

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 848 - Amending Shoreline Municipal Code Chapter 3.80 Impact Fees for Transportation to Provide for a New Index for Periodic Adjustment of Fees
DEPARTMENT:	Administrative Services
PRESENTED BY:	Sara Lane, Administrative Services Director Rick Kirkwood, Budget Supervisor
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:

When the City's Impact Fees for Transportation program was adopted in July 2014, it included an escalator for the adjustment of the fees using the Washington State Department of Transportation's Construction Cost Index (WSDOT CCI).

WSDOT no longer maintains the WSDOT CCI and instead has moved to a new CCI model that uses a different methodology. Unfortunately, the new CCI is not published in a manner that makes it readily available. Adjustments to the City's Park Impact Fees are based on the CCI published in the Engineering News Record (ENR-CCI) for the Seattle area.

The City Council considered proposed Ordinance No. 848, which would utilize the ENR-CCI for adjustments to both of the City's impact fee programs, at its November 5, 2018 regular Council meeting. The staff report for that meeting can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2018/staffreport110518-8b.pdf>.

Proposed Ordinance No. 848 (Attachment A) provides for this amendment and is scheduled for adoption this evening.

FINANCIAL IMPACT:

Application of the ENR CCI to the Transportation Impact Fees and Park Impact Fees results in a year-over-year increase of 2.8% for 2019.

RECOMMENDATION

Staff recommends that the City Council adopt Ordinance No. 848, thereby amending Shoreline Municipal Code Chapter 3.80 Impact Fees for Transportation to provide for a new index for periodic adjustment of the fees.

ATTACHMENTS:

Attachment A: Proposed Ordinance No. 848

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

ORDINANCE NO. 848

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING SHORELINE MUNICIPAL CODE CHAPTER 3.80 IMPACT FEES FOR TRANSPORTATION TO PROVIDE FOR A NEW INDEX FOR PERIODIC ADJUSTMENTS OF FEES.

WHEREAS, Chapter 3.80 of the Shoreline Municipal Code (SMC) sets forth the City of Shoreline's Transportation Impact Fee program; and

WHEREAS, periodically the impact fees need to be adjusted and SMC 3.80.130(B) states that the City is to utilize the Washington State Department of Transportation's Construction Cost Indices (CCI); and

WHEREAS, the CCI is no longer maintained and the Washington State Department of Transportation is utilizing a different index methodology that is not published in a manner readily accessible for the City's use; and

WHEREAS, Chapter 3.70 SMC sets forth the City's Parks Impact Fee program which utilizes the Construction Cost Index published in the Engineering News-Record (CCI-ENR) for the Seattle area for adjustment of fees; and

WHEREAS, amending SMC 3.80.130(B) will establish consistency as a single index will be utilized for calculating adjustments to the City's impact fees;

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

Section 1. Amendment SMC 3.80.130. SMC 3.80.130 shall be amended as follows:

SMC 3.80.130 Review and adjustment of rates.

- A. The fees and rates set forth in the rate study may be reviewed and adjusted by the council as it deems necessary and appropriate in conjunction with the budget process so that adjustments, if any, will be effective at the first of the calendar year subsequent to budget period under review.
- B. Consistent with SMC 3.01.820, the director shall adjust the fees by the same percentage changes as in the most recent annual change of the Construction Cost Index published in the Engineering News-Record (ENR) for the Seattle area. ~~at a rate adjusted in accordance with the Washington Department of Transportation's Construction Cost Indices (CCI). The city shall utilize a three year CCI average, using the three most recent calendar years' CCI available data, to determine adjustments to the impact fees.~~

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

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by State or Federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall be in full force five days after publication of this ordinance, or a summary consisting of its title, in the official newspaper of the City, as provided by law.

ADOPTED BY THE CITY COUNCIL ON NOVEMBER 19, 2018.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Margaret J. King
City Attorney

Publication Date: _____, 2018
Effective Date: _____, 2018