



AGENDA

SHORELINE CITY COUNCIL WORKSHOP DINNER MEETING

Monday, April 9, 2007
6:00 p.m.

Shoreline Conference Center
Highlander Room

TOPICS/GUESTS: County Funding Issues

SHORELINE CITY COUNCIL BUSINESS MEETING

Monday, April 9, 2007
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:30
2. FLAG SALUTE/ROLL CALL		
(a) Proclamation of "Volunteer Week"	<u>1</u>	
3. REPORT OF THE CITY MANAGER		7:35
4. REPORTS OF BOARDS AND COMMISSIONS		
5. GENERAL PUBLIC COMMENT		7:40
<i>This is an opportunity for the public to address the Council on topics other than those listed on the agenda, and which are not of a quasi-judicial nature. The public may comment for up to three minutes; the Public Comment under Item 5 will be limited to a maximum period of 30 minutes. The public may also comment for up to three minutes on agenda items following each staff report. The total public comment period on each agenda item is limited to 20 minutes. In all cases, speakers are asked to come to the front of the room to have their comments recorded. Speakers should clearly state their name and city of residence.</i>		
6. APPROVAL OF THE AGENDA		8:00
7. CONSENT CALENDAR		8:00
(a) Minutes of Special Meeting of November 20, 2006	<u>3</u>	
Minutes of Study Session of March 5, 2007	<u>17</u>	

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| (b) Approval of expenses and payroll as of March 26, 2007
in the amount of \$1,228,375.18 | <u>29</u> |
| (c) Motion to Authorize the City Manager to Purchase One (1)
Regenerative Air Street Sweeper from Owen Equipment | <u>31</u> |
| (d) Motion to Authorize the City Manager to Execute a Two-Year
Lease Renewal for the West Side Police Storefront providing for
a 2.5% Monthly Rent Increase in 2007-2008 and a 2.4%
Monthly Rent Increase in 2008-2009. | <u>35</u> |

8. ACTION ITEMS: PUBLIC HEARING

8:00

Public hearings are held to receive public comment on important matters before the Council. Persons wishing to speak should sign in on the form provided. After being recognized by the Mayor, speakers should approach the lectern and provide their name and city of residence. Individuals may speak for three minutes, or five minutes when presenting the official position of a State registered non-profit organization, agency, or City-recognized organization. Public hearings should commence at approximately 8:00 p.m.

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| (a) Public hearing to receive citizens comments on Resolution No.
257, Approving the Countywide Ballot Proposition for Funding
the Medic One/Emergency Medical Services (EMS) Levy for
the period from January 1, 2008 through December 31, 2013,
pursuant to RCW 84.52.069 | <u>37</u> |
|---|-----------|

Council action on Resolution No. 257

9. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- | | | |
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| (a) Ordinance No. 466 Amending the International Property
Maintenance Code (IPMC) to add Interior Standards; Amending
SMC Title 20 to include provisions for Relocation Assistance;
and Updating the City's Code Enforcement Priority Guideline
List | <u>43</u> | 8:30 |
| (b) Motion to Authorize the City Manager to sign a contract in the
amount of \$179,000 with RW Beck for engineering design
services for the East Boeing Basin Stormwater Improvement
Project | <u>107</u> | 9:15 |

10. ADJOURNMENT

9:35

The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 546-8919 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 546-2190 or see the web page at www.cityofshoreline.com. Council meetings are shown on Comcast Cable Services Channel 21 Tuesdays at 12 noon and 8 p.m., and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m. Council meetings can also be viewed on the City's Web site at <http://cityofshoreline.com/cityhall/citycouncil/index.cfm>.

Council Meeting Date: April 9, 2007

Agenda Item: 2(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Proclamation of Volunteer Week
DEPARTMENT:	CMO
PRESENTED BY:	Rob Beem, Community Services Manager Nora Smith, Neighborhood and Public Outreach Coordinator

PROBLEM/ISSUE STATEMENT:

Every year the City of Shoreline benefits from the time and energy donated by volunteers who contribute to a variety of City services and programs. It has been the custom of the City to recognize and honor these volunteers at a spring breakfast. This year's breakfast - with the theme "Volunteers: A Vital Piece of the Puzzle" - will take place on Friday, April 13 at 7:30 a.m. in the Shoreline Room. This event initiates the "Volunteer Week" proclaimed tonight.

Volunteers perform a myriad of tasks: assisting the police at the Police Neighborhood Centers, working with the city on environmental, recreation and traffic programs, and assisting with emergency preparedness. Volunteers serve on City advisory committees like the Planning Commission, Council of Neighborhoods, and Parks Board; their ideas, advice and suggestions help shape policies.

The City's volunteers enhance the quality of life in Shoreline and should be recognized throughout the year for their contributions.

A volunteer will be present to accept the proclamation.

RECOMMENDATION

No action is required.

Approved By: City Manager  City Attorney _____



PROCLAMATION

WHEREAS, April is volunteer month across the country; and

WHEREAS, volunteers enhance our quality of life and help build a sense of community; and

WHEREAS, in 2006 volunteers donated more than 13,500 hours to the City of Shoreline; and

WHEREAS, volunteers assist City departments and the community; they contribute their time and talents staffing the Neighborhood Police Centers, serving on boards, commissions, task forces and advisory committees, organizing local neighborhood associations, providing emergency communication capability, cleaning up local parks and streets and providing recreational opportunities for their Shoreline neighbors; and

WHEREAS, City of Shoreline volunteers will be honored at the annual Volunteer Breakfast on April 13 with the theme "Volunteers: A Vital Piece of the Puzzle"

NOW, THEREFORE, I, Robert L. Ransom, Mayor of the City of Shoreline, on

behalf of the Shoreline City Council, do hereby proclaim the week of April 13 - 22, 2007 as

VOLUNTEER WEEK

in Shoreline and encourage all citizens to seek volunteer opportunities and express appreciation to those who volunteer.

Robert L. Ransom
Mayor of Shoreline

DRAFT

CITY OF SHORELINE

**SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING**

Monday, November 20, 2006
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, and Councilmembers Hansen, Gustafson, McGlashan, Ryu, and Way

ABSENT: None

1. **CALL TO ORDER**

The meeting was called to order at 6:32 p.m. by Mayor Ransom, who presided.

2. **FLAG SALUTE/ROLL CALL**

Mayor Ransom led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, except for Councilmember Ryu.

Councilmember Ryu arrived at 7:20 p.m.

3. **CITY MANAGER'S REPORT**

Bob Olander, City Manager, reported that he and Mayor Ransom went on a Sister Cities Association trip to Boryeong, Korea. He said he would provide a more detailed description of the trip in January. He said it was a very interesting and productive trip. He added that there are several potential education and commercial exchange opportunities. He commented that the hosts were very gracious and generous. He highlighted that there are photos that they will share next week concerning their automotive college and the Boryeong Chamber of Commerce.

Mayor Ransom added that there were seven to nine formal events every day and a very busy itinerary.

Mr. Olander reported that Joe Tovar, Planning and Development Services Director, was awarded the President's Award for distinguished service from the American Planning Association. Mr. Olander congratulated Mr. Tovar on his accomplishment. Mr. Olander stated that there was a City-sponsored earthquake response workshop on November 8 and 9, with about sixty-five City staff members in attendance. He noted that the Spartan Recreation Center has new signage in the front of the building to welcome visitors to the facility. Also, there was some erosion repair at Richmond Beach Saltwater Park in

Shoreline to stabilize the slope. Finally, City Hall will be closed on November 23 and 24 in observance of the Thanksgiving holiday.

5. GENERAL PUBLIC COMMENT

(a) LaNita Wacker, Shoreline, stated that the Comprehensive Housing Strategy Citizen Advisory Committee is the single most important committee that has ever been convened in the City. She commented that Mr. Cohn and Mr. Beem have put together a collaborative team who will draw on their administrative skills. She said the committee is educationally, economically, geographically, ethically, and gender diverse and it includes “long-timers” and “short-timers.” She said it mirrors our community. She noted that there are forty-two people who didn’t make the committee, but the depth of skill of those people on the committee is phenomenal. She added that she didn’t make the cut and there are even two renters on the committee. She urged the Council to accept the recommendation of the staff.

(b) Chris Eggen, Shoreline, said his candidacy was misrepresented and accused of being a “shill” for the unions. He said that the unions didn’t endorse him. He said his profession has nothing to do with what he volunteers for as a resident of the City of Shoreline. He mentioned that only one-third of his political platform had anything to do with Fircrest, and his interest in the housing committee had nothing to do with Fircrest. He said Fircrest is a good institution and that Fircrest staff are well trained. He said there was criticism that there were no planners on the committee, but he clarified that it is a citizen’s advisory committee. He said the makeup of the committee is fair and balanced and encouraged the Council to approve the staff recommendation.

There was Council consensus to move item 7(a) to item 6(a).

6. ACTION ITEM

- (a) Comprehensive Housing Strategy Citizen Advisory Committee
Appointments

Councilmember Way moved to approve the Comprehensive Housing Strategy Citizen Advisory Committee Appointments as recommended by the City staff. Councilmember Hansen seconded the motion.

Councilmember Way appreciated the comments of Ms. Wacker and agreed that the committee is very balanced and diverse. She said the people are “regular folks.” She mentioned individual applicants and stated there are minorities, people with children, and renters. She expressed support for the list as recommended.

Councilmember Gustafson expressed concern regarding one of the individuals. He felt that Maria Walsh, of Mountlake Terrace, should not be considered for the committee because she is not a Shoreline resident.

Councilmember Gustafson moved to remove Maria Walsh's name from the list of Comprehensive Housing Strategy Citizen Advisory Committee Appointments. Councilmember Hansen seconded the motion.

Councilmember Gustafson inquired if Maria Walsh was currently a Shoreline resident. Mr. Olander responded that she is not. Councilmember Gustafson said this is a citizen advisory committee for the residents of Shoreline. He said while she has the appropriate level of expertise, she said that she lives in Briercrest, but this is misleading because she lives in Mountlake Terrace.

Mayor Ransom inquired if she worked at Fircrest.

Councilmember Way said Ms. Walsh is the legal guardian of a child that lives in Fircrest. She is an active Shoreline Chamber of Commerce member and is very active in our community. She has experience in working with people with disabilities and at Fircrest. She felt it would be good to have someone who works in Fircrest and has some experience with that area on the committee.

Deputy Mayor Fimia added that it is imperative for the City to have someone from the Fircrest campus on the committee. She felt Ms. Walsh would bring expertise to the table. She questioned why Fircrest was viewed as a liability when it should be considered as an asset to the City. She noted that the committee would solicit and draw information from many other people in the Shoreline community. This committee will be a model for other cities around the country, and being a resident wasn't a requirement when people applied for the committee. This group needs to work as a consensus model, not a voting model when it comes to making decisions, she added. She urged the Council to allow Ms. Walsh to serve.

Councilmember Hansen said he thought the purpose of the committee was to let the citizens decide what housing groups the Council should address in the City. He thought it was going to be a Shoreline citizens committee.

Councilmember McGlashan said he didn't know why Dot Brenchley was dropped and someone from Mountlake Terrace was added to the list of committee members.

Mr. Olander said this is not a Fircrest committee and housing is the citywide issue at hand. Secondly, he stated, City staff didn't put a residential requirement in the application process since housing is a regional issue.

Mayor Ransom called for public comment on this item.

(a) LaNita Wacker, Shoreline, said Ms. Walsh's son is a legal resident of Shoreline and she is very intelligent and capable. Dot Brenchley is the past president of the Friends of Fircrest, and she doesn't know why she resigned from the position. She felt that a Citizens Advisory Committee should be made up of the citizens of Shoreline, but Ms. Walsh should be allowed to participate as a legal guardian of her son in Fircrest.

Flannary Collins, Assistant City Attorney, responded that Ms. Walsh could be considered a legal resident since she is her son's legal guardian.

Councilmember Gustafson restated his position and expressed concern that Ms. Walsh doesn't live in the City of Shoreline.

Councilmember Ryu noted that the Parks Bond Committee had members on who weren't residents of Shoreline. She said she doesn't foresee that being an issue.

Mayor Ransom said usually there are citizens or people that work in Shoreline on committees. However, the legal guardian stipulation is appropriate in this case. He said he would accept Ms. Walsh as a committee member.

A vote was taken on the motion to remove Maria Walsh's name from Comprehensive Housing Strategy Citizen Advisory Committee Appointments, which failed 2-5, with Councilmember Gustafson and Councilmember Hansen voting in the affirmative.

A vote was taken on the motion to approve the Comprehensive Housing Strategy Citizen Advisory Committee Appointments as recommended by City staff, which carried 6-1, with Councilmember Gustafson dissenting.

7. UNFINISHED BUSINESS

(a) Continued Discussion of the Proposed 2007 Budget

Debbie Tarry, Finance Director, recapped those items which were previously discussed concerning the proposed 2007 budget. These items that were being deliberated by the Council were the following:

- Creating a Youth Master Plan
- Funding for the School Resource Officer (SRO) program
- Funding for an additional Street Crime Officer
- Funding for the Visitor Convention Bureau
- Establishing an environmental mini-grant program
- Possible reduction in travel, training and dues
- Economic development program
- Increasing 2007 non-resident recreation fees

She said City staff has provided responses and information to all of these in their packets. She said that the business license revenue was removed from the 2007 budget and to offset that reduction in revenue the \$63,000 in contingency was eliminated, the health premium was reduced, and the vacation buy-out program was also reduced. She added that potential impacts to the 2007 budget include the possible 0.6% increase in the employer contribution rate to the Washington State Retirement System and a rate

increase for Seattle City Light. Both of these increases could potentially add an additional \$151,000 burden on the 2007 budget.

Mayor Ransom noted that last night Seattle City Light announced a 9% decrease in their rates.

Ms. Tarry responded that this was a decrease for the City of Seattle and the rates for street lights and suburban cities would be increased.

Ms. Tarry continued and stated the City should start experiencing budget gaps beginning in 2008 based on current information. She said there will have to be some decisions made.

Mr. Olander added that those budget gaps need to be approached strategically in the future.

Mayor Ransom called for public comment on this item.

(a) Virginia Paulsen, Shoreline, said she received a copy of the 2007 proposed budget and commented that it was a well-organized document. She expressed concern that the City's reserves constitute 35% of the budget when only 10% is required by the State. She added that 27% of the City's resources are dependent on grants and loans which she felt is a high rate of dependence. She noted that grants and loans involve risks. She added that Senators Murray and Cantwell were appointed to top ranking appropriations committees in the Senate so there may be some funding headed to our State and the City of Shoreline. She is also concerned about travel expenses. She wanted to know the total cost of the visit to Korea, noting her thought that the trip was a bit extravagant. Additionally, she was concerned about the potential 6% cable and electrical increases because these are tax-based revenues.

Ms. Tarry responded that the 27% dependency on grants and loans is primarily in the capital funds area, which is for funding roads, not ongoing projects. She added that there has been discussion about the ability of the Council to raise the cable utility tax or the distribution portion of the electric rates, but none of those options are included in the 2007 budget.

Mr. Olander estimated that the City spent \$2,500 for airfare on the trip to Korea. He noted that food and hotel costs were paid for by the host City of Boryeong.

Ms. Tarry commented that the reserves policy does say 10%, but to manage cash flow they should not go below 25%. Standard and Poor's looks at this carefully and it is imperative for planning emergencies. There has been deliberate discussion and planning concerning the amount of reserves in the City, and if the Council needs to utilize them she would urge that they are used for one-time expenditures.

Mr. Olander added that cash flow is important because most of the City revenues don't come in until March and the first three or four months every year are funded with reserves.

Mayor Ransom said he would like to have more discussion on business licensing since the police and other groups have asked for it. He said Councilmember Gustafson had a concern about \$6,000 exemption for businesses. He questioned if there could be some reconsideration by the Council.

Councilmember Gustafson said he is going to support the City Manager proposal at this time. He stated he is willing to reconsider, in the future, the business license as a part of the strategic plan. However, he felt the budget needs to be adopted at this time.

Mr. McGlashan added that \$6,000 was an issue and he has other concerns also. He said all of this needs more discussion and a more strategic analysis.

Councilmember Way pointed out that this item is not on the agenda. She added that she had a number of reservations on this issue and this isn't the proper time to present it. She added that there are a number of variations to consider, but now is not the time.

Deputy Mayor Fimia commented that since the initial budget contained business licensing, the Council should consider it now. She felt that is what budget deliberations are all about. She wondered if the Council could come to some agreement on business licensing within the next week. She stated that she thought the funding from the business license program would go into running the program, not into another budget item.

Ms. Tarry responded that the business licensing revenues would fund the administration of the program only and not constitute a revenue-generating program.

Deputy Mayor Fimia said the money generated should also go into building and serving the business community.

Ms. Tarry also said in implementing a business licensing the program the focus was to minimize the impact on the budget and execute the program with existing staff and by utilizing the services of the State.

Mr. Olander noted that the revenue for the business licensing program is very "soft." The revenue generated could be \$60,000 to \$90,000, but that depends on how many businesses register for the program.

Councilmember McGlashan commented that it sounded like the revenues were to be allocated back into economic development.

Ms. Tarry responded that the Council directed the staff to implement a flat-fee business license.

Councilmember Ryu stated that the Chamber of Commerce requested that if any extra funds were generated by the business licensing program that those funds go to economic development in Shoreline.

Councilmember Hansen commented that the City staff has done a great job with the budget. He commented that even with the revenue shortfalls in the coming years they have done an excellent job of balancing the budget. He supported the City staff recommendation.

Councilmember Way inquired if there were any reductions that could be made in the "Other services and charges" Council line item.

Councilmember Ryu responded that there is room for the reduction of that line item. For instance, she felt the Council retreats could be held in the City of Shoreline.

Councilmember Way asked how much funding the City was receiving in fines for the general fund.

Ms. Tarry stated that there are two areas where the City receives fines. One is the code abatement fund, and there used to be funds collected from traffic offenses and tickets. Normally, the City doesn't receive reconciled funds through its law enforcement contract with King County.

Mr. Olander added that houses are abated and cleaned up at City expense if a homeowner cannot afford to do it themselves. The City will then take out a lien on the home and when it is sold the City retains the funds.

Councilmember Hansen said the fund was established a long time ago by the Council, and it's a revolving account.

Mayor Ransom noted that the travel budget for Councilmembers is \$32,500. He felt there should be more in that line item since some Councilmembers attend more meetings and seminars.

Councilmember Hansen commented he would like to accept the budget as-is. He said he would hate to see the Council travel budget cut because some of the Council travel is directly attributable to lobbying for grants for the City. He said \$30,000 is a small amount to pay to get these grants.

Councilmember Gustafson added that he thought the travel budget should have been cut when he first joined the Council. However, he has since realized that it is a very important for networking and lobbying. He also pointed out that certifications and education are very important and urged the Council to leave the travel budget it as-is.

Councilmember McGlashan agreed with Councilmember Gustafson. He said Council travel should be a part of the strategic plan.

Deputy Mayor Fimia thanked the City staff and said the budget is very readable with 99.9% of it being consistent with the Council goals. She agreed that the City needs to begin working on a strategic plan and a third option to focus on increasing the revenue from sales tax should be discussed. Additionally, she agreed that the City should not utilize its reserve funds. She explained that the Council is comprised of seven people who have hundreds of contacts, and "fine-tuning" the budget is what they do. She noted that she discussed the School Resource Officer (SRO) with a school board member, who said they would have adequate coverage if the program was cut. She asked if the SRO has been pulled from the school yet.

Mr. Olander said the SRO was pulled on September 1 from the elementary and middle schools.

Deputy Mayor Fimia said she is willing to discuss the SRO and recreation center issue at a later date. She commented that the economic development program budget is not ready to pass and she hasn't proposed any amendments. She highlighted that there is a 12% salary and a 21% benefit increase in that budget and asked for an explanation. She noted that her response was that these items were understated in the previous budget.

Ms. Tarry added that there was a step increase and the benefit rate adjustment as per the City's AWC Benefit Plan.

Deputy Mayor Fimia said she wanted to see a work plan for Clearpath. She said there needs to be a track record for all of the City's consultants, as every dollar counts.

Tom Boydell, Economic Development Manager, stated that the Wedgework contract is ongoing. He said the time period for the work is driven by the property owners. He noted that the Aurora Square work has not started because there are no resources available. However, he said he has requested some funds in the 2007 budget to do some exploratory work for some real estate experts. He stated that his strategy is to "ramp that up," but there are some complex issues at Aurora Square.

Councilmember Ryu discussed Mr. Boydell's comment of having resources at Aurora Square. She asked if he had any expertise in real estate.

Mr. Boydell said he has a wealth of expertise in real estate but he doesn't have any money in the budget for Aurora Square. He added that he didn't know what direction Aurora Square is going to take, but he might return to the Council later with a proposal for a much larger amount than what is currently proposed.

Mr. Olander said there needs to be some outside appraisal work done. He stated that negotiating outside expertise is good and there needs to be some flexibility in this.

Deputy Mayor Fimia inquired how long the City is going to invest in the Wedgewood contract. Given the progress to date, she asked whether it was appropriate to consider another consultant.

Councilmember Ryu referred to a memorandum dated November 17 from the City Manager pertaining to sales tax revenue. She said the average sales tax rate increase from 2004 – 2005 from twelve local cities is 7.31% overall. She asked why the City rate only reflects a 4.73% change.

Ms. Tarry responded that the 4.73% applied to overall sales tax revenue changes for 2005. 2006 may be different; however, the final numbers haven't been calculated yet.

Councilmember Ryu commented that it seems that our sales tax revenues are lagging behind other municipalities.

Ms. Tarry agreed, however, there are several reasons for this. Sales tax is based on staple goods, and there is no tax revenue on clothing or furniture. Additionally, these numbers are hard to compare because other cities have made up ground where they lost ground during the recession.

Councilmember Ryu stated that Shoreline seems a bit more stable and it seems that the retail sales tax per capita seems to be declining. The City's sales tax is based upon so many different factors but the tangibles need to be addressed. She asked if the results were received from the Buxton Company. She stated that the Council is being asked to set aside \$257,000 for business attraction and retention. With that, what tangible benefits are businesses and taxpayers getting? She also highlighted that the commercial assessed value in Shoreline is declining, which will mean more of a tax burden on residents.

Mr. Olander agreed that the City of Shoreline has serious commercial disadvantages, to include limited retail space. There were some major sales tax increases ten years ago when Aurora Village was redeveloped, which helped off-set some of the sales tax equalization. Currently, the City has very small business parcels which are difficult to consolidate into large retail stores. There are long-range problems and major challenges which aren't going to be fixed in the next 1-4 years. The City needs a long-range plan for this. The Town Center Plan has residents conflicted because they want to retain residential space. The City can facilitate this process, but most of the City is driven by the private sector, he said. Infrastructure, he noted, is important and that is what cities do best. He emphasized that economic development is a long-range issue.

Mr. Boydell pointed out that when he first began working for the City a year and a half ago, there was no economic development plan. He said he has been putting the pieces into place and forming a network to get an extensive reach. Shoreline is now known as business-friendly to developers. He noted that there is a business residing in Seattle that wants to cross the border and move into Shoreline. He said the City has developed an extensive network of small business resources for a small amount of money that solves individual problems for small business owners. He pointed out that there are business

owners who have professed that they are proud to have their small business located in Shoreline. He said the expenditure that Shoreline has put into economic development is minimal compared to the funds that other cities have allocated, and their programs have tremendously lesser results.

Councilmember Ryu felt that this is a combined effort and the finishing of Aurora Avenue will enhance the friendliness of the businesses. She wanted a more aggressive targeting of businesses, to include possible branding or marketing of our City so businesses can take on more of the tax burden.

Councilmember Gustafson commented that the City needs to improve its infrastructure. North City has "turned around" thanks to the work done, he said. He applauded the efforts of City staff and felt the City is heading in the right direction. He agreed with Mr. Olander that this is a long-range project.

Councilmember Hansen noted that based on the Nesbitt Study, the City was earning approximately \$1 million in sales tax. However, at that time State studies said the City should be making about \$5 million. Thus, in the early years there was a \$4 million subsidy from sales tax equalization. He noted that the sales tax revenues have gone up six times in the ten years since incorporation, which is substantial growth. He commented on several new projects in the City, including Shoreline Bank, Watermark Credit Union, a new Walgreen's, and a Discount Tire Store. He said this represents considerable economic development, and the City is heading in the right direction.

Mr. Olander said that one thing he learned from the Korea trip was how useful and productive the City would be if the high schools, Shoreline Community College, the Chamber of Commerce and the City worked together on these issues.

Mayor Ransom said there have been economic development people working with the City for eight years, with little gains. She said some good construction projects were completed, but nothing was really done in terms of economic development. He said he is not very impressed with the Economic Development Manager's comments, although he has impeccable credentials. He said he is not seeing what he expected to see or impressed with what the business community is telling him. He said he is concerned.

Councilmember Way said the City has been making progress, but she acknowledges there are challenges ahead. She noted that those businesses on Aurora Avenue are going to struggle. The businesses in Ridgecrest and Briarcrest are also struggling, she pointed out. "Economic gardening" seems to have value as a framework, and she recommended that the City look into it. There is great potential in the City and suggested Mr. Boydell elaborate on the Ridgecrest idea.

Mr. Boydell said he is implementing a three-phase strategy. The first component is to respond to the issues that have been raised by the community, business leaders, and the Chamber of Commerce to establish an aggressive, broad range of small business programs. The second component is major projects. Unfortunately, there aren't any

successes to report on that at this time, but there are negotiators discussing the possibilities with potential investors. The third aspect is to build something for the local neighborhoods. This would involve the development of a sustainable neighborhood initiative. The test program would start in Ridgecrest and would enrich and increase economic activity there. He has initiated a conversation with the property owner of the former Cascade Bingo site to utilize the property as a cooperative effort with green development. He has also corresponded with the University of Washington regarding a potential workshop in which students and professors could present ideas and interact with the community to make their land use ideas more tangible. He said discussions should start in January, and a special emphasis will be placed on community participation.

Mr. Olander said this is a strategy of the economic development goal which was adopted in May 2006. He added that any good, long-range strategy requires perseverance and patience.

Councilmember Way concurred with Councilmember Ryu on her “branding and marketing” comments. She highlighted that the City’s identity as a community is important but the City needs to market itself as a City that appreciates and respects education and innovation. Additionally, it should be conveyed that the City focuses on innovative ideas towards sustainability, green building practices, and renewable energy. The City should encourage and promote “economic gardening,” perhaps even through small loan programs. Fircrest is an option and it has an enormous potential for innovation, she concluded. She said that some of the retail which has been lost is due to ongoing projects.

Mr. Boydell stated that he advocated for branding since he began employment with Shoreline. He said it needs to involve the City leadership and the community. He summarized that the City needs to explain to the community what economic development is doing in the City. He cautioned that proprietary information must be kept confidential while communicating with the community.

Deputy Mayor Fimia proposed a Council discussion to evaluate the program at a later date. She said she is not comfortable with the direction and the reporting mechanism. She said she is not hearing positive things regarding the Environmental Coalition of South Seattle (ECOSS) or Community Capital Development (CCD). She added that the Council needs to clarify what it expects, and the answer may be to implement more focused goals and deliverables. She commented that Aurora Square is a key, but she isn’t excited about getting the same people or hiring more people to start the project.

Mayor Ransom urged the Council to move on and discuss other budget items.

Deputy Mayor Fimia discussed the budget reserves. She said if the City kept the reserves at 27% there would be \$1.4 million for one-time expenditures. She wondered if it this \$1.4 million could be placed in the Capital Improvement Program (CIP) for sidewalks. She said it is unlikely that the City will have any funds in 2009 for those types of improvements.

Ms. Tarry said it could be done with Council direction if that is a Council priority.

Mr. Olander stated that it has been done in the past and excess funding has been moved to the CIP depending on the CIP priorities. He added that if the Council and the financial advisors are comfortable with reducing the reserve level, then it can be done. He added that not only are reserves a cash flow issue but every ten years there seems to be a recession, and cities that have healthy reserve levels survive them.

Deputy Mayor Fimia commented that the City is attempting to balance immediate needs while keeping potential needs in mind. If there is a way to benefit people right now, the City should act, she said.

Mayor Ransom said he didn't recall the City establishing a policy for Local Improvement Districts (LIDs).

Mr. Olander said the six-year CIP assumption was that in the outlying years, LIDs would partially fund the sidewalks, but there is no firm policy established. He agreed that most residents won't want LIDs in the future, as they are expensive. He felt the City should fill in some of those years with some excess surplus funds if they are available.

Councilmember Ryu asked if the City collects funds from property owners who cannot put in sidewalks themselves. She asked if these same property owners would be asked to contribute to an LID, and whether this would constitute the same property owners paying twice.

Mr. Olander responded that normally the homeowner puts the LID payment up and they wouldn't be charged twice.

Ms. Tarry added that the homeowner would assess the improvement value to their property.

Deputy Mayor Fimia suggested that maybe the City should start utilizing a trust fund so when the strategic plan is complete, there will be some funding to partner with other organizations. She noted that the Community Development Block Grant (CDBG) funds can be used for this on an annual basis, but they are always committed elsewhere. She felt it wouldn't hurt to start a small housing trust fund and to fund projects like the light on NE 170th Street and 15th Avenue NE. She added that the 2007 – 2012 CIP could be amended.

Mayor Ransom said there was some funding for the light on 170th and 15th Avenue. He asked if the City lost the grant funding for this project.

Mr. Olander said the City still anticipates the grant funding, but no City money is available for the light. He said if the Council wants to put CIP money into the light, it can. He recommended that when the Council looks at the 2008 CIP they should amend the 2007 CIP. He pointed out that it is all about the priorities of the Council.

Deputy Mayor Fimia said she is not convinced that it would be effective for a consultant to execute the Natural Resource Plan at a cost of \$75,000. She said maybe the plan could be created and the City could get some of the projects implemented at the same time. She felt that this expenditure should remain more flexible.

Mr. Olander said he can reevaluate and look at staff resources more carefully.

Councilmember Way discussed the environmental mini-grant idea and wondered about the possibility of working with the County in obtaining a block grant. She mentioned that the County has extensive experience on this and they have transformed minimal funds into tremendous results. She was not sure the mini-grant program would have to be cut from the Natural Resource Plan budget. She favored ways to strategically include this plan, perhaps through the Parks and Recreation Department or the Ness program. This is an intriguing idea, but she doesn't want it to detract from the overall Natural Resource Plan.

Deputy Mayor Fimia said she needed more specifics on the Natural Resource Plan, noting that she is looking for a "road map." She mentioned that another potential use of the reserve funds is the Council goal to create a Fircrest Master Plan in coordination with the State. This plan will take resources and expertise to bring the community together to do a preliminary proposal to entice the State to look at this differently. She reiterated that utilizing a one-time expenditure of some reserve funds may be a good idea for this process.

Mr. Olander said he was not encouraged when staff previously discussed Fircrest with the State. He said they were discussing narrow issues and felt that they were unwilling to move until they got stronger political leadership from the Governor's office. He said he doesn't think it is advisable to do anything in isolation without a strong partnership in place.

Deputy Mayor Fimia agreed, but commented that the City needs some funding in place to start the momentum. She asked for an analysis of what an additional street crimes officer would cost the City, and what resources it would provide. She pointed out that the travel, food, lodging, registration, and membership dues budget for the City is \$458,000, and a 10% reduction in this would be feasible. She noted that all Councilmembers don't have to attend every seminar and conference. She noted that the Center for Human Services (CHS) is running out of their mental health counseling funding by June and a 10% reduction would help these types of programs.

Councilmember Hansen noted that if there is a concern about travel costs, some of the funding can be donated to the organizations as Councilmember Gustafson has done in the past. He said he has made several National League of Cities (NLC) trips and he hasn't billed the City for them. He added that other Councilmembers should not be precluded from attending any meeting or seminar because there is no budget for it.

Deputy Mayor Fimia added that no families that call CHS should be turned away.

DRAFT

Councilmember McGlashan said the City shouldn't be spending money on property that it doesn't own, and advised against using reserve funds. He said cutting the Council travel budget is not a good idea considering the effectiveness of the visit to Senator Murray's office when the full Council was in attendance. He commented that the decision to replace City Manager Burkett cost the City \$140,000 in severance and an additional \$120,000 in a lawsuit. This represents \$260,000 that could have gone elsewhere. He said City staff has done a great job in "tightening the belt where they can." He agreed that the Council should not be discussing LIDs yet. He commented that the gambling tax was also reduced, which reduced revenues. He urged the Council to trust the City staff.

Councilmember Gustafson thought the ideas of Deputy Mayor Fimia were good but that a strategic plan needs to be implemented. He expressed support for a discussion on the SRO and the housing trust fund. However, there are a host of options that need to be prioritized by the Council. He supported the recommendation of the City Manager and the staff.

Mr. Olander expressed his opinion that the citywide travel and training dues used for the National League of Cities, the Association of Washington Cities, and the Puget Sound Regional Council need to be maintained. These represent set fees and can't be reduced by 10% or 20%. He added that the Council travel budget is relatively small. He mentioned that the bulk of the budget is for staff training which is kept up to par to include professional certifications. This City's most valuable resource is its staff members and they are very productive. Thus, a reasonable amount of training investment in our staff is important.

ADJOURNMENT

Councilmember Gustafson moved to adjourn the meeting. Councilmember Hansen seconded the motion, which carried 4-3, with Deputy Mayor Fimia, Councilmember Way and Councilmember Ryu dissenting.

At 9:32 p.m., the meeting was adjourned.

Scott Passey, CMC
City Clerk

DRAFT

CITY OF SHORELINE

**SHORELINE CITY COUNCIL
SUMMARY MINUTES OF STUDY SESSION**

Monday, March 5, 2007

6:30 PM

Shoreline Conference Center

Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, Councilmember Gustafson, Councilmember Hansen, Councilmember McGlashan, Councilmember Ryu, and Councilmember Way.

ABSENT: None.

1. CALL TO ORDER

At 6:36 p.m. the meeting was called to order by Mayor Ransom, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Ransom led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Mr. Olander provided an update of the second Ridgcrest Neighborhood Visioning Workshop and commented on the closure of the Shoreline Pool for annual maintenance. He outlined upcoming meetings of the Aurora Business and Community (ABC) Team, the Library Board, Planning Commission, and the Comprehensive Housing Strategy Citizen Advisory Committee. There will be no Council meeting on March 12; the next City Council meeting will be held March 19.

4. COUNCIL REPORTS

Councilmember Way reported on her tour of the Brightwater Treatment facility in Woodinville. She said there are many opportunities to take a tour and recommended that members of the public avail themselves of the opportunity.

Deputy Mayor Fimia reported on her attendance at the Citizen Advisory Committee meeting, which featured Arthur Sullivan, who gave a presentation on affordable housing. She recommended that he provide a presentation to Council. She requested a discussion at the end of the meeting regarding the possibility of broadcasting some of the performances of the School District's "History Day" event, which will be held March 21.

Councilmember Gustafson reported on his attendance at the Suburban Cities Association meeting, where Puget Sound Energy and Seattle City Light reported about the power outages during the windstorm of 2006.

Mayor Ransom noted that the discussion at the North end Mayor's meeting involved the North King County Economic Engine Survey Summit, sponsored by Forward Shoreline and King County Councilmember Bob Ferguson. He said he and other mayors questioned the statistics, because it only counted 1,154 employees in the 29 government agencies in Shoreline. However, there are at least 3,500 employees when considering Shoreline School District, Shoreline Community College, City of Shoreline, Washington State Department of Transportation, and Fircrest Habilitation Center. He said as of yet it is undecided whether they will rehire the firm that provided the survey statistics.

Councilmember Gustafson felt that Channel 26 would be the ideal venue for showing the History Day performances. He said it would behoove the School District to broadcast them.

5. GENERAL PUBLIC COMMENT

(a) Gloria Bryce, Shoreline, thanked the Council for awarding the Highland Terrace Neighborhood with the mini-grant that is allowing them to improve the Fremont Trail area. They worked with the Native Plant Society and Kruckeberg Gardens on the landscape design, as well as to remove invasive species. She invited the public to participate in a work party on Saturday, March 10 to help plant the native plants at the site. The site is located on Fremont Avenue just off 160th Street.

(b) Tim Crawford, Shoreline, provided a copy of the Washington Department of Fish and Wildlife (WDFW) letter regarding the Ronald Bog project. He said some Councilmembers gave him assurances that they would protect the creek, but the Council went ahead and approved the flawed project anyway. He read the WDFW letter which stated that a project of this size requires removal of the fish barriers, which would require daylighting of the stream. He concluded that he will be appealing the SEPA determination for the project.

(c) Patty Crawford, Shoreline, noted that the Ronald Bog Project will increase flooding on her property, and that the Surface Water Department doesn't know the extent of the illegal pipe system. She expressed concern that the SEPA comment period was only extended for an additional week. She said it is clear from the Surface Water Master Plan that staff is worried about the long-term classification of the creek. She suggested creating a citizen action panel, because they weren't notified the project was being transformed into a second project.

Councilmember Way said that her understanding of the Ronald Bog Project is that it is a "work in progress" and only at 30% design. She said the plan can still be amended and she encouraged citizens to send in their comments.

Councilmember Ryu wondered if the Ronald Bog project warrants consideration by a City Council committee.

Mr. Olander noted that the project has been in development for 8 years, and many smaller projects have been completed in the Ronald Bog basin to address flooding. He said there have been significant improvements and increased maintenance efforts which have resulted in successful reduction of inflow into that basin. He noted that the neighborhood supports the pipe replacement and opposes daylighting the stream in the middle of the road. He felt that the WDFW letter was a somewhat impractical approach to this issue.

Jesus Sanchez, Public Works Operations Manager, said staff will be meeting with WDFW staff and will be conducting a second walk-through of the project site. He clarified that the project entails pipe replacement and should be viewed as maintenance rather than as a redevelopment project.

Deputy Mayor Fimia pointed out that the two major issues seem to be: 1) flooding on the Crawford property; and 2) daylighting of the stream. She also noted that there is great resistance to daylighting by the neighbors. She stressed the importance of balancing competing needs and interests.

Mr. Sanchez stated that WSDOT gave the City permission to inspect the flow restrictor, and he is committed to preventing additional downstream flows. Regarding daylighting, he said whether the flows are daylighted or in the pipe, the real issue is considering the overall system capacity.

Councilmember Way said this is the first time she has seen the WDFW letter, but she would like us to work with Crawford's and look for opportunities to improve upstream capacity to help alleviate flooding, which the City is legally required to do.

6. STUDY ITEMS

(a) Boryeong Trip Report and Future Sister Cities Activities

Mr. Olander reported briefly on the Sister Cities trip to Boryeong, Korea, noting that he has a better appreciation of the value of the Sister City relationship. Others in attendance who participated in the trip included John Chang, Shoreline Sister Cities Association President, Dan Mann, Shoreline School Board Member, and Stuart Trippel, Vice President of Administrative Services, Shoreline Community College.

Mr. Trippel thanked the City for the opportunity to participate, noting that the City's participation made the trip possible for everyone else. He reported that the trip was very rewarding for the College in terms of future student prospects. He outlined the financial benefits the College and the City receives from international students, adding that they contribute approximately \$12 million to the local economy each year. He noted that President Lee Lambert signed a Memorandum of Understanding with Boryeong's Aju

Motor College, which will likely lead to further faculty, student, and technology exchanges with Shoreline Community College's automotive school.

Mr. Mann reported on the success of the trip and the many contacts that were made. He noted that the trip opened many real opportunities for continued educational exchanges as well as commercial exchanges. He commented on their hospitality and graciousness and said that Boryeong has a sincere desire to enhance the relationship with the City. He noted that the trade relationship and the large native Korean population in Shoreline is a basis for furthering the relationship. He concluded that the relationship can become a substantial benefit, but it is a long-term investment in time and effort.

Mr. Olander noted that a significant part of the trip was the effort to let Boryeong know what educational resources we have. Promoting the educational opportunities that Boryeong students have both in Shoreline specifically and in the United States in general was a primary goal of the trip.

Councilmember Ryu asked Mr. Trippel to let the automotive program know that the Chamber of Commerce is offering scholarships to the automotive program at the College.

Mr. Chang reported on the success of the trip and thanked City staff for their help in coordinating the effort. He noted that the Sister Cities Association is very vibrant and active, thanks to the solid foundation laid by former President Cheryl Lee. He commented on the value of cultivating human-to-human relationships and gaining friends abroad. He said although there is still much work to do, the relationship is progressing very well. He reported on the recent visit to Shoreline by a delegation of Boryeong students, noting the future educational exchange opportunities that might arise from that visit. He announced that a Boryeong government delegation is planning to visit Shoreline the week of May 28-June 1, 2007.

Mr. Olander displayed the various articles given to the Shoreline delegation to demonstrate Boryeong's culture, arts, and industries. He noted that Boryeong's economy is largely based on tourism, agriculture, fishing, education, and mud cosmetic products. He commented on the potential for commercial trade opportunities.

Mayor Ransom reported on his impressions of the Korean people and of the City of Boryeong, noting that the relationship is very encouraging. He described aspects of the trip, the many formal speeches and meals offered, and the visits to the local sites. He said they are very interested in enhancing trade relations and their impression is that Shoreline is a Korea-friendly city. He said their hope for the May 28-June 1 visit is to tour Boeing, the West Sewage Treatment facility, the Shoreline Chamber of Commerce, Shoreline Community College, University of Washington, and the Port of Seattle. He concluded it is very encouraging that we are developing a wonderful relationship.

Mr. Olander commented on Boryeong's high level of hospitality and said that in order to reciprocate, a strong Sister Cities Association is vital. He encouraged the public to join the

Association, noting that the relationship is only as effective as the community that supports it.

Councilmember McGlashan was pleased to hear that the Association is organized and running effectively. He thanked staff for the presentation.

Councilmember Hansen noted that Aju Motor College was part of Taechon College back in 2004 when he visited Boryeong. Mr. Trippel noted that Aju Motor College has a relationship with Taechon College, but has since reorganized its facility.

Mayor Ransom noted that the Aju Motor College now provides a four-year degree program. He asked about the possibility of offering a four-year program in automotive technology at Shoreline Community College. Mr. Trippel said that although the opportunity appears limited, it is a subject being explored in the Higher Education Coordinating Board.

Councilmember Gustafson asked about the composition of the public schools in Boryeong, and if they were all segregated. It was noted that the elite high schools are segregated, but other high schools are not, and they also have co-ed vocational schools. There are a total of six high schools in the Boryeong district.

Deputy Mayor Fimia commented on the generous hospitality she received as part of a King County Council delegation that traveled to Seoul. She said while it is impossible to match the Korean level of hosting, it is important that Shoreline demonstrate the same planning and organization when Boryeong visits Shoreline. She emphasized the need for goal-setting and long-term planning and on the need for public involvement. She pointed out that the City cannot shoulder the entire relationship alone.

Mr. Olander was confident that by sharing the responsibility among the Community College, the Chamber of Commerce, the City, and the Sister Cities Association, Shoreline could put together a "first class" itinerary for the upcoming visit.

Councilmember Way thanked Mr. Chang for his help in reviving the Sister Cities Association. She wondered if Boryeong had corporate sponsors to help fund their sister city activities.

Mr. Chang explained that Boryeong has three sister cities, and the activities are mostly funded by the City itself. However, they do have a citizen group similar to the Shoreline Sister Cities Association, and they are interested in learning our system.

Councilmember Way suggested ways to fund and promote the organization such as using web site resources, inviting corporate sponsorships, and encouraging membership growth.

Mr. Chang concluded that despite the challenges, we have great intentions for the sister city relationship as well as pride in Shoreline, and if the citizens come together we can really show Boryeong what Shoreline is all about.

RECESS

At 8:06 p.m., Mayor Ransom called for a five minute recess. At 8:15 p.m. the recess concluded and the Council meeting reconvened.

(b) Long Range Financial Strategy Implementation Study

Debbie Tarry, Finance Director, described the City's current financial condition and the revenue and expenditure forecasts for coming years. She outlined the City's long-term financial projections, which indicate budget gaps starting in 2008 and continuing into future years. In order to continue providing the same level of essential services to the Shoreline community it will be necessary to implement new revenue sources. Her presentation included the following points:

- During the last few years the forecasts have shown that the City would experience budget gaps as expenditure growth outpaces revenue growth. The last few years the City has been able to close any projected gaps as a result of unexpected revenues (i.e., correction in how the water contract payment from Seattle Public Utilities was calculated), efficiencies and service delivery changes (e.g., jail contract with Yakima, change in employee health benefits, change in method for police canine services), or base budget reductions. If the City is going to provide the same level of services on an on-going basis it is necessary to implement new revenue resources.
- Revenues: The projected long-term budget gaps are a result of revenues not keeping pace with the cost of base expenditures such as fuel, supplies, jail contract, cost of living adjustments, etc.
- The City's four primary sources of revenue to support the City's operating budget include: 1) Property Tax; 2) Sales Tax (Local Sales Tax and Criminal Justice Per Capita Sales Tax); 3) Utility Revenues (Utility Tax, Franchise Fees, and Utility Contract Payments); and 4) Gambling Tax. In addition to these revenue sources there are various fees and charges that are collected for specific services such as recreational activities and building and development related revenues. Also the City receives some revenues on a per capita basis from the State of Washington (liquor profits, liquor excise tax, and fuel taxes) and investment interest.
- A review of the four primary operating revenue sources shows that most of these revenue sources have either grown at a low rate or have experienced declines as a result of market conditions. The four primary revenues comprise over 80% of the revenues used to provide on-going operational services to the Shoreline community. The City's 2007-2012 financial forecast projects overall operating revenue to grow on average at 2.33% for the next five years.
- Expenditures: The City's three primary operating type expenditures include: 1) Personnel: Salary and benefit costs for the City's employees; 2) Intergovernmental: Although this category would include any contracts with other governmental agencies it primarily represents the costs for jail services and the City's contract with King County for police services; and 3) Services and Charges:

Includes a variety of expenditures such as utilities (electricity, water, natural gas, street lights, telephone), contributions to agencies to provide human services, maintenance services such as landscape maintenance and janitorial services, liability insurance, lease and debt service costs for City Hall and other facilities, printing, postage, memberships and dues to both city-wide organizations (i.e., Association of Washington Cities, Puget Sound Regional Council, Suburban Cities Association, etc.) and professional organizations, training and costs related to training such as travel and registrations.

- The three categories of expenditures represent approximately 97% of the City's operating expenditures. Overall expenditures are projected to increase annually by 4.24%. This is approximately 2% more than the annual change in revenues.
- Reserves: The City has three types of reserves: 1) Reserves that are legally restricted for a specific purpose; 2) Reserves that are designated for a specific purpose; and 3) Unreserved/undesignated operating reserves. Staff is recommending that Council consider revising the policy to focus on the need to establish a revenue stabilization reserve "rainy day account", a minimum reserve to manage cash-flow, and a budget contingency reserve component. It is anticipated that the total reserve to meet these needs will be between \$9 and \$9.5 million. Staff will bring a recommended policy to Council in late March or early April.
- Despite several ideas explored at the Long-Term Financial Strategy Retreat on January 29, 2007, there was general consensus among the Council that closing the gap strictly with expenditures reductions would not be the recommended option. In examining the possibilities to close the projected budget gap for both the short-term and the long-term there was consensus to pursue the following:

Short-Term

Increase the cable utility tax rate from 1% to 6%

Implement the Seattle City Light distribution contract payment at 3% in 2008 and an additional 3% in 2009

Reduce the General Fund contribution to capital

Review the existing budget for any further cost savings

Provide opportunities for employees and citizens to identify additional budget efficiencies

Develop a citizen communication plan regarding the City's long-term financial strategy

Long-Term

Pursue with a citizen committee the possibility of a levy lid lift (election in 2009)

Implement the business registration program

Review the possibility of impact fees

- As staff and Council have discussed the most likely options for the short-term (2008-2009) are an increase in the cable utility tax rate from 1% to 6% and the

implementation of a 3% contract payment on the distribution portion electric revenues in 2008 and an additional 3% in 2009. In addition to this staff is recommending approximately \$125,000 in base budget changes as a result of both expenditure reductions and fee increases.

Deputy Mayor Fimia asked staff to respond to the charge that the Council was favoring only one sector of the business community, the gambling establishment, by reducing the gambling tax.

Ms. Tarry explained that the casinos are the only businesses that pay a cardroom tax, which is similar to a Business & Occupation (B&O) tax, and there are no other businesses that pay such tax. So in this sense they are unique among businesses in Shoreline.

Mr. Olander commented on the unstable nature of the economy and the fact that we experience recessionary periods approximately every eight years. He said although the City has implicitly used the General Fund Reserves as a "rainy day" fund to maintain basic levels of service, the proposal would establish this practice more explicitly.

Councilmember Hansen noted that when the Council implemented the 10% General Fund Reserve, it was intended to serve as a separate fund and not part of the system of carryovers and reserves to balance the budget.

Mayor Ransom concurred, adding that the original intent was to put 10% aside every year for capital projects.

Deputy Mayor Fimia asked if there was a minimum reserves limit established by the state. She also asked staff to respond to the charge that the budget amendments proposed by Councilmembers during the 2007 budget deliberations would cause deficits.

Ms. Tarry noted that the state limit, which is based on property valuation, is relatively small and not nearly enough to serve as a "rainy day" cash management fund. She clarified that the Council adopted a balanced budget and the proposed amendments related to the use of excess funds, so they did not have bearing on deficits.

Councilmember Way asked how much additional revenue would be generated by the proposed recreation fee increases. Ms. Tarry noted that the fee increase would apply mainly to adult recreation/facility rentals and totaled approximately \$30,000. Councilmember Way pointed out that there is a limit to what people can pay, especially in the case of specialized services for the disabled. Mr. Olander added that because the fee structure is market-based, there is a practical limit on how much the City can raise fees.

Councilmember Ryu agreed that if fees are raised, some people may choose not to participate. She speculated whether promoting a healthy lifestyle and more physical activity on the part of residents would lead to reductions in jail costs, since there would be

more crime awareness and monitoring in the community. She favored a financial approach that maximizes short-term resources in order to reduce long-term court and jail expenses.

Mr. Olander noted the City has some flexibility to increase adult recreation rates and still be competitive with surrounding jurisdictions.

Councilmember Hansen favored staff bringing back the proposed ordinances for future consideration.

Councilmember Ryu said that although the Council discussed these proposals at its January 29 Retreat, there were only three members of the public present. Therefore, she considers tonight's discussion a "first reading" and favors taking more time to discuss and finalize the financial strategy.

Mr. Olander said that such an approach is perfectly appropriate. He added that the City continues to advertise the financial strategy, and the Shoreline Enterprise ran a fairly good article about the City's financial projections.

There were no members of audience wishing to speak on this agenda item.

Councilmember Way concurred with Councilmember Ryu and suggested using all available resources to publish the financial proposals. She asked for clarification on the City's increasing fuel costs as described on page 5 of the Council packet.

Ms. Tarry explained that although the City does not have a large fleet, 2007 fuel costs are budgeted at \$74,000, compared with \$43,000 in 2006. She noted that while fuel and jail costs are increasing, the actual inflation rate is decreasing. Jail costs are primarily driven by usage and secondarily by rate changes.

Councilmember Way asked if the number of misdemeanants increased because the police are apprehending more suspects. Mayor Ransom pointed out that judges are issuing longer sentences, and Ms. Tarry added that the City is maximizing jail days using the Yakima contract, which helps keep the costs down. Councilmember Way was interested in hearing more about the juvenile diversion program, to which Mr. Olander responded that County staff could be asked to provide a detailed briefing on that program.

Councilmember Gustafson thanked staff for the detailed information and said he will provide the bulk of his questions in writing. He asked about potential grant opportunities as well as the status of the dispute with Seattle City Light regarding street lights. He also asked about the status of the dispute regarding fire hydrants.

Mr. Olander said staff is currently working on the street light issue, and a decision is expected this week on the fire hydrant dispute.

Councilmember Hansen noted that the Enterprise article might have created some misconceptions regarding the permit services department. He said the implication was that

King County has a self-sustaining program, but that we use General Funds to run our program.

Ms. Tarry clarified that the permit services program is partially funded by fees and partially funded by tax subsidies. She added that permit fees cover most of the direct costs, but some indirect costs on some of the smaller development permits are not covered. She said the philosophy is that there is some general community benefit that results from helping people through the permit process. She said the 2007 permit services budget is about 53% tax supported, but the building and inspection services are 100% supported by fees.

Councilmember Hansen said there is a perception in the citizen's mind that developers are not paying their share of the permitting costs, however, he does not agree that's true.

Mr. Olander said that developers are paying their fair share, and while the City still subsidizes smaller projects, he is comfortable with the current fee structure. He noted the department is keeping closer track of the hours spent on projects. He added that permit fees also need to be competitive because the City has a strong policy of encouraging economic development.

Councilmember McGlashan noted that the Council did not approve the business licensing program, yet the financial strategy implied \$90,000 in revenues from this source.

Ms. Tarry clarified that the anticipated business licensing program was not a revenue-generating program, so the \$90,000 was removed from the revenue side of the budget equation. She also confirmed that the utility tax would impact both residential and commercial customers, and it is still cheaper to use the Yakima jail contract, even when considering transportation costs.

Deputy Mayor Fimia thanked staff for the clear and straightforward explanation of the City's financial outlook. She pointed out that during the 2007 budget discussions she proposed hiring an additional street crimes officer due to recent police activity. She used this example to illustrate that the public would be more supportive of tax increases if there is a visible increase in service levels. She reminded the Council that she also suggested cutting travel, dues, and registration line items rather than reducing overtime for traffic safety. She requested information on the cumulative impacts of all the different taxes that residents pay. She questioned what Shoreline residents are getting in return for their Sound Transit tax dollars, and requested permit fee information from other jurisdictions. She preferred looking at development fees for additional revenue rather than considering recreation fee increases.

Mayor Ransom was pleased with the thoroughness of the report and agreed that the Council should have a full public process before approving any financial strategies or any new taxes. He pointed out that the City functions with fewer employees because they are well-trained, and this is the advantage to having travel and training funds. He summarized Council consensus to proceed with a public hearing and discussion on March 19.

Deputy Mayor Fimia and Councilmember Way clarified that people can continue to send comments by phone, e-mail, and during the public comment periods at the Council meetings.

Councilmember Ryu also requested an analysis of the cumulative impacts of the various taxes on Shoreline residents. She noted that she vigorously objected to the Seattle City Light increase and she felt that the cable tax is regressive. She said with all the major tax and ballot issues, the cumulative tax impacts should be considered. Mr. Olander indicated that staff could provide some approximations.

(c) Arterial Speed Limit Study Update

Mark Relph, Public Works Director, provided a brief introduction and explained the proposal to proceed with a public process to get input on the short list of streets proposed for speed limit adjustments. He emphasized that it will take a balancing of public input with engineering, education, and police resources.

Rich Meredith, Traffic Engineer, further explained the proposal to move forward with a community process. He said the intent is to collect data over the next few months and present it in a number of forums for public review. He noted that changing the speed limit can be a very emotional issue, so staff wants to ensure the process is complete. He provided a handout to the Council and noted that streets highlighted in blue will be disregarded because they do not warrant further consideration at this time.

There was no one in the audience wishing to provide public comment on this agenda item.

Councilmember Gustafson agreed that it's important to bring the public into the process. He asked if the City is working with the police department in developing the final list. Mr. Meredith said that as staff collects the traffic speed/volume data for each roadway, they will consult with the police department. Mr. Meredith affirmed that both City and police staff agreed that citations would be considered in the plan. He said he hopes to start the public participation process in early summer.

Councilmember McGlashan noted that he would forward some questions to staff regarding speed limits on Richmond Beach Road as well as Innis Arden Drive. He said some Shorewood Hills residents have expressed concerns about the proposed speed limit reduction to Innis Arden Drive.

Councilmember Way thanked staff for being so responsive to the concerns of the Council and the public, especially regarding NE 152nd Street and 10th Avenue NE. She pointed out that despite the budget proposal to reduce police overtime, the residents of North City actually want more traffic enforcement, not less. She suggested starting the public process before school gets out because the typical pattern of traffic and driving occurs during the school year.

Deputy Mayor Fimia agreed with starting the public process earlier and advertising it in Currents and on the City web site. She recommended erring on the side of lower speed limits rather than higher speed limits. She wondered about the effect of reducing the speed limits on Aurora Avenue and 15th Avenue NE. She also asked for public input on her suggestion to reduce the speed limit on residential streets from 25 MPH to 20 MPH. She said she would like Shoreline to have a strong reputation for traffic enforcement.

Councilmember Gustafson noted that Aurora Avenue is included on the list of streets to be considered.

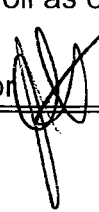
7. ADJOURNMENT

Upon motion by Councilmember Gustafson, seconded by Deputy Mayor Fimia and unanimously carried, the meeting was adjourned at 10:02 p.m.

Scott Passey, CMC
City Clerk

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Expenses and Payroll as of March 26, 2007
DEPARTMENT:	Finance
PRESENTED BY:	Debra S. Tarry, Finance Director 

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to formally approve expenses at the City Council meetings. The following claims/expenses have been reviewed pursuant to Chapter 42.24 RCW (Revised Code of Washington) "Payment of claims for expense, material, purchases-advancements."

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$1,228,375.18 specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
2/25/07-3/10/07	3/16/2007	18148-18328	6137-6173	32077-32087	\$366,634.87
					<u>\$366,634.87</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
3/15/2007	32031	32064	\$206,801.48
3/16/2007	32065	32066	\$410.00
3/19/2007	32067	32076	\$1,760.10
3/20/2007	32088	32096	\$2,545.00
3/21/2007	32097	32107	\$4,936.59
3/22/2007	32108	32126	\$94,481.07
3/22/2007	32127	32156	\$430,279.27
3/22/2007	32157	32171	\$84,072.62
3/22/2007	32172	32176	\$15,959.30
3/23/2007	32177	32178	\$15,893.22
3/23/2007	32179	32181	\$3,801.66
3/26/2007	32182		\$800.00
			<u>\$861,740.31</u>

Approved By: City Manager _____ City Attorney _____

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Authorize the City Manager to authorize the purchase of one (1) Regenerative Air Street Sweeper from Owen Equipment.
DEPARTMENT: Public Works – Street Operations and Maintenance
PRESENTED BY: Mark J. Relph, Public Works Director
Jesús Sanchez, Operations Manager
Brian Breeden, Street Maintenance Supervisor

PROBLEM/ISSUE STATEMENT:

From incorporation, the City has contracted with King County Roads Division and private contractors for street sweeping services and currently has no street sweeper in the City fleet inventory. The 2007 Adopted Budget provides resources to purchase one (1) street sweeper which will allow the City to assume this previously contracted service. Staff recommends the purchase of a street sweeper using the City of Everett bid 06-852 awarded in 2006 to Owen Equipment (formally Ben-Ko-Matic).

FINANCIAL IMPACT:

The total purchase amount of the street sweeper is \$160,971.59. The 2007 budget includes \$150,000 for the acquisition of a street sweeper. An \$11,000 one-time budget amendment from savings in the 2006 Surface Water Utility Fund will provide for the state sales tax amount.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to authorize the purchase of an Elgin Crosswind Regenerative Air Street Sweeper from Owen Equipment in an amount not to exceed \$160,971.59.

Approved By: City Manager  City Attorney _____

INTRODUCTION

The 2007 Budget provides resources to purchase one (1) new street sweeper to support City services. The vendor requires a 60-90 day lead time for delivery after receipt of the approved Purchase Order.

ALTERNATIVES ANALYSIS

From incorporation, the City has contracted with King County Roads Division and private contractors for street sweeping services and has no street sweeper in the City fleet inventory. In an effort to reduce operational costs, improve customer service, and respond to Council Goal No. 6: Create an "environmentally sustainable community", City staff analyzed the possibility of purchasing its own street sweeper. In 2006, City staff reviewed the cost of maintaining contracted street sweeping services or purchasing a street sweeper and performing these services in-house and determined that there would be annual operating savings by purchasing a street sweeper instead of contracting out these services. This is demonstrated in the following comparison.

	<u>Current Street Sweeping Budget</u>	<u>Proposed Street Sweeping Budget</u>	<u>Difference</u>
<u>Annual Costs</u>			
Contract Service	127,661	25,000	(102,661)
Dumping Fees	0	10,500	10,500
Maintenance & Fuel Costs	0	12,000	12,000
Funding for Replacement of Sweeper – assume 8-year life	0	21,875	21,875
Total Annual Costs	127,661	69,375	(58,286)
<u>8-Year Costs</u>			
Annual cost for 8 years	1,021,288	555,000	(466,288)
Plus: Purchase Price of the Street Sweeper	0	161,000	161,000
Total Costs for 8 years	1,021,288	716,000	(305,288)

The 2007 Adopted Budget allocated \$150,000 for purchase of a street sweeper from the Street Fund and the Surface Water Utility Fund revenues. The Elgin Street Sweeper model selected exceeds the Council authorized budget in the amount of \$11,000 due to state sales tax. An \$11,000 one-time budget amendment from 2006 savings in the Surface Water Utility Fund will provide additional funding.

Following approval of the 2007 Adopted Budget, City staff reviewed, field-tested, and evaluated three (3) regenerative air street sweepers. After evaluating each street sweeper, City staff recommends purchase of the Elgin Crosswind Regenerative Air Street Sweeper, particularly for its high ratings of sweeping, water, and hauling capacity, and ease of operation and maintenance.

The City of Everett awarded bid number 06-852 for this model sweeper to Owen Equipment (formally Ben-Ko-Matic) in 2006. The City of Everett included language in their bid solicitation and award which allows other jurisdictions to purchase the same street sweeper using the intergovernmental cooperative purchase process. The City of Shoreline has an established intergovernmental agreement with the City of Everett for cooperative purchases. The Purchasing Division has reviewed Everett's bid documents and concurs that Everett's bid process meets the City of Shoreline's bid requirements.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to authorize the purchase of an Elgin Crosswind Regenerative Air Street Sweeper from Owen Equipment in an amount not to exceed \$160,971.59.

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: West Side Police Storefront Lease Extension
DEPARTMENT: Public Works
PRESENTED BY: Mark Relph, Public Works Director
Jesus Sanchez, Operations Manager

PROBLEM/ISSUE STATEMENT:

On April 25, 2001, the City of Shoreline and M.L. Davies Investment Company executed a lease of approximately 610 square feet (Space 4) in the Richmond Beach Shopping Center. This space provides office space for the Police Department's West Side Police Storefront. The current-renewal term, which began on May 1, 2005, will expire April 30, 2007 with no options remaining.

The M.L. Davies Investment Company (landlord) has proposed an additional two-year lease renewal with one five-year renewal option. The terms of the two-year lease renewal will call for a 2.5% increase in the monthly rent (from \$1,000 to 1,025) for the first year, and a 2.4% increase in the monthly rent (from \$1,025 to \$1,050) for the second year, with all other terms and conditions of the Lease Agreement remaining in full force and effect during the renewal term. The term of this lease renewal will be from May 1, 2007 to April 30, 2009.

FINANCIAL IMPACT:

The cost for this lease renewal will be approximately \$ 12,300 in 2007/2008 and approximately \$12,600 in 2008/2009. The funds for 2007 are budgeted within the Public Works Department's Facilities Management Division.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute the two-year lease renewal for the West Side Police Storefront providing for a 2.5% monthly rent increase in 2007/2008, and a 2.4% monthly rent increase in 2008/2009.

Approved By: City Manager  City Attorney _____

INTRODUCTION

On April 25, 2001, the City of Shoreline and M.L. Davies Investment Company executed a lease of approximately 610 square feet (Space 4) in the Richmond Beach Shopping Center. This space provides office space for the Police Department's West Side Police Storefront. The current renewal term, which began on May 1, 2005, will expire April 30, 2007 with no options remaining.

BACKGROUND

The Police Department's West Side Police Storefront serves the community on the west side of the City. The location is convenient and accessible to the public. It is located in the Richmond Beach Shopping Center. Since 2001, the City has leased approximately 610 square feet in this shopping center.

Pursuant to Section II, 2.2, the City notified M.L. Davies Investment Company of its intent to continue to operate a west side police storefront and its desire to maintain its current location in Space #4 at the Richmond Beach Shopping Center.

The M.L. Davies Investment Company responded by forwarding a proposed Renewal Term Addendum to the Lease Agreement to renew and extend the lease term from May 1, 2007 to April 30, 2009 with a one five-year renewal option.

DISCUSSION

The M.L. Davies Investment Company (landlord) has proposed an additional two-year lease renewal with one five-year renewal option. The terms of the two-year lease renewal will call for a 2.5% increase in the monthly rent (from \$1,000 to 1,025) for the first year, and a 2.4% increase in the monthly rent (from \$1,025 to \$1,050) for the second year, with all other terms and conditions of the Lease Agreement remaining in full force and effect during the renewal term. The term of this lease renewal will be from May 1, 2007 to April 30, 2009.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute the two-year lease renewal for the West Side Police Storefront providing for a 2.5% monthly rent increase in 2007/2008, and a 2.4% monthly rent increase in 2008/2009.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	King County Medic One/Emergency Medical Services (EMS) Levy Authorization
DEPARTMENT:	City Manager's Office; Fire Department
PRESENTED BY:	Julie Modrzejewski, Assistant City Manager Marcus Kragness, Fire Chief

PROBLEM/ISSUE STATEMENT:

On April 2, 2007 the City Council was briefed by Fire Chief Marcus Kragness on the proposal to hold a countywide ballot proposition for the November 2007 general election to reauthorize the Medic One/EMS levy, which is due to expire December 31, 2007.

Tonight the Council is holding a public hearing on Resolution No. 257, approving the countywide ballot proposition for funding the Medic One/EMS levy for the period from January 1, 2008 through December 31, 2013. Likewise, the Council is scheduled to take action on Resolution No. 257.

Shoreline's Medic One/Emergency Medical Services (EMS) is provided by the Shoreline Fire Department, a separate taxing district within the City. Emergency Medical Services (EMS) accounts for the largest number of 911 responses. The EMS division is dedicated to increasing survival and reducing pain and disability from out-of-hospital emergencies. The Fire Department provides two levels of medical care: Basic Life Support (BLS) and Advanced Life Support (ALS).

The Technical Stakeholder Committee, made up of elected officials, medical professionals, fire chiefs and King County EMS staff, developed the 2008-2013 King County Emergency Medical Services Strategic Plan, which sets the policy and financial plan directing King County Emergency Medical Services over the next six years. The plan proposes the following:

- Full funding for ALS/Paramedic service -- it is anticipated that three new paramedic units are needed in order to maintain existing levels of service;
- Additional funding for BLS services;
- Continued funding for regional services/programs such as training with a continued emphasis on strategic initiatives; and
- Development of a reserve fund (this is currently the practice; this formalizes it);

The current EMS levy expires at the end of 2007. This plan also proposes an EMS levy for the November 2007 general election, which would reauthorize the existing levy. The Technical Stakeholder Committee has recommended that the levy beginning in 2008 be

set at \$.30 per \$1,000 assessed valuation. The current levy was originally passed at \$.25 per \$1,000, and in 2007 the levy rate is \$.206 per \$1,000 assessed value.

As indicated by RCW 84.52.069 jurisdictions are authorized to levy a property tax for the purpose of providing Emergency Medical Services. Jurisdictions are allowed to impose an additional regular property tax up to \$.50 per \$1,000 assessed value for a period of six (6) years, ten (10) years, or permanently. Alternatively, a combined countywide ballot proposition is allowable. In this scenario, the King County Metropolitan Council and cities with a population over 50,000 must approve the levy proposal prior to placement on the ballot. This is the first Council discussion regarding this proposal. On April 9 the Council will be holding a public hearing, and subsequently, Council is scheduled to take action.

BACKGROUND:

Medic One/Emergency Medical Services (EMS)

Shoreline's Medic One/Emergency Medical Services (EMS) is provided by the Shoreline Fire Department, a separate taxing district within the city. Emergency Medical Services (EMS) accounts for the largest number of 911 responses. The EMS division is dedicated to increasing survival and reducing pain and disability from out-of-hospital emergencies. The Fire Department provides two levels of medical care: Basic Life Support (BLS) and Advanced Life Support (ALS).

Basic Life Support (BLS) is the first tier of response and is provided by Firefighter/Emergency Medication Technicians (EMT) who staff the Fire Suppression and Aid vehicles. EMT's are able to provide initial evaluation, determine the required level of care, treat and transport non-life threatening conditions, and provide CPR and defibrillation when necessary.

Advanced Life Support (ALS) is the second tier of response where the condition is more urgent or complex. The ALS response is provided by Firefighter/Paramedics who primarily staff the Medic Units but when needed can function on the fire apparatus. EMT's and Paramedics provide distinct yet complimentary care. The King County EMS system is designed around a two-tiered system. EMT's are the first response and are dispatched to all requests for assistance. Paramedics are the second tier and are sent along with EMT's to manage life-threatening emergencies.

EMS Levy Authorization

As indicated by RCW 84.52.069 jurisdictions have the authorization to levy a property tax for the purpose of providing Emergency Medical Services. Jurisdictions are allowed to impose an additional regular property tax up to \$.50 per \$1,000 assessed value for a period of six (6) years, ten (10) years, or permanently.

Alternatively, a countywide ballot proposition is allowable. In this scenario, the King County Metropolitan Council and cities with a population over 50,000 must approve the levy proposal prior to placement on the ballot. This includes the Cities of Shoreline, Seattle, Redmond, Bellevue, Kent, Renton, and Federal Way.

In order for the levy to pass a super majority (60%) is required and voter turnout must exceed 40% of the prior general election. The Technical Stakeholder Committee is proposing that the ballot proposition be placed on the November 2007 general election to establish the EMS levy for 2008-2013.

The countywide EMS levy first appeared on the ballot in 1979 at a \$.25 per \$1,000 assessed value for a six-year period. Over the years, the tax rate has ranged from \$.25 to \$.29 per \$1,000 assessed value and is typically for a six-year period. It has usually been placed on a general election and has passed with a ~70% approval.

The City Council has a history of supporting the countywide ballot proposition for funding EMS services. In 1997 the Council adopted a resolution for the February 1998 election, and in 2001 the Council approved the ballot proposition by motion. The most recent election, which was in the 2001 general election passed at \$.25 per \$1,000 assessed value.

The EMS levy is subject to the same 1% annual increase as the City's regular property tax levy. As a result the levy rate in the ensuing years will change as a result of changes in assessed valuation. That is why the levy that was approved in 2001 started at \$.25 per \$1,000 assessed valuation is at \$.20 in 2007.

Since the EMS levy is a six year levy, the amount of revenue generated during the first couple of years is greater than the anticipated expenditures for those years, but the revenue generated in the later years is actually less than the anticipated expenditures in later years. This being the case, the excess revenues generated in the first couple of years is set-aside to be used in the later years of the levy. It is also important to recognize that since the current 2007 levy rate (\$.206/\$1,000) is the sixth year of the current levy authorization, the increase to the proposed \$.30/\$1,000 seems large. Even though this is the case, the levy rate will decline during the remaining five years of the levy as a result of the 1% levy limitation.

FINANCIAL IMPACT:

Approximately 90% of the Fire Department's budget is supported by property tax revenue, coming from a fire suppression levy. Of the Fire Department's \$10 million budget, approximately \$2 million per year funds Basic Life Support. Of this \$2 million, approximately \$400,000 is funded by the countywide EMS levy. The remaining \$1.6 million is funded from the Fire Department's General Fund. If approved at \$.30 per \$1,000 assessed value, it would provide approximately \$580,000 to the Department for BLS services. The additional BLS funding would allow the Department to continue the 12 hour staffing of a BLS Aid unit at station 65, located at NE 155th next to I-5. The countywide levy is needed to continue to fund this important life safety service.

In addition, King County Emergency Medical Services oversees the regional levy and administers a contract with the Shoreline Fire Department to provide Advance Life Support services. This contract is funded entirely by the countywide EMS levy, approximately \$3.8 million for 2007. The cities served by the Department's ALS program via the contract include Shoreline, Lake Forest Park, Kenmore and Bothell.

Passage of the levy would allow for the ALS unit located in Lake Forest Park to convert from a 12 hour unit to a 24 hour unit. Likewise, this unit serves the east side of Shoreline.

If the City of Shoreline were to take no action, change the recommended action or adopt a resolution in opposition to the recommended action, it would prevent the measure from appearing on the ballot. The consequences of such action would mean that there would be no funding for EMS services in Shoreline and the rest of King County in 2008 and subsequent years.

If the levy were to fail or if the Council were to not adopt the recommended action, the Shoreline Fire Department may be able to sustain minimal BLS services until such time as alternative funding could be arranged. This would either be through another attempt at a countywide levy or, in the absence of such an effort, the Shoreline Fire Department would in all likelihood place this on the ballot as a single jurisdiction levy. However, the Department would not be able to maintain ALS service without significant reduction in BLS and fire suppression services throughout Shoreline.

The proposal for Council to consider would reauthorize the existing levy up to \$.30 per \$1,000 assessed value. Assuming a \$.30 per \$1,000 assessed value levy rate, the 2008 EMS levy will generate nearly \$2 million in revenue from Shoreline rate payers. For the average homeowner (\$314,000) in Shoreline, this equates to approximately \$97 in 2008, approximately \$28 more than in 2007.

RECOMMENDATION

The Council was briefed on this topic at their Workshop Dinner Meeting of February 26 and discussed this issue at the April 2 study session. On April 9 the Council will be holding a public hearing, and is scheduled to take action on Resolution No. 257 authorizing a countywide ballot proposition for the Medic One levy up to \$.30 per \$1,000.

In addition, staff recommends that Council consider a resolution supporting the EMS levy prior to the November election. The timing for Council's consideration would be in September or October in order to help inform voters.

Approved By: City Manager  City Attorney ____

ATTACHMENT A

Resolution No. 257 Approving the Countywide Ballot Proposition for Funding the Medic One/Emergency Medical Services (EMS) Levy for the Period from January 1, 2008, through December 31, 2013, Pursuant to RCW 84.52.069

RESOLUTION NO. 257

**A RESOLUTION OF THE CITY OF SHORELINE,
WASHINGTON, APPROVING THE COUNTYWIDE BALLOT
PROPOSITION FOR FUNDING THE MEDIC ONE/EMERGENCY
MEDICAL SERVICES (EMS) LEVY FOR THE PERIOD FROM
JANUARY 1, 2008, THROUGH DECEMBER 31, 2013, PURSUANT
TO RCW 84.52.069**

WHEREAS, the existing Medic One/EMS levy will expire at the end of the year 2007; and

WHEREAS, King County is seeking voter authorization of a six-year Medic One/EMS levy of \$.30 per thousand dollars of assessed valuation for the period of 2008 through 2013; and

WHEREAS, the Medic One/EMS levy supports the valuable and renowned regional Medic One/EMS program; and

WHEREAS, a region-wide effort to thoroughly review the future needs of the emergency medical services system began in October of 2005 and involved the full range of Medic One/EMS Stakeholders; and

WHEREAS, such analysis included the impacts that a specific levy type, length and rate might have on the regional system and taxpayers; and

WHEREAS, the City of Shoreline significantly participated in these discussions throughout the process and was represented as a Stakeholder on both the Technical Stakeholder and the Elected Official Committees; and

WHEREAS in October of 2006, Stakeholders developed consensus around the future funding and operational plans for a 2008-2013 Medic One/EMS levy and unanimously endorsed a six-year, \$.30 per thousand dollars of assessed value levy proposal; and

WHEREAS, in order to continue funding for emergency medical services for six years, King County Council must receive the consent of all of the cities with a population in excess of 50,000 to place the EMS levy before the voters; and

WHEREAS, Shoreline has a population in excess of 50,000; and

WHEREAS, the City Council has determined that it is in the best interests of the City that such a countywide levy again be placed on the ballot;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:

SECTION 1. The City of Shoreline hereby approves submission to the voters of a ballot proposition for a countywide additional regular property tax levy of not more than \$.30 cents per thousand dollars assessed valuation each year for a period of six consecutive years for funding countywide Medic One/Emergency Medical Services pursuant to RCW 84.52.069.

ADOPTED BY THE CITY COUNCIL ON APRIL 9, 2007.

Robert L. Ransom
Mayor

ATTEST:

Scott Passey
City Clerk

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance 466 Amending the International Property Maintenance Code (IPMC) to add Interior Standards; Amend SMC Title 20 to include provisions for Relocation Assistance; and Update the City's Code Enforcement Priority Guideline List
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W. Tovar, Director of Planning & Development Services Rachael Markle, Asst. Director Planning & Development Services Kristie Anderson, Code Enforcement Officer

PROBLEM/ISSUE STATEMENT:

At the City Council meeting of February 12, 2007 the Council instructed staff to prepare an Ordinance to amend the adopted International Property Maintenance Code to include minimum standards for the interior of structures. Council also instructed staff to prepare an Ordinance to consider a Relocation Assistance policy. Finally, Council agreed to consider updates to the City's Code Enforcement Priority Guideline List.

FINANCIAL IMPACT:

Interior Maintenance Standards

If the Council decides to amend the City's adopted version of the International Property Maintenance Code to include minimum standards for the interior of structures, it is anticipated that the City will receive an average of (5-6) five -six calls annually related to interior issues that may result in a code enforcement action. This potential increase in case activity in and of itself would have a minimal impact on resources. However, any increases in case load will have an impact on responsiveness if the complaint is confirmed and not resolved voluntarily.

Relocation Assistance

In the event that the City evokes the use of RCW 59.18.085 to require a landlord to provide relocation assistance to tenants displaced following a landlord's failure to comply with applicable codes, additional staff resources will be expended. However, staff expects that this situation would be rare if it ever occurs. In addition, if the City provides the relocation assistance funds in the event the landlord does not comply with RCW 59.18.085 these funds and associated legal costs are recoverable with interest by placing a tax lien on the property.

Code Enforcement Priority Guidelines


If the Council chooses to increase the priority of an issue or add issues to the priority list, then the priority of other issues would need to shift or additional resources would need to be allocated to the code enforcement program.

RECOMMENDATION

Staff recommends that the City Council adopt Ordinance No. 466 adding minimum interior standards to the adopted International Property Maintenance Code and directing use of relocation assistance; and Staff recommends approval of the proposed changes to the City's Code Enforcement Priority Guideline List.

Approved by:

City Manager

A handwritten signature in black ink, appearing to be "P. 36", enclosed within an oval shape.

City Attorney

A handwritten signature in black ink, consisting of a large, stylized loop.

INTRODUCTION

Council confirmed interest in pursuing the following:

- Adoption portions of the International Property Maintenance Code related to minimum standards for the interior of structures;
- Adoption of regulations to facilitate the use of RCW 59.18.085 Relocation Assistance Policy; and
- Update of the City's Code Enforcement Priorities List.

The purpose of this staff report is to bring the above bulleted issues for Council's consideration and possible adoption or approval.

BACKGROUND

In July 2004, the City adopted with local amendments the International Building Code, International Residential Code, International Fire Code, International Mechanical Code, and International Fuel Gas Code. The City did not adopt the International Property Maintenance Code in 2004 deferring consideration of this code as part of the Council's work on the 2005-2006 Goals.

As part of a 2005-2006 Goal, in September 12, 2005 the Council adopted several amendments to the Development Code and Shoreline Municipal Code in an effort to address concerns identified by citizens. As part of this, the Council adopted the International Property Maintenance Code with amendments to establish minimum standards for the maintenance of the exterior of structures and premises. The Council did not adopt the International Property Maintenance Code sections related to establishing minimum standards for the interior of structures.

The Council requested additional information in regards to interior property maintenance standards which staff presented at the February 12, 2007 meeting. In addition to the information regarding interior property maintenance standards, staff presented the concept of adopting a Relocation Assistance policy and updates to the City's Code Enforcement Priorities List. Council instructed staff to return with a proposed Ordinance to amend the adopted International Property Maintenance Code to include minimum standards for the interiors of structures; to prepare an Ordinance to consider adoption of a Relocation Assistance Policy; and a draft of proposed changes the City's Code Enforcement Priority List.

DISCUSSION

Minimum interior housing standards:

The majority of property owners and tenants are responsible and conscientious, however some properties fall below the minimum health and safety standards. For these substandard properties (approximately 2 – 4% of the rental stock), the City needs

the Property Maintenance Code's concise guide on how to maintain the interiors of structures to provide minimum health and safety standards for citizens.

International Property Maintenance Code establishes minimum conditions and the responsibilities of persons for **maintenance** of structures, equipment, premises and exterior properties. By adding the interior standards back into the International Property Maintenance Code, we will be regulating the interior of a structure and equipment therein to ensure that it is maintained in good repair, structurally sound and in a sanitary condition. The intent of this code is to maintain structures to avoid creating situations that endanger health, property or safety.

What types of things does the International Property Maintenance Code cover in regards to maintenance of interior areas?

The IPMC addresses maintenance of:

- Structural members
- Interior surfaces (including windows & doors)
- Stairs & walking surfaces
- Handrails and guards – installed and maintained where required
- Interior doors
- Light, Ventilation & Occupancy Limitations –
Occupancy Limitations
 - ***NOTE: The staff recommendation does not include the IPMC sections related to overcrowding as this could conflict with the City's definition of family.***
- Plumbing Facilities & Fixture Requirements
 - ***NOTE: The staff recommendation does not include the IPMC sections relating to required plumbing fixtures for employee facilities as these provisions may be too generalized and restrictive.***
- Water Systems
- Sanitary Drainage System
- Mechanical & Electrical Facilities and Equipment
Heating Facilities
 - Residential dwellings shall have permanently installed, safe, functioning heating facilities capable of maintaining a room temperature of 65°
(NOTE: suggested reduction by staff from 68°) in all habitable rooms, bathrooms.
- Fire Safety Requirements

The proposed amendments to the City's adopted International Property Maintenance Code are located in Attachment A which is incorporated by reference in proposed Ordinance 466.

Relocation Assistance to Renters Displaced as a result of a code enforcement action as authorized by RCW 59.18.085.

In 2005 the State of Washington adopted revisions to RCW 59.18.085 (Attachment B: RCW 59.18.085), the Residential landlord tenant act. When landlords have failed to remedy code violations after repeated notice and IF a municipality declares rental units unfit for human habitation, the landlord is required to pay relocation assistance to the displaced tenants. This is a tool that we may not need at the moment, but would like Council to consider so that we may be better prepared should the need arise.

This tool would allow the City to provide relocation assistance of the greater of \$2000 or three times the monthly rent for tenants that are displaced by a code enforcement action taken by the City if the property owner does not provide such assistance within 7 days of notification that a dwelling unit is declared unfit. One of the purposes of this RCW provision was to provide enforcement mechanisms to cities, towns, counties, or municipal corporations including the ability to advance relocation funds to tenants who are displaced as a result of a landlord's failure to remedy code violations and later to collect the full amounts of these relocation funds, along with interest and penalties, from landlords.

In order to employ the tools provided in RCW 59.18.085, the Council needs to confirm its intent to invoke the use of the provisions. The proposed amendments to Title 20 of the Shoreline Municipal Code: 1) add the Council's intent to utilize the provisions of RCW 59.18.085 if and when applicable; and 2) set forth the procedures for collection.

Minor Recodification. If the Council adopts the interior property maintenance standards, the City will be using the International Property Maintenance Code to define its broadest class of nuisance Code Violations rather than the 1997 Uniform Code for the Abatement of Dangerous Buildings. The proposed ordinance repeals the adoption section for the UCADB from Title 20. Minor non-substantive recodification of the code enforcement subchapter includes consolidating separate references to civil penalties and abatement; and reordering the subsections to more directly reflect the order of steps used in the code enforcement process. Finally, clarification that abatement is demolition, repair or removal of a condition is continued from the local amendment to the UCADB that is now being repealed. This is important to allow removal of garbage accumulations which are included as a Code Violation under the Garbage Code, but not included as a repair of a structure under the Property Maintenance Code.

Code Enforcement Priorities Guidelines

The Code Enforcement Priorities list was approved by Council in 2000. Attachment C contains the Code Enforcement Priority Guidelines shown in legislative format. The following is a discussion of the staff proposed changes:

- 1) Change the bullets to numbers to confirm the general order of importance. In practice, staff has been treating the bulleted list to be in order of importance.
- 2) Priority 3: update by removing rivers, streams, wetlands, riparian areas and replace with critical areas. Critical areas encompasses all environmentally sensitive areas that are regulated by the City.
- 3) Priority 4: "Illegal Dumping in Progress" - move to the end of the Urgent Level Priorities.
- 4) Add a new Priority 8: "Work without Permit – faulty or unsafe construction &/or construction of habitable space".
- 5) Delete Priority 13 "Violations of a Stop Work Lite" – this is covered in Priority 5 "Violations of Stop Work Order or Notice to Vacate".
- 6) Move Priority 15 "Land use violations with major impact" from Medium Level Priority to an Important Level Priority. These issues have required more immediate attention than the other issues listed in the Medium Level priority list. For example, an illegal home occupation is reported due to deliveries be made to the home that are related to the business. The delivery trucks are routinely parking partially in the traveled Right of Way. This is a land use violation with major impacts and we have been responding to this type of a complaint more expediently than we would a Medium Level Priority.
- 7) Move Priority 16 "Violations of permit conditions, remediation or mitigation requirements from an Important Level to a Medium Priority Level. These issues are typically are not on par with the issues listed in the Important Level Priorities. These issues tend to be things like – removal of required landscaping; removal of a required parking space(s) without safety implications.
- 8) Delete Priority 23 "Referrals from City Council, City employees or outside agencies" from the Priority List. These referrals should be considered according to the established priority guidelines.
- 9) Delete Priority 24 "Remedial Monitoring". We do not monitor for violations. When a property has been brought into compliance, we view the property the same as we all properties.
- 10) Clarify Priority 27, 28, 29 and 30 by adding "unless creating a hazardous condition". If a hazardous situation is created, the complaint may be elevated to an Urgent Level Priority.

Council is being asked to approve the proposed changes to the Code Enforcement Priority Guideline List.

RECOMMENDATION

Staff recommends that the City Council adopt Ordinance No. 466 adding minimum interior standards to the adopted International Property Maintenance Code and directing use of relocation assistance; and Staff recommends approval of the proposed changes to the City's Code Enforcement Priority Guideline List.

ATTACHMENTS:

Attachment A	Ordinance No. 466 Amendments to the adopted International Property Maintenance Code and Title 20.30 Subchapter 9. Code Enforcement
Attachment B	RCW 59.18.085
Attachment C	Proposed Updates to the Code Enforcement Priority Guidelines

ORDINANCE NO. 466

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING CODE ENFORCEMENT REGULATIONS TO ADD INTERIOR PROPERTY MAINTENANCE STANDARDS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND AUTHORIZATION OF RELOCATION COSTS FOR TENANTS OF UNFIT RESIDENCES; AND AMENDING SECTION 15.05.020 AND CHAPTER 20.30 OF THE SHORELINE MUNICIPAL CODE

WHEREAS the City Council approved a work plan for 2004-2005 that included a goal to "Review and consider improvements in code enforcement standards"; and

WHEREAS on September 12, 2005 the City Council adopted the 2003 International Property Maintenance Code as amended to include minimum standards for the exterior of properties only; and

WHEREAS at the September 12, 2005 meeting the City Council requested staff to perform additional study on the International Property Maintenance Code minimum standards for the interior of properties; and

WHEREAS staff presented the results of the additional study requested at the February 12, 2007 City Council meeting; and

WHEREAS City Council considered the additional information presented at the February 12, 2007 meeting and instructed staff to prepare an Ordinance to consider adoption of the 2003 International Property Maintenance Code minimum standards for the interiors of structures; and

WHEREAS, RCW 59.18.085 requires that landlords pay relocation assistance in the event tenants are displaced by a City declaration that dwelling units are unfit for human habitation and provides that the City of Shoreline may provide relocation assistance to displaced tenants in the event that the landlord fails to do so; and

WHEREAS adoption of International Property Maintenance Code sections on abatement of buildings unfit for human habitation replaces similar procedures under the currently used Uniform Code of Abatement of Dangerous Building ; now therefore

THE CITY COUNCIL OF THE CITY OF SHORELINE DO ORDAIN AS FOLLOWS:

Section 1. Amendment. SMC 15.05.020(K) is amended as follows:

15.05.020 (K) Adoption of referenced codes.

The 2003 International Property Maintenance Code published by the International Code Council as amended and filed under city clerk's receiving number 3505 4283.

Section 2. Amendment. SMC 20.30.740 is amended to read as follows:

20.30.740 Enforcement provisions.

... [A-C unchanged]

D. Civil Penalties.

1. A civil penalty for violation of the terms and conditions of a notice and order shall be imposed in the amount of \$500.00. The total initial penalties assessed for notice and orders and stop work orders pursuant to this section shall apply for the first 14-day period following the violation of the order, if no appeal is filed. The penalties for the next 14-day period shall be 150 percent of the initial penalties, and the penalties for the next 14-day period and each such period or portion thereafter, shall be double the amount of the initial penalties.

2. Any responsible party who has committed a violation of the provisions of Chapter 20.80 SMC, Critical Areas, or Chapter 20.50 SMC, General Development Standards (tree conservation, land clearing and site grading standards), will not only be required to restore unlawfully removed trees or damaged critical areas, insofar as that is possible and beneficial, as determined by the Director, but will also be required to pay civil penalties in addition to penalties under subsection (D)(1) of this section, for the redress of ecological, recreation, and economic values lost or damaged due to the violation. Civil penalties will be assessed according to the following factors:

a. An amount determined to be equivalent to the economic benefit that the responsible party derives from the violation measured as the total of:

i. The resulting increase in market value of the property; and

ii. The value received by the responsible party; and

iii. The savings of construction costs realized by the responsible party as a result of performing any act in violation of the chapter; and

b. A penalty of \$1,000 if the violation was deliberate, the result of knowingly false information submitted by the property owner, agent, or contractor, or the result of reckless disregard on the part of the property owner, agent, or their contractor. The property owner shall assume the burden of proof for demonstrating that the violation was not deliberate; and

c. A penalty of \$2,000 if the violation has severe ecological impacts, including temporary or permanent loss of resource values or functions.

3. A repeat violation means a violation of the same regulation in any location within the City by the same responsible party, for which voluntary compliance previously has been sought or any enforcement action taken, within the immediate preceding 24-consecutive-month period, and will incur double the civil penalties set forth above.

4. Under RCW 59.18.085, if, after sixty (60) days from the date that the City first advanced relocation assistance funds to displaced tenants, the landlord does not repay the amount of relocation assistance advanced by the City, the City shall assess civil penalties in the amount of fifty dollars (\$50.00) per day for each tenant to whom the City has advanced a relocation assistance payment.

4-5. The responsible parties have a duty to notify the Director of any actions taken to achieve compliance with the notice and order. For purposes of assessing civil penalties, a violation shall be considered ongoing until the responsible party has come into compliance with the notice and order and has notified the Director of this compliance, and an official inspection has verified compliance.

56. Civil penalties may be waived or reimbursed to the payer by the Director, with the concurrence of the Finance Director, under the following circumstances:

- a. The notice and order was issued in error; or
- b. The civil penalties were assessed in error; or
- c. Notice failed to reach the property owner due to unusual circumstances; or
- d. Compelling new information warranting waiver has been presented to the Director since the notice and order was issued and documented with the waiver decision.

E. Abatement.

1. All public nuisances are subject to abatement under this subchapter.

2. Imminent Nuisance and Summary Abatement. If a condition, substance, act or nuisance exists which causes a condition the continued existence of which constitutes an immediate and emergent threat to the public health, safety or welfare or to the environment, the City may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for the abatement, shall be given to the person responsible for the property and the violation as soon as reasonably possible after the abatement. The Director shall make the determination of a condition, substance, act or other occurrence

constituting an imminent nuisance requiring summary abatement. Costs, both direct and indirect, of the abatement may be assessed as provided in this chapter.

3. In the case of such unfit dwellings, buildings, structures, and premises or portions thereof, the Director, as an alternative to any other remedy provided in this subchapter, may abate such conditions by demolition, repair, removal, or securing the site and have abatement costs collected as taxes by the King County treasury pursuant to SMC 20.30.775. If an occupied rental dwelling or its premises are declared unfit and required to be vacated by a notice and order, and the landlord fails to pay relocation assistance as set forth in RCW 59.18.085, the City shall advance relocation assistance funds to eligible tenants in accordance with RCW 59.18.085.

F. Additional Enforcement Provisions. The enforcement provisions of this section are not exclusive, and may be used in addition to other enforcement provisions authorized by the Shoreline Municipal Code or by state law, including filing for injunctive relief or filing of a civil action

Section 2. Recodification. SMC 20.30.750 is recodified as SMC 20.30.740; SMC 20.30.760 is recodified as SMC 20.30.750; SMC 20.30.770 is recodified as SMC 20.30.760; and SMC 20.30.740 is recodified as SMC 20.30.770.

Section 3. Repeal. Subsection SMC 20.30.770(J) is repealed in its entirety.

Section 4. Amendment. SMC 20.30.775 is amended to read as follows:

20.30.775 Collection of penalties and costs.

A. All monies collected from the assessment of civil penalties and for abatement costs and work shall be allocated to support expenditures for abatement, and shall be accounted for through either creation of a fund or other appropriate accounting mechanism in the Department issuing the notice and order under which the abatement occurred.

B. The amount of cost of repairs, alterations or improvements; or vacating and closing; or removal or demolition by the Director shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. For the purposes of this section, the cost of vacating and closing shall include (i) the amount of relocation assistance payments advanced to the tenants under RCW 59.18.085 that a property owner has not repaid to the City and (ii) all penalties and interest that accrue as a result of the failure of the property owner to timely repay the amount of these relocation assistance payments under RCW 59.18.085.

Upon certification ~~to him~~ by the City Finance Director of the assessment amount being due and owing, the County Treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the

same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW 84.56.020, as now or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the general fund of the City.

If the dwelling, building structure, or premises is removed or demolished by the Director, the Director shall, if possible, sell the materials from such dwelling, building, structure, or premises and shall credit the proceeds of such sale against the cost of the removal or demolition and if there be any balance remaining, it shall be paid to the parties entitled thereto, as determined by the Director, after deducting the costs incident thereto.

The assessment shall constitute a lien against the property, which shall be of equal rank with State, county and municipal taxes.

C. In addition to, or in lieu of, the provisions set forth in this subchapter, the City may commence a civil action in any court of competent jurisdiction to collect for any such charges incurred by the City to obtain compliance pursuant to this chapter and/or to collect any penalties that have been assessed.

Section 5. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force five days after passage and publication.

PASSED BY THE CITY COUNCIL ON APRIL 9, 2007.

Mayor Robert L. Ransom

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

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City Attorney

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Effective Date:

Attachment B

RCW 59.18.085

Rental of condemned or unlawful dwelling -- Tenant's remedies -- Relocation assistance -- Penalties.

(1) If a governmental agency responsible for the enforcement of a building, housing, or other appropriate code has notified the landlord that a dwelling is condemned or unlawful to occupy due to the existence of conditions that violate applicable codes, statutes, ordinances, or regulations, a landlord shall not enter into a rental agreement for the dwelling unit until the conditions are corrected.

(2) If a landlord knowingly violates subsection (1) of this section, the tenant shall recover either three months' periodic rent or up to treble the actual damages sustained as a result of the violation, whichever is greater, costs of suit, or arbitration and reasonable attorneys' fees. If the tenant elects to terminate the tenancy as a result of the conditions leading to the posting, or if the appropriate governmental agency requires that the tenant vacate the premises, the tenant also shall recover:

(a) The entire amount of any deposit prepaid by the tenant; and

(b) All prepaid rent.

(3)(a) If a governmental agency responsible for the enforcement of a building, housing, or other appropriate code has notified the landlord that a dwelling will be condemned or will be unlawful to occupy due to the existence of conditions that violate applicable codes, statutes, ordinances, or regulations, a landlord, who knew or should have known of the existence of these conditions, shall be required to pay relocation assistance to the displaced tenants except that:

(i) A landlord shall not be required to pay relocation assistance to any displaced tenant in a case in which the condemnation or no occupancy order affects one or more dwelling units and directly results from conditions caused by a tenant's or any third party's illegal conduct without the landlord's prior knowledge;

(ii) A landlord shall not be required to pay relocation assistance to any displaced tenant in a case in which the condemnation or no occupancy order affects one or more dwelling units and results from conditions arising from a natural disaster such as, but not exclusively, an earthquake, tsunami, wind storm, or hurricane; and

(iii) A landlord shall not be required to pay relocation assistance to any displaced tenant in a case in which a condemnation affects one or more dwelling units and the tenant's displacement is a direct result of the acquisition of the property by eminent domain.

(b) Relocation assistance provided to displaced tenants under this subsection shall be the greater amount of two thousand dollars per dwelling unit or three times the monthly rent. In addition to relocation assistance, the landlord shall be required to pay to the displaced tenants the entire amount of any deposit prepaid by the tenant and all prepaid rent.

(c) The landlord shall pay relocation assistance and any prepaid deposit and prepaid rent to displaced tenants within seven days of the governmental agency sending notice of the condemnation, eviction, or displacement order to the landlord. The landlord shall pay relocation assistance and any prepaid deposit and prepaid rent either by making individual payments by certified check to displaced tenants or by providing a certified check to the governmental agency ordering condemnation, eviction, or displacement, for distribution to the displaced tenants. If the landlord fails to complete payment of relocation assistance within the period required under this subsection, the city, town, county, or

municipal corporation may advance the cost of the relocation assistance payments to the displaced tenants.

(d) During the period from the date that a governmental agency responsible for the enforcement of a building, housing, or other appropriate code first notifies the landlord of conditions that violate applicable codes, statutes, ordinances, or regulations to the time that relocation assistance payments are paid to eligible tenants, or the conditions leading to the notification are corrected, the landlord may not:

(i) Evict, harass, or intimidate tenants into vacating their units for the purpose of avoiding or diminishing application of this section;

(ii) Reduce services to any tenant; or

(iii) Materially increase or change the obligations of any tenant, including but not limited to any rent increase.

(e) Displaced tenants shall be entitled to recover any relocation assistance, prepaid deposits, and prepaid rent required by (b) of this subsection. In addition, displaced tenants shall be entitled to recover any actual damages sustained by them as a result of the condemnation, eviction, or displacement that exceed the amount of relocation assistance that is payable. In any action brought by displaced tenants to recover any payments or damages required or authorized by this subsection (3)(e) or (c) of this subsection that are not paid by the landlord or advanced by the city, town, county, or municipal corporation, the displaced tenants shall also be entitled to recover their costs of suit or arbitration and reasonable attorneys' fees.

(f) If, after sixty days from the date that the city, town, county, or municipal corporation first advanced relocation assistance funds to the displaced tenants, a landlord has failed to repay the amount of relocation assistance advanced by the city, town, county, or municipal corporation under (c) of this subsection, then the city, town, county, or municipal corporation shall assess civil penalties in the amount of fifty dollars per day for each tenant to whom the city, town, county, or municipal corporation has advanced a relocation assistance payment.

(g) In addition to the penalties set forth in (f) of this subsection, interest will accrue on the amount of relocation assistance paid by the city, town, county, or municipal corporation for which the property owner has not reimbursed the city, town, county, or municipal corporation. The rate of interest shall be the maximum legal rate of interest permitted under RCW 19.52.020, commencing thirty days after the date that the city first advanced relocation assistance funds to the displaced tenants.

(h) If the city, town, county, or municipal corporation must initiate legal action in order to recover the amount of relocation assistance payments that it has advanced to low-income tenants, including any interest and penalties under (f) and (g) of this subsection, the city, town, county, or municipal corporation shall be entitled to attorneys' fees and costs arising from its legal action.

(4) The government agency that has notified the landlord that a dwelling will be condemned or will be unlawful to occupy shall notify the displaced tenants that they may be entitled to relocation assistance under this section.

(5) No payment received by a displaced tenant under this section may be considered as income for the purpose of determining the eligibility or extent of eligibility of any person for assistance under any state law or for the purposes of any tax imposed under Title 82 RCW, and the payments shall not be deducted from any amount to which any recipient would otherwise be entitled under Title 74 RCW.

[2005 c 364 § 2; 1989 c 342 § 13.]

NOTES:

Purpose -- 2005 c 364: "The people of the state of Washington deserve decent, safe, and sanitary housing. Certain tenants in the state of Washington have remained in rental housing that does not meet the state's minimum standards for health and safety because they cannot afford to pay the costs of relocation in advance of occupying new, safe, and habitable housing. In egregious cases, authorities have been forced to condemn property when landlords have failed to remedy building code or health code violations after repeated notice, and, as a result, families with limited financial resources have been displaced and left with nowhere to go.

The purpose of this act is to establish a process by which displaced tenants would receive funds for relocation from landlords who fail to provide safe and sanitary housing after due notice of building code or health code violations. It is also the purpose of this act to provide enforcement mechanisms to cities, towns, counties, or municipal corporations including the ability to advance relocation funds to tenants who are displaced as a result of a landlord's failure to remedy building code or health code violations and later to collect the full amounts of these relocation funds, along with interest and penalties, from landlords." [2005 c 364 § 1.]

Construction -- 2005 c 364: "The powers and authority conferred by this act are in addition and supplemental to powers or authority conferred by any other law or authority, and nothing contained herein shall be construed to preempt any local ordinance requiring relocation assistance to tenants displaced by a landlord's failure to remedy building code or health code violations." [2005 c 364 § 4.]

Priority Level Guidelines

The following guidelines were established to help guide the initial response times, as well as the initial enforcement actions. Because each case will likely be unique, investigators must use their best judgment to combine all factors and determine an appropriate response and level of enforcement. The priority may be adjusted following initial research because of additional information, factors revealed during field inspection, or the development of exigent circumstances. Generally speaking, the greater the threat to public health and safety, and to the environment, the higher the priority.

Urgent Level Priority (hazardous)

1. Violations that present an imminent threat to public health and safety, including hazardous conditions
2. Violations that present an imminent threat to the environment
3. Violations affecting rivers, wetlands critical area with significant impact
4. ~~Illegal dumping in progress~~ (moved to end of Urgent Level Priority).
5. Violations of Stop Work Order or Notice to Vacate
6. Requests for immediate assistance from other agencies (i.e. Police, Health, Dept of Ecology, etc)
7. Illegal dumping in progress (moved from old # 4)

Important Level Priority

8. Work without Permit – faulty or unsafe construction &/or construction of habitable space
- ~~7.9.~~ Violations of permit conditions, remediation or mitigation requirements (moved to Medium Level Priority).
- ~~8.10.~~ Major accumulations of junk and debris and attractive nuisances to children
- ~~9.11.~~ Wetlands violations with minimal impact
- ~~10.12.~~ Illegal dumping with suspect information
- ~~11.13.~~ Violations of Stop Work Lite (deleted because covered in #5)
- ~~12.14.~~ Substandard housing not presenting an imminent threat
15. Land use violations with major impact (moved from Medium Level Priority)

Medium Level Priority (non hazardous)

- 16. Violations of permit conditions, remediation or mitigation requirements *(moved from Important Level Priority)*
- 13-17. Extensive illegal auto repair activity
- 14-18. Junk vehicles (repeat offense or 3+ vehicles)
- 15-19. ~~Land use violations with major impact.~~ *(moved to Important Level Priority)*
- 16-20. Repeat violations
- 17-21. Violations of permitted activities
- 18-22. Proactive projects
- 19-23. ~~Referrals from City Council, City employees or outside agencies~~ *referrals should be prioritized according to established priority criteria)*
- 20-24. Remedial monitoring *(deleted - we do not do – we have a complaint based program)*

Routine/Low Level Priority (non hazardous)

- 21-25. Minor accumulations of junk and debris
- 22-26. Land use violations with minimum impact (i.e. one inoperable vehicle, one vehicle parked on pervious surface, etc)
- 23-27. Sign complaints (unless creating hazard condition)
- 24-28. Sidewalk obstructions (unless creating hazard condition)
- 25-29. Fence complaints (unless creating hazard condition)
- 26-30. Setback violations (unless creating hazard condition)

City of Shoreline Property Maintenance Code

Adopted September 12, 2005
Published September 15, 2005
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Amended from the 2003 International Property Maintenance Code
published by the International Code Council as amended and filed
under City of Shoreline - City Clerk's receiving number 35054283.

PREFACE

Introduction

Internationally, code officials recognize the need for a modern, up-to-date property maintenance code governing the maintenance of existing buildings. The *International Property Maintenance Code*, in this 2003 edition, is designed to meet this need through model code regulations that contain clear and specific property maintenance requirements with required property improvement provisions.

This 2003 edition is fully compatible with all the *International Codes* (“I-Codes”) published by the International Code Council (ICC), including the *International Building Code*, *ICC Electrical Code*, *International Energy Conservation Code*, *International Existing Building Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *ICC Performance Code*, *International Plumbing Code*, *International Private Sewage Disposal Code*, *International Residential Code*, *International Urban-Wildland Interface Code* and *International Zoning Code*.

The *International Property Maintenance Code* provisions provide many benefits, among which is the model code development process that offers an international forum for code officials and other interested parties to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

This code is founded on principles intended to establish provisions consistent with the scope of a property maintenance code that adequately protects public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, productions or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Letter Designations in Front of Section Numbers

In each code development cycle, proposed changes to this code are considered at the Code Development Hearing by the International Property Maintenance Code Development Committee, whose action constitutes a recommendation to the voting membership for final action on the proposed change. Proposed changes to a code section whose number begins with a letter in brackets are considered by a different code development committee. For instance, proposed changes to code sections which have the letter [F] in front (e.g., [F] 704.1), are considered by the International Fire Code Development Committee at the Code Development Hearing. Where this designation is applicable to the entire content of a main section of the code, the designation appears at the main section number and title and is not repeated at every subsection in that section.

The content of sections in this code which begin with a letter designation are maintained by another code development committee in accordance with the following: [F] = International Fire Code Development Committee; and [P] = International Plumbing Code Development Committee.

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CHAPTER 1 ADMINISTRATION

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the *Property Maintenance Code* of City of Shoreline, hereinafter referred to as “this code.”

101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the *International Building Code*.

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 APPLICABILITY

102.1 General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner’s designated agent shall be responsible for the maintenance of buildings, structures and premises.

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of *Title 15 of the City of Shoreline Municipal Code*. Nothing in this code shall be construed to cancel, modify or set aside any provision of *Title 20 of the City of Shoreline Municipal Code (Shoreline Development Code)*.

102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

102.5 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

SECTION 103 CODE ENFORCEMENT

103.1 General. The code official is charged with carrying out the provisions of this code, and the City Manager or designee thereof shall be known as the code official.

103.4 Liability. The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule.

Reinspection fees may be assessed if work is incomplete, corrections not completed or the allotted time is depleted. All City of Shoreline fees shall be established by Shoreline Municipal Code Chapter 3.01.010. Fees will be assessed at the hourly charge in minimum fifteen (15) minute increments.

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The code official shall enforce the provisions of this code.

104.2 Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have

the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

104.3 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.4 Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

104.5 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

104.7 Department records. The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records as long as the building or structure to which such records relate remains in existence, unless otherwise provided for by other regulations.

104.8 Coordination of inspections. Whenever in the enforcement of this code or another code or ordinance, the responsibility of more than one code official of the jurisdiction is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully as practicable so that the owners and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

SECTION 105 APPROVAL

105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

105.3.2 Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

105.4 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.

SECTION 106 VIOLATIONS

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The code official shall serve a notice of violation order in accordance with Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

106.3 Prosecution of violation. Prosecution of violations shall be in accordance with Shoreline Municipal Code Title 20, Chapter 30.

106.4 Violation penalties. Penalties shall be assessed in accordance with Shoreline Municipal Code Title 20, Chapter 30.

106.5 Abatement of violation. Abatement of violations shall be in accordance with Shoreline Municipal Code Title 20, Chapter 30.

SECTION 107 NOTICES AND ORDERS

107.1 Notice to person responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with: Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.3 Method of service. Such notice shall be deemed to be properly served: if delivered in accordance with Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.5 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a notice and order or upon whom a notice and order has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the notice and order has been complied with, or until such owner shall first

furnish the grantee, transferee, mortgagee or lessee a true copy of any notice and order issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice and order and fully accepting the responsibility without condition for making the corrections or repairs required by such notice and order.

SECTION 108

UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

108.3 Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

108.4 Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

108.4.1 Placard removal. The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

108.6 Relocation assistance. If an occupied rental dwelling or its premises are declared unfit and required to be vacated by a notice and order, the City shall advance relocation assistance funds to eligible tenants as set forth in RCW 59.18.085 in the event the landlord fails to pay the relocation assistance as required by RCW 59.18.085.

SECTION 109 EMERGENCY MEASURES

109.1 Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to those in the proximity of any structure/premise. Potentially dangerous conditions include explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, open pits, wells, shafts, or other dangerous excavations unprotected or inadequately protected. The code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted a notice reading as follows: "This Structure/Premise Is Unsafe and Its Occupancy/Use Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter upon this property except for the purpose of securing the property,, making the required repairs, removing the hazardous condition or of demolishing the same.

109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings and/or the fencing of premises, to render such structure/premise temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

109.3 Closing streets. When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

109.4 Emergency repairs. For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, , be afforded a hearing as prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

SECTION 110

DEMOLITION OR REPAIR

110.1 General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

110.2 Notices and orders. All notices and orders shall comply with Section 107.

110.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be repaired or demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such repair or demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate. Repair as used in the IPMC shall include removal of the condition.

SECTION 111

MEANS OF APPEAL

111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal as prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

CHAPTER 2

DEFINITIONS

SECTION 201

GENERAL

201.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code*, *International Fire Code*, *International Zoning Code*, *International Plumbing Code*, *International Mechanical Code*, *International Existing Building Code* or the *ICC Electrical Code*, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

201.5 Parts. Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit” “housekeeping unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

SECTION 202 GENERAL DEFINITIONS

APPROVED. Approved by the code official.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes.

CODE OFFICIAL. The City Manager or his/her designee is charged with the administration and enforcement of this code.

CONDEMN. To adjudge unfit for occupancy or use.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EXTERIOR PROPERTY. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

HOUSEKEEPING UNIT. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

LABELED. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper,

rag, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

STRUCTURE. That which is built or constructed or a portion thereof.

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WATER CLOSET. A water-flushed plumbing fixture designed to receive human waste directly from the user of the fixture.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD. An open space on the same lot with a structure.

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment, premises and exterior property.

301.2 Responsibility. The owner of the premises shall maintain the structures, premises and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

301.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles, recreational vehicles, and boats. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, recreational vehicle or boat shall be parked, kept or stored on any premises, and no vehicle, recreational vehicle or boat shall at any time be in a state of major disassembly, disrepair, damaged to the extent it prevents normal operation, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 303

SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

SECTION 304

EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

304.18.1 Doors. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt locks shall be operated only by the turning of a knob or a key and shall have a lock throw of not less than 1-inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order. All deadbolt locks required by this section shall be designed and installed in such a manner so as to be operable inside of the dwelling unit, rooming unit or housekeeping unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices.

304.18.3 Basement hatchways. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

SECTION 305

INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall

maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

305.2 Structural members. All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

SECTION 306 HANDRAILS AND GUARDRAILS

306.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building code.

SECTION 307 RUBBISH AND GARBAGE

(See garbage code – shoreline municipal code 13.14)

SECTION 308 EXTERMINATION

308.1 Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved

processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

308.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

308.3 Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

308.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.

308.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

SECTION 308 **EXTERMINATION**

308.1 Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

308.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

308.3 Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

308.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.

308.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

CHAPTER 4 **LIGHT, VENTILATION AND** **OCCUPANCY LIMITATIONS**

SECTION 401 **GENERAL**

401.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

401.2 Responsibility. The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.

401.3 Alternative devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the *International Building Code* shall be permitted.

SECTION 402 **LIGHT**

402.1 Habitable spaces. Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33m²). The exterior glazing area shall be based on the total floor area being served.

402.2 Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one- and two family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet

(9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot-candle (11 lux) at floors, landings and treads.

402.3 Other spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

SECTION 403 **VENTILATION**

403.1 Habitable spaces. Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33m²). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

403.2 Bathrooms and toilet rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

403.3 Cooking facilities. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

Exception: Where specifically approved in writing by the code official.

403.4 Process ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

403.5 Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions.

SECTION 404

OCCUPANCY LIMITATIONS

404.1 Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls.

404.3 Minimum ceiling heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

Exceptions:

- 1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.**
- 2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.**
- 3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.**

404.4 Bedroom requirements. Every bedroom shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Area for sleeping purposes. Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m²) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m²) of

floor area for each occupant thereof.

404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

404.4.3 Water closet accessibility. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

404.4.5 Other requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m²). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
4. The maximum number of occupants shall be three.

404.7 Food preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary

disposal of food wastes and refuse, including facilities for temporary storage.

CHAPTER 5 **PLUMBING FACILITIES AND** **FIXTURE REQUIREMENTS**

SECTION 501 **GENERAL**

501.1 Scope. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

501.2 Responsibility. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.

[P] SECTION 502 **REQUIRED FACILITIES**

502.1 Dwelling units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

502.2 Rooming houses. At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

502.3 Hotels. Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.

P] SECTION 503 **TOILET ROOMS**

503.1 Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

503.2 Location. Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units or housekeeping units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

[P] SECTION 504 **PLUMBING SYSTEMS AND FIXTURES**

504.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

504.2 Fixture clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

504.3 Plumbing system-hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

SECTION 505 **WATER SYSTEM**

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *Plumbing Code* adopted by the City of Shoreline.

[P] 505.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

505.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures

adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

[P] SECTION 506

SANITARY DRAINAGE SYSTEM

506.1 General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

506.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

[P] SECTION 507

STORM DRAINAGE

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

SECTION 601

GENERAL

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter.

SECTION 602

HEATING FACILITIES

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

602.2 Residential occupancies. Dwellings shall be provided with permanently installed, safe, functioning heating facilities and an approved power or fuel supply system capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1st to April 30th to maintain a temperature of not less than 65°F (18°C) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the *Plumbing Code adopted by the City of Shoreline*.

602.5 Room temperature measurement. The required room temperatures shall be measured 3 feet (914mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

SECTION 603

MECHANICAL EQUIPMENT

603.1 Mechanical appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

603.2 Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

603.3 Clearances. All required clearances to combustible materials shall be maintained.

603.4 Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

603.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

603.6 Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping there from, shall not be installed unless labeled for such purpose and the installation is specifically approved.

SECTION 604

ELECTRICAL FACILITIES

604.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the *Electrical Code* as adopted by the City of Shoreline. Dwelling units shall be served by a three-wire, 120/240 volt, single phase electrical service having a rating of not less than 60 amperes.

604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

SECTION 605

ELECTRICAL EQUIPMENT

605.1 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

605.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

605.3 Lighting fixtures. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric lighting fixture.

SECTION 606

ELEVATORS, ESCALATORS AND DUMBWAITERS

606.1 General. Elevators, dumbwaiters and escalators shall be maintained to sustain safely all imposed loads, to operate properly, and to be free from physical and fire hazards. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building operator.

606.2 Elevators. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

SECTION 607

DUCT SYSTEMS

607.1 General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

CHAPTER 7

FIRE SAFETY REQUIREMENTS

SECTION 701

GENERAL

701.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

701.2 Responsibility. The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

[F] SECTION 702 **MEANS OF EGRESS**

702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the *International Fire Code*.

702.2 Aisles. The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

702.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

[F] SECTION 703 **FIRE-RESISTANCE RATINGS**

703.1 Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

703.2 Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

[F] SECTION 704
FIRE PROTECTION SYSTEMS

704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

704.2 Smoke alarms. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the *International Fire Code*.

704.3 Power source. In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

704.4 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such

a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings which are not undergoing alterations, repairs, or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

CHAPTER 8 REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

ICC

International Code Council
5203 Leesburg Pike, Suite 600
Falls Church, VA 22041

<u>Standard Referenced reference</u>	<u>in code</u>	<u>number</u>	<u>Title</u>	<u>section</u>
<u>number</u>				
ICC EC—03			ICC Electrical Code™ — Administrative Provisions	
201.3, 604.2				
IBC—03			International Building Code®.	201.3, 302.7.1, 401.3,
702.3, 702.4				
IEBC—03			International Existing Building Code™	101.3,
102.3, 201.3				
IFC—03			International Fire Code®	201.3, 702.1, 702.2,
704.1, 704.2				
IMC—03			International Mechanical Code®.	
.. 201.3				
IPC—03			International Plumbing Code®	201.3, 505.1,
602.2, 602.3				

IZC—03 International Zoning Code®
102.3, 201.3

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End

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	East Boeing Basin Stormwater Improvement Project Design Award
DEPARTMENT:	Public Works
PRESENTED BY:	Mark Relph, Public Works Director Jesus Sanchez, Public Works Operations Manager Jerry Shuster, Surface Water and Environmental Services Manager

EXECUTIVE SUMMARY

The objectives for this project are to implement two flood protection and one water quality improvement project from the City's 2005 Surface Water Master plan (SWMP). The flood protection projects are the Midvale Ave N. and Darnell Park Neighborhood Drainage projects (see Attachment 1). These two projects have been combined with the Darnell Park Wet Pond water quality project into the East Boeing Basin Stormwater Improvement Project. This combining of projects streamlines the design and construction process and will result in cost saving compared to implementing three individual projects.

In late 2006, the City sent out a request for qualifications (RFQ) for this project. Five responses were received. RW Beck was selected based on their scoring in the RFQ evaluation criteria. In 1994, RW Beck produced a design solution for King County to address the Darnell Neighborhood Drainage issue. The County had to delay the project due to private easement issues and it never was completed prior to Shoreline's incorporation. The current solution will rely heavily on this previous design and RW Beck's expertise in this area to streamline the design process and provide cost savings compared to a firm not familiar with this issue.

This new professional service contract will complete the design of the project and produce construction-ready documents. The scope of work for this award includes:

- Evaluation and Selection of Design Alternatives (Midvale Ave only)
- Regulatory Permitting Support
- Public Meeting Support
- Production of 60%, 90 %, and 100% design submittals
- Production of Bid Documents

The project will be designed and permitted in 2007 with construction beginning and ending in 2008.

FINANCIAL IMPACT

The 2007-2012 Capital Improvement Plan reserves \$1.085 Million for completion of the flood protection portion of this project and \$108,000 for the water quality improvement portion. The value of this design contract is \$179,000 approximately 15% of the total dollars identified for the entire project. This project will be funded by Surface Water fees.

STAFF RECOMMENDATION

Staff recommends Council authorize the City Manager to sign a contract in the amount of \$179,000 with RW Beck for engineering design services for the East Boeing Basin Stormwater Improvement Project.

Approved By: City Manager  City Attorney _____

INTRODUCTION

During the Summer of 2005, Council approved the Surface Water Master Plan (SWMP). The 2007-2012 Capital Improvement Plan (CIP) was approved in 2007. Both these documents included several CIP projects in the East Boeing Basin. This contract will provide construction-ready plans and specifications for the three of these projects that are all hydraulically connected (see Attachment 1).

BACKGROUND

The SWMP contains several Priority Level 1 flood protection projects to be implemented through 2011. Two of these, Midvale Ave N. and Darnell Park Neighborhood Drainage projects are proposed in the 2007-2012 CIP. These two flood protection project have been combined with a Priority Level 1 water quality project, the Wet pond addition to Darnell Park Detention Pond, into one, more cost effective project.

The Midvale Ave N project is intended to provide increased conveyance capacity to reduce local flooding of property and roadways to mitigate for past unchecked development. The Darnell Neighborhood project is located approximately 3,000 feet downstream of the Midvale Ave N project location. The storm system between the two sites will be assessed for capacity to ensure the problem is not moved downstream. The Darnell Project includes providing increased detention and conveyance capacity. The wet pond addition to the Darnell project will add a water quality component to the project. The RFQ for the projected stressed the City's desire to incorporate low-impact development features into the solutions, to the extent practicable. The City intends to work closely with the permitting agencies and residents to addresses the interests of all stakeholders involved in the project.

This new professional service contract will complete the design of the project and produce construction-ready documents. The scope of work for this award includes:

- Evaluation and Selection of Design Alternatives (Midvale Ave N. only)
- Regulatory Permitting Support
- Public Meeting Support
- Production of 60%, 90 %, and 100% design submittals
- Landscape Design (Darnell Park)
- Production of Bid Documents

The project will be designed and permitted in 2007 with construction beginning and ending in 2008.

CONSULTANT SELECTION

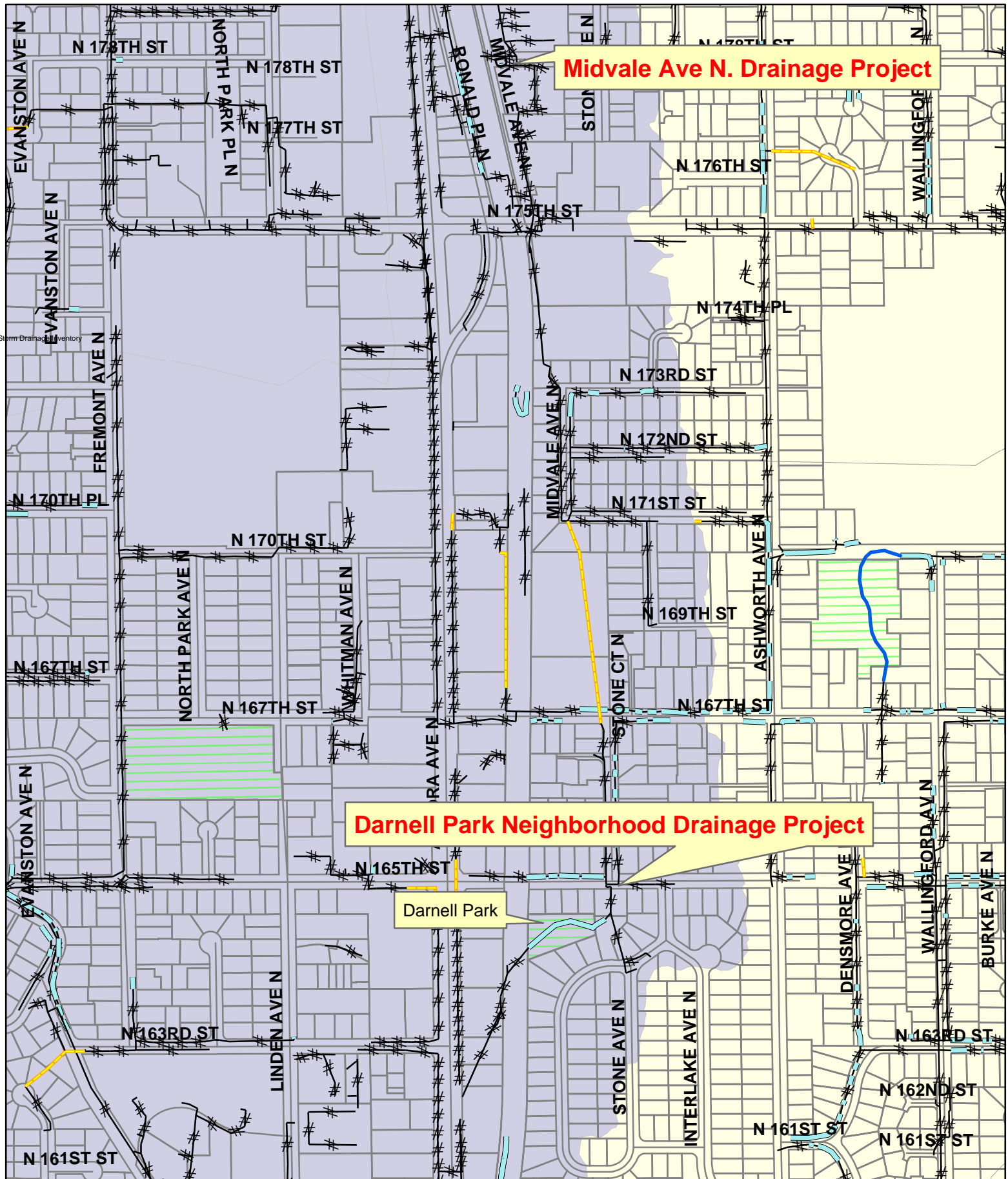
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The 2007-2012 Capital Improvement Plan reserves \$1.085 Million for completion of the flood protection portion of this project and \$108,000 for the water quality improvement portion. The value of this design contract is \$179,000 approximately 15% of the total dollars identified for the entire project. This project will be entirely funded by Surface Water Management fees.

RECOMMENDATION

Staff recommends Council authorize the City Manager to sign a contract in the amount of \$179,000 with RW Beck for engineering design services for the East Boeing Basin Stormwater Improvement Project.



Attachment A **East Boeing Basin Stormwater Improvement Project**

No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.

