

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Authorizing the City Manager to Execute the First Amendment of the Settlement and Interlocal Agreement Between the City of Shoreline and the Town of Woodway

DEPARTMENT: City Manager's Office; City Attorney's Office

PRESENTED BY: Julie Ainsworth-Taylor, Assistant City Attorney

ACTION: ☐ Ordinance ☐ Resolution ☒ Motion
 ☐ Discussion ☐ Public Hearing

PROBLEM/ISSUE STATEMENT:

On October 19, 2019, the Shoreline City Council and the Woodway Town Council, at their respective meetings, authorized the execution of the *Settlement and Interlocal Agreement Between City of Shoreline and Town of Woodway* ("Original Agreement"). The purpose of the Original Agreement, which arose from mediation, was to settle the longstanding litigation between the two cities related to Point Wells and to provide a framework on how Shoreline and Woodway could work together to address conflicts over the existing sewer service and the future redevelopment of Point Wells.

The Original Agreement established a Joint Planning Working Group ("Working Group") comprised of Shoreline and Woodway staff which was tasked with development and recommending mutually agreeable comprehensive plan policies, development regulations, and design standards, including applicable zoning, for the future redevelopment of Point Wells. The Working Group has been meeting regularly since November 22, 2019 and has made substantial progress on its assigned task. The Original Agreement provided that the Working Group was to complete its work within 180 calendar days of its first meeting, resulting in an anticipated completion date of May 20, 2020. However, given the COVID-19 pandemic and the Washington State Governor's Stay Home-Stay Healthy Proclamation, now extended to May 4, 2020, it is not feasible for the Working Group to meet the May 20, 2020 deadline.

Therefore, the City Manager and the Woodway Town Administrator discussed extending the Working Group's deadline to December 31, 2020. The Working Group's recommendation would then be presented to the Planning Commissions and City/Town Councils for review and adoption pursuant to the process identified in the Original Agreement.

RESOURCE/FINANCIAL IMPACT:

There is no direct fiscal impact by the City extending the Working Group's deadline from May 20, 2020, to December 31, 2020.

RECOMMENDATION

Staff recommends that the Council authorize the City Manager to execute the First Amendment to the Settlement and Interlocal Agreement between the City of Shoreline and the Town of Woodway.

ATTACHMENTS

Attachment A: Draft First Amendment of Settlement and Interlocal Agreement Between the City of Shoreline and the Town of Woodway

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

**FIRST AMENDMENT OF THE SETTLEMENT AND INTERLOCAL
AGREEMENT BETWEEN THE CITY OF SHORELINE AND THE
TOWN OF WOODWAY**

THIS FIRST AMENDMENT OF SETTLEMENT AND INTERLOCAL AGREEMENT (“First Amendment”) is made and entered into this ____ day of _____, 2020 (“Effective Date”) by and between the City of Shoreline (“Shoreline”) and the Town of Woodway (“Woodway”). Shoreline and Woodway are each a “City” and collectively, the “Cities” to this First Amendment.

WHEREAS, on October 7, 2019, the Shoreline City Council and the Woodway Town Council, at their respective meetings, authorized the execution of the *Settlement and Interlocal Agreement Between City of Shoreline and Town of Woodway* (“Original Agreement”); and

WHEREAS, the purpose of the Original Agreement was to address services, infrastructure, mitigation, impacts, and other issues related to development or redevelopment of Point Wells; and

WHEREAS, Section I(A) established a Joint Planning Working Group (“Working Group”) to develop and recommend mutually agreeable comprehensive plan policies, development regulations, and design standards, including applicable zoning, for Point Wells; and

WHEREAS, the Working Group first met on November 22, 2019 and, as required by Section I(A)(2), has met on a monthly basis since that time except, due to the COVID-19 public health pandemic, the March 2020 meeting was cancelled and the April 2020 will most likely be cancelled; and

WHEREAS, on March 23, 2020, the Washington State Governor issued a “Stay Home, Stay Healthy” Proclamation prohibiting non-essential activities until April 6, 2020 and, on April 2, 2020, extended the effectiveness of this Proclamation until May 4, 2020; and

WHEREAS, Section I(A)(3) of the Original Agreement states that the Working Group shall attempt to complete its work within 180 calendar days of its first meeting, resulting in an anticipated completion date of May 20, 2020; and

WHEREAS, given the COVID-19 pandemic, it is not possible for the Working Group to complete its work by May 20, 2020; especially given a reduced workforce and the need for the Cities to direct resources towards the public health emergency; and

WHEREAS, the Original Agreement needs to be amended to extend the time period for the Working Group to complete its work;

NOW THEREFORE, in consideration of the foregoing recitals, which are incorporated herein as is if fully set forth below, and the terms and provisions contained herein, Shoreline and Woodway agree as follows:

Section 1. Prior Agreement and Intent of Amendment. Shoreline and Woodway agree to amend the Original Agreement as set forth herein, effective immediately. Except as expressly set forth herein, all other terms and conditions of the Original Agreement, will remain in full force and effect.

Section 2. Amendment. The Original Agreement shall be amended as follows:

Section I(A)(3) shall be deleted in its entirety and replaced with the following:

The Working Group shall complete its work and submit its recommendation to their respective Planning Commission no later than December 31, 2020, so that the Planning Commissions can consider it for inclusion in that City’s respective comprehensive plan and/or implementing regulations applicable to Point Wells pursuant to the amendment process set forth in the Shoreline Municipal Code (SMC), including chapter 20.30 SMC, or the Woodway Municipal Code (WMC), including chapter 15.04 WMC and Title 14 WMC. Each City’s Planning Commission recommendation shall be submitted to its City Council within 180 calendar days of the Working Group’s submittal as provided in Section I(B).

Each individual signing below hereby represents and warrants that they are duly authorized to execute and deliver this First Amendment to the Original Agreement on behalf of the City for which they are signing and, that such City shall be bound by the terms contained in this First Amendment.

CITY OF SHORELINE

TOWN OF WOODWAY

By:

By:

City Manager

Mayor

Date: _____, 2020

Date: _____, 2020