need to be mitigated, we will identify elements to be analyzed and a reasonable range of alternatives for environmental analysis.
- We will collaborate with City staff, including the City’s designated SEPA official and legal counsel as necessary to determine the appropriate SEPA compliance pathway for the Comprehensive Plan update and summarize the decision-making in a memorandum for the project records/files.

City of Shoreline 2024 Comprehensive Plan Update

Final Scope of Work—April 10, 2023

**Major Tasks for this Phase:**

- 1.1 Finalize project work plan and hold project kick-off sessions.
- 1.2 Review and provide input on the Public Participation Plan and provide support for ongoing engagement activities. Review outcomes and input received from engagement efforts during this phase of work and consult with City staff on shaping planning efforts around these outcomes and input received.
- 1.3 Set up project sharing platforms (SharePoint/One Drive).
- 1.4 Facilitate ongoing biweekly check-ins with City staff (via Teams or Zoom; some in person).
- 1.5 Prepare graphic design templates and styles (plan content, maps, etc.).
- 1.6 Gather and review all pertinent background information (existing conditions and trends, relevant plans and policies, etc.).
- 1.7 Set up GIS planning framework.
- 1.8 Review pertinent background information and prepare preliminary draft of existing conditions and community profile content, mapping, illustrations, data displays, narrative descriptions, and other information to support existing conditions and development of community profile content.
- 1.9 Evaluate demographics and socioeconomics to inform equity analysis, community profile, land use, housing, and other relevant plan elements to inform next phase of work.
- 1.10 SEPA approach memorandum (identifying SEPA pathway, results from scoping, and reasonable range of alternatives for analysis); scoping materials.

Deliverables:

- Project work plan and project set up (SharePoint site for use by project team members)
- Memorandum to the City with input and recommendations based on review of the Public Participation Plan
- SEPA approach memorandum to the City summarizing SEPA compliance pathway
- Meeting agendas, notes, and supporting materials (for kick-off meetings, biweekly meetings with City staff, and others)
- Graphic design templates, formatting, and styles for plan document, maps, and public engagement materials
- Catalog of existing documents, plans, policies, information, and data sets to be reviewed by the planning team
- Existing conditions content and community profile content development (updated/preliminary draft)
- Monthly project reports accompanying project invoicing

PHASE 2—ANALYZE EQUITY AND HOUSING NEEDS; CONFIRM WHERE GROWTH TARGETS WILL BE MET; DEVELOP PRELIMINARY DRAFT GOALS AND POLICIES AND OTHER CONTENT

For this phase, our team will prepare a detailed analysis of equity and housing needs and confirm where growth targets will be met. We also will develop the preliminary draft policy framework of goals and policies and other content for the plan update, developing new goals and policies as needed. We will begin to identify needed strategies and action items to implement plan elements while also accommodating required growth, consistent

City of Shoreline 2024 Comprehensive Plan Update

Final Scope of Work—April 10, 2023



with the community’s vision and values. Goals and policies also will be consistent with PSRC’s Vision 2050, King County CPPs, and other relevant guidance and policies. Key aspects of this work will include the following based on direction from the City.

General—for the Plan Update Overall:

- Reviewing and identifying goals and policies that may no longer be appropriate.
- Updating definitions and terminology (focus on equity, jargon).
- Analyze current conditions and opportunities for policies to encourage improving pedestrian and bicycle connectivity with land use designations to support the concept of “15-minute neighborhoods.”
- Support in development of a framework and key data points for ongoing monitoring and implementation of the plan for purposes of compliance with State and Countywide Planning Policies and development of an online dashboard.
- Conceptualizing and developing goals and policies for placemaking.
- Considering urban design (sidewalks, buildings, noise, light, air, etc.) and related goals/policies.
- Considering safety – public safety / perception of safety and related goals and policies.
- Developing age-friendly policies, incorporating applicable components referenced in the issue paper prepared for the 2023 Council Strategic Planning Workshop.
- Consider developing and incorporating a new Human Services Element in alignment with Human Services Strategic Plan
- Incorporating emerging trends or new technologies where determined appropriate through community and stakeholder engagement.
- Updating and enhancing historic preservation and archeological goals and policies.
- Referencing applicable subarea plans.
- Updating content related to the planned annexation area (Point Wells).
- Integrating with applicable functional and/or strategic plans.
- Considering the name of Community Design Element and renaming to something more appropriate or moving these goals and policies to other elements of the Plan.

Related to Mandated Work for the Comprehensive Plan:

- Reviewing and addressing requirements of the Washington State GMA.
- Reviewing and integrating multi-county planning polices (MPPs).
- Reviewing and integrating countywide planning policies (CPPs).
- Incorporating requirements related to ongoing monitoring and implementation.
- Reviewing and updating supporting analyses.
- Reviewing existing policies and regulations against Commerce Periodic Update Checklist. Otak staff will complete the checklist forms for City staff review and finalization.

Related to the Vision and Framework Goals:

- Updating Vision based on community feedback.
- Updating Framework goals based on community feedback.
- Confirming the vision from perspectives of people who may have been under-represented in the past

Related to the Key Theme of Climate:

- Building on work from Climate Action Plan to update policies and incorporate as supporting analysis.

City of Shoreline 2024 Comprehensive Plan Update

Final Scope of Work—April 10, 2023



- Integrating Salmon Safe policies, as applicable.
- Incorporate, where applicable, the ongoing joint climate policy work being developed by the King County-Cities Climate Collaboration (K4C).
- Explore and develop options for how best to integrate climate policies into the plan (i.e., Climate Element, subsection related to climate, or climate policies integrated throughout the plan).

Related to the Key Theme of Equity and Social Justice:

- Support efforts to review the Comprehensive Plan through an “equity lens” using the preferred framework as determined by the City’s project team.
- Reviewing terminology and language throughout plan.

Related to the Key Theme of Housing:

- Showing how and where the City will accommodate the growth allocation for 13,330 new households.
- Incorporating and building on work from the Housing Action Plan.
- Aligning with the requirements of HB 1220.
- Aligning with housing needs assessment and targets (KCAHC).
- Considering housing at religious institutions HB 1377 (2019-20).
- Considering visible homelessness and invisible homelessness.
- Making sure there are not barriers to people that are homeless or at risk of being homeless.
- Treating people that are homeless with respect, with a goal of being helpful and not harmful.
- Support in the analysis and identification of policies that result in racially disparate impacts.
- Integrate applicable work from Human Services Strategic Plan.
- Meeting with Commerce and County staff to incorporate all new housing changes / mandates.
- Provide financial analysis (e.g., impacts of growth on City services and infrastructure) to support housing policies.

Specific to Middle Housing:

- Reviewing outcomes from Phase 1 work and identifying gaps and needs to address in ongoing planning.
- Support efforts to analyze and incorporate middle housing options (duplexes, triplexes, etc.) into low density residential areas.
- Based on draft policies and implementation concepts currently underway through a separate work plan by others (Commerce Middle Housing Grant), incorporate final middle housing policies and development regulations (including design standards) for consideration with the draft plan.
- Considering and addressing implications of legislation that may be forthcoming during the planning process.
- Support in analysis of transportation impacts related to draft middle housing policies and regulations.

Related to Economic Development:

- Support planning for capacity to meet the growth target of 10,000 new jobs by 2044.
- Analyzing current employment, trends, capacity.
- Analyzing existing policies and regulations to identify barriers to job creation.
- Developing policies and regulations to address barriers to job creation and create adequate capacity to meet jobs growth target.
- Analyze and develop policy recommendations for recent trends related to working from home/remote work.

City of Shoreline 2024 Comprehensive Plan Update

Final Scope of Work—April 10, 2023



- Considering home based businesses as part of the mix and related challenges for enabling/implementing these businesses.
- Considering and developing policies to support incubator/start ups.
- Considering the role of shared workspaces / shell building.
- Identifying and focusing on certain sectors (e.g., biotech and others).

Related to the Candidate Countywide Centers Designation:

- Develop policies and integrate the City's four (4) Candidate Countywide Centers for designation consistent with the CPP's criteria.
- Reviewing applicable CPPs and criteria for Centers designation.
 - Confirming our approach with KC staff.
 - Including the comments/feedback from KC.

Related to Utilities:

- Identifying all utilities and points of contact to involve in update.
 - Mapping of all utility and service providers in City
- Developing policies and regulations to eliminate gaps and facilitate joint planning to address utility constraints.
- Coordinate with utility providers and stakeholders (internal and external) as necessary.
- Based on the plan for land use and growth allocations, review utility plans and identify gaps or areas of misalignment and actions needed to align.

Related to Critical Areas:

- Preparing policy and regulation amendments to update the City's applicable critical areas policies to be consistent with state and federal requirements, including but not limited to streams, wetlands, geologically hazardous areas (e.g., landslide, erosion, and seismic hazards), and flood hazards. We will incorporate new data and Best Available Science and support in updating critical area maps.
- Considering the age of data for stream/wetland mapping; make recommendations for updating reports as may be needed.
- For Critical areas update regulations:
 - Updating to be more user friendly
 - Building in more flexibility in regulations

Major Tasks for this Phase:

- 1.1 Conduct equity and housing needs analysis (GIS based); evaluate demographic and socioeconomic conditions.
- 1.2 Conduct capacity analysis for population, housing units, and employment.
- 1.3 Analyze gaps in service areas and needs/demands (coordinating closely with all departments, agencies, and service providers).
- 1.4 Review DOC and PSRC checklists and development of plan content/outline aligning with checklist requirements.
- 1.5 Revise and expand (develop new) goals and policies for the Comprehensive Plan based on analysis, consistency with CPPs, and collaboration with the City, and prepare preliminary draft goals and policies and supporting content for City review.

City of Shoreline 2024 Comprehensive Plan Update

Final Scope of Work—April 10, 2023



- 1.6 Continue to support ongoing community engagement efforts. Review outcomes and input received from engagement efforts during this phase of work.
- 1.7 Provide ongoing biweekly check-ins with City staff.

Deliverables:

- Ongoing maintenance of the SharePoint site for use by project team including City staff
- Meeting agendas, notes, and supporting materials (for biweekly meetings with City staff and others)
- Gaps and needs analysis results/guidance document/memorandum (addressing gaps, needed content changes, projected service demands, etc.)
- Preliminary draft plan table of contents and framework, goals and policies, and supporting content for City review
- Documentation of changes to goals and policies (underline/strikethrough, relocation, etc.)
- Materials to support engagement activities in this phase for public participation/input on an ongoing basis, as well as at key milestones
- Monthly project reports accompanying project invoicing

PHASE 3—DRAFT COMPREHENSIVE PLAN AND REVIEW OF DEVELOPMENT REGULATIONS

Our team will develop the full draft of the 2024-2044 Comprehensive Plan as part of this phase of work. First, we will prepare the preliminary draft of the updated plan for City staff. We will facilitate City staff review and make changes to advance the Comprehensive Plan to the draft stage for public review. We will review and align plan development with appropriate DOC, PSRC, and King County checklists and areas of guidance, and we will help facilitate the review/ certification process by the DOC and PSRC.

We will assemble the plan elements into the layout developed as part of the branding, formatting, and graphic templates developed in Phase 1. We will include high-resolution maps, photographs, graphics, and illustrations, along with clear and concise narrative that is reader-friendly, engaging, aspirational, and inspirational. In addition, the Comprehensive Plan can incorporate live links and references to other sections of the plan, along with links to pertinent websites that provide additional information/context to the subject matter presented. Our scope of work will specifically include development of the following elements:

- Land Use
- Housing
- New Human Services element (as determined by City)
- Economic Development
- Capital Facilities
- Utilities

If desired by the City, we also anticipate development of optional elements, such as Environment and within that element addressing policies related to Climate Change and Adaptation, and Community Design, which could either be developed as a stand-alone element or integrated with the Land Use element. We will work with the City to evaluate placement/naming for the Community Design element. We will integrate content from other functional

City of Shoreline 2024 Comprehensive Plan Update

Final Scope of Work—April 10, 2023



plans and make updates to the applicable plan elements as needed. We also will coordinate with recently adopted and ongoing work on elements of the plan developed by others and the functional plans, helping to ensure these updates can be used to inform and incorporate into the Comprehensive Plan wherever possible. We will integrate content developed by others for these areas of work (Parks Element, Transportation Element), as well as the Shoreline Master Program, as directed by the City. Recent and in-process functional plans include:

- Housing Action Plan (2021)
- Climate Action Plan (2022)
- Transportation Master Plan (2023)
- Surface Water Master Plan (2023)
- Parks, Recreation, Open Space, and Arts (PROSA) Plan (2023)
- Human Services Strategic Plan
- Connectivity study
- Micromobility study
- Tree Canopy Study

We also will organize appendices and supporting documents of the existing Comprehensive Plan to reflect outdated policies, future trends, and desired outcomes of the community in a manner that complies with and aligns with the GMA, PSRC's VISION 2050, King County CPPs, the Urban Growth Capacity Study, and the results of engagement with the community and diverse interests. We will apply an equity lens to all planning—using the preferred framework as determined by the City's project team. We also will develop policies and integrate the City's four Candidate Countywide Centers for designation consistent with the CPPs' criteria, and we will analyze current opportunities for policies to encourage improving pedestrian and bicycle connectivity with land use designations to support the concept of 15-minute neighborhoods.

SEPA Compliance: Regarding compliance with the State Environmental Policy Act (SEPA), we will support staff in identifying the appropriate environmental review process to analyze the impacts of the 2024 Comprehensive Plan Update. We will support staff in the scoping process and prepare a new EIS or supplemental EIS (Draft and Final documents). This analysis and preparation of the Draft and Final EIS are included within an optional work element in the budget table later in this document. We will work with the City's engagement consultant to facilitate public and agency review of the Draft EIS in accordance with SEPA requirements. This scope of work and budgeting assumes that no more than fifty substantive comments will be received on the DEIS. (We understand there may be hundreds of comments, and these will be categorized into areas of common substance for which we will prepare formal responses to be reviewed by the City). For budgeting purposes, we assume we may receive up to three hundred separate comments from the public and agency representatives who review the Draft EIS. If based on the comments received, there is a need to conduct additional studies or modelling to evaluate possible impacts, we would support these efforts; however additional budget may be needed depending on the comments and if they are valid in requiring such additional analysis.

We will work with the City to Issue the final EIS document in conjunction with the final Comprehensive Plan and other companion work, and we will provide support to the adoption process. Throughout all of the process of preparing the EIS (preliminary draft, draft, and final), we will closely collaborate and coordinate with City staff and the

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City's legal counsel to confirm direction and ensure the process is compliant with all applicable regulations and provisions of the City and State.

Development Regulations: Another key element of this phase of work will be reviewing the City's current development regulations and drafting recommended and required amendments to be consistent with, align with, and implement the updated Comprehensive Plan such as critical areas, housing, etc.

Major Tasks in this Phase:

- 1.1 Develop full draft Comprehensive Plan (following the agreed-on design templates and styles developed as part of Phase 1 with high-quality maps, illustrations, and graphics). We understand that our team will have the primary responsibility for writing and editing a cohesive Comprehensive Plan document that addresses all GMA planning elements. All supporting analysis will be organized in an easy-to-read and accessible manner.
- 1.2 Support the City's GIS team with spatial analysis, procurement of data, and preparation of final map products.
- 1.3 Support SEPA compliance process by preparing the Draft and Final EIS documents as described above (optional task). Document and respond to comments received on the Draft EIS in the Final EIS.
- 1.4 Prepare full Comprehensive Plan document as a preliminary draft for City staff review.
- 1.5 Prepare full draft of the Comprehensive Plan for public and agency review.
- 1.6 Complete review of development regulations and provide recommendations for needed amendments.
- 1.7 Continue to support ongoing community engagement efforts. Review outcomes and input received from engagement efforts during this phase of work.
- 1.8 Provide ongoing biweekly check-ins with City staff.

Deliverables:

- Ongoing maintenance of the SharePoint site for use by project team including City staff
- Meeting agendas, notes, and supporting materials (for biweekly meetings with City staff and others)
- Draft and Final EIS documents and related documentation
- Full preliminary draft of the Comprehensive Plan for City review
- Full draft of the Comprehensive Plan for formal public review/adoption process
- Memorandum summarizing review of current development regulations and recommended amendments needed for alignment with the Comprehensive Plan (draft)
- Materials to support engagement activities in this phase for public participation/input on an ongoing basis, as well as at key milestones
- Monthly project reports accompanying project invoicing

PHASE 4—FINALIZE COMPREHENSIVE PLAN AND SUPPORT ADOPTION PROCESS

This phase will address finalizing the Comprehensive Plan based on the public and agency review process and further coordination with and direction from City staff. The final plan will be a reader-friendly, graphically attractive document with maps and illustrations, inspirational photos, info graphics, etc. and prepared in a consistent, clear format that is a legally defensible tool to guide the City's decision making, growth, and development over the 20-

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year planning horizon. It is anticipated that the Comprehensive Plan will be provided in a format that can be maintained and edited by City staff.

Major Tasks in this Phase:

- 1.1 Final Comprehensive Plan with revisions as directed by the City; final plan will be prepared for print and web publication. We assume that there will be a need for one round of minor revisions during the adoption process prior to final adoption.
- 1.2 Support the formal adoption process and prepare supporting presentation materials for meetings with the Planning Commission and City Council. This work also will include supporting and documenting public comments that may arise during the formal adoption meetings.
- 1.3 Final memorandum summarizing review of code/development regulations and recommendations for amendments (final).

Deliverables:

- Ongoing maintenance of the SharePoint site for use by project team including City staff
- Meeting agendas, notes, and supporting materials (for meetings with City staff and others)
- Final Comprehensive Plan (and Capital Facilities Plan) for final City review and comment/adoption process
- One round of revisions to finalize the Comprehensive Plan during the formal adoption process
- Presentation materials to support the formal adoption process through the Planning Commission and City Council
- Materials to support formal reviews/certifications by DOC and PSRC
- Final memorandum summarizing review of code/development regulations and recommended amendments
- Engagement materials to support engagement activities in this final phase (adoption process)
- Monthly project reports accompanying project invoicing

Project Management Best Practices

- **Detailed Work Plan and Well-Coordinated Team:** Our teams pride themselves on being collaborative with our clients and with each other. The project work plan guides the team and our clients in how we collaborate, as well as the details of work allocation, schedule milestones and deliverables due dates, communication roles and responsibilities, and other important information.
- **Proactive Communications:** We maintain a strong line of communications throughout the project. Internal to the team, we hold coordination meetings on a weekly basis to coordinate work efforts and share information. We set up ongoing check-in meetings with the client team. We regularly coordinate with key team members to ensure projects stay on course with scope, schedule, and budget expectations.
- **Consistent Reporting and Tracking:** We prepare monthly reports that go to the client to accompany invoices. These describe work completed during the monthly billing period, as well as alignment with schedule and budget allocations per task, and anticipated next steps ahead for the team. We constantly

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monitor progress on projects and alignment with scope, schedule, and budget with daily updated information in our project management system, Deltek Vantagepoint.

- **Quality Control and Assurance Process:**
 - A quality management component embedded in the project work plan.
 - A quality assurance reviewer assigned to every project and deliverable.
 - Quality expectations established at the kick-off meeting and reiterated at regular team meetings.
 - No work products are sent to the client without a thorough quality review.
 - Subconsultants are included in the QA/QC process and their work is reviewed prior to being sent to the client.
- **Flexibility:** We recognize that over the course of long-term planning work, situations arise that may require flexibility—for example, there may be a need for additional meetings and presentations, so we track scope carefully and if additional work or deliverables are needed, we immediately identify those and discuss if other items in the scope can be replaced to cover these needs.

Project Budget

The project budget table below shows budgets for labor and reimbursable expenses associated with each of the four key phases of work. Budgeting is based on the understanding that \$300,000 is available as the baseline budget for this work. Additional line items are shown as “optional” for SEPA support and documentation (scoping and determining the SEPA pathway in Phase 2 and developing the Draft and Final EIS documents in Phase 3).

PHASES / TASKS	BUDGET
1. Initiate Planning Process; Review Background Information and Prepare Existing Conditions and Community Profile Content	\$52,500
2. Analyze Equity and Housing Needs; Confirm Where Growth Targets Will be Met; Develop Preliminary Goals and Policies and Other Content	\$64,500
<i>Optional budget for SEPA Scoping/SEPA Pathway Memorandum</i>	<i>\$25,000</i>
3. Draft Comprehensive Plan and Review of Development Regulations	\$158,400
<i>Optional budget for preparation of Draft and Final EIS documents and related process/documentation</i>	<i>\$125,000</i>
4. Final Comprehensive Plan; Support Adoption Process	\$24,600
Total Budget	\$450,000 <i>or \$300,000</i> <i>without</i> <i>Options</i>

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of the Enhanced Operationalized Use of Small Unmanned Aircraft Systems (Drones) by the Shoreline Police Department
DEPARTMENT:	Police
PRESENTED BY:	Kelly Park, Shoreline Police Chief
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:

King County Sheriff's Office (KCSO) and select contract partners (including but not limited to King County Metro, the City of SeaTac, KCSO TAC30 (swat team) and King County Search and Rescue) are realizing how proven and highly effective small Unmanned Aircraft Systems (sUAS or 'drones') can be in enhancing public safety by resolving high-risk incidents while minimizing risk to the public, officers, and suspects of crime. KCSO has used this technology on a limited basis within the City of Shoreline and is now ready to expand its use to search for missing persons on rough or rocky terrain or the railroad tracks, enhance park patrol and special park emphasis, safely investigate commercial and other property crimes, and support patrol and K9 officers with near-immediate aerial support. The region also becomes safer when Shoreline Police can extend mutual sUAS assistance to neighboring jurisdictions.

Tonight, Shoreline Police will provide an overview of sUAS usage by the KCSO and discuss with the City Council the enhanced operationalized usage of this technology.

RESOURCE/FINANCIAL IMPACT:

The total cost to implement an expanded sUAS program would be \$9,618.95 from the General Fund. The DJI Mavic 3T sUAS, which is designed for first responder applications, costs \$8,904. The additional cost would be for staff training and testing. This funding was approved in the 2023-2024 Biennial Budget.

RECOMMENDATION

No action is required tonight. Staff recommends that Council ask questions about the sUAS technology and how it is expected to be used in the City for public safety purposes.

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

BACKGROUND

Since the City of Shoreline incorporated in 1995, Shoreline has contracted for law enforcement services from the King County Sheriff's Office (KCSO). The mission of the Shoreline Police Department is "to be a trusted partner in fighting crime and improving the quality of life for our residents and guests." In addition to day-to-day operations, KCSO provides officer vehicles and equipment, umbrella liability coverage, and access to specialized law enforcement units such as major accident investigation, helicopter air support, and a marine and dive unit.

Since June 2021, the KCSO and select contract partners (including but not limited to King County Metro, the City of SeaTac, KCSO TAC30 and King County Search and Rescue) have been using small Unmanned Aircraft Systems (sUAS or 'drones') to enhance public safety. sUAS usage resolves high-risk incidents while minimizing risk to the public, police officers, and suspects of crime.

The KCSO has used this technology on a limited basis within the City of Shoreline and Shoreline Police would now like to expand the operational use of sUAS in the appropriate circumstances. Tonight, Shoreline Police will provide Council with information about sUAS usage and the proposal and cost to enhance this usage.

DISCUSSION

Deploying sUAS technology has become a best practice in our region and our surrounding cities. The technology is often partnered with a deployed K9 law enforcement team to increase visibility and safety for all involved. It is widely used for criminal investigations, for searches, and for the collection of video and photographic evidence.

To date, sUAS technology has only been used in limited situations in Shoreline by the KCSO. This includes the technology being deployed on March 5, 2023, when a Shoreline deputy was shot in the line of duty. The sUAS technology gave first responders an invaluable safety advantage when searching for the suspect who was known to be armed. On the morning of this incident, an FAA-certified sUAS pilot currently serving King County Metro, our KCSO contract partner, was able to 'look ahead' of our K9 officer to ensure the arrest team did not encounter an armed suspect. His eventual, safe apprehension was recorded from above providing important evidence in a felony assault. The aerial footage will be used by outside investigators as they reconstruct the rapidly evolving events of that morning.

Expanded sUAS Usage in Shoreline

While these incidents have warranted sUAS usage by the KCSO in Shoreline, Shoreline Police feel that there are opportunities to enhance this usage in various circumstances to provide for better operational outcomes and success. These circumstances include:

- Search for missing persons on rough or rocky terrain or the BNSF railroad tracks;
- Enhanced park patrol and special park emphasis;
- Investigation of commercial and other property crimes, and
- Support for patrol and K9 officers with near-immediate aerial support.

Additionally, the region becomes safer when Shoreline Police can extend mutual sUAS assistance to neighboring jurisdictions.

KCSO sUAS Policy, Resident Privacy and Staff Training

Shoreline Police will always be protective of the privacy of those we serve and ensure strict policy compliance when considering sUAS deployment. KCSO's General Order's Manual Chapter 9.08.000 (Attachment A) covers the agency's sUAS policy, which dictates approved deployment scenarios so as to preserve individual privacy and constitutional protections.

As is noted in the KCSO sUAS Policy, "The sUAS shall not be used to conduct random surveillance in situations other than those specified in the 'Deployment' section of this policy." Additionally, with regard to personal privacy and security, the Policy states the following:

- sUAS-recorded data will not be collected, disseminated, or retained solely for the purpose of monitoring activities protected by the U.S. Constitution, such as the First Amendment's protections of religion, speech, press, assembly, and the redress of grievances (e.g., protests, demonstrations);
- The use of sUAS and the collection, use, dissemination, or retention of sUAS-recorded data shall not be solely based on individual characteristics (e.g., race, ethnicity, national origin, sexual orientation, gender identity, religion, age, or gender), which is a violation of the law; and
- The sUAS shall not be equipped with lethal or non-lethal weapons, any device that captures or intercepts personal electronic information or communications transmitted via cell phone or any other electronic means, or facial recognition technology which can be used to identify specific persons.

In other words, sUAS expanded operational use would be for a specific law enforcement purpose, investigation, search, etc., and would not be used on a random basis or used in a way that could be construed as intentionally invading resident privacy, or for random surveillance. Additionally, *Airdata*, a tool employed by KCSO, captures all sUAS flight data to ensure transparency and compliance with the Washington State Public Records Act.

All KCSO sUAS pilots are required to obtain their FAA Part 107 license as well as complete basic flight training. Designated deputies have competency in sUAS operations to include pre-flight and post-flight procedures and maintenance, to include complying with National Air Space regulations. If the City moves forward with sUAS expanded operational use, a Shoreline officer will be identified as a designated pilot for the sUAS. This will not take away from that officer's current role and duties but rather enhance our investigations with the available tool. Their primary duty will still be patrol-related duties.

sUAS Technology Specifications and Cost

For the purposes outlined above, Shoreline Police proposes to purchase the DJI Mavic 3T sUAS, which is intended for first responder applications. The drone is extremely compact and lightweight, it can be quickly unfolded and deployed at a moment's notice, and it is capable of up to 45 minutes of flight time. The Mavic 3 Thermal features wide-

angle, telephoto, and thermal lenses in its 3-axis gimbal camera. The 20 megapixel (MP) wide lens is ideal for taking expansive shots and rapid surveying, while the 12 MP telephoto lens provides close up picture quality with a 56x hybrid zoom. Finally, the thermal lens makes it easier to carry out inspections and search and rescue missions. These abilities are enhanced by long-range O3 transmission and omnidirectional obstacle avoidance, among other features.

The expected costs for one drone and one Shoreline officer to complete their pilot training is as follows:

1 DJI Mavic 3T sUAS + tax	\$8,904.00
Flight Training for 1 Officer	
FAA Test Prep	\$39.95
FAA Test	\$175.00
Frontline UAS Pilot School	\$500.00
Total	\$9,618.95

COUNCIL GOAL(S) ADDRESSED

The enhanced use of drones by the Shoreline Police Department addresses City Council Goal #5 - Promote and enhance community safety, broader community connections, and a coordinated response to homelessness and individuals in behavioral health crisis.

RESOURCE/FINANCIAL IMPACT

The total cost to implement an expanded sUAS program would be \$9,618.95 from the General Fund. The DJI Mavic 3T sUAS, which is designed for first responder applications, costs \$8,904. The additional cost would be for staff training and testing. This funding was approved in the 2023-2024 Biennial Budget.

RECOMMENDATION

No action is required tonight. Staff recommends that Council ask questions about the sUAS technology and how it is expected to be used in the City for public safety purposes.

ATTACHMENTS

Attachment A: King County Sheriff’s Office General Orders Manual – Chapter 9.08 sUAS Operations

9.08.000 Small Unmanned Aircraft System (sUAS) Operations

(April 2022)

Purpose

Establishes guidelines and procedures for deployment of small unmanned aircraft systems (sUAS).

Scope

This policy governs all employees who use a department approved sUAS or have a supporting function related to the use of the system, including those who supervise these employees.

Definitions

Flight Crewmember: A pilot, visual observer, payload operator, or other person assigned duties directly related to the operation of a sUAS.

Certificate of Authorization (COA): Authorization issued by the FAA to a public operator (government entity) for a specific sUAS activity. COAs allow public safety sUAS operations outside of the restrictions established for private or commercial sUAS operations.

Digital Multimedia Evidence (DME): Digital recording of images, sounds, and associated data.

Remote Pilot in Command (RPIC): An RPIC is a person who holds a remote pilot certificate with a sUAS rating and has the final authority and responsibility for the operation and safety of a sUAS.

Visual Observer: A person, acting as a flight crew member, who helps the RPIC and the person manipulating the aircraft controls see and avoid other air traffic and objects aloft or on the ground.

Unmanned Aircraft (UA) or Unmanned Aerial Vehicle (UAV): An aircraft operated without the possibility of direct human intervention from within or on the aircraft.

Small Unmanned Aircraft / Small Unmanned Aerial Vehicle: A UAV weighing less than 55 pounds, including everything that is on-board or otherwise attached to the aircraft, and can be flown without the possibility of direct human intervention from within or on the aircraft.

Small Unmanned Aircraft System (sUAS): A small UAV and its associated elements (including communications links and the components that control the small UAV) that are required for the safe and efficient operation of the small UAV in the National Airspace System.

Policy

It is the intent of the King County Sheriff's Office to protect the safety of all community members. To that end, the King County Sheriff's Office may deploy small unmanned aircraft systems to support specific law enforcement operations. Any use of a sUAS will be in strict accordance with the United States Constitution, The Washington State Constitution, federal and state law, and Federal Aviation Administration (FAA) regulations.

Small unmanned aircraft systems can provide law enforcement incident commanders with essential information to help manage and resolve critical incidents while reducing risk to community members and deputies. The King County Sheriff's Office recognizes the public's concern for privacy and other constitutionally protected rights should these systems be misused. This policy has been crafted to guide the KCSO during the use of these systems for legitimate law enforcement purposes while protecting community members' rights to privacy and freedom from unauthorized government intrusion.

Any complaints of misuse regarding sUAS, or sUAS-recorded data, will be investigated in accordance with GOM [3.03.000](#) Investigation of Personnel Misconduct.

Deployment

Only trained and authorized KCSO personnel and King County Search & Rescue volunteers may deploy a sUAS. Systems shall be deployed only when such use is appropriate in the performance of official law enforcement duties, during public safety missions, or for department sanctioned training. Any use, including the collection and use of electronic recordings or other data generated by the sUAS, shall comply with the policy provisions provided herein and with applicable law.

Small unmanned aircraft systems may be deployed during unplanned emergency incidents or during planned operations for the following purposes:

1. Situational Awareness – to assist incident commanders and other decision-makers with understanding the nature, scale, and scope of a public safety incident, and for planning and coordinating an effective response.
2. Search and Rescue – to assist with missing person investigations, AMBER Alerts, Silver Alerts, and other search & rescue operations.
3. Tactical Deployment during Emergencies – to support the deployment of deputies and equipment in emergency situations (e.g., incidents involving hostages, barricaded subjects, active shooters, support for large-scale tactical operations, and temporary perimeter security operations during in-progress crimes).

4. Scene Documentation – to document a crime scene, accident scene, or other major incident scene (e.g., disaster management, post critical incident response, large-scale forensic scene) either in a public area or, after obtaining a search warrant, in non-public areas.
 - Only sUAS pilots assigned to the Criminal Intelligence Unit or the Major Accident Response & Reconstruction Unit may use sUAS for crime scene investigations and documentation.
5. Service of High-Risk Search Warrants – to reduce the risk to deputies, civilians, and suspects by providing information about the location and disposition of suspects, uninvolved occupants, obstacles, and the layout of structures when planning and executing search warrant operations.

All deployments of sUAS not falling under the circumstances outlined above must be specifically authorized by the Chief of CID or his or her designee.

Prohibited Use

The sUAS shall not be used to conduct random surveillance in situations other than those specified in the “Deployment” section of this policy.

sUAS-recorded data will not be collected, disseminated, or retained solely for the purpose of monitoring activities protected by the U.S. Constitution, such as the First Amendment’s protections of religion, speech, press, assembly, and the redress of grievances (e.g., protests, demonstrations).

The use of sUAS and the collection, use, dissemination, or retention of sUAS-recorded data shall not be solely based on individual characteristics (e.g., race, ethnicity, national origin, sexual orientation, gender identity, religion, age, or gender), which is a violation of the law.

The sUAS shall not be equipped with:

- Lethal or non-lethal weapons.
- Any device that captures or intercepts personal electronic information or communications transmitted via cell phone or any other electronic means unless specifically authorized under RCW [9.73](#) (this does not include King County Search & Rescue UAVs equipped with devices to locate cell phones of missing and / or lost persons)

- Facial recognition technology which can be used to identify specific persons. This does not include technology in which the sUAS recognizes the face of the operator as a security measure. This also does not include technology which can be used to identify an image as a non-specific human being vs. another object (i.e. an algorithm that recognizes a human form in a forest).

Qualifications and Training

The sUAS shall be operated only by personnel who have been trained and certified in the operation of the system and are FAA-Certified Remote Pilots. Pilots in training may operate a sUAS while under the direct supervision of a KCSO-certified sUAS pilot.

sUAS operators and flight crewmembers must be certified in the operation of the sUAS by successfully completing a department-approved training course conducted by King County Sheriff's Office sUAS Instructor Pilots (IP). Applicants must meet the requirements for, and successfully pass, FAA certification as well as any department certifications to maintain their sUAS qualification and must keep their aeronautical knowledge up to date. Operators must have an understanding of, and comply with, FAA and military regulations applicable to the airspace where the sUAS will operate. Operators must have completed training in accordance with the individual unit's SOP. Operators must comply with [Title 14 CFR 67.107](#) Code of Federal Regulations and FAA regulation [14 CFR 91.17](#) related to mental health and drug or alcohol use.

The KCSO Air Support Unit Sergeant is responsible for drafting initial and recurring training requirements for all KCSO sUAS operators.

Initial Training

Operators shall complete the following certification and training:

1. The FAA part 107 test for sUAS.
2. The KCSO Remote Pilot-in-Command (RPIC) certification course.
3. 16 hours of flight training with sUAS instructors and demonstrate safe operation of the sUAS during practical flight exercises.

Observers must complete the KCSO observer training course prior to acting as a sUAS observer. This training shall include at a minimum:

1. [14 CFR 91.111](#) *Operating Near Other Aircraft*
2. [14 CFR 91.113](#) *Right-of-Way Rules: Except Water Operations*
3. [14 CFR 91.155](#) *Basic VFR Weather Minimums*

Recurrent Training

KCSO sUAS operators shall maintain proficiency in operator/observer skills. Members who do not have any documented training or flight time within a span of 120 days will have to demonstrate proficiency before acting as an operator/observer during a deployment or exercise. sUAS remote pilots-in-command and observers shall complete annual recertification training. Operators must keep their FAA Part 107 certificate active by passing the FAA recurrent knowledge test once every 24 months.

Safety of Operations

Safety of sUAS operations is the responsibility of the entire team. sUAS team members shall bring to the attention of the other members any condition which they feel is a safety concern.

The piloting area selected by the sUAS team shall be located within a secure perimeter when practicable. The area should be evaluated for adequate space and clearances in order to safely assemble, launch, and recover the sUAS. Attention should be given to overhead obstacles and obstructions that may pose a risk to the sUAS during operation. Access to the piloting area should be controlled and access granted to personnel for operational purposes only.

Except as required by the mission, all sUAS team members shall ensure that no people or aircraft are in the vicinity of the sUAS during operations. Operators should avoid flying over or near people, vehicles, or other aircraft.

Manned law enforcement aircraft and sUAS may be deployed simultaneously during an incident under the following criteria:

1. The sUAS operates between surface and 400 feet above ground level.
2. Any manned LE aircraft operates more than 600 feet above ground level.
3. The sUAS RPIC and the manned LE aircraft crew have direct communications.
4. In the event of a conflict between aircraft operations, the sUAS shall yield to the manned LE aircraft.

The sUAS should not be flown directly over large gatherings of people and shall not be used as a chase vehicle during a motor vehicle pursuit.

sUAS team members will comply with the sUAS manufacturer's operator's manual, warnings, limitations, placards, and/or checklists at all times unless an emergency dictates otherwise.

Remote pilots-in-command are authorized to evaluate and accept or decline any mission or portions thereof. The operator shall not be subject to discipline for declining a mission or any portion thereof due to safety concerns. The remote pilot-in-command is ultimately responsible for the safe deployment and operation of the sUAS.

Retention and Dissemination of sUAS Video

sUAS pilots shall record video during deployments in support of any active public safety operations. Video recording during other sUAS operations (training, demonstration flights, etc.) shall be at the discretion of the sUAS pilot or incident commander. sUAS pilots shall adhere to the KCSO policy for Submission & Storage of Photographic and Video Evidence GOM [16.01.020](#). The following guidelines govern the collection of video and / or pictures during sUAS operations:

1. Prior to flight operations, operators shall insert a newly formatted micro SD card into the sUAS.
2. At the conclusion of routine sUAS operations in which there is no unusual occurrence, the video shall be uploaded to evidence.com and the micro SD card formatted for future use.
3. If the sUAS recorded an unusual event, such as a particularly sensitive crime scene or a significant use of force by an officer and/or against an officer, then the micro SD card shall be turned over to the lead investigator after the sUAS pilot uploads the video to evidence.com.

Any video, audio, or still photos recorded during sUAS operations shall be retained in accordance with GOM [8.00.020](#), all applicable records retention schedules, and state public records retention laws.

All data collected during sUAS operations will be stored, maintained, and disseminated in accordance with the GOM [15.04.000](#).

Personal information collected during the operation of a sUAS that is not directly related to the emergency response and/or criminal investigation or not maintained in a system of records covered by the Privacy Act may not be used, copied, disclosed, or disseminated for any purpose after the conclusion of the operation, unless there is probable cause that the personal information is evidence of criminal activity or otherwise required by law. Personal information not directly related to the emergency response and/or criminal investigation shall be deleted after 30 days unless required to be retained for a longer period by any other applicable law or regulation.

Annual Review

This policy and associated training needs shall be reviewed and documented annually by the ASU Sergeant and the commanders and supervisors of individual units maintaining a sUAS program. The ASU Sergeant shall provide recommendations and feedback to the CID Chief.

Responsibilities

Unit Commanders & Supervisors

With approval from the Undersheriff, KCSO units may operate a sUAS program in accordance with this policy. Individual unit commanders and supervisors are responsible for managing all deployments and uses of a sUAS to ensure that the devices are used in accordance with the policy and procedures established herein. Individual unit commanders and supervisors are further responsible for ensuring proper flight documentation is completed and for conducting periodic audits of sUAS use and operations.

sUAS Program Commander & Program Manager

The Chief of the Criminal Investigations Division shall act as the sUAS program commander and is responsible for the management and oversight of the KCSO sUAS program. The Air Support Unit Sergeant shall act as the sUAS program manager and assist the program commander. The Program Commander and the Program Manager shall oversee the overall direction and performance of KCSO units operating a sUAS program and shall exercise command and control over both. The program commander and manager shall ensure that policies and procedures conform to current law, regulations, and best practices and will have the following additional responsibilities:

1. Coordinate the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
2. Collect required FAA reporting data from KCSO units operating a sUAS / UAV program.
3. Conduct periodic audits of KCSO sUAS usage to ensure compliance with this department policy.
4. Assist KCSO units operating a sUAS with development of sUAS SOPs.
5. Disseminating updates of FAA regulations to KCSO units operating a sUAS program.

6. Evaluating sUAS equipment proposals for reliability, safety, maintenance, and on-going manufacturer support.
7. Approving equipment requests from KCSO units operating a sUAS programs.
8. Ensure that all operators and observers have completed required FAA and department training.
9. Develop and manage a uniform protocol for submission and evaluation of requests to deploy a sUAS, including urgent requests made during ongoing or emerging incidents.
10. Developing and manage protocol for documenting missions.
11. Developing and managing a system for public notification of planned sUAS deployment to public events or exercises and notification of policy changes that affect privacy. The notification may be via media release, department social media, and / or posting the KCSO sUAS policy on-line.
12. Developing and manage a sUAS inspection, maintenance, and record-keeping protocol to ensure continued airworthiness of the sUAS, including the system's overhaul or life limits.
13. Evaluate, control, and monitor access to personal information and other data collected by sUAS and ensure any dissemination of sUAS-recorded images and data are in accordance with applicable law, policy, and procedures.
14. Recommend program enhancements including safety and information security procedures.
15. Provide periodic reports to the Sheriff and Undersheriff regarding sUAS usage, complaints, successes, maintenance, costs, and other relevant program information.
16. Publish an annual report to the public summarizing KCSO sUAS operations. The report shall include a brief description of the types or categories of missions flown and how sUAS was used to respond to mutual aid requests.

Remote Pilot-in-Command (RPIC)

The RPIC will function as the team leader and operator of the sUAS. The RPIC is ultimately responsible for the operation and solely responsible for piloting the sUAS during flight. The Observer will be appointed by the RPIC at their discretion.

Observer

The observer's primary duty is to operate the sUAS auxiliary equipment such as cameras, FLIR, radio communications with other units and observe for anything that may interfere with, or pose a risk to, the operator or aircraft. The observer is also responsible

for all aviation-related communications required by Federal Aviation Regulations.

Procedures

Call Out Procedures

sUAS are available to support all KCSO units for call-outs. The procedures listed below are for units that do not maintain a sUAS program. Units that maintain a sUAS program may establish their own call-out procedures and criteria.

1. The field supervisor shall determine the need for a call-out.
2. The communications center shall notify the Air Support Unit (ASU) who shall have first opportunity to respond.
3. If ASU is not available to respond, the communications center shall request a call-out to sUAS equipped units. On-duty sUAS pilots shall have priority for responding to call-outs.
4. Responding sUAS personnel shall make the final determination if it is safe to deploy the sUAS for a particular incident. sUAS personnel shall consider:
 - a. Ability of the sUAS team to operate in a secure area.
 - b. Terrain and other features of the operational area.
 - c. Potential obstructions to flight and airspace restrictions.
 - d. Weather.
5. Mutual aid: KCSO sUAS pilots may respond to other local, state, tribal, and federal agencies' requests for assistance provided the scope of the request complies with KCSO policy and the uses outlined in this policy. All mutual aid operations shall be conducted in accordance with this policy and individual unit standard operating procedures.

Reference:

RCW [9.73](#)

Code of Federal Regulations:

[14 CFR 67.107](#)

[14 CFR 91.17](#)

[14 CFR 91.111](#)

[14 CFR 91.113](#)

[14 CFR 91.155](#)

Annual Review Responsibility:

Chief of CID & Air Support Unit Supervisor