

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Swearing In of Councilmembers Gustafson, Grossman and Ransom
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Larry Bauman, Assistant City Manager <i>LB</i>

EXECUTIVE / COUNCIL SUMMARY

Three positions on the City Council were elected during the November 2, 1999, election. At that time, Councilmembers Rich Gustafson and Bob Ransom were reelected to Positions 2 and 6, respectively, and Kevin J. Grossman was elected to Position 4. These terms officially begin on January 1, 2000. However, state law provides for Councilmembers to be sworn in during the last council meeting prior to January 1. As a result, your Council has directed that the Oath of Office (see Attachment A) be administered for these three Council positions during the beginning of the December 13 meeting. Based on Council directions to staff, we have invited King County Superior Court Judge Richard Eadie to conduct the swearing in at this time, and he has accepted the invitation. A brief break will follow the ceremony to allow Councilmembers to cut a cake outside the Mt. Rainier Room that will be prepared for this event.

RECOMMENDATION

No action required

Approved By: City Manager *LB* City Attorney *N/A*

ATTACHMENTS

A: Oath of Office

STATE OF WASHINGTON)
County of King) SS.

OATH OF OFFICE

I, _____, do solemnly swear that I will faithfully and impartially perform the duties of Shoreline City Councilmember as prescribed by law and to the best of my ability, and that I will support and maintain the Constitution of the State of Washington and the United States. So help me God.

< Name >
Shoreline City Councilmember
Position No. _____

Subscribed and sworn before me
this _____ day of _____
199____.

<Official's Signature>
<Official's Title>

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CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF SPECIAL MEETING

Monday, November 22, 1999
6:00 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Montgomery, Councilmembers Gustafson, Hansen, Lee and Ransom

ABSENT: Councilmember King

BUDGET WORKSHOP

1. CALL TO ORDER

The meeting was called to order at 6:07 p.m. by Mayor Jepsen, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Jepsen led the flag salute. Upon roll call by the City Clerk, Mayor Jepsen, Deputy Mayor Montgomery and Councilmember Gustafson were present.

3. REPORT OF CITY MANAGER

City Manager Robert Deis reported on the King County budget process, noting that: 1) the \$500,000 Aurora Corridor allocation has not been cut; 2) the Community Service Officers have not been cut; but that 3) funding for the ramps at the transfer station has been cut.

Councilmembers Hansen, Ransom and Lee arrived at 6:10 p.m., 6:12 p.m. and 6:15 p.m., respectively.

Tim Stewart, Planning and Development Services Director, and Sherri Dugdale, Code Enforcement Officer, reported on a successful abatement action at 118 NE 167th Street. Over a period of four days, 21 abandoned vehicles, seven motorcycles, two boats on trailers and three other trailers, 172 tires, 13 appliances and nine car batteries were removed, as well as 15 tons of other material.

Responding to Mayor Jepsen, Ms. Dugdale said a lien will be filed against the property to recover the costs of the abatement action. Mr. Stewart added that City can eventually recover the direct costs of \$10-15,000 and the cost of staff time. Mr. Deis added that the City must budget funds to cover the cash flow involved in abatements.

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Mr. Deis distributed information on \$2,500 in State grant funding for youth-oriented Y2K events at the Aurora Church of the Nazarene and the Shoreline Community Church. He noted that Councilmember King alerted the City to the availability of the funds and that Deputy Mayor Montgomery suggested that staff contact churches about New Year's Eve events. Deputy Mayor Montgomery volunteered to deliver one check and offered Councilmember Hansen to deliver the other. Councilmember Ransom asked to be included.

Mayor Jepsen congratulated the Shorewood Girls Soccer team for winning the State Championship.

4. WORKSHOP ITEM

(a) Continued Departmental Presentations for the Proposed 2000 Budget

Bill Conner, Public Works Director, presented the planned activities and the analysis of change for the Public Works Department. He emphasized the key budget themes for 2000: 1) completion of the City-designed pavement management system; 2) increasing the budget of the annual overlay program to \$700,000; 3) implementation of the City-designed sidewalk repair program; and 4) execution of the second year of the three-year Transition Plan of Public Works services. He described the increased staffing levels necessary for these activities.

Mayor Jepsen reviewed the amounts budgeted for salaries, temporary help, operating supplies, and utility services (which cover street lighting costs).

In response to Councilmember Lee, Mr. Conner said the City will contract with the County for snow and ice control on arterial and some secondary streets. He noted staff plans to outfit three City trucks with plows for use on other streets. In addition, he said the City intends to purchase two five-ton dump trucks, which it will outfit with plows and sand boxes.

Councilmember Lee questioned whether Shoreline is large enough to occupy six full-time personnel on a year-round basis. Mr. Deis commented that the City has used more than six personnel under its contract with the County and that the City has had to pay County overhead costs of 60 percent.

In response to Councilmember Ransom, Mr. Conner identified services for which the City will continue to contract with the County, including snow removal, catch-basin vactoring and road overlays. He explained that the County receives much lower prices from contractors for road overlays than the City could obtain. Mr. Deis said the City will continue to contract with the County for traffic signal repairs because Shoreline is not large enough to justify the expense of a full-time employee for this service.

Councilmember Hansen asked if the \$700,000 budgeted for the Street Overlay Program will maintain Shoreline roads in their present condition on an indefinite basis. Mr. Conner estimated that the City will overlay 15 to 20 lane miles in 2000 (versus 6.75 lane miles in 1998 and 12.3 lane miles in 1999). He said the City will also implement a micro-paving program, under which it will treat 20 miles of less damaged pavement with a less expensive, though less durable, system. He predicted that this program will help "turn the corner" in the maintenance of City roads.

In response to Councilmember Lee, Mr. Conner confirmed that the City must contract with other vendors to receive the tree trimming and vegetation control services that crews from the Northend Rehabilitation Facility (NRF) cannot perform (e.g., the removal of tree limbs around electrical power lines).

Noting that none of the Councilmembers had proposed changes to the 2000 budget for the Public Works Department, Mayor Jepsen suggested that Mr. Conner proceed to present the 2000 proposed Capital Improvement Program (CIP) budget.

After Mr. Conner reviewed 1999 CIP activities, Mr. Deis addressed the status of discussions between City staff and the YMCA regarding the proposed skate park. He explained that the YMCA has decided not to accept the City offer to locate the skate park at its property on 175th Street. He said the YMCA has not yet established long-term plans for the site. Councilmember Gustafson said the YMCA may build a larger facility on this property. Mr. Deis noted that staff has requested a written response from the YMCA. He said staff will address alternative skate park sites with Council early next year.

Mr. Conner went on to review CIP activities planned for 2000.

Mr. Deis explained the staff recommendation that the City develop all of its parks to particular base levels before fully developing particular parks.

Mr. Conner noted the actual cost for proposed renovation of locker room space into classrooms at the Shoreline Center is \$600,000. He explained that the \$700,000 cost estimate that staff presented to Council at its workshop on November 15 included restrooms, which the School District intends to include in a later phase of the renovation.

In response to Councilmember Lee, Mr. Conner confirmed that the \$135,000 open space project to acquire a piece of private property adjacent to Paramount Park is contingent upon grant funding.

At 7:26 p.m., Councilmember Lee moved to continue the workshop discussion after completion of the regular meeting. Councilmember Hansen seconded the motion, which carried unanimously.

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At 7:27 p.m., Mayor Jepsen declared a ten-minute recess. At 7:37 p.m., the meeting reconvened.

REGULAR MEETING

Upon motion by Deputy Mayor Montgomery, seconded by Councilmember Lee and unanimously carried, Councilmember King was excused.

5. PUBLIC COMMENT: None

6. APPROVAL OF THE AGENDA

Councilmember Lee moved that Council approve the agenda. Councilmember Ransom seconded the motion. Councilmember Gustafson moved to place item 9(a) on the consent calendar. Deputy Mayor Montgomery seconded the motion, which carried unanimously. A vote was taken on the motion to approve the agenda, as amended, which carried 6-0.

7. CONSENT CALENDAR

Deputy Mayor Montgomery moved that Council approve the consent calendar. Councilmember Lee seconded the motion. Mr. Deis asked that item 7(c), a motion to amend the lease agreement with Highland Plaza LLC, be pulled. Councilmember Hansen moved to table agenda item 7(c) until next week. Councilmember Lee seconded the motion, which carried 6-0. A vote was taken on the motion to approve the consent calendar, as amended, which carried unanimously, and the following items were approved:

Minutes of Dinner Meeting of November 8, 1999

Minutes of Regular Meeting of November 8, 1999

Approval of Expenses and Payroll as of November 12, 1999 in the amount of \$961,416.78

Ordinance No. 216, revising the definition for adult use facilities to include sales of adult merchandise; and amending Chapter 18.06 and Chapter 18.08 of the Shoreline Municipal Code

8. ACTION ITEMS: PUBLIC HEARINGS

(a) Public hearing to consider citizens' comments regarding the 2000 property tax levy

Joe Meneghini, Finance Director, reviewed the staff report. Mr. Deis explained how State laws affect the City property tax levy.

November 22, 1999

Mayor Jepsen opened the public hearing.

(a) Walt Hagen, 711 N 193rd Street, commented that citizens support taxpayer funding of essential City services, but they do not support the expenditure of taxpayers' money on public projects that the citizens do not want.

Upon motion by Councilmember Lee, seconded by Councilmember Gustafson and unanimously carried, the public hearing was closed.

Ordinance No. 213 levying the general taxes for the City of Shoreline in King County for the fiscal year commencing January 1, 2000, on all property both real and personal, in said City which is subject to taxation for the purpose of paying sufficient revenue to conduct City business for the ensuing year as required by law

Councilmember Hansen moved approval of Ordinance No. 213. Councilmember Lee seconded the motion.

Councilmember Hansen said if the City had not incorporated, the County would have assessed a roads tax at the rate of \$1.78 per \$1,000 of assessed value (AV), instead of the City property tax at the rate of \$1.60 per \$1,000 AV that Council is considering. He opposed increasing the City property tax rate to \$1.62 per \$1,000 AV.

Mayor Jepsen supported continuing the City property tax rate at \$1.60 per \$1,000 AV. Councilmember Gustafson and Deputy Mayor Montgomery agreed.

A vote was taken on the motion to approve Ordinance No. 213 levying the general taxes for the City of Shoreline in King County for the fiscal year commencing January 1, 2000, on all property both real and personal. The vote carried 6-0.

9. **ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS**

- (a) Ordinance No. 212, establishing Section 12.10.050 of the Shoreline Municipal Code for the purpose of identifying authority of the City Engineer to impose temporary gross weight limits on roads or portions thereof and for the purpose of specifying weight limits on City bridges

Mr. Conner used diagrams to explain the structural problems of the Richmond Beach Overcrossing Bridge. He went on to discuss the impacts of the proposed weight limits on deliveries of home heating oil and of concrete to residences west of the bridge.

Mayor Jepsen called for public comment.

- (1) Richard Kink, 19553 27th Avenue NW, asserted errors in the staff report and other problems in the City proposal. He recommended that Council delay

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action until publication of the most recent inspection report and verification of the accuracy of the engineering.

(2) Dan Petke, 19535 27th Avenue NW, asserted inconsistencies in the King County document that reported the results of the November 10, 1997 bridge inspection and between it and statements by City staff.

(3) Jerry Dugan, 19515 27th Avenue NW, said the bridge has exceeded its life expectancy and needs to be replaced.

Mayor Jepsen noted that a motion to approve Ordinance No. 212 was on the table, having been postponed from the Council meeting on November 8.

Mr. Conner reviewed the analysis by City staff of the County engineering report. He explained that staff designated \$211,000 in the 2000 CIP budget to rebuild the bridge to accommodate heavier loads.

In response to Councilmember Ransom, Mr. Conner confirmed the challenges of rebuilding the bridge. He said the City will need to: obtain a work permit from the railroad; coordinate the work schedule with train traffic; and accommodate the small abutments at either end of the structure. Noting that railroads are extremely deliberative, he asserted the City's desire to work proactively to begin the design and repair of the bridge.

In response to Councilmember Lee, Mr. Conner said the inspection addressed in the County engineering report took place on November 10, 1997. Councilmember Lee noted that the report addresses the disruption to the railroad that seismic failure of the bridge would cause without mentioning the disruption to Shoreline citizens who use the bridge daily.

Mayor Jepsen questioned the long-term effectiveness of the \$10,000 repair proposed in the County engineering report. Mr. Conner questioned whether the cost estimate in the County report is realistic. He commented that registered professional engineers cannot guarantee the effectiveness of repairs.

Mayor Jepsen asked who would be ultimately responsible for a catastrophic failure of the bridge. Mr. Deis commented that the City is aware of the structural problems of the bridge and that it could be considered to have legal responsibility if it does not act.

In response to Councilmember Gustafson, Mr. Conner said the timeline for the bridge repairs included in the 2000 CIP budget depends upon the railroad. He said the seismic retrofit will not allow the City to ease the proposed weight limits.

Councilmember Gustafson asserted that the City should "error on the side of safety." He advocated that staff engage the railroad to insure its attention to the bridge and involvement in repairs.

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Councilmember Ransom asserted that City staff have provided reasonable engineering arguments to support the proposed weight limits. He supported Ordinance No. 212 as a safety measure.

Responding to Mayor Jepsen, Mr. Conner said the County inspects the bridge every fall, and Shoreline receives the report in late December. The County did a thorough inspection in 1997.

A vote was taken on the motion to approve Ordinance No. 212, establishing Section 12.10.050 of the Shoreline Municipal Code for the purpose of identifying authority of the City Engineer to impose temporary gross weight limits on roads or portions thereof and for the purpose of specifying weight limits on City bridges. The vote carried 6-0 and Ordinance No. 212 was adopted.

10. CONTINUED PUBLIC COMMENT: None

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At 8:38 p.m., Mayor Jepsen announced a five-minute recess. The meeting reconvened at 8:43 p.m.

BUDGET WORKSHOP (cont.)

Mr. Conner resumed his review of the CIP activities planned for 2000. He went on to highlight programs planned for 2001 and after.

In response to Mayor Jepsen, Wendy Barry, Parks, Recreation and Cultural Services Director, explained that the first phase of improvements planned for Paramount School Park include: irrigated, under-drained fields; restrooms; parking; and relocation of the existing play structure. She confirmed that the first phase will not include a backstop, spray pool or basketball court. Staff proposes to implement the first phase over two years at an estimated cost of \$1.1 million.

In response to Councilmember Ransom, Ms. Barry confirmed that the field at Paramount School Park could be used for soccer.

Mayor Jepsen expressed his opposition to investing City funds on improvements to the Shoreline Conference Center before the City and the School District finalize a Memorandum of Understanding (MOU).

In response to Councilmember Ransom, Mayor Jepsen clarified that the City could budget the funds toward developing classrooms at the Shoreline Conference Center, given that it will not spend them until 2001 under current plans. He explained that he wants to create some sense of urgency to complete the MOU.

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Mr. Deis reported on the negotiations between City and School District staff regarding the MOU. He expressed his hope for closure in the near future. He said the mayor and the School District president may need to meet to further the discussion.

In response to Mayor Jepsen, Mr. Conner explained how the \$1.4 million for the two-year master plan project involving the Richmond Highlands Recreation Center would be spent: \$700,000 for improvements to the recreation center (including a bathroom that meets the requirements of the Americans with Disabilities Act [ADA], seismic retrofitting and utility upgrades); \$600,000 to develop three classrooms out of unused locker room space at the Shoreline Center; and \$100,000 toward common-use restrooms at the Shoreline Center.

Mayor Jepsen said he would prefer to spend the full \$1.4 million on the recreation center. He noted the \$100,000 cost estimate for the common-use restrooms as a particular concern. He reiterated his assertion that City funding to develop classrooms at the Shoreline Center should be contingent upon completion of the MOU. Deputy Mayor Montgomery and Councilmember Hansen agreed with Mayor Jepsen's comments.

In response to Mr. Deis, Mayor Jepsen advocated that staff continue to budget the \$1.4 million for the two-year master plan toward both the recreation center and the Shoreline Center. He reiterated the MOU as a high priority.

In response to Mr. Deis, Mayor Jepsen said the MOU would not necessarily have to include an addendum establishing the terms and conditions of the City's investment toward classrooms at the Shoreline Center to meet the precondition of that investment. He indicated that a completed MOU is an important representation of the ability of the City and the School District to reach agreement.

Councilmember Gustafson agreed with the need to complete the MOU. He went on to recommend that the City invest \$700,000, as proposed, in the Richmond Highlands Recreation Center but that it "set aside" the funding for the classrooms at Shoreline Center until the City and the School District have implemented the MOU.

Mr. Deis reported that City use of Meridian Park School has been excluded from the ongoing negotiations between City and School District staff. Councilmember Gustafson asserted that the City should continue to pursue it. He noted that the school was designed to accommodate community use. He said Council should include the issue in its next discussion with the School Board. Mr. Deis agreed.

Councilmember Lee emphasized the importance of the Shoreline Center to the City. She agreed with Councilmember Gustafson that the City should set aside the \$700,000 for the partnership with the School District on improvements at the Shoreline Center.

Councilmember Gustafson said this designation of the funds for the improvements at the Shoreline Center demonstrates to the School Board the City's serious commitment to working together in partnership.

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Councilmember Ransom agreed that the City should proceed with the \$700,000 in improvements to the Richmond Highlands Recreation Center as proposed. He expressed support for setting aside as reserves the \$700,000 for classrooms at Shoreline Center.

Mayor Jepsen asserted the Council consensus to keep the \$1.4 million in the 2000 CIP budget but to hold the \$700,000—meant for classrooms and restrooms at the Shoreline Center—in reserve until the MOU is achieved. He confirmed that staff should proceed with the basic improvements proposed for the Richmond Highlands Recreation Center.

Deputy Mayor Montgomery said she does not anticipate the completion of the MOU, and she advocated that the City proceed with improvements to the Richmond Highlands Recreation Center.

In response to Mayor Jepsen, Mr. Conner said the outcome of the proposed improvements to the Shoreline Pool will include: an extended life span of 20 years; the expansion of the women's locker room; the upgrade of the lobby and of the utilities (e.g., the plumbing, electrical and chlorination systems).

With regard to the Roads Capital Improvement Project, Mayor Jepsen advocated that the City adopt policies for how it will build sidewalks, curbs, gutters and roads. Mr. Deis and Mr. Conner said staff is working on these standards as part of Phase II of the new development code.

Regarding the Interurban Trail, Councilmember Ransom noted an automotive service business that is storing junk cars in the Seattle City Light right-of-way. Mr. Deis mentioned similar problems along the length of the right-of-way, and he agreed that City staff must begin working with Seattle City Light to clean it up.

In response to Councilmember Ransom, Mr. Conner said the \$6.8 million "Total Project Cost" for the Interurban Trail does not include the cost of the crossing of Aurora Avenue.

Councilmember Ransom underscored, and Mr. Conner agreed with, the importance of coordinating the Interurban Trail and Aurora Corridor projects to minimize disruptions to businesses.

In response to Mayor Jepsen, Mr. Conner explained the staff recommendation that the City complete the design and reconstruction of the Richmond Beach Overcrossing Bridge at the same time that it is negotiating with the railroad.

In response to Councilmember Lee, Mr. Conner said the money budgeted under Transportation Improvements CIP Project Formulation will fund preliminary staff work on emerging traffic problems.

Mayor Jepsen asked whether the City should spend funds, as proposed, to improve 15th Avenue NE south of 175th Street or use the funds on improvements between 175th Street

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and 185th Street. Mr. Conner noted that the funds for the improvements south of 175th Street came from grants to improve safety. Acknowledging that these funds cannot be diverted, Mayor Jepsen advocated that the City provide more than \$110,000 for North City business district improvements. Mr. Deis commented that the \$110,000 in the CIP budget supplements funding in the operating budget for a sub-area plan for North City. Mr. Conner said staff could identify funds that become available from other projects for Council to use to implement elements of the sub-area plan, if it becomes available. Mayor Jepsen advocated tangible results over redundant planning. Mr. Deis asserted the importance of the participation of North City property owners in a Local Improvement District (LID).

Mayor Jepsen questioned whether the City should budget \$350,000 on improvements to N 160th Street at Greenwood Avenue N given past failures of King County efforts to improve the intersection. City Engineer Mike Gillespie said staff has identified a few new alternatives to improve the intersection. He acknowledged that the City would need to acquire property from Shoreline Community College and right-of-way from homeowners.

Mayor Jepsen noted the County's intent to undertake master planning and improvements of the solid waste facility at 1st Avenue NE. He asserted that this represents an opportunity for the City and County to work in partnership to address drainage problems at Ronald Bog. Councilmember Gustafson agreed.

Mayor Jepsen said Council should discuss the use of a Public Works Trust Fund Loan to finance drainage improvements at Ronald Bog before this project proceeds too far. Mr. Deis agreed.

Councilmember Ransom noted that the City hopes to fund approximately 70 percent of the \$75 million Aurora Avenue North project through grant revenues. He asked how the City will fund the remainder and what the City will do if it cannot obtain all of the necessary grant revenues. Mr. Conner said there are a number of ways, subject to Council discussion and approval, to fund the remainder. He said the City is using the significant investment of City funds in the first phase of the project to show potential grant sources that the City is serious about the project. He mentioned the City's success at obtaining grant funding thus far. He acknowledged that the City will not be able to complete the project if grant funding becomes unavailable.

Mayor Jepsen said he and City staff have discussed the Aurora Avenue North project with leaders of the transportation committees of the State Legislature. He commented that those leaders have been enthusiastic about the project as a model of the goals of their committees. While cautioning that transportation funding will be problematic after the passage of Initiative 695, they have been optimistic about potential legislative support.

In response to Councilmember Ransom, Mr. Deis explained that the County dredged Hidden Lake over two consecutive years after the flooding in January, 1997. He said City staff then inspected the lake before taking over responsibility for dredging. Mr.

Conner noted that the City spent \$10,000 on dredging Hidden Lake this year and that \$10,000 has been budgeted for dredging next year. He mentioned that he recently received a list from the County of ten surface water facilities in Shoreline for which the County wants to transfer title. Mr. Deis said staff will determine whether Hidden Lake is on this list. He stressed that the City will inspect the facilities before agreeing to the title transfers.

Councilmember Lee questioned whether staff has addressed problems of N 155th Street between Midvale and Aurora. Mr. Gillespie said King County traffic engineering staff are developing a new lane striping configuration to correct the problems.

Councilmember Gustafson asked if the City could implement a two-year budget cycle with the potential for off-year amendments. Mr. Deis supported the consideration of a two-year budget cycle after City operations become sufficiently stable and predictable. He estimated that this will occur in two to three more years.

Mayor Jepsen reiterated the Council consensus to delay the expenditure of the \$700,000 for classroom and restroom improvements at the Shoreline Center until the City and the School District have completed an MOU.

11. ADJOURNMENT

At 10:05 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk

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CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF SPECIAL MEETING

Monday, November 29, 1999
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Montgomery, Councilmembers Gustafson, Hansen, King and Lee

ABSENT: Councilmember Ransom

1. **CALL TO ORDER**

The meeting was called to order at 6:37 p.m. by Mayor Jepsen, who presided.

2. **FLAG SALUTE/ROLL CALL**

Mayor Jepsen led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, with the exceptions of Councilmember Lee, who arrived shortly thereafter, and Councilmember Ransom.

Councilmember Hansen moved that Council excuse Councilmember Ransom. Councilmember Gustafson seconded the motion, which carried 5 - 0.

3. **REPORT OF CITY MANAGER**

City Manager Robert Deis invited Council to the All-City staff meeting on December 10th.

Mr. Deis asked Council to consider two items not included in the Council packet: 1) a motion to authorize the City Manager to amend the Lease Agreement with Highland Plaza LLC (continued from November 22nd); and 2) a motion to authorize the City Manager to execute an Addendum to the Highland Plaza Lease Agreement to exercise the three-year lease extension at a rate of \$13.00 per annual square foot. He said that although this represents an increase of \$2.50 per annual square foot, it is still well below the market value for comparable office space. The item was brought forward off-docket because of the timing for exercise of the three-year extension.

4. **PUBLIC COMMENT**

(a) Pat Moyer, 1121 NW 200th Street, addressed the solid waste franchise. He said that in 1995, the City stated its intention to take over the operation of solid waste collection by September, 2000. He advised that preparation of bid specifications should

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now be underway to assure sufficient lead time for the contractor to acquire equipment and establish the operation. He said the 2000 budget should contain additional funds for staff and expanded professional services.

Mr. Deis said the City is currently negotiating with Waste Management, Inc., and one facet of the strategy is to enhance the City's capability to oversee this service. There is money in the budget to negotiate the service contract but not specifically to enhance the City's administration of it.

Kristoff Bauer, Assistant to the City Manager, commented on State legislation mentioned by the speaker that changed the law regarding the waiting period for a new city's cancellation of the Washington Utilities and Transportation Commission certificate for operation of a solid waste collection system. He noted legal action taken by one of the providers relating to that law, pointing out that this issue was discussed in Executive Session.

Responding to Councilmember Gustafson, Mr. Bauer said by contracting for the service, the City would have a role in oversight of the rate-setting process. The issue is the amount of resources needed to perform that function. He said staff will return to Council about options in an Executive Session.

Mayor Jepsen pointed out that there is a contingency fund in the budget to handle the need for additional resources.

5. APPROVAL OF THE AGENDA

Councilmember Hansen moved approval of the agenda. Deputy Mayor Montgomery seconded the motion. Councilmember Hansen moved to add the two items mentioned by Mr. Deis to the consent calendar. Councilmember Gustafson seconded the motion, which carried 5 - 0 and the agenda was approved as amended.

6. CONSENT CALENDAR

Councilmember Hansen moved approval of the consent calendar as amended. Deputy Mayor Montgomery seconded the motion, which carried 5 - 0, and the following items were approved:

Minutes of Workshop Meeting of November 15, 1999

Motion to authorize the City Manager to amend the Lease Agreement with Highland Plaza LLC at an annual cost of \$18,500 to acquire additional lease space located in Suite 109 of Highland Plaza

Motion to authorize the City Manager to execute an Addendum to the Highland Plaza Lease Agreement to exercise the three-year lease extension at a rate of \$13.00 per annual square foot

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7. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) Ordinance No. 214 granting Seattle Public Utilities Water Division a non-exclusive franchise to construct, maintain, operate, replace, and repair a water system within public rights-of-way of the City of Shoreline, Washington

and

Ordinance No. 215 granting Seattle Public Utilities Wastewater Division a non-exclusive franchise to construct, maintain, operate, replace, and repair a sanitary sewer system within public rights-of way of the City of Shoreline, Washington

Mr. Deis pointed out that these are interim two-year agreements, which mirror the terms that were developed in the franchise with Seattle City Light (SCL).

Kristoff Bauer, Assistant to the City Manager, distributed new versions of both ordinances, which change Section 7.1.3 in both to address proposed "Facilities" rather than "electrical lines." In Section 10.4 the word "is" was added to line 10 and the word "from" deleted from line 12.

Mr. Bauer said Seattle Public Utilities (SPU) had a franchise with King County that expired prior to incorporation, so the City has been operating "on the honor system" without franchise agreements. Staff has been working on these franchises since October, and SPU has been cooperative. He mentioned the "ownership and responsibility" issue, noting SPU has said in the past that it is responsible for the main line only. This means it would not repair or maintain the sections of service connections within the City's right-of-way. Section 6.9.2 resolves this issue and provides that all water pipes in the right-of-way will be the responsibility of SPU. He said other improvements in the franchises include requirements that SPU coordinate with Shoreline's Capital Improvement Program (CIP) and participate in its Comprehensive Planning process. Another key issue was relocation of manholes in the right-of-way, which is now a contractual obligation spelled out in the agreement.

Turning to the franchise fee, Mr. Bauer explained that the sewer franchise fee for 2000 will be \$221,616 and the water fee will be \$197,834. The City had anticipated that the fees would be passed through to customers as a six percent variable charge. However, SPU's billing process does not allow them to include a variable fee on the current bill. So SPU divided the estimated fee by the number of customers and will charge \$1.35 per month for water and \$2.31 per month for sewer. These will be fixed fees regardless of usage. Commercial water customers will pay \$13.51. In addition to these increases, SPU water customers will see a rate increase of 19 percent and sewer customers an increase of almost five percent.

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Councilmember Lee arrived at 7:06 p.m.

Continuing, Mr. Bauer pointed out that in Section 4.4 SPU commits that it will not be a party or support legal or legislative action to inhibit or remove Shoreline's authority to implement the franchise fee. He concluded that SPU has reviewed the agreement and is comfortable with it and is hoping for expeditious Council action.

Deputy Mayor Montgomery moved to approve both Ordinance No. 214 granting Seattle Public Utilities Water Division a non-exclusive franchise to construct, maintain, operate, replace and repair a water system within public rights-of-way of the City of Shoreline, Washington and Ordinance No. 215 granting Seattle Public Utilities Wastewater Division a non-exclusive franchise to construct, maintain, operate, replace and repair a sanitary sewer system within public rights-of-way of the City of Shoreline, Washington. Councilmember Hansen seconded the motion.

Responding to Councilmember Gustafson, Mr. Bauer explained that in 1997 Council adopted an interlocal agreement with Shoreline Wastewater Management District in which the District agreed to take steps to acquire SPU wastewater services. The City agreed to assist as necessary. The study process of the quality of SPU's infrastructure is nearing conclusion. The next step is the development of a transition plan and rate analysis. He noted that the District had expressed the desire for a 25-year franchise to guarantee its independence. Mr. Bauer concluded that with regard to water service, a study will be coming to Council in the new year.

Mayor Jepsen suggested deleting the words "with similar circumstances" from Section 8. Mr. Bauer explained that this phrase was part of the SCL franchise and was the basis of protracted discussions. Mr. Deis added that SCL has different rate setting and service for various customer classes. He explained that this phrase indicates that Shoreline is not asking for special treatment, but that customers under similar circumstances should receive similar services. Mr. Bauer explained the differences in service levels among customers.

Responding to Mayor Jepsen, Mr. Bauer said the rate increases are across the entire service area. Shoreline customers already experience a 14 percent rate differential, which is not expected to grow. He noted that this differential is not as high as it has been in the past.

A vote was taken on the motion to approve both Ordinance No. 214 and Ordinance No. 215 granting non-exclusive water and sewer franchises to Seattle Public Utilities Water Division and Seattle Public Utilities Wastewater Division respectively, which carried 6 - 0, and these ordinances were approved.

8. NEW BUSINESS

- (a) Development of Year 2000 User Fee Schedules for the City's Fee Based Services

Mr. Deis distributed a "Six-Year Financial Plan" which reflects adjustments to the original proposed budget. He outlined the assumptions made in the financial forecast and concluded that given these caveats, it appears that the City is "OK" from an operating standpoint. He noted that if Council chose to have a lower revenue from fee increases, the amount in capital transfers would probably be reduced. If the Council chose not to increase fees at all, the approach would probably be to reduce expenditures or the amount of gambling tax revenues allocated to capital. This would make the City more dependent on the gambling tax.

John Hawley, Senior Budget Analyst, said there has been an annual review of the City's User Fees in the Overhead Allocation Plan, although Development Services fees have not been updated since January 1998 and Parks fees have not been updated since the adoption of the King County fees in 1996. He reviewed five questions the City asks in its fee review, and he explained the matrix of "User Benefits and Fees versus Taxpayer Subsidies."

Turning to Development Services (DS) hourly rate scenarios, Mr. Hawley said building permit fees (which are set by the Uniform Building Code) generate 34 percent of DS revenue, while 66 percent of revenue comes from hourly rate charges. The chart showed cost recovery rates for 1998, 1999 projected, 2000 proposed and 2000 with new fees. The City should charge \$114 per hour to recover 80 percent of the DS expenditures.

Mr. Hawley said staff recommends increasing the 2000 proposed revenue base by \$90,000 because development activity has increased over the last few months since the budget was developed. The other recommendation is to adjust hourly rates to 80 percent cost recovery based on the 2000 Proposed Budget rather than prior year actuals. He compared this proposal to the amount generated by the rates charged by Seattle and King County. He noted that Initiative 695 requires that all future user fees be voted upon, so the fee ordinance includes language to adjust all City fees annually based on the Consumer Price Index (CPI) without an election. He pointed out that Council has the option of not increasing fee schedules based on the CPI in any given year.

Concluding, Mr. Hawley demonstrated the impacts of the change on a person building a house. He noted two exceptions to the hourly rate: the appeal fee and building permit costs tied to building valuation and the Uniform Building Code. He said a revision to the proposed fee schedule will now include code enforcement language which deals with civil penalties and abatement costs.

Responding to Councilmember Gustafson, Tim Stewart, Director of Planning and Development Services, commented on Seattle's fee structure.

Responding to Councilmember Gustafson, Councilmember Hansen said the cost recovery goal has been set at 80 percent because Council felt there are some development activities that relate to education of the public, and it would not be fair to burden the developer

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with these costs. Mayor Jepsen added that there is community benefit to the educational and neighborhood involvement efforts of staff.

Mr. Stewart pointed out that the new Development Code will change many land use processes, creating a new baseline. He commented that staff may handle building permits versus land use permits somewhat differently in the future. He noted another issue of how much customer service to provide on the permit side. Getting good neighborhood input at the pre-application stage may reduce conflict at the end of the process and reduce appeal costs.

Mayor Jepsen said he was leaning toward the 1999 Projected as the recovery model, which would be \$101/hr. versus \$114/hr.

Councilmember Lee commented that changes in the permit cost for something like a fireplace installation represent a large increase.

Councilmember Hansen felt the City should adopt the rate that would most reasonably allow for the 80 percent cost recovery based on the 2000 Proposed Budget. Mayor Jepsen argued that he would rather look at history.

Councilmember Gustafson felt that with I-695 impacts to deal with, he would support the staff proposal. Deputy Mayor Montgomery and Councilmember King agreed.

Mr. Deis noted that the Council could forgive the CPI increase next year if the projections are not on target.

Mayor Jepsen expressed consensus of the majority of Council to adjust the hourly rate to 80 percent cost recovery based on the 2000 Proposed Budget (\$114/hr.) and to increase the 2000 proposed revenue base by \$90,000 due to increased development activity in 1999.

Wendy Barry, Director of Parks, Recreation and Cultural Services, reiterated that fees have not been raised since 1996. She explained how the cost of service analysis determines direct costs (instructors, facility rentals, supplies, transportation) and overhead costs allocated based on a proportionate share. She pointed out that under the current fee schedule, the City is recovering just under 40 percent of costs for aquatics, facility rentals, general programs and the teen program. With the new fee schedule, the estimated cost recovery rate is 48 percent. She explained how the fees are currently calculated, noting the regional market analysis has shown that current pricing is below market with the exception of swimming lessons. She noted the difficulty of ensuring accurate program comparisons.

Continuing, Ms. Barry said staff proposes to continue the high-subsidy programs, including the free teen drop-in program, the summer playground program and special recreation programs for the developmentally disabled. A significant percentage of participants in these programs are low income. There will be increases in costs for

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specialty trips for teens. Free community events such as Celebrate Shoreline and Hamlin Haunt would continue. Pricing for swimming lessons will not increase but the price for drop-in swims, water exercise and specialty classes will increase. Frequent users of the facilities will still be able to purchase ten-class punch cards and monthly and annual passes. Private pool rental rates will increase, as will lane charges for private swim teams.

Turning to pricing for facility rentals, Ms. Barry said picnic shelter rental will increase by \$5. She described the various increases in ball field rentals for games and practices. She said increasing the charges will encourage user groups to use their field times effectively. She emphasized that field charges have not increased since 1994. She reported on conversations with all organizations that will have an increase of \$1,000 or more, noting these groups have been very understanding.

The proposed cost recovery formula takes the direct costs plus up to 25 percent of overhead costs for youth programs and up to 35 percent for adult programs. The ordinance allows a maximum of 50% for overhead costs, which provides enough flexibility for a very unusual event that dictates a greater cost-sharing. The ordinance allows for less overhead cost recovery for the summer playground program, special recreation programs for the developmentally disabled and for teens.

Ms. Barry acknowledged that price increases will impact low-income participants. She feared that King County scholarship grants will be discontinued, but she said the budget does anticipate development of scholarships or a discount program or fee waivers. This will come forward in January.

In response to Mr. Deis, Ms. Barry explained that Councilmember Ransom had concerns about the 50 percent overhead recovery. She went on to say that he now seems satisfied with her explanation of the proposal. He also had a concern about a per-unit cost. She said there are difficulties in determining a per-unit cost for recreation programs, and she did not have such statistics.

Councilmember Gustafson added that Councilmember Ransom had a concern about the field costs and the 100 percent increase for practice time. Ms. Barry noted that the practice time cost is still significantly less than a game fee. She said there is a wide spectrum in charges for adult field use.

Responding to Councilmember Gustafson's question about why a specific percentage for cost recovery is not identified for youth and adult programs, Ms. Barry explained that having a specific cost recovery objective for indirect costs may eliminate certain programs because they are over the market. The 50 percent rate would only apply to a highly specialized commercial program. She summarized that youth recreation class fees would be calculated including 20-25 percent overhead and that adult recreation classes would be calculated including a 30-35 percent overhead.

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Responding to Councilmember King, Ms. Barry said the scholarship/discount/waiver information has not been finalized at this point. Councilmember King said there are individuals in the community who would like to contribute to a scholarship fund. Ms. Barry said the City has accepted donations in the past and the community is doing its part to provide athletic scholarships. Councilmember King offered to work on this project next year.

Responding to Councilmember Gustafson, Ms. Barry said the users that staff has contacted have generally asked whether there will be increased maintenance with the fee increases. She said she has explained the CIP as it affects ball fields and parks. She said the fields were worked on this year. Furthermore, staff is working on developing a quicker feedback mechanism for maintenance issues. Users generally understand the rationale behind the increases. She said soccer organizations are better positioned than softball and baseball organizations to deal with such increases. The City will work with the user groups to respond to their needs.

Mayor Jepsen said it would be useful to know the percentage of the user groups' budgets the increase represents. He pointed out that people will probably expect increased services or better maintenance with the fee increase, although this is not what will occur. Ms. Barry noted that staff is developing a standards manual that will show minimum standards for various park features. Mayor Jepsen reiterated that if the City increases the amount of funding for park maintenance, the money will not come from these fee increases.

Mayor Jepsen concluded that there is a difference in approach between cost recovery for development fees, where the goal is 80 percent of the sum of direct and indirect costs, and parks programs, where the goal is direct cost recovery plus various percentages of overhead costs. These programs are much more highly subsidized.

Responding to Councilmember Gustafson's question about the Skyhawks Academy, Ms. Barry said the City receives 10 percent of the total revenue, which more than offsets the registration costs. The proposal would increase this to 20 percent. Councilmember Gustafson asserted that the Skyhawks Academy is making a significant profit using Shoreline facilities. He wished to revisit this issue at some point.

Responding again to Councilmember Gustafson, Ms. Barry said the Parks, Recreation and Cultural Services Advisory Committee did not have time to review this proposal.

Councilmember Lee was concerned about the 100 percent increase in costs for practice use of fields.

Councilmember Gustafson said his issue is the philosophy for charging for the overhead costs. He was more inclined to go for a lower recovery rate for youth programs.

Councilmember Hansen concurred with the staff proposal.

Responding to Councilmember Lee, Ms. Barry explained that the parks maintenance workers to be hired next year will provide the same level of maintenance for about \$2,000 less than the private contractor.

Councilmember Gustafson said the City and the School District need to work together on property maintenance. Mr. Deis said the first step is approval of the Memorandum of Understanding (MOU). Once the relationship is developed, a true partnership can be formed.

Mayor Jepsen expressed Council consensus not to alter the staff recommendation on fee-based services.

9. UNFINISHED BUSINESS

(a) 2000 Operating and Capital Budget Discussions

Mr. Deis explained that the City's \$65.7 million budget will be changed for December 13th adoption to \$67 million. This change reflects the funding lost due to passage of I-695, the adoption of utility taxes and franchise fees and the changes to the fee schedules. He pointed out the transfers that will be made in the various budget funds.

Mr. Deis asked for direction on a reduction in the City Council budget. Councilmember King opposed cutting this budget, noting that the time will come when all Councilmembers will need to be reimbursed for all their travel expenses. Mayor Jepsen said he offered this as part of a series of cuts, which were not accepted, so he felt it would not be worth making this cut alone.

Mr. Deis confirmed that the \$700,000 in funding for the partnership at the Shoreline Center is in the budget but that nothing will move forward until the MOU is executed. He said there are terms and conditions under which this funding will be used.

Finally, Mr. Deis explained that although an election is not anticipated, \$30,000 has been budgeted in the elections area, which could fund an election done in conjunction with other jurisdictions.

Mr. Deis confirmed that the Arts Council and the Historical Museum are in the budget without a cut. He noted that next year the population in the last annexation area will be included in the per capita calculation for Arts Council funding.

Councilmember Gustafson advocated the City begin analyzing a two-year budget.

Noting that private sector accounting differs from governmental accounting, Councilmember Hansen distributed a worksheet he had developed. He felt it is misleading to look at a total resources budget of \$67 million because the total revenues coming in next year are projected at only \$31 million, while expenditures will be approximately \$37-38 million. Everything else in the \$67 million represents equity built

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up in the past (fund balances) or operating transfers between funds. He said when he looked at the figures in this way, it raised specific questions about some budget items, which he will discuss with staff.

Mayor Jepsen said the actual operating side of the anticipated revenues is about \$18.9 million.

Councilmember Hansen concluded that he is proud of the City's finances, but that future budgets will be "bleeding off" the equity built up in the past. He asserted his opinion that the City is not wasting the taxpayers' money at all.

Mr. Deis said future budgets can pull out all the transfers as Councilmember Hansen has done.

10. CONTINUED PUBLIC COMMENTS: None

Councilmember King offered Council a taste of desalinized water that she purchased while in Antigua, where all the water is desalinized.

11. ADJOURNMENT

At 9:20 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Approval of Expenses and Payroll as of December 6, 1999
DEPARTMENT: Finance
PRESENTED BY: Al Juarez, Financial Operations Supervisor

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to approve expenses formally at the meeting. The following claims expenses have been reviewed by C. Robert Morseburg, Auditor on contract to review all payment vouchers.

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$1,101,388.02 specified in the following detail:

Payroll and benefits for October 31 through November 13, 1999 in the amount of \$256,655.88 paid with ADP checks 3530-3579, vouchers 460001-460106, benefit checks 2650-2657.

the following claims examined by C. Robert Morseburg paid on November 19, 1999:

Expenses in the amount of \$40,082.23 paid on Expense Register dated 11/17/99 with the following claims checks: 2606-2630 and

Expenses in the amount of \$11,888.81 paid on Expense Register dated 11/18/99 with the following claims checks: 2631-2638 and

Expenses in the amount of \$7,024.66 paid on Expense Register dated 11/19/99 with the following claims checks: 2639-2649 and

the following claims examined by C. Robert Morseburg paid on November 24, 1999:

Expenses in the amount of \$126,906.15 paid on Expense Register dated 11/22/99 with the following claims checks: 2658-2688 and

Expenses in the amount of \$6,371.30 paid on Expense Register dated 11/22/99 with the following claims check: 2689 and

Expenses in the amount of \$11,283.69 paid on Expense Register dated 11/24/99 with the following claims checks: 2690-2701 and

Expenses in the amount of \$4,831.82 paid on Expense Register dated 11/24/99 with the following claims checks: 2702-2710 and

the following claims examined by C. Robert Morseburg paid on December 2, 1999:

Expenses in the amount of \$30,154.05 paid on Expense Register dated 11/29/99 with the following claims checks: 2711-2715 and

Expenses in the amount of \$576,763.87 paid on Expense Register dated 12/2/99 with the following claims checks: 2716-2728 and

Expenses in the amount of \$6,775.65 paid on Expense Register dated 12/2/99 with the following claims checks: 2729-2738 and

Expenses in the amount of \$21,199.48 paid on Expense Register dated 12/2/99 with the following claims checks: 2739-2761 and

Expenses in the amount of \$382.85 paid on Expense Register dated 12/2/99 with the following claims checks: 2762-2769 and

Expenses in the amount of \$212.47 paid on Expense Register dated 12/2/99 with the following claims checks: 2770-2778 and

Expenses in the amount of \$678.75 paid on Expense Register dated 12/2/99 with the following claims checks: 2779-2784 and

Expenses in the amount of \$75.00 paid on Expense Register dated 12/2/99 with the following claims check: 2785 and

Expenses in the amount of \$101.36 paid on Expense Register dated 12/3/99 with the following claims check: 2786

Approved By: City Manager _____ City Attorney _____

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Proposed 2000 Statement of Legislative Priorities
DEPARTMENT: Community/Government Relations
PRESENTED BY: Joyce Nichols, Community/Government Relations Manager

EXECUTIVE / COUNCIL SUMMARY

At your December 6 Council meeting, you reviewed the Proposed 2000 Statement of Legislative Priorities. Any changes made at the December 6 meeting to the proposed priorities are not reflected in this staff report. If needed, revisions will be handed out to your Council at your December 13 meeting.

In November 1998, your Council adopted a set of statements and objectives to guide the City of Shoreline's positions regarding state and federal legislation during 1999. Those statements of policy objectives reflected broad policy guidelines, not precise pieces of proposed legislation, and were used to establish City positions in support of or opposition to legislation proposed during the 1999 session of the state legislature.

As we did for the 1999 legislative session, staff has developed proposed policies for your review. These policies, once adopted by your Council, will provide a set of statements that staff may use to determine whether the City should support or oppose specific bills as they are developed during the 2000 session.

As you are aware, the legislative session that begins January 10, 2000, runs 60 calendar days. In a "short" session with several complicating factors—dealing with impacts of the passage of Initiative 695, while the House of Representatives remains evenly divided between Democrats and Republicans—the 2000 session will present a unique set of challenges for the City as it pursues its legislative priorities.

The proposed 2000 Statement of Legislative Priorities is included as Attachment "A" and includes most of the policy statements adopted by your Council in 1998. New policies and significant changes are highlighted for your ease in reviewing the proposals.

In order to monitor and possibly impact legislation, we believe the best use of our resources is to again work with the Association of Washington Cities (AWC) which has a bigger voice and greater presence in Olympia. As a newer city, our success in advancing /defending the City's interests in Olympia is generally based on providing information to legislators and their staff to help them understand the impacts of pending legislation on our community. Staff reviewed AWC's list of policies and resolutions and included several in our proposed 2000 legislative priorities.

Most of the proposed policy statements are relatively broad. Once adopted by Council, staff will use these general policy statements to produce letters and testimony for your Council in support or opposition to specific bills, and to respond to changes or amendments to legislation.

during the session. Key pieces of legislation that do not fit any of the adopted Council policies will be brought forward during the session for specific review by your Council. Also, we plan to host a meeting with Shoreline's legislative delegation on December 13, to brief them about the City's position on various policy matters and develop stronger linkages with them and their staff. This process should prove beneficial to the City in the upcoming session. But more importantly, we will be building on the foundation established to date in order to provide a bigger impact in future legislative sessions.

The proposed 2000 Statement of Legislative Priorities is included as Attachment "A" and contains most of the policy statements adopted by your Council in 1998. Significant changes are highlighted for your review. Several issues—some new and some "holdover" issues from the 1999 session, will likely receive top priority in the upcoming session. These include:

- Proposals to replace/backfill revenue lost by passage of Initiative 695, including sales tax equalization, transportation, criminal justice, and health and human services revenues.
- Proposals to fund sales tax equalization from sales tax revenues so that citizens get back a fair share of the sales taxes they pay in order to support essential services in their cities.
- Seeking funding for the Aurora Avenue project, infrastructure improvements and economic development opportunities and investments.
- Opposing "buildable lands" legislation that would impose sanctions/penalties on cities not meeting their growth targets/housing production goals.
- Retaining local taxing authority (e.g., gambling tax reductions).
- Protecting the City's interests to manage its rights-of-way; to assume water/sewer districts as intended by the Growth Management Act, without a vote of the entire district; and funding to carry out programs required to meet Endangered Species Act mandates.

RECOMMENDATION

Staff recommends that your Council adopt the Proposed 2000 Statement of Legislative Priorities.

Approved By: City Manager LB City Attorney N/A

ATTACHMENT A — Proposed 2000 Statement of Legislative Priorities.

City of Shoreline 2000 Statement of Legislative Priorities

During 2000, the City of Shoreline shall support or oppose legislation at the state and federal levels in accordance with the following policies:

I. Self Government

Local Control

Requests the Legislature to give local elected officials maximum flexibility in addressing the needs and desires of their communities and to allow them to have a major voice in determining the nature, scope, and funding of local programs and services.

Mandates

- Supports adequate funding for existing mandated programs.
- Opposes efforts to reduce funding for mandated programs while leaving program requirements.
- Opposes additional state and federal mandates on local governments unless such mandates are compelled by a significant public interest and are accompanied by sufficient financial resources.

II. Infrastructure and Capital Financing

(Infrastructure includes roads, storm water systems, treatment facilities, water systems, sanitary sewer systems, parks, etc.,)

Federal and State Capital Assistance

1. Strongly supports maintaining existing infrastructure funding and placing a priority on stable, adequate funding for transportation, storm water, water supply, and water quality facilities.
2. Strongly supports a comprehensive legislative approach addressing how the state will help fund needed capital facilities, especially transportation related infrastructure. A comprehensive approach is essential given that five state/federal highways are located in Shoreline—I-5, Highway 99 North, Bothell Way (SR 522) 145th and 205th.
3. Urges continuation, expansion and flexibility of federal and state capital grant-in-aid and assistance programs for local governments.

Parks and Recreation

Supports legislation that establishes an ongoing capital funding program for the acquisition, development, and/or rehabilitation of local park and recreation facilities, and that allows for public-private agreements.

III. Transportation

Transportation Funding

1. Secure state funding for the Aurora Avenue North project safety and mobility improvements. The three-mile section of Aurora through the City of Shoreline has one of the worst accident records of any highway in the state.
2. Strongly supports a balanced transportation revenue package that provides additional revenue to cities for transportation financing, particularly to address local road preservation and maintenance needs.
3. Strongly supports state funding for capital improvements to state highways and roads located inside cities, including funds for mobility, safety and drainage improvements as part of the base budget for transportation projects.
4. Supports legislation to allocate revenue to assist local governments in financing large scale projects which are essential to economic development and relieve congestion along regionally significant transportation routes.
5. Supports the Transportation Improvement Board (TIB) and recommends continued funding for the Transportation Improvement Account. Shoreline is requesting approximately \$6.7 million for street improvement projects on our six-year Capital Improvement Projects list.
6. Supports legislation indexing the motor vehicle fuel tax (to inflation) to allow revenues to keep pace with inflation and to address increasing demands on the transportation system. Shoreline's 1999 projected gas tax revenue is approximately \$1.1 million, which funds approximately 38 percent of our street maintenance budget.
7. Supports legislation requiring state agencies as well as special purpose districts to update and coordinate their policy and capital plans to be in conformance with those adopted locally under the Growth Management Act. (This policy statement also appears on page 10 under section XI.—Fircrest.)

IV. Municipal Finance

Shared Revenue Programs

Strongly supports legislation to fund sales tax equalization from sales taxes in order to ensure citizens get back a fair share of the sales taxes they pay to fund essential services in their cities.

Electronic Commerce

In 1998 Congress enacted the Internet Tax Freedom Act. The Act imposes a three-year moratorium on federal, state and local taxation of Internet access charges and electronic commerce. The Act also created an Advisory Commission on Electronic Commerce that is studying electronic commerce tax issues and will report to Congress on whether electronic commerce should be taxed, and if so, how. Washington Governor Gary Locke serves on the Commission. The State of Washington should be an advocate for preserving and protecting state and local government tax authority when negotiating with the federal government on such matters as taxation of e-commerce and other remote sales.

Local Taxing Authority

The 1999 legislature passed a law reducing the maximum tax rate cities may impose on bingo games from 10 percent to five percent. This change will result in a reduction of about \$49,000 in 2000 revenue to Shoreline. The Legislature also considered reducing the maximum rate on social card games from 20 percent to 10 percent. Shoreline strongly opposes legislation preempting or reducing local tax authority in the absence of a compelling state interest and a corresponding decrease in service requirements. These changes have the same economic impact as an unfunded mandate.

Fiscal Notes

Supports requiring the state Department of Revenue to expand its fiscal notes to include the impacts on local government—including any disproportionate impact on specific cities. Currently, fiscal note analysis includes local government impacts in gross figures only which can mask disproportionate impacts of proposed legislation (e.g., proposed sales and use tax exemptions) on certain geographic areas of the state or on border cities. This change would provide legislators more information about negative revenue impacts of proposed legislation.

State Facilities

Strongly urges the legislature to reimburse cities for services provided to state facilities and for capital improvement costs necessary to serve state facilities and/or programs located in cities, such as group homes.

V. Health and Human Services

Human Services Funding

1. Strongly urges the congress, the legislature and the county to meet their long-standing funding responsibility for vital human services, to address emerging needs, and provide replacement revenues to cities for programs formerly funded by the federal government.
2. Urges the state to carefully monitor how welfare reform places new social services burdens on local governments, and to provide adequate funds to local governments to make new initiatives succeed, and not result in a cost-shift to cities and counties.

Family, Children and Youth Services

1. Urges the legislature to adequately fund health and welfare programs for children.
2. Supports affordable child care, including before and after school programs, in recognition that affordable, accessible child care is essential for family economic self-sufficiency and children's health, growth and development.
3. Supports legislation and funding for youth involvement programs, e.g., after school/evening educational and activity programs for adolescent and teen-age youths, in recognition of the demonstrated benefits these positive, supervised activities can provide.
4. Supports continued funding for the Community Public Health and Safety Networks which Provides funding for local human services in Shoreline (e.g., Healthy Start abuse prevention program) and advocates for state-funded human services that respond to local needs and priorities; and for the Family Policy Council which coordinates activities of state agencies that provide child and family services.

Services for the Elderly

Supports semi-independent living opportunities that allow the elderly to remain in their communities.

Services for the Developmentally Disabled

Supports programs to assist the developmentally disabled.

Siting Social Services Facilities

Supports legislation to include local governments in the decision-making process for siting state social services facilities in their communities.

VI. Law and Justice

1. Strongly supports remedial legislation to limit liability for local governments that provide probation and pretrial services. This issue arose out of a state Supreme Court decision earlier this year significantly extending the liability of local governments for supervision of criminal defendants in a misdemeanor probation or pretrial release program. The Court held that municipal employees who have supervisory authority, and their employers, have a duty to protect the public from dangerous acts by offenders under their supervision. The problem created by this decision is it makes local governments liable for the acts of probationers without the ability to revoke probation, which rests with the courts. Without legislation limiting the liability in these cases, alternatives to jail could be too risky to maintain.
2. Supports legislation to allocate funds to local governments when the state increases criminal penalties that require additional jail time, or when new laws require additional police, court, or jail services. Increases in jail time for certain categories of crimes amount to unfunded mandates and can increase jail costs with no offsetting revenue.
3. Urges legislature to seek innovative and cost-effective solutions to relieve overburdened courts, law enforcement agencies, and jails.
4. Urges state and federal governments to provide technical and financial assistance to local governments for alternatives to incarceration, such as electronic home monitoring and more effective treatment, prevention and transitional programs. These programs can be effective in reducing jail costs and the number of repeat offenses, and controlling other criminal justice system costs.

Juvenile Justice Services

Encourages the legislature to provide sufficient funds for local governments to initiate and expand youth services to divert juveniles from the juvenile justice system.

VII. General Government

Liability

Supports legislation to exempt cities from joint and several liability for the acts of other persons at fault. In certain circumstances, cities can be held jointly and severally liable for acts of third parties—even if the other party acted intentionally. Where a city may be minimally at fault, it may have to pay 100 percent of the damages if the other party at fault is without funds.

VIII. Economic Development and the Growth Management Act

Economic Development

1. Supports amending the state constitution to permit local governments to enter into public-private partnerships which are not in conflict with the "lending of credit" restrictions in the state constitution (which prohibits the state from lending or giving funds to private persons who are not poor or infirm). Current restrictions put Washington cities at a disadvantage when trying to support economic development opportunities using public-private programs to finance infrastructure improvements in support of urban redevelopment.
2. Supports legislation establishing capital assistance programs to help cities finance economic development related local capital projects.

Annexation Reform

Strongly supports legislative reforms to annexation statutes to ensure conformance with the Growth Management Act, to standardize annexation procedures between code and non-

code classified cities, and legislation to allow cities to annex contiguous unincorporated property across county lines. The Growth Management Act makes cities responsible for capital planning in their urban growth areas. Annexation statutes enacted before the Growth Management Act was passed do not address or recognize this requirement. We propose that the legislature direct a review of annexation statutes for conformity with the Growth Management Act.

Growth Management Act

1. Supports legislation that further defines, coordinates, simplifies and streamlines land use decisions and permitting under the Growth Management Act as well as the State Environmental Policy Act and the Shorelines Management Act. We propose that the legislature streamline these laws to address conflicting language, in some cases overlapping public notice requirements, and redundancies, in order to simplify the administrative requirements on local governments.
2. Urges the legislature to fully fund any new planning and/or regulatory mandates.
3. Strongly supports retention of the right of cities to assume water/sewer districts, consistent with the Growth Management Act, without requiring a vote of all district residents.
4. Strongly supports full state funding of the significant costs and analysis required for "buildable lands" inventories that six counties—and the cities within them—must perform.
5. Strongly opposes further attempts by the Legislature to impose sanctions or penalties on cities not meeting their growth targets/housing production goals. Holding cities responsible for market-influenced factors outside their control is counterproductive to meeting the intent of the Growth Management Act.
6. Supports legislation to enhance local flexibility to fairly assess impact fees upon new growth, as well as upon expanded public facilities of regional or statewide significance.
7. Supports legislation requiring mitigation of the impacts to cities caused by state or agency actions around the siting of public facilities of regional or statewide significance, such as Fircrest.

Affordable Housing

Supports legislation that assures current affordable housing subsidies available to local governments are retained in law, and supports authorization of a permanent, stable funding source for affordable housing that allows people with middle and low incomes entry into the housing market (i.e., State Housing Trust Fund Grants).

IX. Energy, Utilities and Telecommunications

Energy

Strongly supports meaningful participation by cities in state and federal actions relating to the development, planning, conservation, deregulation, allocation, and utilization of energy resources in the Northwest.

Electric Energy Restructuring

1. Strongly opposes legislation unfairly shifting costs to specific customer classes, particularly residential, low income and small commercial customers.
2. Supports legislation ensuring local governments have authority to serve as "aggregators" for their residential, small commercial, or institutional customers, or to participate in aggregation groups. (In a deregulated energy industry, cities could form large groups of consumers to get better electricity rates than if they were to act alone. This aggregation authority is included in the agreement with Seattle City Light as a means for Shoreline to maintain an 8% cap on power rate differentials in a deregulated environment.)

3. Opposes legislation that would allow locally produced power to leave the state in search of a higher price to the detriment of the local customer.

Telecommunications

1. Supports active participation by local governments in state and federal actions regarding wireless communications, cable television and broadcast satellite.
2. Strongly supports legislation affirming and protecting the City's ability to manage its rights-of-way and publicly-owned infrastructure—which are some of the City's most important assets—with specific authority to: regulate how, when and where facilities are located; and, require utilities to bear the cost of relocating their facilities within the rights-of-way for needed public improvements.
3. Strongly supports preservation of taxing authority and the right to compensation for costs incurred by cities as a result of the presence of telecommunication facilities in city rights-of-way, including full recovery of permitting and other administrative costs.
4. Strongly supports legislation recognizing the responsibility of the telecommunications industry to assume appropriate legal liability due to its presence in city rights-of-way.

Utility Taxation and Franchise Authority

1. Monitor legislation equalizing taxing authority between municipalities that own utilities and those that do not. Shoreline is provided utility service by another City in three critical areas; electricity (100% of the City), water (60% of the City), and wastewater (30% of the City). For most municipalities in the state, utility tax revenues are a key source of revenues for ongoing operations. Shoreline residents served by Seattle utilities currently pay tax to Seattle's general fund making it difficult for Shoreline to utilize this revenue source. Shoreline's franchise agreement with Seattle City Light address this concern with respect to electrical services. Legislative cooperation between Seattle and Shoreline is an integral part of this agreement. This policy supports continued vigilance in this area in order to identify risks and opportunities that may arise during the legislative process.
2. Strongly supports legislation recognizing that local franchising authority needs to be protected and asserted over all utilities on an equal basis which would allow cities to regulate activities of utilities operating inside their boundaries. Some telecommunications companies are asserting that they are exempt from municipal franchising authority. This recommendation seeks clarification that cities have uniform authority to manage their rights-of-way through franchises.

X. Environment

Clean Water

Supports flexibility in the administration of state and federal clean water regulations; to achieve a balance between meeting environmental objectives and the financial costs of compliance.

Water Resources

1. Supports flexible regional planning for water resources and water supply that includes affected parties, including cities, and that when initiated, provides clear direction for the state in making decisions affecting water rights, natural resource protection and overall allocation of the state's waters.
2. Supports legislation clarifying the state's water resource laws and policies to reflect a balance between in-stream uses (fish, wildlife, recreation), and out-of-stream uses (municipal water supply, hydroelectric power, irrigation), and encouraging state agencies that implement and enforce water policies to coordinate with each other and with local governments.

3. Supports clarification of applicable statutes, rules or policies that better define and describe the nature and duration of municipal water rights, including assurances if water is conserved, cities will not lose rights to that water through regulatory or judicial action.
4. Supports continuous evaluation and monitoring of the 1998 legislation authorizing flexible watershed-by-watershed basin planning.

Solid Waste

Supports equal and fair involvement of cities in coordinated solid waste planning and funding distribution.

Sanitary Sewers

1. Supports equal and fair involvement of cities in coordinated planning for sanitary sewers, facility distribution, and water source issues related to sanitary sewers.
2. Supports flexibility in the utilization of a capacity charge to provide funding for new infrastructure to provide additional capacity for growth in sewage treatment facilities.

Endangered Species Act (ESA) Funding and Policy

1. Supports provision of significant and ongoing funding assistance to local governments by the state legislature and federal government to assist cities as they respond to current and pending ESA listings, including direct grants of federal and state money to cities located in territory covered by potential ESA listings to develop necessary scientific knowledge, habitat conservation plans, and habitat restoration projects to respond to ESA listings of salmon.
2. Supports city involvement in financing and decision-making regarding policies, plans and projects developed to respond to the ESA at a local, regional and state level.
3. Supports ongoing evaluations of the actions of federal, state and local efforts to address ESA issues to ensure that the fish are being recovered and economic development, especially in urban areas, is considered in salmon recovery efforts.

XI. Fircrest

Fircrest is an approximately 80-acre site, owned by various state agencies. It includes several public uses, such as the Fircrest School for the Developmentally Disabled, Health Laboratories, Washington State Patrol, King County North End Rehabilitation Facility, and the Food Lifeline/ Food Bank. Under the Growth Management Act, state agencies are required to comply with local land use plans. However, there is currently no requirement that a state agency proposing a change in the day-to-day use or operations of one of its facilities—a change that could have a major impact on surrounding uses—include the local jurisdiction in the decision-making process.

Additionally, there is no requirement that major state facilities located within cities provide mitigation to the local jurisdiction(s) for the provision of services or infrastructure improvements needed to serve the state facility.

The City of Shoreline incurs costs to serve Fircrest—e.g., police services and transportation system maintenance costs—and receives no compensation for these service impacts from the state agencies housed on the Fircrest Campus. The following proposed statements of policy are intended to address these concerns:

1. Strongly supports continued authority for cities to plan for all land within their boundaries, and for the compliance of state agencies with those resultant plans, development regulations, and implementation strategies.

2. Strongly urges legislation to reimburse cities for services provided to state facilities and for capital improvement costs necessary to serve state facilities within city boundaries.
3. Supports legislation requiring state agencies as well as special purpose districts to update and coordinate their policy and capital plans to be in conformance with those adopted locally under the Growth Management Act.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize City Manager to Sign Interlocal Agreement with King County to Receive Funding for Commute Trip Reduction Implementation
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Tim Stewart, Director Kirk McKinley, Transportation Manager

EXECUTIVE / COUNCIL SUMMARY

The State Commute Trip Reduction (CTR) law directs City Governments to manage programs that encourage commuting by carpool/vanpool, public transit and alternative forms of transportation.

In passing the Commute Trip Reduction (CTR) legislation in 1991, the State Legislature allocated technical assistance funds to assist in implementing and monitoring performance of the CTR law. The funds are allocated to cities by each county. Shoreline is due to receive approximately \$20,000 for the July 1, 1999 through June 30, 2001 biennium. The passage of I-695 and it's effects on CTR funding is still being considered. The WSDOT has recommended funding for CTR continue through June 30, 2003, but the Legislature may decide otherwise. The Interlocal Agreement has a termination provision should the funding for CTR be eliminated by the State. We have joined with a dozen other King County jurisdictions in an application for federal funding to supplement or partially replace CTR funding.

Shoreline received the Interlocal agreement proposal from King County in October (retroactive to July 1, 1999). King County received the agreement from the State in July, and received King County Council approval in September. This agreement allows the City to accept this funding. We invoice King County on a quarterly basis to cover our expenses related to implementing and monitoring the CTR law. This agreement is an update to the last biennium agreement from July 1, 1997 to June 30, 1999.

BACKGROUND / ANALYSIS

The City is required to manage the CTR program within its jurisdiction and coordinate the activities of public and private employers with sites of 100 or more employees.

There are six CTR sites in Shoreline: Shoreline Community College, Crista Ministries, WSDOT, City of Shoreline, and two state agencies located on the Fircrest Campus. The City of Shoreline is responsible to ensure that these sites are complying with the CTR law and to provide the sites with assistance, training, and other programs that may reduce the dependence on single occupant vehicles.

The City of Shoreline relates to King County in two ways related to this grant:

- 1) WSDOT allocates funds to King County, which in turn sets it aside for the City of Shoreline to charge against.
- 2) The City of Shoreline is responsible for implementing the CTR law. We utilize these CTR Technical Assistance funds to contract with King County CTR Services to monitor, evaluate and assist the six Shoreline sites in complying with the law. King County CTR Services contracts with almost all cities in King County for this service. (This contract will be coming before your Council in early 2000.)

We are assured of receiving the funding from July 1, 1999 through December 31, 1999 (to basically reimburse us for current activities). We will continue to monitor activities at the State level related to funding, and will keep your Council apprised of any significant changes.

RECOMMENDATION

Authorize the City Manager to sign the Commute Trip Reduction Act Interlocal Agreement, thus enabling the City to receive CTR Technical Assistance Funding.

Approved By:

City Manager LB

City Attorney [Signature]

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Selecting The Schlotzhauer Firm, PS as the City's Public Defense Attorney for Primary and In-custody Public Defense Services and Authorizing the City Manager to Execute Contracts for such Services.
DEPARTMENT: City Manager's Office
PRESENTED BY: Eric C. Swansen, Senior Management Analyst *ES*

EXECUTIVE / COUNCIL SUMMARY

The City is responsible for providing criminal defense for indigent (or nearly indigent) individuals charged with misdemeanor crimes in the City of Shoreline. This right is guaranteed by the sixth amendment of the US constitution, and subsequently delegated as a responsibility to cities under RCW 10.101. Such services are commonly referred to as public defense.

The City has used the services of The Schlotzhauer Firm, PS for the last 4 years to provide legal counsel at both the Shoreline Division – King County District Court under a primary public defense services contract. A separate contract with the same firm, using the terms of an interlocal agreement with the cities of Burien and North Bend, provides coverage for the accused who are in-custody awaiting preliminary hearings at both the King County Jail in Downtown Seattle and the King County Regional Justice Center in Kent. Both these contracts are due to expire at the end of this calendar year.

As part of a customary review of the services we contract for, a competitive Request for Proposal (RFP) process was developed to solicit proposals from qualified firms to perform this service. The RFP process yielded four proposals for the City's selection committee to consider. The committee reviewed the proposals based on qualifications, experience, resources, cost and proposed plans to transition the services to a new service provider. The committee unanimously selected The Schlotzhauer Firm, PS to continue providing public defense services for the City. Other firms preparing proposals are not recommended because they are generally more expensive, use less experienced staff or have limited resources that may reduce the quality of services being provided.

The scope of work (Attachment A) outlines the services provided under the primary public defense contract. The public defense contract is for a three year term, with the option for two consecutive one-year renewals. Under the terms of the contract, the City reserves the right to terminate the contract with ninety (90) days notice for any reason.

If the contractor is unable to provide the services specified, the City can cancel this agreement immediately. Due to the length of the term, an annual adjustment for inflation identical to the cost of living adjustment provided to the City's employees will become effective on the first working day of every year the contract is in effect.

In the event of termination or expiration, the contract provides fair compensation for the contractor to complete cases that the firm is ethically bound to represent, even after the contract is terminated. This compensation \$115 per hour, which is comparable to the rate the City compensates the Prosecuting Attorney for appeals, capped at a total of \$18,000.

A separate scope of work for in-custody services with the same firm (Attachment B) is also attached. The in-custody contract has similar terms, with a shorter 2-year term to coincide with the contract terms of the other jurisdictions that participate in the interlocal agreement. There is no hourly fee upon termination, since hearings that take place under the in-custody contract are filed as cases at the Shoreline Division – King County District Court and subsequently covered under our regular contract.

The City has generally been pleased with the services provided under the previous contracts. Very few complaints have been brought to the attention of the City over the past 4 years, with all of them being resolved in a professional and responsive manner. There have been no complaints received in the past year.

The combined total of both contracts is \$117,000 on an annual basis, which is an increase of \$12,996 from the current contract negotiated in 1998. This proposal represents a 12.5% increase over the three years, which is a 4.2% increase for each year. Funds have been set aside in the City's proposed 2000 Public Safety / Criminal Justice budget to adequately cover expenditures associated with this contract.

RECOMMENDATION

Staff is recommending that your Council select the Schlotzhauer Firm, PC to provide primary public defense services for the City of Shoreline, and authorize the City Manager to execute a contract in the sum of \$9,000 per month (with annual adjustments for inflation not to exceed the cost of living adjustment provided to City employees). Staff also recommends that your Council authorize the City Manager to execute an agreement with the Schlotzhauer Firm, PC to provide in-custody public defense services in the sum of \$750 per month (with annual inflation adjustment not to exceed the cost of living adjustment provided to the City's employees). The combined total of these contracts is \$117,000 on an annual basis for the first year.

Approved By: City Manager LB City Attorney N/A

BACKGROUND / ANALYSIS

In 1998, the City entered into a contract with The Schlotzhauer Firm, P.S. to provide the City with public defense services at the Shoreline Division - King County District Court. A separate agreement is in place with the same firm to provide public defense services for clients being held in-custody at the King County Jail in Seattle or Regional Justice Center in Kent. The in-custody contract relies on an interlocal agreement with the cities of Burien, North Bend and Kenmore to share responsibilities for hearings held out of the immediate area to minimize prisoner transport, jail, and trial costs. Both of these contracts expire at the end of the year, and are being presented to your Council for renewal at this time.

Under RCW 10.101, the City is mandated to provide criminal defense for indigent individuals charged with misdemeanor crimes charged by the City's prosecuting attorney. On an average month, the City averages 82 hearings that require the counsel of the public defender. Before cases are assigned, the City's contract with King County Public Defense provides screening services to ensure that the accused are indigent or nearly indigent. Based upon the level of indigency, services are provided for at a reduced or no cost to the accused. The public defender also represents clients at review hearings to demonstrate compliance with imposed sentences or terms of release. An average month requires the public defender to attend 37 review hearings. These services are currently billed to the City at a rate of \$8,000 per month.

The City also provides a public defender to attend hearings that take place at the King County Jail in Downtown Seattle or the Regional Justice Center in Kent. These hearings allow the City to hold certain hearings in close proximity to where the accused are being held in-custody awaiting a hearing. By law, the City is obligated to provide a speedy hearing to arraign the accused, typically within 48 hours of booking. By holding these hearings near the jails, the City benefits from reduced prisoner transport costs, shorter prisoner lengths of stay and provides more resources to patrols instead of transports. The interlocal agreement with Burien and North Bend provides public defense services six days a week, by coordinating schedules and providing coverage for each other's public defense needs away from each city's traditional court facility. These services are provided by the same law firm, making coordination relatively simple and cost-effective. In-custody services currently cost the City \$667 per month, which is relatively minor compared to the primary public defense contract.

As part of a customary review of the services we contract for, a Request for Proposal (RFP) process was developed to solicit proposals from qualified firms to perform this service. The RFP was advertised in the City's newspaper of record, the Seattle Times, on September 8th, 1999. Since this proposal is directed to the legal profession, the information was provided to the King County Bar Association's professional services listing service and the Seattle Daily Journal of Commerce. Copies of the RFP were also sent to the King County Office of Public Defense, and firms that provide public defense services in the Seattle area for other large suburban cities. Due to the relatively small cost and importance of mutual cooperation with other jurisdictions, the in-custody services contract was not included as part of the RFP.

The RFP requested that qualified firms and individuals provide a summary of experience, staff resources, references and a cost. We also asked them to provide a plan for transitioning services, should the selection process recommend a firm or individual different than the firm we are currently contracting with. Since cost is a concern, we asked that costs be expressed in terms of a "per case" fee in addition to any other compensation method they propose. We reserved the right to choose from a "per case" fee, or the alternatives presented. The only alternatives that were submitted to the "per case" fee was a flat monthly fee, proposed as an alternate by all proposers.

A staff committee consisting of Larry Bauman, Assistant City Manager, Rob Beem, Human Services Manager and Eric Swansen, Senior Management Analyst reviewed the proposals received. State law prohibits the City Attorney or Prosecuting Attorney from being involved in the selection process. The reviews were evaluated based upon the firm's experience, staff resources, and proposed plan to transition from our current provider and cost. This evaluation was done relative to the other submittals, so that those with the most experience were ranked higher than other submittals with less experience. When applicable, we examined the experience of the individual being assigned the work, rather than looking at the entire experience of the firm, to provide an apples-to-apples comparison for individuals and firms. Cost was evaluated based upon the submitted "per case" fee and any alternative compensation methods proposed.

All four of the firms submitting proposals appear to be generally qualified to perform the work. However, there was a wide disparity of experience submitted. Costs generally were competitive to one another, although one individual did propose a lower cost compared to the others. The selection committee felt the least expensive submittal did not offer the same level of staff resources as other firms, nor provides an adequate plan to transition services from our current provider. The selection committee was unanimous in recommending your council select our current provider, the Schlotzhauer Firm, PS, to provide public defense services for the City. The proposed cost is \$9,000 per month, which is slightly preferable to the \$110 per case fee alternative. This cost is a 12.5% increase from the previous contract negotiated two years ago, but is competitively priced compared to the other submittals.

The City's experience with the Schlotzhauer Firm has been very positive to date. The firm is very responsive to participating in prior discussions to improve court operations and reduce jail costs. Staff requests for information relating to work load have been promptly responded to. There have been no complaints to the City from clients represented by the firm serving as our public defender in the past year that services have been provided. The few complaints that have been received in previous years have been promptly resolved with the firm's assistance.

The proposed term of the contract is three years, with options for two one-year extensions. As is customary, either party can terminate or suspend the contract with ninety (90) days notice to the contractor. Should the firm be unable to provide the scope of services outlined in the contract, the City can cancel the agreement immediately. In the event of termination, the contractor has an ethical obligation to complete all cases assigned to them by the court. A special provision in the contract provides for compensating the contractor using an hourly fee capped at \$18,000 for all work in-progress after termination. The hourly fee is comparable to the hourly rate we

pay the prosecuting attorney for filing appeals. This provision provides fair compensation for the Contractor to complete cases they are ethically obligated to carry out. Cases taken on may not be completed for as long as two years, since the appeals process can be lengthy. The Scope of Work for the Primary Public Defense Services Contract is provided as Attachment A.

The in-custody contract has similar terms, with a shorter 2-year term to coincide with the contract terms of the other jurisdictions. There is no hourly fee upon termination, since hearings that take place under the in-custody contract are filed as cases at the Shoreline Division – King County District Court and subsequently covered under our regular contract. The scope of work for the in-custody contract is provided as Attachment B.

The combined total of both contracts is \$117,000 on an annual basis for the first year, which is an increase of \$12,996 from the current contract negotiated in 1998. This proposal represents a 12.5% increase over a three-year period, which is a 4.2% increase for each year. Funds have been set aside in the City's proposed 2000 Public Safety / Criminal Justice budget to adequately cover expenditures associated with this contract.

RECOMMENDATION

Staff is recommending that your Council select the Schlotzhauer Firm, PC to provide primary public defense services for the City of Shoreline, and authorize the City Manager to execute a contract in the sum of \$9,000 per month (with annual adjustments for inflation not to exceed the cost of living adjustment provided to City employees). Staff also recommends that your Council authorize the City Manager to execute an agreement with the Schlotzhauer Firm, PC to provide in-custody public defense services in the sum of \$750 per month (with annual inflation adjustment not to exceed the cost of living adjustment provided to the City's employees). The combined total of these contracts is \$117,000 on an annual basis for the first year.

ATTACHMENTS

Attachment A: Scope of Work – Primary Public Defense Services

Attachment B: Scope of Work – In-Custody Public Defense Services

Attachment A: Scope of Work - Public Defense Services

Scope of Service – Primary Public Defense Services

The Contractor will provide legal representation for indigent (or nearly indigent) individuals charged with misdemeanor or gross misdemeanor offenses by the City's prosecuting attorney. The court assigns cases after the City's representative completes screening for indigence. This includes (but is not limited to):

- Arranging pre-hearing conferences
- Attending hearings
 - Pre-trial hearings
 - Motion hearings
 - Readiness hearings
 - Bench and Jury Trials
 - Appeals
 - Review hearings to evaluate client behavior with regards to complying with conditions of sentence
- Scheduling trials
- Preparing pleas and pleadings
- Counseling clients
- Conducting research
- Trial preparation
- Conducting trial representation
- Other work essential to providing ordinary legal representation for the accused after the Court's Order Appointing Public Defender is presented up to and including the "closing" of a case by the court.

The Contractor will provide an adequate number of defense counsel to efficiently manage the court calendar in a manner which avoids unnecessary delays in completing the calendar, or unnecessary periods in custody. Sufficient counsel shall be provided to represent defendants during vacation and illness.

Counsel associated, employed or contracted with the Contractor shall have the authority to perform the service set forth in this Scope of Services. The Contractor and all associates or attorneys who perform the services set forth in this Agreement shall be admitted to the practice pursuant to the rules of the Supreme Court of the State of Washington and will at all times remain members in good standing of the Washington State Bar. Individuals with the necessary legal education to provide legal representation under the Contractor's direct supervision pursuant to "rule 9" are allowed to provide representation under this scope of work.

The Contractor shall be responsible for this agreement, notwithstanding that other counsel may be employed or associated by the Contractor to perform services hereunder. The Contractor shall actively supervise associated and employed counsel throughout the term of this Agreement, and during any renewal and extensions, to ensure that all cases are promptly and effectively handled from the time of appointment until the conclusion of the Contractor's representation of assigned clients.

The Contractor will represent all assigned defendants unless the Rules of Professional Responsibility prohibit representation. When the Rules of Professional Responsibility prevent representation by the Contractor, the client shall be referred to the City's Conflict Public Defense Attorney for future legal representation. A brief explanation of reasons for declining an appointment shall be submitted to the City's representative within 24 hours of the referral.

Representation will extend through final disposition and shall include post conviction probation violations or sentence modification; or sixty (60) days after a defendant has failed to appear at a mandatory hearing. Cases assigned prior to the contract term expiration or termination will continue to be managed through final disposition, including appeals, using the terms and conditions of the contract, regardless of the date of final disposition. Probation and sentence review hearings will not be required after contract expiration or termination. Cases in progress at the contract expiration or termination will be compensated at the rate of \$115 per hour. Total compensation for completing all cases in progress shall not exceed \$18,000.

Representation shall also include defense of all counts arising from a single transaction or event and/or charged in a single complaint. Availability of critical stage advice to clients will be available on a 24-hour a day basis. Representation will be available on a regular basis at the Shoreline Division - King County District Court.

The City shall provide to the Contractor, at no cost to the Contractor or defendant, one copy of all discoverable material concerning each assigned case. This material shall include, where relevant, a copy of the abstract of the defendant's driving record. The City shall also provide the Contractor, at no cost, a copy of the Shoreline Municipal Code and any amendments to the Code adopted during the term of this contract.

The Contractor will provide the Shoreline Police Department a telephone number(s) at which the Contractor can be reached for providing advice to defendants during the course of police investigations. The Contractor will also provide at his/her expense an introduction letter to each client at the beginning of representation. This letter will advise the client of his/her responsibilities, how to contact the attorney assigned to the case, and when to contact the attorney assigned to the case.

Compensation for these services will be \$9,000 per month, billed on a monthly basis. Adjustments for inflation due to cost of living become effective on the first working day of every year beginning in 2001. Annual inflation adjustments will be identical to the cost of living adjustments provided to the City's employees. Should the average workload change by more than 12 cases per month for six consecutive months, the contractor or City can request a contract re-opener to provide reasonable compensation adjustment based on the caseload.

Attachment B: Scope of Work – In-Custody Public Defense Services

ATTACHMENT B

SCOPE OF WORK IN-CUSTODY PUBLIC DEFENSE SERVICES

The Public Defense Contractor will provide legal representation for IN-CUSTODY indigent criminal defendants, charged with misdemeanors, gross misdemeanors, and traffic violations.

In-Custody Services

The Public Defense Contractor will be available on a regular basis to appear at King County Jail to provide public defense services for the City's in-custody defendants at release hearings and arraignments.

Associated Counsel

- A. Any counsel associated with, contracted or employed by the Public Defense Contractor shall have the authority to perform the services set forth in this Scope of Services. The Contractor and all associates or attorneys who perform the services set forth in this Agreement shall be admitted to the practice pursuant to the rules of the Supreme Court of the State of Washington and will at all times remain members in good standing of the Washington State Bar.
- B. The Public Defense Contractor shall be responsible for this Agreement, notwithstanding that other counsel may be employed or associated by the Contractor to perform services hereunder. The Contractor shall actively supervise associated and employed counsel throughout the term of this Agreement and during any renewals or extensions, to ensure that all cases are promptly and effectively handled from the time of appointment until the conclusion of the Contractor's representation of assigned clients. Sufficient counsel shall be provided to represent defendants during vacation, illnesses and settings in more than one courtroom.

Attorney Conflict

In the event that the Public Defense Contractor is prevented from representing any defendant by the presence of a conflict of interest, as under Washington's Rules of Professional Conduct, the defendant shall be referred back to the City for further assignment, without cost to the Contractor.

Discovery Provided

The City shall provide to the Public Defense Contractor, at no cost to the Contractor or defendant, one copy of all discoverable material concerning each assigned case. This material shall include, where relevant, a copy of the abstract of the defendant's driving record.

Code Provided

The City shall provide to the Public Defense Contractor at no cost to the Contractor, a copy of the Shoreline Municipal Code and any amendments to the Code adopted during term of this Agreement.

Twenty-four Hour Telephone Access

The Public Defense Contractor shall provide to the Shoreline Police Department the telephone number or numbers at which the Contractor can be reached for critical stage advice to defendants during the course of police investigations, and/or twenty-four hours a day.

Introduction to Clients

The Public Defense Contractor will provide at his/her own expense an introductory letter to each client which will be delivered to the client at the beginning of the representation and will advise the client of his/her responsibilities and how and when to contact the attorney assigned to his/her case.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Renewal of Prosecution/Legal Services Contract with Kenyon Law Firm for 2000.
DEPARTMENTS: Office of City Attorney
PRESENTED BY: Ian Sievers, City Attorney 

EXECUTIVE / COUNCIL SUMMARY

The Kenyon Law Firm has been retained by the City to prosecute violations of City ordinances in Shoreline District Court since adoption of the criminal code in March 1996. The current one-year contract for these services expires December 31, 1999.

The proposed contract renewal has a one-year term with a thirty-day termination clause. Fees under the contract have been at a flat monthly rate of \$8,500 for 1999 and there is no proposed increase in fees for the 2000 contract. Caseloads are expected to be comparable to 1999. There is a cap on the number of appeals covered by the flat fee included in the new contract for the first time. Any appeals over twelve in the calendar year will be paid at the attorney's hourly rate, which ranges between \$105 an \$135, an increase from \$10-20 an hour from 1999 rates. However, since twelve appeals were filed in 1999, and this was a historically high number, it is not anticipated that the flat monthly fee will be significantly exceeded. The total prosecution fees for the year (\$102,000) plus expenses should be within the 2000 budget of \$120,000 for prosecution professional services.

The Kenyon prosecution staff attorneys are well experienced in handling the full Shoreline schedule of arraignment calendars, pre-trial conferences, motions, bench trials, sentencings, appeals and reviews hearings. The prosecutors are also responsible for review of all police case reports to make charging decisions based on probable cause, providing discovery materials to defendants and preparing cases. Several attorneys and staff have continued to serve on the Shoreline prosecution team from the first City contract.

The proposed contract also provides civil litigation and other municipal legal services, including backup for the City Attorney, as requested by the City Manager or City Attorney. The contract provides a key resource for the City Attorney's Office in providing counsel in particular civil litigation which may be initiated by the City or for which insurance defense is not available. The firm is also available for consultation in areas of municipal law where it has developed expertise through representation of Shoreline

or other municipal clients. The Kenyon firm is currently representing the City on three civil nuisance abatement actions in superior court. The City is fortunate to retain the services of veteran prosecutors and paralegals and a staff of experienced municipal attorneys who are familiar with the City and our issues.

Civil legal services range from \$115 to \$145 depending on the experience and specialty of the attorney; again this is a \$10-20 an hour increase from 1999 for the attorneys used most often by the City. Civil fees and expenses are tracked on individual matters assigned for representation with a total 2000 budget for professional services of \$100,000.

RECOMMENDATION

Pass a motion authorizing the City Manager to execute the Contract for Legal Services with the Kenyon Law Firm for 2000.

Approved By:

City Manager

LB

City Attorney

[Signature]

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Motion to authorize the City Manager to execute an agreement for the provision of audio/videotaping services for 2000 with Dwight Edwards, d/b/a FX Video, in an amount not to exceed \$29,000

DEPARTMENT: CMO/City Clerk *LB*

PRESENTED BY: Larry Bauman, Assistant City Manager; Sharon Mattioli, City Clerk *SM*

EXECUTIVE / COUNCIL SUMMARY

Since 1996, the City has utilized the services of FX Video to provide audio/video coverage of City Council meetings and other City meetings and events. In 1998 the City went through a Request for Statement of Qualifications (RFQ) process to ascertain if we were receiving the best price and the highest quality for the services provided. Three providers responded to the RFQ. Their submittals were judged on: 1) the cost of service based on hourly fees; 2) experience in providing similar services for municipal or other governmental entities; and 3) the quality of work product based on the video tape submitted as part of the RFQ. FX Video was found to provide a superior quality product at a very competitive price and was therefore chosen to continue to provide audio/videotaping services.

In 1997, FX Video was also successful in a competitive bidding process to provide videotaping services to the City of Lynnwood and this fall was awarded a two-year contract. In 1999, FX Video began providing services to Edmonds, also indicating its continuing competitiveness.

FX Video has always provided timely, good quality videotaping services. Therefore, staff recommends continuing with this provider. The contract contains a 4.5 percent increase (\$4/hr.) in the cost of videotaping, which has been \$85/hr. since 1998. The cost of audiotaping only, which is done for Council of Neighborhoods meetings and Hearing Examiner hearings, will continue at the rate of \$30/hr., a rate that has remained constant since 1996.

The scope of work for the contract has changed slightly in terms of responsibility for equipment. FX Video has now agreed to provide the contents of the video rack, three VCRs and a color monitor. The City-owned VCRs were originally purchased in 1996 and are only of "home entertainment" quality. They are reaching the end of their lifespan. FX Video will assume responsibility for, and eventually upgrade, this equipment, which, in turn, will allow for improvements in the quality of production. This exchange will also include FX Video providing to the City a set of 75-foot audio cables. This set of cables, worth approximately \$600, will improve the functionality and flexibility of cabling the rooms used for City meetings at the Shoreline Center.

The amount of the contract is \$29,000. In the 2000 budget, \$27,554 of this amount is budgeted in the Office of the City Clerk and the remainder in the budget of Community and Government Relations. The contract contains a provision which will allow it to be automatically renewed on December 31, 2000 for the same amount without further Council action. This provision guarantees the City the same rates in 2001. Of course, the City has the right to terminate the agreement at any time by giving fourteen days notice.

RECOMMENDATION

Staff recommends that your Council pass a motion to authorize the City Manager to execute an agreement for the provision of audio/videotaping services for 2000 with Dwight Edwards, d/b/a FX Video, in an amount not to exceed \$29,000.

Approved By: City Manager LB City Attorney [Signature]

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval for Re-Programming \$5,000 in 1997 Mini-Grant funds for the Richmond Beach Community Council
DEPARTMENT:	Community/Government Relations
PRESENTED BY:	Ellen Broeske, Neighborhood Coordinator <i>EB</i> Joyce Nichols, C/GR Manager

EXECUTIVE / COUNCIL SUMMARY

On November 24, 1997 your Council approved \$5,000 in Mini-Grant funds for a Richmond Beach Community Council (RBCC) beautification project at Richmond Beach Community Park. A primary component of the project, and the first item to be completed, was a gazebo. Final design and review of the gazebo project was completed in late 1998 and revealed that the cost was significantly more than originally anticipated and the project was abandoned in 1999 by RBCC. The 1997 funds were carried forward in both the 1998 budget and the 1999 budget because no decision had been reached about the project (new Mini-Grant policies now prevent carry-overs in funding beyond one year of project approval).

The Richmond Beach Community Council has now proposed that the 1997 Mini-Grant funds be used to fund the following projects:

- Improvements to the Richmond Beach gateway sign located at 8th NW on Richmond Beach Road, including replacing damaged support posts and planting native plants around the sign;
- Construction of three additional neighborhood gateway signs: One at the north entrance and one at the south entrance to Richmond Beach on 15th NW, and a third at the north entrance at 205th and 20th Avenue NW. Preliminary Sign Design is shown on Attachment A. Final Design will incorporate the City of Shoreline logo as required by your Neighborhood Identification Sign Policy adopted March 23, 1998.
- Planting three hawthorn trees in Richmond Beach Community Park to replace those destroyed by vandals. Tree placement is shown on Attachment B.
- Construction of a wooden surround for the port-a-potty at Richmond Beach Community Park shown on Attachment C.

Neighborhood match of approximately \$5,000 for this project has been secured in the form of volunteer labor valued at \$760 and a \$4,240 cash contribution from the Richmond Beach Community Council treasury (Attachment D).

This project is one of two Richmond Beach Community Council proposals on your agenda for December 13. The other requests use of 1998 funds for a sprinkler system at Richmond Beach Community Park.

MINI-GRANT BACKGROUND

Resolution No. 54 established the Neighborhoods Mini-Grant Program, with the process and administration of funds to be handled by the Office of Neighborhoods. The allocation of total funds available is determined from year to year by appropriation of the City Council. All such grants to individual neighborhood associations are governed by rules approved by the City Council on November 23, 1998. Grants must be approved by your Council prior to their implementation.

Mini-Grants provide equal grants of up to \$5,000 to each of the active, organized, qualifying neighborhood associations in the City of Shoreline. Neighborhood associations are required to match Mini-Grant funds. A match may be generated from co-sponsoring groups, businesses, organizations, schools, or media, in the form of cash, in-kind donations and/or "sweat equity."

Mini-Grant project categories include the following:

- Projects that create or enhance a tangible improvement in the neighborhood;
- Projects that disseminate information and increase awareness of the goals and mission of the neighborhood association to the neighborhood community;
- Projects that directly benefit a public agency or organization and its immediate neighborhood, and that require the active involvement of both the public agency and members of the neighborhood in planning and carrying out the program.

The proposal submitted has two components:

1) Neighborhood gateways: The Richmond Beach neighborhood has an attractive gateway sign located at 8th NW and Richmond Beach Road. However, the support posts for the sign need repair and it keeps tipping over. The neighborhood would also like to enhance the sign by adding native plantings around it.

Three additional wooden gateway signs will be added at neighborhood entries. These will be located at:

- 15th Ave. NW at 205th
- 15th Ave. NW at N.W. 188th Street
- 20th NW at 205th

Sign locations have been inspected and approved by Public Works Customer Response Team staff.

2) Improvements at Richmond Beach Community Park: The proposed project will replace three hawthorn trees and add a wooden port-a-potty surround at Richmond Beach Community Park. The trees will be planted in existing tree wells where the original trees were located. The port-a-potty surround will be designed and

constructed by volunteers with construction experience with oversight from the Parks Superintendent. The cover will help prevent "tip-overs" and improve the appearance of the structure. The cover will likely be permanent, as the port-a-potty will remain after construction of the Richmond Beach Library is completed.

Budget:

Item:	Cost	Match Item	Match Value
Existing Sign Repair	\$ 600	Volunteer Labor-	
Soil Prep (amendment)	\$ 700	Building Port-a-Potty	
Plants	\$ 475	surround, planting and	
New signs	\$ 2,500	maintaining Sign area-	
Decorative Posts (500x3)	\$ 1,500	76 hrsx\$10/hr	\$ 760
Sign Installation	\$ 350		
Port-a-Potty cover materials	\$ 1,500		
Trees (\$200 eachx3)	\$ 600		
Sales Tax (.086)	\$ 775		
Contingency (10%)	\$ 1,000	Cash	\$4,240
TOTAL COST	\$10,000	TOTAL MATCH VALUE	\$5,000

Total Project Cost	\$10,000
Total Value of Match	- \$ 5,000
Total City Cost	\$ 5,000

RECOMMENDATION

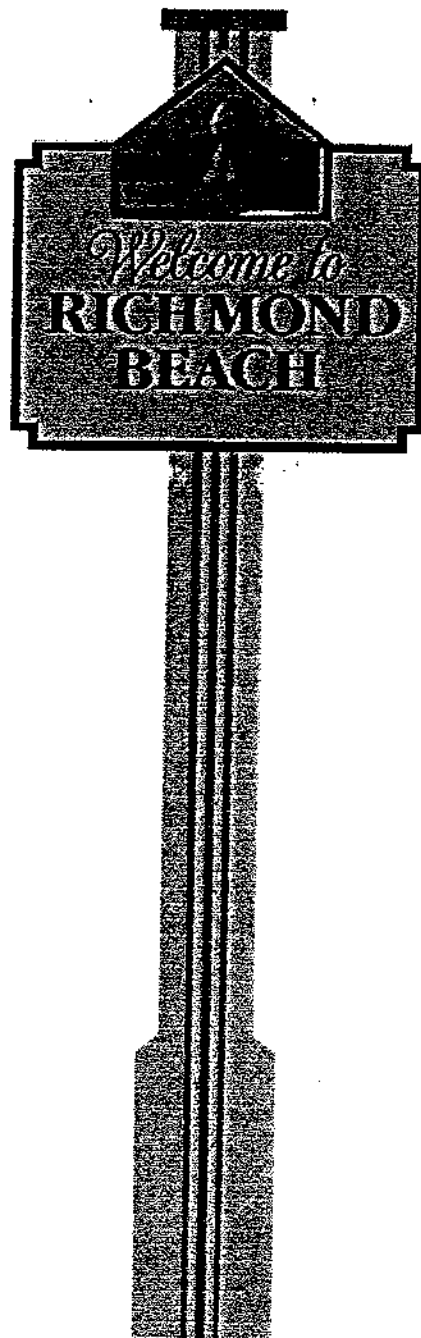
Staff recommends authorization of \$5,000 in re-programmed Mini-Grant funds for the Richmond Beach Community Council to complete beautification and gateway signs in its neighborhood.

Approved By: City Manager LB City Attorney N/A

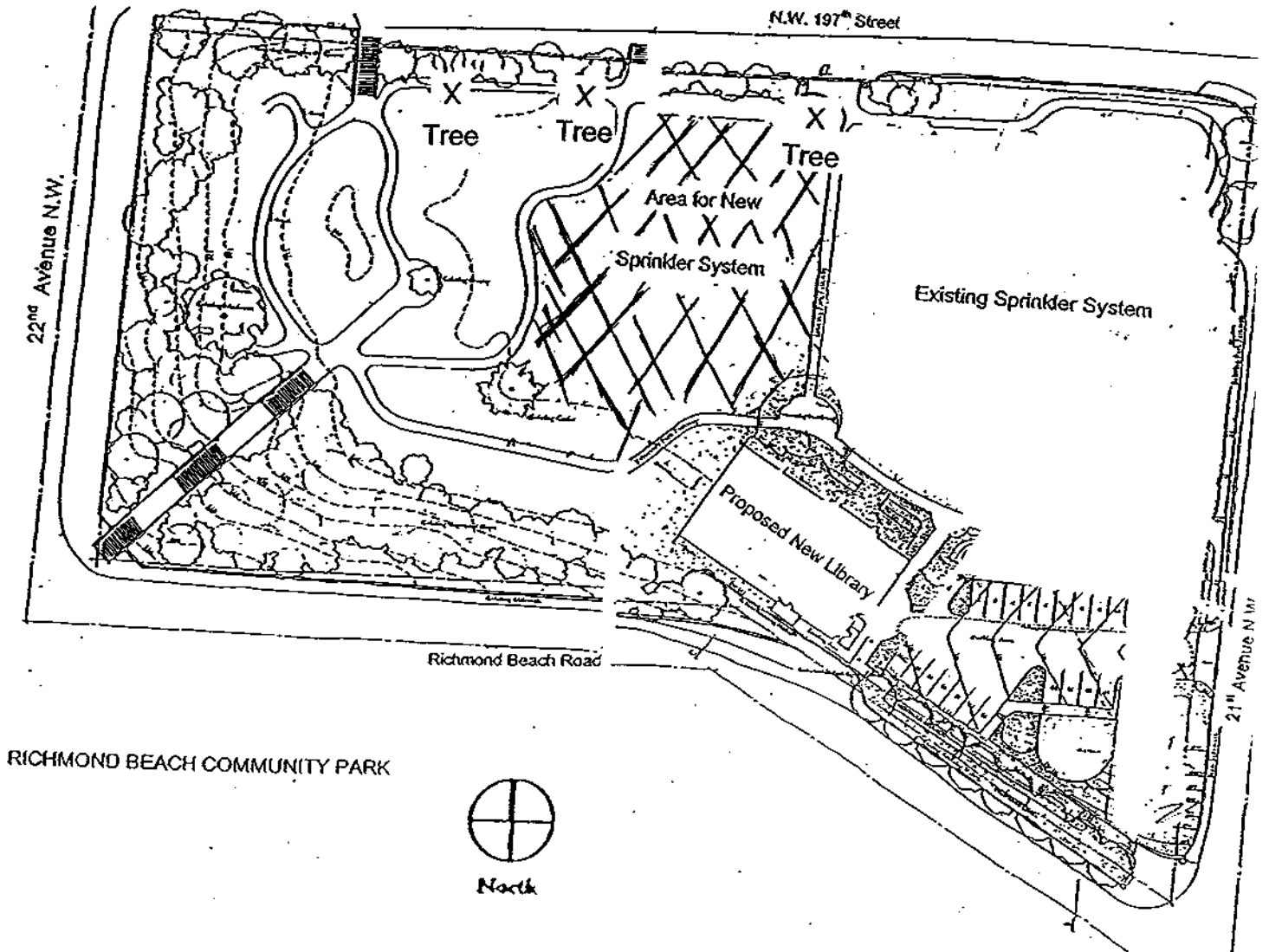
ATTACHMENTS

- Attachment A: Gateway sign design
- Attachment B: Tree Location – Richmond Beach Community Park
- Attachment C: Port-a-Potty cover illustration
- Attachment D: Commitment of Funds from Richmond Beach Treasury

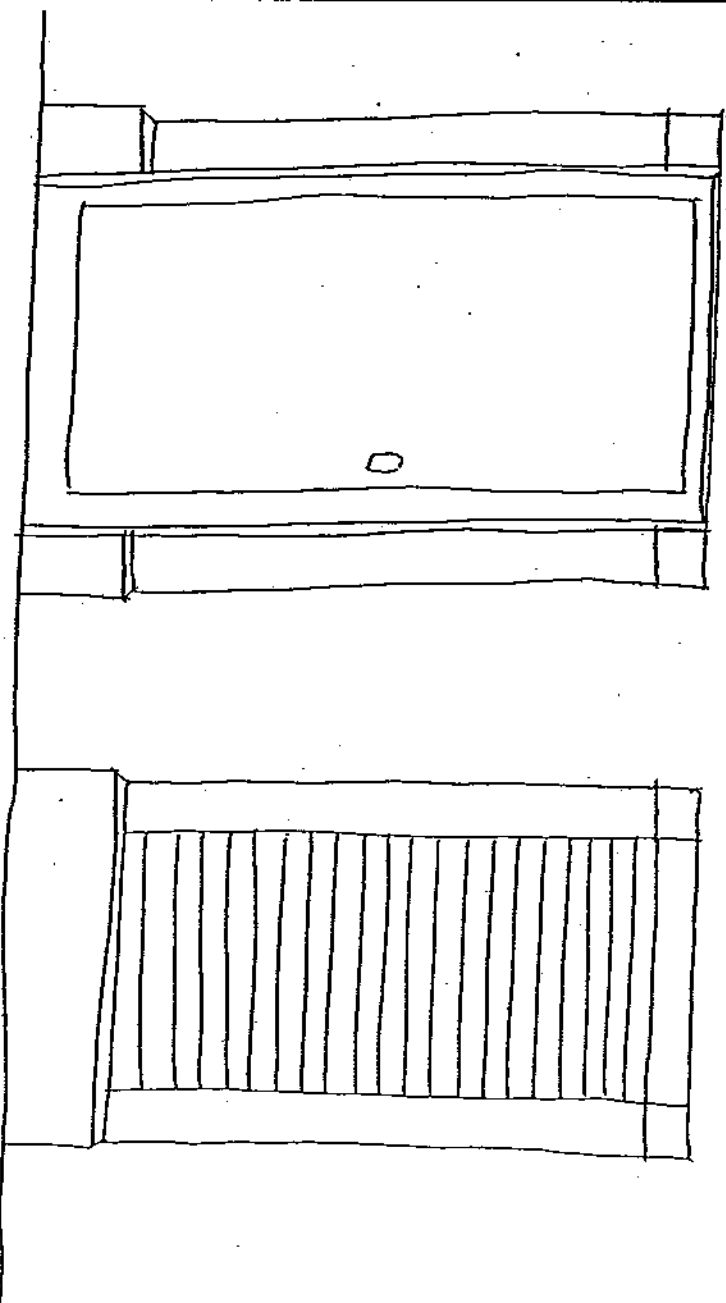
Richmond Beach Preliminary Gateway Sign Design



Tree Locations-Richmond Beach Community Park



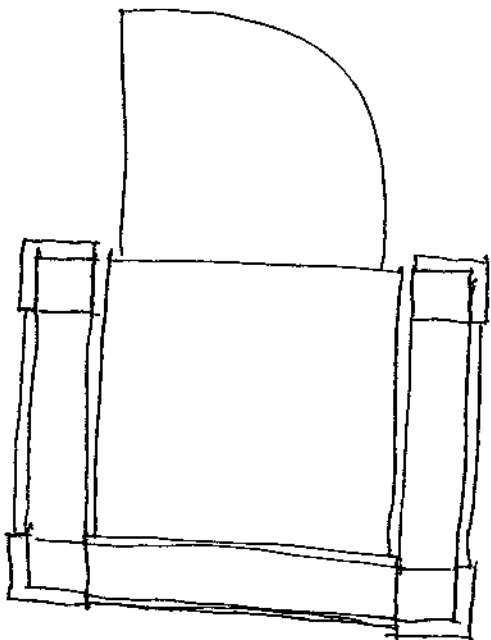
Port-a-Potty cover illustration



FRONT ELEVATION
NO CLUE

SIDE ELEVATION
NO CLUE

PORTABLE TOILET SCREEN. DB COMB PARK



PLAN VIEW
NO CLUE



**RICHMOND BEACH
COMMUNITY COUNCIL**

P.O. Box 60186 • Richmond Beach, WA 98160-0186

November 22, 1999

Ellen Broeske, Office of Neighborhoods
City of Shoreline
17544 Midvale Avenue North
Shoreline, Washington 98133

Dear Ellen:

The Richmond Beach Community Council guarantees that it has funds to cover its portion of the matching cost of the proposed mini-grant projects. Over \$10,000 has been specifically set aside by the Community Council for these projects.

Two accounts that may be drawn upon for the funds include the RBCC's Washington Mutual Money Market account with a balance of \$10,431.94 (as of Nov. 2, 1999) and the Wells Fargo Checking account with a balance of \$4,781.19 (as of Nov. 2, 1999).

Please contact us if you need further information regarding our financial contribution to the projects. Thank you for your help.

Sincerely,

Scott Becker
Treasurer
Richmond Beach Community Council

William Clements
President
Richmond Beach Community Council

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Ridgecrest Neighborhood Association Mini-Grant of \$5,000 for Outlets for Holiday Lighting and Neighborhood Identification Signs
DEPARTMENT:	Community/Government Relations
PRESENTED BY:	Ellen Broeske, Neighborhoods Coordinator <i>EB</i> Joyce Nichols, C/GR Manager

EXECUTIVE / COUNCIL SUMMARY

The Ridgecrest Neighborhood Association is requesting \$5,000 in 1999 Mini-Grant funds to install outlets to light holiday decorations in North City and purchase neighborhood identification signs.

Lighting Project: Guidelines for the North City Business District Future Improvement Projects, published by the City in February, recommend holiday lighting as a special community project. On August 23 your Council approved a Mini-Grant for the North City Neighborhood Association to purchase holiday decorations for the North City business area along 15th NE, from NE 175th to NE 180th. These decorations feature hanging lanterns, which can be lighted using power from the pole on which the decoration is mounted. At present these poles, which are traffic signal light poles, have no electric outlets. The poles are owned by the City of Shoreline and maintained under contract with King County.

King County Department of Transportation Traffic Engineering Section can install outlets at all four intersections at a cost of \$6,732. The Ridgecrest Neighborhood, as co-sponsor of the North City holiday celebration, is requesting use of \$3,800 in Mini-Grant funds to install outlets at two key intersections on 15th NE, at NE 175th and 177th. Staff is working with the neighborhoods to determine if they wish to use a portion of next year's Mini-Grant funds for outlets at the additional intersections at N.E. 172nd and 180th. The outlets are expected to be installed in early 2000.

Sign Project: The Ridgecrest Neighborhood has a preliminary sign design for neighborhood identification signs that has been approved by the Ridgecrest Neighborhood Association membership (Attachment A). The signs will feature a white reflective aluminum background with a two-color design and will include the City of Shoreline logo as required by the Neighborhood Identification Sign Policy adopted by your Council March 23, 1998. The community has identified potential sign locations

(Attachment B) and final siting and sign size will be determined with staff assistance from the Customer Response Team. King County sign crews will install the signs.

The Ridgecrest Neighborhood Association will provide volunteer match for this project by assisting in holiday activities in the North City business district including: Additional holiday lighting and decorating, sponsorship of a window-decorating contest, and coordinating a holiday kick-off event December 4. They have also agreed to clean the neighborhood identification signs on a quarterly basis.

In 1998 the Ridgecrest Neighborhood used Mini-Grant funds to create a neighborhood mural and plant trees in the Ridgecrest business district. These two projects have been successfully completed. A third project, to create a viewing platform at Ridgecrest School, could not be completed due to coordination difficulties with the school, and the funds were not spent.

Resolution No. 54 established the Neighborhoods Mini-Grant Program, with the process and administration of funds to be handled by the Office of Neighborhoods. The allocation of total funds available is determined from year to year by appropriation of the City Council. All such grants to individual neighborhood associations are governed by rules approved by the City Council on November 23, 1998. Grants must be approved by your Council prior to their implementation.

Mini-Grants provide equal grants of up to \$5,000 to each of the active, organized, qualifying neighborhood associations in the City of Shoreline. Neighborhood associations are required to match Mini-Grant funds. A match may be generated from co-sponsoring groups, businesses, organizations, schools, media, in-kind donations and/or "sweat equity."

Mini-Grant project categories include the following:

- Projects that create or enhance a tangible improvement in the neighborhood;
- Projects that disseminate information and increase awareness of the goals and mission of the neighborhood association to the neighborhood community;
- Projects that directly benefit a public agency or organization and its immediate neighborhood, and that require the active involvement of both the public agency and members of the neighborhood in planning and carrying out the program.

Cost Breakdown:

The Ridgecrest Neighborhood Association proposal for neighborhood identification signs and outlets to light holiday decorations will enhance neighborhood identity, provide a tangible improvement to the neighborhood, and benefits the North City business district and the City as a whole.

Project Budget:

9 signs-36 x 24"@\$90 ea	\$ 810
Sales Tax	\$ 70
Installation @\$35 x 8	\$ 280
Outlet Installation:	
4 poles @ \$425	\$1,700
3 poles @ \$595	\$1,785
Contingency	\$ 355
TOTAL BUDGET	\$5,000

Project Match:

Holiday event planning/coordination:	
380 hrs. @ \$10/hr	=\$3,800
Sign clean-up: 128hrs @\$10/hr	=\$1,280
TOTAL MATCH	\$5,080

RECOMMENDATION

Staff recommends authorization of \$5,000 in 1999 Mini-Grant funds for the Ridgecrest Neighborhood Association to have outlets installed in power poles at the intersections of 15th NE and 175th and 177th and to purchase and install neighborhood identification signs in the Ridgecrest Neighborhood.

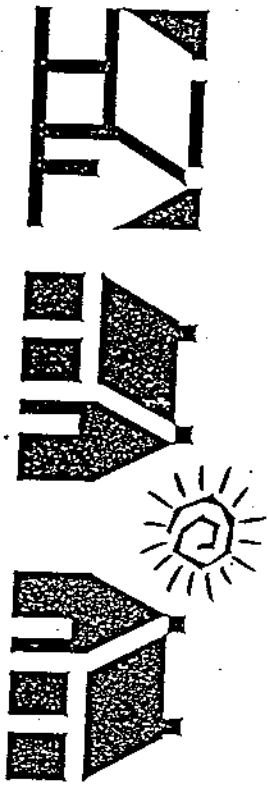
Approved By: City Manager LB City Attorney N/A

ATTACHMENTS

Attachment A: Ridgecrest Neighborhood Proposed Sign Design

Attachment B: Sign location listing

Welcome to the



RIDGECREST
NEIGHBORHOOD





The Ridgecrest Neighborhood Association is applying for a 1999 Neighborhood Mini-Grant to install Identification signs throughout the Neighborhood. The following list is of strategic placements for the signs.

PREFERRED SITES

Intersection	Corner	Street Orientation
1. NE 175th & 5th NE	southwest	5th NE facing southbound traffic
2. NE 175th & 8th NE	southwest	8th NE facing southbound traffic
3. NE 175th & 10th NE	southwest	10th NE facing southbound traffic
4. 15th NE & NE 165th	northwest	NE 165th facing westbound traffic
5. 15th NE & NE 155th	northwest	NE 155th facing westbound traffic
6. NE 145th & 8th NE	northeast	8th NE facing northbound traffic
7. NE 145th & 5th NE	northeast	5th NE facing northbound traffic
8. NE 155th & 2nd NE	southwest	NE 155th facing eastbound traffic

ALTERNATIVE SITES

1. 15th Ave NE & NE 170th	northwest	NE 170th facing westbound traffic
2. NE 145th & 12th NE	northeast	12th NE facing northbound traffic

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of for Richmond Beach Community Council Mini-Grant Project
DEPARTMENT:	Community/Government Relations
PRESENTED BY:	Ellen Broeske, Neighborhoods Coordinator <i>EB</i> Joyce Nichols, C/GR Manager

EXECUTIVE / COUNCIL SUMMARY

The Richmond Beach Community Council is requesting \$3,250 in Mini-Grant funds to complete the existing sprinkler system at the Richmond Beach Community Park. Two-thirds of the grass on the west side of the park is currently watered by a sprinkler system. This project would use the existing control system and complete the watering capacity in the grassy area at the park.

The sprinkler system will be selected in consultation with the Shoreline Department of Parks, Recreation and Cultural Services and installed professionally with oversight from the Parks Superintendent. Once installed, the watering system will be the property and responsibility of the City of Shoreline. The system is expected to be installed in Spring, 2000.

Discussions late in 1999 between representatives of the Library System and the Shoreline Department of Parks, Recreation and Cultural Services indicate that the King County Library System may provide the sprinkler system to the Park as part of mitigation for construction of the new library at the Richmond Beach Community Park. Should that become a formal agreement, the Richmond Beach funds will not be expended. However, the community wishes to pursue the Mini-Grant request in order to ensure that the sprinkler system is completed soon.

The additional sprinklers will be installed northwest of the proposed Richmond Beach Library site (Attachment A). Installation of the watering system will be coordinated with King County Library System representatives so as not to interfere with Library construction.

Match for this project will be provided from the Richmond Beach Community Council in cash from fundraising projects. Completing the system has been a long-time goal of the community and the Richmond Beach Community Council has agreed to this use of its funds (Attachment B).

This request is one of two Richmond Beach Proposals on your agenda for December 13. The other proposal requests a re-programming of 1997 Mini-Grant funds.

Resolution No. 54 established the Neighborhoods Mini-Grant Program, with the process and administration of funds to be handled by the Office of Neighborhoods. The allocation of total funds available is determined from year to year by appropriation of the City Council. All such grants to individual neighborhood associations are governed by rules approved by the City Council on November 23, 1998. Grants must be approved by your Council prior to their implementation.

Mini-Grants provide equal grants of up to \$5,000 to each of the active, organized, qualifying neighborhood associations in the City of Shoreline. Neighborhood associations are required to match Mini-Grant funds. A match may be generated from co-sponsoring groups, businesses, organizations, schools, media, in the form of cash, in-kind donations and/or "sweat equity."

Mini-Grant project categories include the following:

- Projects that create or enhance a tangible improvement in the neighborhood;
- Projects that disseminate information and increase awareness of the goals and mission of the neighborhood association to the neighborhood community;
- Projects that directly benefit a public agency or organization and its immediate neighborhood, and that require the active involvement of both the public agency and members of the neighborhood in planning and carrying out the program.

Cost Breakdown

The current proposal to complete the watering system on the west side of Richmond Beach Community Park will result in a permanent improvement in the neighborhood.

Budget:

<u>Item</u>	<u>Cost</u>	<u>Neighborhood Match Item</u>	<u>Value of Match</u>
Materials & Labor to install Sprinkler system at Richmond Beach Community Park	\$5,425	Cash match from Richmond Beach fundraising	\$3,250
Tax (8.6%)	\$ 467		
Contingency	\$ 608		
TOTAL COST	\$6,500	TOTAL VALUE OF MATCH	\$3,250

TOTAL COST OF PROJECT:	\$6,500-
TOTAL VALUE OF MATCH:	\$3,250
TOTAL MINI-GRANT REQUEST	\$3,250

RECOMMENDATION

Staff recommends the authorization of \$3,250 in 1998 Mini-Grant funds for the Richmond Beach Community Council to add to an existing watering system at Richmond Beach Community Park.

Approved By: City Manager LB City Attorney N/A

ATTACHMENTS

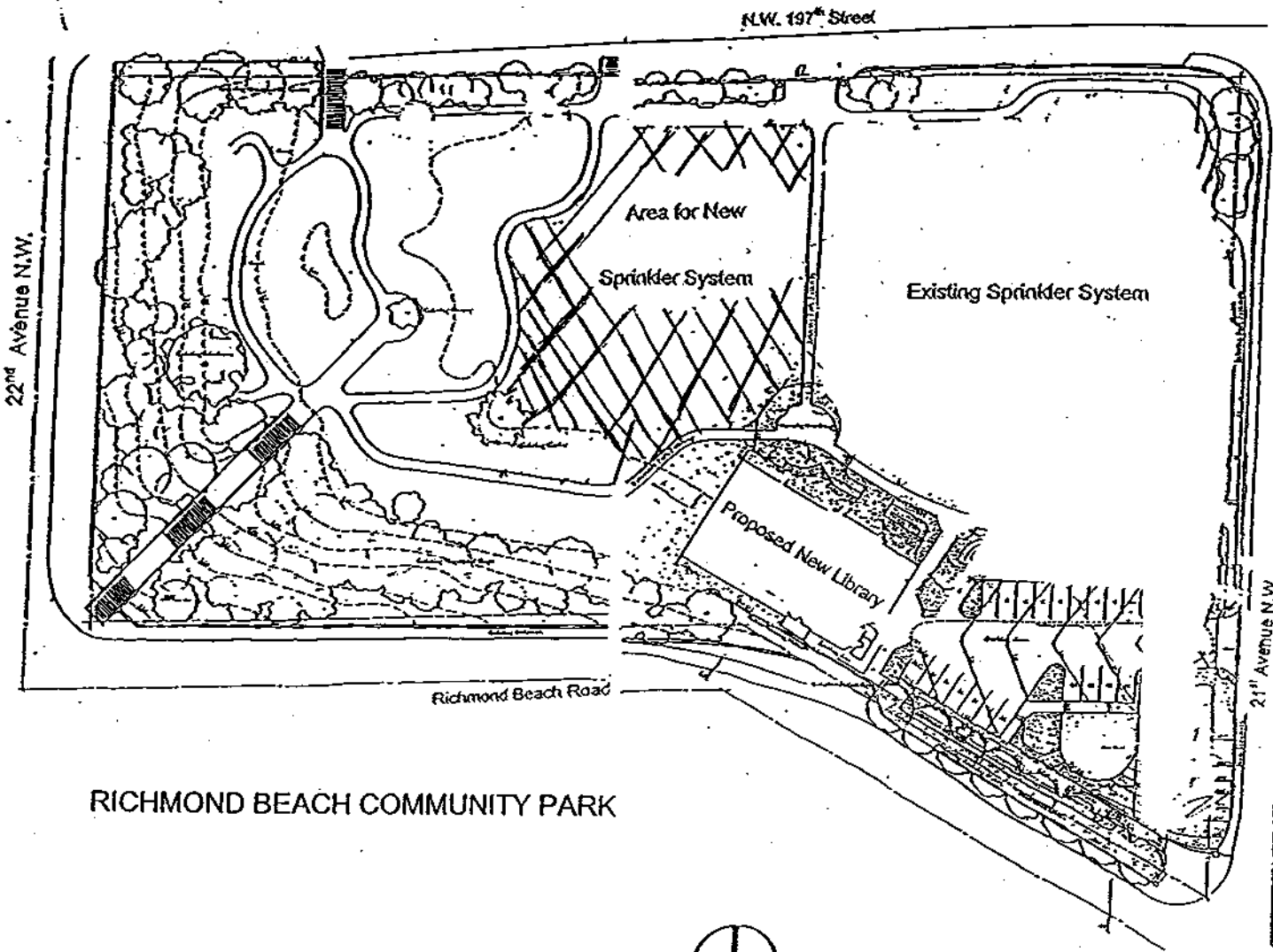
Attachment A: Sprinkler System Site diagram

Attachment B: Statement of funds availability from Richmond Beach Treasurer

Attachment C: Price bid on Irrigation system*

* Two additional bids on the irrigation system will be obtained and the lowest bid accepted. This was the only bidder responsive as of the date of Council Packet publication.

Sprinkler System Site



RICHMOND BEACH COMMUNITY PARK





**RICHMOND BEACH
COMMUNITY COUNCIL**

P.O. Box 60186 • Richmond Beach, WA 98160-0186

November 22, 1999

Ellen Broeske, Office of Neighborhoods
City of Shoreline
17544 Midvale Avenue North
Shoreline, Washington 98133

Dear Ellen:

The Richmond Beach Community Council guarantees that it has funds to cover its portion of the matching cost of the proposed mini-grant projects. Over \$10,000 has been specifically set aside by the Community Council for these projects.

Two accounts that may be drawn upon for the funds include the RBCC's Washington Mutual Money Market account with a balance of \$10,431.94 (as of Nov. 2, 1999) and the Wells Fargo Checking account with a balance of \$4,781.19 (as of Nov. 2, 1999).

Please contact us if you need further information regarding our financial contribution to the projects. Thank you for your help.

Sincerely,

Scott Becker
Treasurer
Richmond Beach Community Council

William Clements
President
Richmond Beach Community Council



Hornbeak Irrigation, Inc.

857 136th Ave. N.E.

Bellevue, WA 98005

Ph: (425) 641-0734

Fx: (425) 641-6094

Con. Lic# HO-RN-BI*190CB

11/19/99

CITY OF SHORELINE
ATTN: KIRK PETERSON
PARKS SUPERINTENDENT
PROPOSAL #2

PROPOSAL FOR: SORINKLER SYSTEM FOR RICHMOND BEACH COMMUNITY PARK

We propose to provide material and labor to install the following items as specified below:

ITEMS TO BE INCLUDED ARE:

250 FT	3/4" PVC PIPE CLASS 200
250 FT	1" PVC PIPE CLASS 200
150 FT	1-1/4" PVC PIPE CLASS 200
200 FT	1-1/2" PVC PIPE CLASS 200
300 FT	2" PVC PIPE CLASS 200
6 LOT	PVC FITTINGS & SUPPLIES
1 EA	2" BALL VALVE SLIP
3 EA	STANDARD VALVE BOX & LID
1 EA	10" VALVE PIT & LID
3 EA	1-1/2" WEATHERMATIC VAL.
24 EA	4" TRG TURF POP-UP HEAD
400 FT	DB CONTROLLER WIRE 18-6
2 LOT	WIRE SUPPLIES
9 LOT	MISC. EXPENSES & SUPPLIES

PROPOSED PRICE BEFORE SALES TAX: \$ 5,425 X .086 (tax) = 466.55 = \$ 5,891.55

PROPOSAL SUBMITTED BY:

PROPOSAL ACCEPTED BY:

Jay R. Hornbeak
HORNBEAK IRRIGATION

DATE

PROPOSAL #2. This price is based on cutting, lifting and relaying sod.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Richmond/Highlands Neighborhood Association Mini-Grant for \$5,000
DEPARTMENT:	Community/Government Relations
PRESENTED BY:	Ellen Broeske, Neighborhoods Coordinator Joyce Nichols, C/GR Manager

EXECUTIVE / COUNCIL SUMMARY

The Richmond/Highlands Neighborhood Association is requesting \$5,000 in 1999 Mini-Grant funds. The funds will be used for the following: 1) to develop a walking tour guide of four sites of historic interest in the neighborhood; 2) to purchase granite markers for each of the historic sites; and 3) to purchase and install neighborhood identification signs for installation at eight locations in the neighborhood.

Historic Interest Tour and Markers:

Sites featured on the walking tour were selected from the Shoreline Historic Resource Inventory completed by the King County Historic Preservation Program staff in 1996. The sites selected include:

- Richmond Highlands Masonic Hall, 759 N. 185th;
- Ronald Grade School, 749 N. 175th;
- Herzl Memorial Park Cemetery, 16747 Dayton Avenue North;
- Ronald United Methodist Church, 17839 Aurora Avenue North

Representatives for each of the properties have been contacted and have given consent for participation in the project (Attachments A1-A4). They will also review and approve the brochure content, and wording and location for the proposed marker at their site. Planning and Development Services staff has reviewed and approved the proposal as well.

A team of neighborhood volunteers will research, write and edit the walking tour guide, with assistance and professional oversight from the Shoreline Historical Museum staff (Attachment B). The guide will include photographs, historical information and a map to allow residents and visitors to take a self-guided tour of sites of historic interest in the Richmond Highlands Neighborhood. Walking tour guides will be made available at the Shoreline Historical Museum, Shoreline Libraries, and other outlets for public access.

The historic markers will be granite monuments slanted from front to back for readability, and will be produced and installed professionally by Quiring Monuments (Attachment C).

City staff will review and approve contents of walking tour guide and inscriptions for granite markers before final production.

Neighborhood Identification Signs:

A design for the Richmond Highlands Neighborhood signs has been approved by the Richmond Highlands Neighborhood Association membership (Attachment D). The signs feature a white reflective aluminum background with a two-color design, and include the City of Shoreline logo as required by the Neighborhood Identification Sign Policy adopted by your Council on March 23, 1998. The community has identified potential sign locations (Attachment E) and final siting and sign size will be determined with staff assistance from the Customer Response Team. King County sign crews will install the signs.

Resolution No. 54 established the Neighborhoods Mini-Grant Program, with the process and administration of the funds to be handled by the Office of Neighborhoods. The allocation of the total funds available is determined from year to year by appropriation of the City Council. All such grants to individual neighborhood associations are governed by rules approved by the City Council on October 7, 1996 and amended on November 23, 1998. Grants must be approved by your Council prior to their implementation.

Mini-Grants provide equal grants of up to \$5,000 to each of the active, organized, qualifying neighborhood associations in the City of Shoreline. Neighborhood associations are required to match Mini-Grant funds. A match may be generated from co-sponsoring groups, businesses, organizations, schools, or media, in the form of cash, in-kind donations and/or "sweat equity."

Mini-Grant project categories include the following:

- Projects that create or enhance a tangible improvement in the neighborhood;
- Projects that disseminate information and increase awareness of the goals and mission of the neighborhood association to the neighborhood community;
- Projects that directly benefit a public agency or organization and its immediate neighborhood, and that require the active involvement of both the public agency and members of the neighborhood in planning and carrying out the program.

The Richmond Highlands Neighborhood Association received \$5,000 in 1997 Mini-Grant funds to make improvements to the Richmond Highlands Recreation Center, host a fall neighborhood clean-up and purchase supplies and meeting notice signs for the Neighborhood Association. That project was successfully completed.

Cost Breakdown:

Volunteer match valued at \$7,000 has been secured for the project. Volunteers have spent significant time during development of the project application selecting potential sites, securing donated time, and securing participation from representatives of the

owners of each site. An additional 575 hours will be donated researching the sites, designing and writing the walking tour guide, designing the granite markers, working with site representatives and staff to finalize all of the above, as well as periodically cleaning neighborhood signs.

PROJECT BUDGET	COST	PROJECT MATCH	VALUE
Granite Historic Markers- 4 x \$812.50 (4 markers, lettering, installation, sales tax)	\$3,250	Research, writing, design of walking tour guide, markers, distribution of guide, periodic cleaning of neighborhood signs - 575 hours x \$10/hr.	\$5,750
Walking Tour guide printing (500 x. 60)	\$ 300	Application prep time	\$1,250
Neighborhood identification signs (8 signs, installation, sales tax)	\$1,100		
Contingency	\$ 350		
TOTAL BUDGET	\$5,000	TOTAL MATCH	\$7,000

RECOMMENDATION

Staff recommends authorization of \$5,000 in 1999 Mini-Grant funds for the Richmond Highlands Neighborhood Association to: 1) create a walking tour guide of neighborhood sites of historic interest; 2) purchase and install granite markers at the sites; and 3) purchase and install neighborhood identification signs at eight locations in the Richmond Highlands Neighborhood.

Approved By: City Manager LB City Attorney N/A

ATTACHMENTS

Attachment A1-A4- Agreement to Participate from Authorized Representatives
Attachment B- Letter of Support from Shoreline Historical Museum
Attachment C- Monument Design Illustration
Attachment D- Neighborhood identification sign design
Attachment E - Proposed sign locations



AGREEMENT TO PARTICIPATE IN RICHMOND HIGHLANDS HISTORICAL TOUR PROJECT

I hereby certify that I am the authorized representative for Richmond Masonic Temple and give my permission for this property to be included in the Richmond Highlands Neighborhood Association historical identification project to create a walking tour guide and place a granite marker at the site. I understand that by signing this agreement I am in no way placing special limitations on future uses of the property, changing its tax status, or interfering with the ability to apply for landmark status. I agree to retain the marker at the property for a minimum of five years. I also agree to inform the City of Shoreline and the Richmond Highlands Neighborhood Association should there be a need to remove or relocate the marker.

Name: LEWIS E. WINDER
(Please Print)

Signature: Lewis E. Winder

Position/Relationship to Property:
Chairman of Trustees

Mailing Address:
115 N. W 182ND SHORELINE WA

Phone:
(206) 542 5083



AGREEMENT TO PARTICIPATE IN RICHMOND HIGHLANDS HISTORICAL TOUR PROJECT

I hereby certify that I am the authorized representative for Shoreline Historical Museum and give my permission for this property to be included in the Richmond Highlands Neighborhood Association historical identification project to create a walking tour guide and place a granite marker at the site. I understand that by signing this agreement I am in no way placing special limitations on future uses of the property, changing its tax status, or interfering with the ability to apply for landmark status. I agree to retain the marker at the property for a minimum of five years. I also agree to inform the City of Shoreline and the Richmond Highlands Neighborhood Association should there be a need to remove or relocate the marker.

Name: Victoria E. Stiles
(Please Print)

Signature: Victoria E. Stiles

Position/Relationship to Property:

Director of the Shoreline Historical Museum

749 - N. 175th Shoreline, WA 98133

Mailing Address:

P.O. Box 7171 Shoreline, WA 98133

Phone:

(206) 542-7111



AGREEMENT TO PARTICIPATE IN RICHMOND HIGHLANDS HISTORICAL TOUR PROJECT

I hereby certify that I am the authorized representative for Ronald United Methodist Church and give my permission for this property to be included in the Richmond Highlands Neighborhood Association historical identification project to create a walking tour guide and place a granite marker at the site. I understand that by signing this agreement I am in no way placing special limitations on future uses of the property, changing its tax status, or interfering with the ability to apply for landmark status. I agree to retain the marker at the property for a minimum of five years. I also agree to inform the City of Shoreline and the Richmond Highlands Neighborhood Association should there be a need to remove or relocate the marker.

Name: LESTER L. POUND

(Please Print)

Signature: Lester L. Pound

Position/Relationship to Property:

CHAIRMAN BOARD OF TRUSTEES

Mailing Address:

17839 AURORA AVE N. SHORELINE, WA 98133

Phone:

(206) 542-2484



AGREEMENT TO PARTICIPATE IN RICHMOND HIGHLANDS HISTORICAL TOUR PROJECT

I hereby certify that I am the authorized representative for Herzl Memorial Park and give my permission for this property to be included in the Richmond Highlands Neighborhood Association historical identification project to create a walking tour guide and place a granite marker at the site. I understand that by signing this agreement I am in no way placing special limitations on future uses of the property, changing its tax status, or interfering with the ability to apply for landmark status. I agree to retain the marker at the property for a minimum of five years. I also agree to inform the City of Shoreline and the Richmond Highlands Neighborhood Association should there be a need to remove or relocate the marker.

Name: JOHN C COHN
(Please Print)

Signature: *John Cohn*

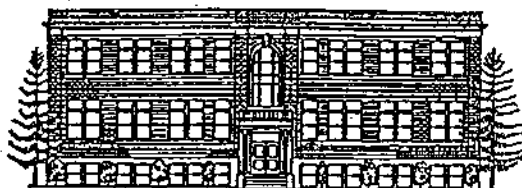
Position/Relationship to Property:

President - Herzl Memorial Park

~~4147~~ 4147 University Way NE
Mailing Address: PO: 85627 Seattle 98145-1627

Phone:

(206) 632 5400



The Shoreline Historical Museum
Serving Northwest King County ♦ Shoreline ♦ Lake Forest Park ♦ North Seattle

June 25, 1999

City of Shoreline
 Neighborhood Grants Program
 17544 - Midvale Ave. N.
 Shoreline, Washington 98133

Dear Neighborhood Grants Program Committee:

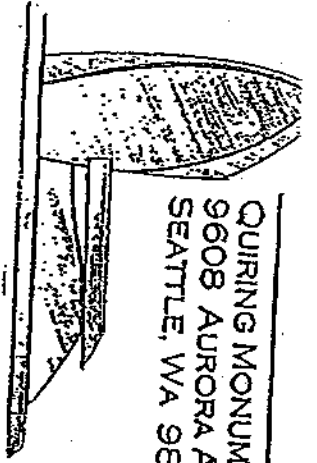
This letter is in support of the Richmond Highlands Neighborhood Association's mini-grant application to install permanent markers at historically significant sites in the area designated as "Richmond Highlands." Each Shoreline neighborhood has characteristics that make it unique. The history of Richmond Highlands is crucial in the overall perspective of the Shoreline area because it was a center of early population growth and economic development concentrated on the Interurban and the old North Trunk Road. The sites chosen by the Neighborhood Association reflect the evolution of the area. Additionally, a walking tour focused on the Richmond Highlands will allow people to discover for themselves the beauty and history of the neighborhood.

Actions such as informing people about their heritage and celebrating the roots of the community through tangible symbols instill feelings of ownership, pride and stability. The Shoreline Historical Museum staff will assist the Neighborhood Association in every way possible to help ensure the success and professionalism of the project. This project may also serve as a model for other neighborhood groups wishing to bring a foundation of esteem to their areas. We support the efforts of the Richmond Highlands Neighborhood Association to commemorate the enduring heritage and qualities of the Shoreline community through means accessible to the general public.

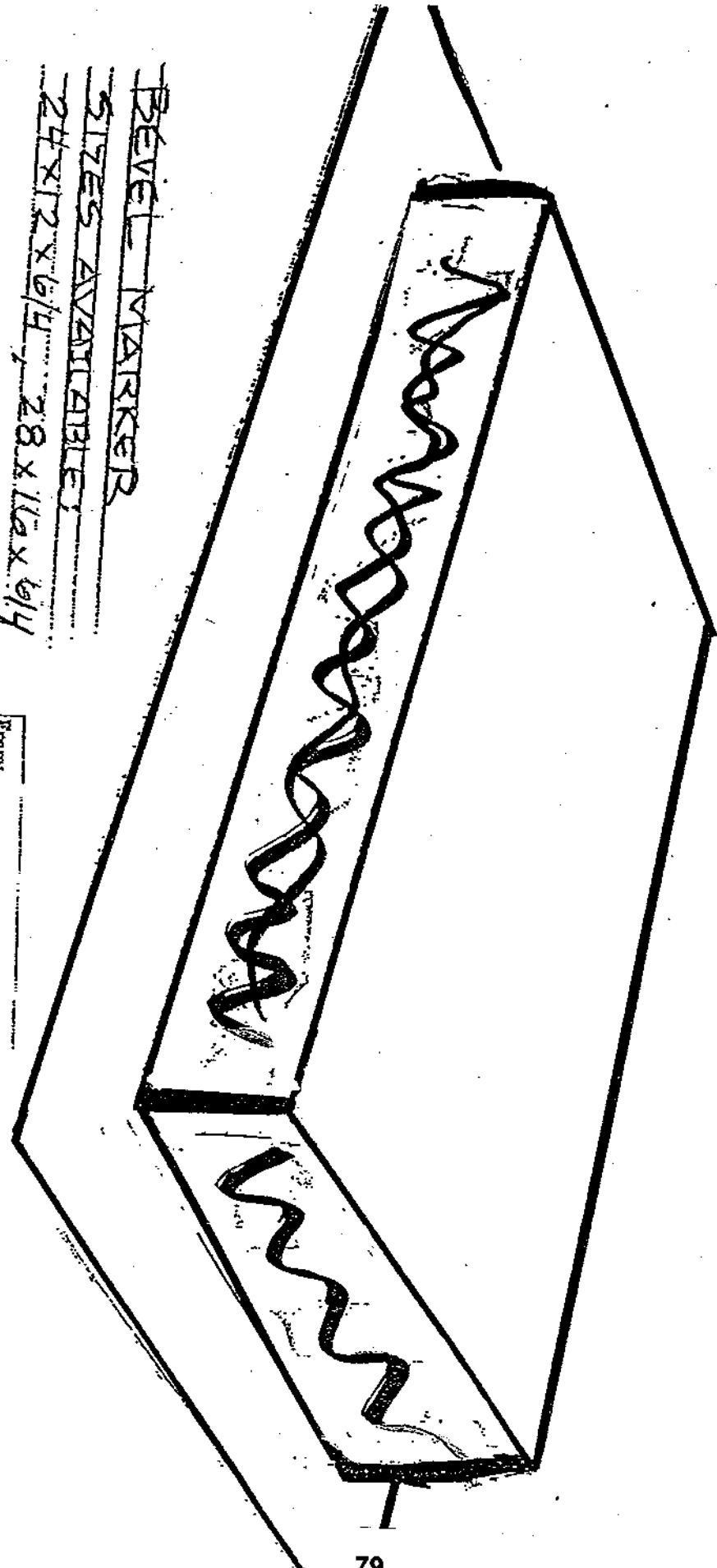
Sincerely,

Victoria Stiles
 Director

P.O. Box 7171 - 749 N. 175th S. 78 Shoreline, Washington 98133 206-542-7111



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9608 AURORA AVE N
SEATTLE, WA 98103-3296



79

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WELCOME
TO



RICHMOND
♦ HIGHLANDS ♦



NEIGHBORHOOD IDENTIFICATION SIGN LOCATIONS

1. Fremont Avenue North—east side just north of 165th
2. Dayton Avenue North—east side just north of Carlyle Hall Road N/165th but before first schools' sign notification
3. SE corner of NW 175th and 6th NW
4. Fremont Avenue North—west side approximately even with the south end of the turn lane near 185th
5. Dayton Avenue N—west side near the Richmond Beach Road end of Dayton
6. Third Avenue NW south of Richmond Beach Road—west side just beyond the apartment buildings
7. NW Richmond Beach Road east of 8th NW—south side of road and east of pole but before first entrance/exit to Rite Aid
8. One additional site to be determined or extra sign in case of damage/theft.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Motion to Approve an Amendment to the Red Carpet Building Maintenance Company Contract and Authorize the City Manager to Execute the Amendment.
DEPARTMENT: Public Works Department
PRESENTED BY: William L. Conner, P.E., Director of Public Works *WLC*

EXECUTIVE / COUNCIL SUMMARY

The purpose of this report is to request Council approval to extend the City's existing janitorial contract for a period of 90 days from January 1, through March 30, 2000. The attached Amendment provides your Council the ability to extend the current Contract for a total cost of \$27,500.

In September 1997, your Council approved a janitorial contract with Red Carpet Building Maintenance to provide janitorial service to the City's facilities. These facilities include City Hall, the Highland Plaza Annex and parks facilities. The existing janitorial contract is scheduled to expire on December 31, 1999.

Staff advertised a new janitorial contract in October 1999 using the Request for Quotation (RFQ) Process. The RFQ evaluates the contractor's overall qualifications as well as the quoted contract price in selecting the most qualified candidate. The RFQ process has been recently adopted by the State Government for janitorial contracts. Staff wanted to do the same.

After the RFQ were received and proposals reviewed, staff found that none of the proposals were properly completed. It is possible that the format and wording of the solicitation contributed to this result. Therefore, staff concluded that it was in the City's best interest to withdraw this RFQ. The City's standard terms and conditions states that the City expressly reserves the right to reject any or all quotes in the best interest of the City.

Staff will re-advertise the janitorial contract looking for the lowest bidder. This process will take about 90 days, at which point we will return to Council with a new janitorial contract to be in place by March 30, 2000.

RECOMMENDATION

Staff recommends that City Council approve an amendment to extend the janitorial contract with Red Carpet Building Maintenance Company for 90 days at a cost of \$27,500. Staff also recommends City Council authorize the City Manager to execute the amendment.

Approved By: City Manager LB

City Attorney [Signature]

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Ordinance No. 220 to Increase City Contribution for Employee Benefits from \$509 to \$527 per Month
DEPARTMENT: Human Resources
PRESENTED BY: Marci Wright, Director

EXECUTIVE / COUNCIL SUMMARY

Currently the City contributes \$509 a month toward employee benefit costs. The 2000 cost of medical coverage for employees and dependents has increased: 2% for Regence and over 18% for Group Health. Dental premiums have increased almost 6%. In response to the increases, we recommend increasing the City's contribution to \$527 a month, a 3.5% increase.

The fiscal impact of implementing the recommended action is approximately \$18,800. There are sufficient funds in the 2000 budget to fund this increase.

The current contribution amount was established by Ordinance No. 185. The attached ordinance amends Ordinance No. 185 and establishes the new contribution amount. The increase would be effective in January paychecks.

RECOMMENDATION

Adopt Ordinance No. 220 increasing the City monthly contribution amount for employee benefits to \$527 a month.

Approved By: City Manager 

City Attorney 

BACKGROUND / ANALYSIS

When we revised our pay plan in 1997, we committed to keeping pay and benefits competitive with the labor market. In addition to annual salary adjustments, these comparable jurisdictions are generally also paying additional amounts for employee benefits in 1999. Because our comparable jurisdictions do not pay benefits using the same method as the City of Shoreline, it is difficult to make meaningful comparisons concerning benefit increases. In 1998 the City raised the amount contributed each month toward employee benefits from \$455 to \$470 and in 1999 from \$470 to \$509.

Originally, the City based its funding amount on the cost of a "prototype" coverage: an employee choosing to provide medical, dental and vision coverage for the employee, spouse and 2 children. However, as costs have increased the City has not fully funded this level of coverage. Employees who have a spouse and 2 children and select this "prototype" coverage have self-paid a portion of the premium cost. (In 1999, an employee selecting Regence paid \$68 a month to cover the employee, a spouse and 2 children for medical, dental and vision; an employee selecting Group Health paid \$76 a month for the same package) At the same time, a relatively small number of employees have actually selected this prototype coverage package: in 1999 9 employees selected this package through Regence and only 2 selected it through Group Health. The balance of our employees sign up for insurance that ranges from covering only themselves up to covering a spouse and 1 dependent. These employees that have a balance left in their employee benefit amounts after paying for insurance have been allowed to allocate the balance to a deferred compensation program.

As we have moved away from fully funding the coverage for the original prototype and as a gap is beginning to grow between the cost of the medical plans (Regence and Group Health), we have not articulated a clear alternative basis for funding benefits. Reestablishing a goal of funding the least costly option for a prototype coverage can provide a basis for future cost increases and achieve a reasonable balance between fairly funding employee benefit costs and affordability of those increases. We simply cannot continue to assume the double digit cost increases for the more expensive medical program (Group Health) when there is a less expensive alternative.

Although we have not articulated it as a policy, our current practice essentially funds 1999 medical, dental and vision coverage for an employee covering the employee, a spouse and 1 child. (The 1999 monthly cost for this coverage through Regence is \$513; through Group Health it is \$506.) Also, by a slight margin, the Regence coverage package for an employee, spouse and 1 child is the most commonly selected by employees covering dependents on medical coverage. (Currently 14% of benefited employees)

We recommend establishing an employee, spouse and 1 child as a prototype coverage. If we do so, we would use the cost of the least expensive option of this package as the goal each year in establishing the City's contribution rate for benefits. Our intent would be to fund this prototype coverage as long as it remains affordable to do so. In adopting this approach, based on current experience, we would expect to offer an option that would fully fund medical, dental and vision costs for over 85% of our benefited employees. Of the 85%, 74% actually have money left over after paying for insurance and get to allocate the balance to deferred compensation.

Applying this approach to 2000, the monthly cost of medical, dental and vision coverage using Regence medical (the least expensive option) is \$527. This is our recommended funding level for year 2000. (The monthly cost of this prototype coverage in 2000 for an employee selecting Group Health is \$583) Regence medical coverage is currently the most commonly selected medical plan: 84% of benefited employees. Currently only 16% select Group Health coverage

FISCAL IMPACT

Assuming a January 2000 implementation date, the 2000 fiscal impact of raising the City's contribution to \$527 is approximately \$18,800. If approved, there are sufficient funds within the 2000 budget to cover this increase.

RECOMMENDATION

Adopt Ordinance No. 220 increasing the City monthly contribution amount for employee benefits to \$527 a month.

ATTACHMENTS

Ordinance No. 220

ORDINANCE NO. 220

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
AMENDING ORDINANCE NO. 185, WHICH ESTABLISHED MEDICAL,
DENTAL, VISION, LIFE AND DISABILITY INSURANCE AND OTHER
BENEFITS FOR CITY EMPLOYEES, IN ORDER TO PAY FOR THE
INCREASE IN THE COST OF BENEFITS**

WHEREAS, Ordinance No. 185 amended Ordinance No. 151 to establish medical, dental, vision, life and disability insurance benefits for City employees; and

WHEREAS, Section 1 of Ordinance No. 185 provided that the maximum monthly payment which may be made for the benefits offered to City employees was \$509.00; and

WHEREAS, due to an increase in the cost of the benefits provided, the maximum monthly payment must be increased.

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

Section 1. Section 1 of Ordinance No. 185 is hereby amended as follows:

Section 1. Authorizing expenditure of City funds to provide for an employee benefits package. The City Manager is authorized to expend such funds as may be necessary to carry out Section 2 of this Ordinance: PROVIDED, that the maximum monthly payment which may be made for the benefit of any City employee shall be \$509 the lowest cost for medical, dental and vision coverage for an employee, spouse and one child as provided for in the Memorandum referenced above.

Section 2. A summary of this Ordinance, consisting of its title, shall be published in the official newspaper of the City. This Ordinance shall take effect and be in full force January 1, 2000.

PASSED BY THE CITY COUNCIL ON _____, 1999.

Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli, CMC
City Clerk

Ian Sievers
City Attorney

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Council Adoption of Ordinance 219 Authorizing the City's 2000-2005 Capital Improvement Program
DEPARTMENT: Public Works Department
PRESENTED BY: William L. Conner, P.E., Director of Public Works *WLC*

EXECUTIVE / COUNCIL SUMMARY

The purpose of this report is to adopt the 2000 – 2005 Capital Improvement Program (CIP) for the City of Shoreline (Attachment B). This CIP has been updated from 1999 and provides a six-year overview of proposed projects in the General Capital Fund, Roads Capital Fund and the Surface Water Capital Fund. The updated CIP supports your City Council's 1999 – 2000 Work Plan goal to "Advance projects on the existing CIP", and is required by the State Growth Management Act. Your Council reviewed this CIP with staff on November 22, 1999 and solicited public comment on November 22, and December 6, 1999.

On November 8, 1998, City Council adopted the City's first (1999 – 2004) Capital Improvement Program. Council adopted the CIP and directed that all future CIP updates would be performed annually as part of the City's annual budget process. The CIP incorporated extensive input from Shoreline residents to ascertain the community's priorities relative to infrastructure improvements. The following accomplishments illustrate some of the projects that were either completed or initiated in 1999:

- Designed and constructed curb ramp and sidewalk repairs at various locations throughout the City.
- Began construction of sidewalk improvements at North 175th Street and Meridian Avenue North.
- Completed design and began construction of sidewalk improvements along 25th Ave. NE.
- Completed Master Plans for the Richmond Highlands Recreation Center, Paramount School Park and the Swimming Pool.
- Completed the design and construction of improvements to the Bluff Trail in Richmond Beach Saltwater Park.
- Completed the design and began construction on additional parking at the swimming pool.

Numerous projects will carry-over from 1999 to 2000, including the following major projects:

- Aurora Avenue North Corridor Design
- Interurban Trail
- 15th Avenue N.E. Roadway and Sidewalk Improvements
- 3rd Avenue Drainage Improvements
- Ronald Bog Drainage Improvements
- Shoreview Park Improvements

Proposed new projects for the program include the following:

- 1st Avenue NW Slope Erosion
- North City Business District Improvements
- Neighborhood Parks Repair and Replacement
- Richmond Beach Overcrossing

Budget Analysis

Staff completed a revenue forecast to determine future revenues available relative to projected expenditures. The following table shows a summary of estimated total revenues, expenditures, and balances for the six-year 2000-2005 CIP:

Six Year Capital Improvement Program

Summary

	Revenues	Expenditures	Balance
1999			\$13,228,435
2000	\$ 12,851,472	\$ 14,042,533	\$12,037,374
2001	\$ 9,170,318	\$ 12,347,012	\$ 8,860,680
2002	\$ 10,360,726	\$ 13,169,691	\$ 6,051,715
2003	\$ 10,409,225	\$ 13,297,946	\$ 3,162,994
2004	\$ 11,203,603	\$ 13,790,791	\$ 575,806
2005	\$ 9,860,787	\$ 10,323,141	\$ 113,452

Fund revenues consist of fund balances, known revenue streams and assumptions on availability of future grants and other revenues. Fund expenditures are projected expenditures for all projects.

RECOMMENDATION

Staff recommends that your Council adopt Ordinance No. 219 (Attachment A) authorizing the 2000-2005 Capital Improvement Program.

Approved By:

City Manager

LB

City Attorney

[Signature]

BACKGROUND / ANALYSIS

The 2000 –2005 Capital Improvement Program (CIP) demonstrates the City's long-term commitment to the preservation and improvement of its infrastructure investment. The CIP provides staff with a variety of benefits such as project planning, identification of infrastructure needs, availability of resources, and funding options for current and future years.

In accordance with RCW 36. 70A, the City of Shoreline is required to adopt a six-year CIP mandated by the Washington Growth Management Act. On November 9, 1998, after conducting a public hearing, Council adopted Ordinance Number 177 authorizing the first CIP. Council adopted the CIP with the stipulation that in future years the CIP would be updated annually as a part of the annual budget.

The proposed CIP consists of three capital improvement funds. The General Capital Fund provides funding for parks and facilities improvement projects, the Roads Capital Fund for street and transportation related projects, and the Surface Water Capital Fund for projects designed to improve drainage and flooding concerns, and to provide water quality enhancements.

CIP Adoption Process

The adoption of the CIP supports the City Council's 1999-2000 Work Plan goal to "Advance projects on the existing CIP". The development of the 1999 – 2004 CIP in 1998 included extensive meetings and mailings to solicit the community's input to establish project priorities, project scheduling and funding options.

Staff devoted a substantial amount of time and effort to update the CIP. The proposed CIP includes project expenditures along with a six-year forecast of projects planned from 2000 through 2005. Staff updated the CIP using specific criteria including community priorities, assumptions on availability of future revenue resources and staffing levels. Staff reviewed each of the projects and modified the project scope and budget based on new information relevant to each project. These project modifications occurred after reviews were conducted during City Council workshops, Parks Advisory Committee meetings and the Planning Commission sessions. Additional cost changes were determined when necessary by staff.

1999 Accomplishments

In 1999, several projects identified in the CIP were either constructed or underwent design work. Several projects including Aurora Avenue North, Interurban Trail, and the Swimming Pool involved extensive community input during public forums. The following project accomplishments were completed during the 1999 fiscal year:

- Designed and constructed curb ramp and sidewalk repairs at various locations throughout the City.
- Began construction of sidewalk improvements at North 175th Street and Meridian Avenue North.
- Completed the installation of the Traffic Signal System Interconnect.

- Began design phase of the Interurban Trail.
- Began the development of the Neighborhood Traffic Safety Program.
- Began the design for street improvements on 15th Ave NE.
- Began design of intersection improvements on Richmond Beach Road @ 3rd Ave. NE.
- Completed design and began construction of sidewalk improvements along 25th Ave. NE.
- Designed and constructed small drainage projects.
- Began the basin analysis for the Ronald Bog sub-basin to Thorton Creek.
- Began the basin analysis for drainage improvements in the vicinity of 3rd Ave. NW @ NW 185th Street.
- Completed Master Plans for the Richmond Highlands Recreation Center, Paramount School Park and the Swimming Pool.
- Completed the design and construction of improvements to the Bluff Trail in Richmond Beach Saltwater Park.
- Completed the design and began construction on additional parking at the swimming pool.
- Completed construction and installation for Police Station Emergency Power.

2000-2005 CIP Overview

Numerous projects will carry-over from 1999 to 2000, including the following major projects:

- **Aurora Avenue North Corridor Design**
The first phase of this project includes completion of the Aurora Corridor Multi-Modal Pre-Design study. The study evaluated the needs for capacity, safety, access management, pedestrians, bicycles, and transit along the Aurora Avenue North within the City of Shoreline from North 145th Street to North 205th Street. The main features of the recommended design include the addition of business access transit lanes on the outside of the roadway: curbs, gutters, landscaping /street furnishing strip, and sidewalks on both sides: and the creation of a landscaped center median safety lane with left turn and U-turn provisions. The recommendation also includes four new signalized intersections and four pedestrian activated signalized crossings. In 2000 the preliminary design and environmental analysis phase for the entire corridor will begin. In addition, design will begin on the first section of Aurora Avenue between North 145th Street and North 165th Street.
- **Interurban Trail**
This project will design and construct a trail that runs through the City of Shoreline along the Seattle City Light right of way. The phases of the project include design, right of way acquisition if needed, and construction. In 2000, design will begin and the northern and southern segments of the trail are scheduled to be constructed in 2001.

- 15th Avenue N.E. Roadway and Sidewalk Improvements

This project will construct a continuous, center left-turn lane on 15th Avenue NE between NE 150th Street and NE 155th Street and a new sidewalk on the east side of the street from NE 150th Street to NE 165th Street. The sidewalks will be constructed six feet wide with adjacent four-foot planter strips where feasible. In 2000, the left-turn lane along with the new sidewalk and planter strips will be constructed.

- 3rd Avenue Drainage Improvements

This project will evaluate, design, and construct drainage improvements to address flooding within the project limits. The first phase will perform a drainage study of the area and develop recommendations to address local flooding. Conceptual designs and cost estimates for the recommended alternative will be developed and used to better define future costs for this project. In 2000, the conceptual designs, cost estimates for the recommended alternatives, and the construction work stemming from the alternatives will be completed.

- Ronald Bog Water Quality Improvements

This project will provide for the construction of storm water quality improvements in the vicinity of North 175th Street and Interstate 5 near Ronald Bog. The improvements include construction of a water quality swale to allow particulate matter to settle out of the storm water runoff before it enters Ronald Bog. In 2000, the grant funding will be transferred to the Washington State Department of Transportation (WSDOT) and these improvements will be incorporated into their project at the I-5 Interchange.

- Shoreview Park Improvements

This project will provide for the design and construction of a new "Little League" baseball field, parking lot, restroom facility, and children's play area. In 2000, the activities on this project will include obtaining the permits, design, construction of a baseball field, parking lot expansion, restrooms, and a children's play area.

The following new projects are proposed to start in 2000:

- 1st Avenue NW Slope Erosion

This project will design and construct erosion protection and a retaining structure on the slope face and provide support to the deck structure of an adjoining property. Staff will oversee controls that will be implemented to divert surface water away from the slope. This project will be completed in 2000.

- North City Business District Improvements

This project includes the design and construction of improvements to enhance the aesthetic environment and provide for pedestrian mobility and safety in the North City Business District. The proposed improvements include landscaping, new sidewalks with curb extensions and sidewalk reconstruction, including curb ramps and signal modifications at three intersections: 15th Ave. NE @ NE 175th; 15th Ave. NE @ NE 177th St.; 15th Ave. NE @ NE 180th. Additional improvements may include mid-block crosswalks with curb extensions at two locations: 15th Ave. NE @ 176th and 15th Ave. NE @ NE 178th St., safety

features such as illuminated traffic signs and pavement markings. The scope of improvements will be coordinated with the adjacent property owners, business owners, and the North City Business Association. In 2000, the improvements will be identified through coordination with the property and business owners and design will begin. Future construction of improvements will be contingent on participation from the adjacent property and business owners. The construction is scheduled to begin in 2001 subject to funding contributions made by the business owners.

- **Neighborhood Parks Repair and Replacement**

This project will provide improvements at neighborhood parks such as Americans with Disability Act (ADA) access modifications, playground safety enhancements, replacements of fencing and backstops, drinking fountains, irrigation system upgrades and tennis court resurfacing.

Budget Analysis

Staff completed a revenue forecast to determine future revenues available relative to projected project expenditures. The following table shows a summary of estimated total revenues, expenditures, and balances for the six-year 2000-2005 CIP:

Six Year Capital Improvement Program

Summary

	Revenues	Expenditures	Balance
1999			\$13,228,435
2000	\$ 12,851,472	\$ 14,042,533	\$12,037,374
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2005	\$ 9,860,787	\$ 10,323,141	\$ 113,452

Fund revenues consist of fund balances known revenue streams and assumptions on availability of future grants and other revenues. Fund expenditures are projected expenditures for all projects.

RECOMMENDATION

Staff recommends that your Council adopt Ordinance No. 219 (Attachment A) authorizing the 2000 –2005 Capital Improvement Program.

ATTACHMENTS

Attachment A Ordinance No. 219

Attachment B 2000-2005 Capital Improvement Program (due to the length of this document, public copies are available in the City Clerk's Office)

ORDINANCE NO. 219

**AN ORDINANCE OF THE CITY OF SHORELINE,
WASHINGTON, APPROVING AND ADOPTING THE 2000 - 2005
SIX-YEAR CAPITAL IMPROVEMENT PROGRAM,**

WHEREAS, the City of Shoreline incorporated on August 31, 1995; and

WHEREAS, the City Council adopted Ordinance number 177 on November 9, 1998, which adopted the 1999 - 2004 Capital Improvement Program; and

WHEREAS, the State Growth Management Act (RCW 36.70A) requires the adoption of the Capital Improvement Program; and

WHEREAS, the City Council conducted a public hearing on the proposed Capital Improvement Plan on December 13, 1999;

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

Section 1. Adopting the 2000-2005 Capital Improvement Plan. The City hereby adopts the attached six-year Capital Improvement Plan for the years 2000 - 2005,

Section 2. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL ON _____.

Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli, CMC
City Clerk

Ian Sievers
City Attorney

Date of Publication: 1999
Effective Date: 1999

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Ordinance No. 221 Amending SMC 12.25.090 and Setting a 6% Franchise Fee for all Future Franchise Agreements
DEPARTMENT: City Manager's Office
PRESENTED BY: Ian Sievers, City Attorney, Kristoff Bauer, Assistant to the City Manager

EXECUTIVE / COUNCIL SUMMARY

On October 11th, after a discussion regarding revenue losses anticipated to result from the passage of Initiative 695, your Council directed staff to bring forward a utility tax for your consideration (adopted October 25th) and to seek new franchise agreements with utilities to which the application of a utility tax would be inappropriate. State law prohibits the City from imposing a utility tax on Seattle Public Utilities (SPU) and both Utility Districts have asserted a similar immunity. In accordance with Council direction, staff has negotiated two franchises with SPU that include provision for a franchise fee of 6% (adopted November 29th).

Staff continues to work with the two special purpose districts to develop similar franchise agreements in accordance with Council direction, but agreements will not be ready for your consideration prior to the end of the year. In order to enact a fee prior to January 1, 2000, the effective date of I-695, the proposed ordinance amends the existing code chapter regulating franchises and right-of-way use agreements (SMC 12.25) to adopt a set fee (6%) as consideration for use of the City's rights-of-way and costs of administration. Thus, all future franchises will be subject to this 6% set fee.

The purpose of the proposed amendment is to facilitate the uniform application of your Council's franchise fee policy as articulated on October 11th. The City has not been able to complete franchise agreements enacting this policy with all current providers or potential future providers. This ordinance enacts the policy of charging a 6% franchise fee today and allows for the implementation of that policy in the future as discussions with current providers conclude or as new service providers begin serving the community. The table below describes the current state of the implementation of Council's utility taxation and franchise fee policy:

Utility	Utility Tax	Franchise Fee	Contract Payment	Total
Electricity			3%	3%
Solid Waste	6%			6%
Telephone	6%			6%
Natural Gas	6%			6%
Cable TV	1%	5%		6%
SPU Water		6%		6%
SPU Sewer		6%		6%
Shoreline Water District				0%

Utility	Utility Tax	Franchise Fee	Contract Payment	Total
Shoreline Wastewater Management District				0%
Future Service Provider	6%?	?		?

The proposed ordinance would provide the authority and direct City staff to ensure that future agreements will place all utility providers on a level playing field, requiring each to comply with a uniform 6% fee or tax policy. In this way, disparate impacts between the customers of one service provider versus those of another service provider can be eliminated over time.

The proposed ordinance sets the rate for future franchises at 6% of gross revenues generated within the City unless limited by state or federal law, or the utility is already paying a 6% utility tax. The City is not permitted to charge a franchise fee on telephone, natural gas or electrical utilities under RCW 35.21.860, and is limited by the federal Telecommunications Act to a 5% franchise fee on cable providers. In enacting a particular franchise or right-of-way use agreement, the City is provided the flexibility to negotiate in-kind facilities or services as a full or partial offset to the 6% fee, or to utilize differing application methods as long as equal compensation is provided for. Certain franchisees, such as U.S. Crossing (the fiber-optic telecommunication provider that recently went down Aurora), do not engage in business that generates revenue within the City. The proposed ordinance allows the City to seek alternate compensation during the franchise negotiation process for these franchises.

The proposed amendment would require the City to include a 6% franchise fee in future franchise agreements, and would allow the City to do so without a public vote.

RECOMMENDATION

Staff recommends adoption of Ordinance No. 221. Amending SMC 12.25.090 and Setting a 6% Franchise Fee for all Future Franchise Agreements.

Approved By:

City Manager LB City Attorney 

ATTACHMENTS

Attachment A - Proposed Ordinance # 221 Amending SMC 12.25.090 and Setting a 6% Franchise Fee for all Future Franchise Agreements

ORDINANCE NO. 221

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON,
AMENDING SMC 12.25.090., AND ESTABLISHING A FEE OF 6% OF
GROSS REVENUES FOR FRANCHISES AND RIGHT-OF-WAY USE
AGREEMENTS**

WHEREAS, SMC establishes a fee for franchises to be established in the franchise agreement or right-of-way use agreement not to exceed the maximum allowed by law; and

WHEREAS, the adoption of Initiative 695 may require an election to approve each new fee established on a contract-by-contract basis; and

WHEREAS, the City Council desires to establish a consistent fee for all utilities granted the privilege of using City rights-of-way and finds that rights conveyed by utility franchises or right-of-way agreements and costs of administration are approximately equivalent regardless of the utility; now therefore

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

Section 1. Amendment. SMC 12.25.090 is hereby amended to read as follows:

12.25.090 Franchise and Right-of-Way Use Agreement fee.

A. All franchises or right-of-way use agreements executed by the city shall include terms requiring ~~A~~ a grantee, to pay a fee in consideration of the privilege granted under a franchise or right-of-way use agreement to use the public right-of-way and the privilege to construct and/or operate in the City, shall pay to the city an amount set forth in the franchise agreement, not to exceed the maximum allowed by law, for each year during the term of the franchise. Said franchise fee shall provide the City with compensation equal to 6% of the gross revenues generated by the grantee within the City unless limited by state or federal law. Provided, however, that this fee may be offset by any utility tax paid by grantee or in-kind facilities or services provided to the City. Any Grantee that does not provide revenue-generating services within the City shall provide alternate compensation as set out in the franchise or right-of-way use agreement.

B. A grantee shall file, no later than May 30th of each year, the grantee's financial statements for the preceding year. If the city reasonably determines, after examination of the financial statements provided, that a material underpayment of franchise fees may exist, the city may require a grantee to submit a financial statement audited by an independent public accountant. If the city's determination of underpayment is ultimately correct, the grantee shall bear the cost of such audit.

C. The city shall have the right, upon reasonable notice and consistent with the provisions of SMC 12.25.100, to inspect a grantee's income records, to audit any and all relevant records, and to recompute any amounts determined to be payable under a franchise and this chapter.

D. In the event that any franchise payment is not received by the city on or before the applicable due date, interest shall be charged from such date at the statutory rate for judgments.

E. In the event a franchise is revoked or otherwise terminated prior to its expiration date, a grantee shall file with the city, within 90 days of the date of revocation or termination, a verified or, if available, an audited financial statement showing the gross revenues received by the grantee since the end of the previous year and shall make adjustments at that time for the franchise fees due up to the date of revocation or termination.

F. Nothing in this chapter shall limit the city's authority to tax a grantee, or to collect any fee or charge permitted by law, and no immunity from any such obligations shall attach to a grantee by virtue of this chapter.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force 5 days from passage and publication.

PASSED BY THE CITY COUNCIL ON DECEMBER____, 1999

Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli
City Clerk

Ian Sievers
City Attorney

Date of Publication: _____, 1999

Effective Date: _____, 1999

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 218 Updating the User Fee Schedules for the City's Fee Based Services (Development Services, Parks and Recreation, etc.)
DEPARTMENT:	Finance
PRESENTED BY:	Joe Meneghini, Finance Director

EXECUTIVE / COUNCIL SUMMARY

On November 29th, your Council heard recommendations from staff on a comprehensive review of the City's user fee schedules and recommendations for making adjustments to the user fee schedules based on a cost-recovery philosophy and market competitiveness. At that same meeting, your Council provided consensus for staff to return on December 13 with an ordinance and updated fee schedules to adopt the recommendations.

In order to ensure that the citizens of Shoreline had a formal opportunity to provide input into the City's user fees for the coming year (in addition to the November 29th public comment period), the City Council scheduled and held a public hearing on the recommended adjustments to the City's user fee schedules on December 6, 1999.

This update of the City's user fees retains the 80% revenue recovery policy for the services provided by Planning and Development Services (building permits and development activities), but it is based on next year's estimated expenses rather than prior year's actuals. The schedule also establishes a balanced fee approach for the variety of programs and services provided through the City's Parks and Recreation Department, and all other fees.

Attached is the ordinance and user fee schedules for your adoption. If your Council decides to make changes to these schedules at the December 6 meeting, these changes will be submitted to Council for final review at the December 13 meeting.

RECOMMENDATION

Adopt Ordinance No. 218, updating the City's user fee schedules for the City's fee based services.

Approved By: City Manager LB City Attorney [Signature]

BACKGROUND ANALYSIS

The City's overhead plan and user fee reviews have been presented to your Council on an annual basis as part of the Budget Retreat and annual budget process. The City's fee schedules were last updated in 1998 based on the City's overhead allocation plan and user fee study and again in 1999 for the update of the Uniform Building Code for a portion of the Development Services fees only.

Based on the annual update of the City's overhead allocation plan and user fee reviews and a thorough review of the Planning and Development Services, Parks and Recreation, and other City fee structures, the staff has recommended and your Council has provided consensus to return on December 13 with an ordinance to adopt the comprehensive update of the City's user fee schedules subject to any change in position due to comments provided at the December 6th Public Hearing.

This update retains the 80% revenue recovery policy for the services provided by Planning and Development Services (building permits and development activities) and establishes a balanced fee approach for the variety of programs and services provided through the City's Parks and Recreation Department, and all other fees.

The update also adds a new section to the Planning and Development Services fee schedule to cover civil penalties assessed for code enforcement actions and recovery of abatement costs under our newly established Code Enforcement Program, with the intent to have all of our current fees and penalties included in our comprehensive fee schedules.

Based on the 2000 Proposed Budget, the user fee update increases the current Planning and Development Services hourly rate from \$93 to \$114 per hour to bring the cost recovery rate up to 80% of the full-cost (direct and overhead) of providing development services, including overhead expenses. The new hourly rate is based on the 2000 estimated expenditures and revenues and still excludes program costs related to Code Preparation and Walk-In Services. Prior year's actual costs were used in the past to determine the 80% cost recovery figures.

As proposed, the fees still result in a 20% General Fund subsidy by Shoreline taxpayers. We believe the increase is justified and in-line with other jurisdictions.

Based on the requirement of Initiative 695, requiring all user fee increases to be put before a vote of the people at a minimum cost of \$25,000 or a potential maximum of \$95,000 per election, the fee ordinance includes language to allow all of the City's user fees to be automatically updated on an annual basis based on the CPI. The City Council will have the option to not increase the fee schedules based on the CPI in any individual budget year.

By increasing the hourly service rate to \$114 per hour and adjusting the building permit fees by the Consumer Price Index (CPI, 3%) the increase in fee revenue for 2000 is

estimated to be \$180,513, assuming a similar level of building activity in 2000 as is being experienced in 1999. As you can see from the table below, the basic permit for a single family home would go up by \$120.75 (5%). This increase amounts to less than 1/10th of 1% on a \$200,000 home. The total permit fee would be 1.2% of a \$200,000 home.

Single-Family House	Current Charges	New Charges	Dollar Increase	Percent Increase
Permit	\$ 1,189.75	\$ 1,224.75	\$ 35.00	3%
Review	773.34	796.09	22.75	3%
Site	93.00	114.00	21.00	23%
Furnace	93.00	114.00	21.00	23%
Fireplace	93.00	114.00	21.00	23%
WSBCC*	4.50	4.50	0.00	0%
Total	\$ 2,246.59	\$ 2,367.34	\$ 120.75	5%

* Washington State Building Code Council

The user fees and cost recovery rates have been reviewed annually for the Parks programs. Past program reviews have shown that the Parks and Recreation fees have been in line with what is seen in other local jurisdictions and the Department has a good system established for calculating individual class or program fees. While past reviews have been at a higher program level, this more recent review was at the individual class or service level.

The Parks analysis included two critical data collection steps. First, cost of service information was refined to allocate direct costs and parks overhead costs for recreation services. Second, a thorough market analysis was developed that compared Shoreline's pricing information with that of surrounding jurisdictions.

A regional average market price for each service was developed by averaging the prices charged for similar services provided by the cities of Edmonds, Mountlake Terrace, Lynnwood and North Seattle. King County pricing was used where applicable. The cities of Auburn and Kent were used to establish the average market price for the Teen Program fee based services because these were the only jurisdictions that provided a similar teen trip program for comparison. This two step analysis provided the necessary framework to develop the proposed fee schedule (see Exhibit B to the Ordinance for the fee schedule).

The goal of adjusting pricing at this time is to assure that we are equitably distributing the responsibility between the beneficiary of the service and the taxpayer to pay for the cost of providing recreation and parks services. The proposed price increases are based on the philosophy of keeping the City of Shoreline's pricing structure competitive with the surrounding market. The recommended price increases do not exceed market range, and increase the revenue and cost recovery of Parks programs that fall into a service mix that primarily benefits the individual rather than the whole of the community.

Based on this thorough review and the recommendation, these adjustments to the Parks and Recreation fee schedules will result in estimated additional revenues of \$90,567 over the 2000 Proposed Budget.

Fee schedules for public records disclosure requests are also included in this comprehensive City fee ordinance but are unchanged from the City's earlier fee schedules.

The primary user groups for these services have been contracted and the proposed new fees were shared with them a few weeks before this date.

RECOMMENDATION

Adopt Ordinance No. 218, updating the City's user fee schedules for the City's fee based services.

ATTACHMENTS

Attachment A. - Ordinance 218

Ordinance Exhibit A – Planning and Development Services Fee Schedule

Ordinance Exhibit B - Parks and Recreation Fee Schedule

Ordinance Exhibit C - Public Records Fee Schedule

ORDINANCE 218

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING REVISED FEES FOR SERVICES FOR LAND USE AND BUILDING PERMIT DEVELOPMENT APPLICATIONS, FOR PARKS AND RECREATION, AND FOR PUBLIC RECORDS CHARGES, AND REPEALING PREVIOUSLY ADOPTED FEE SCHEDULES.

WHEREAS, the City has an overhead allocation plan to calculate both the direct and indirect cost of providing City services; and

WHEREAS, the City has utilized the overhead allocation plan to conduct user fee studies during 1997, 1998, and 1999 of the City's development and parks and recreation fees to arrive at recommendations on appropriate fee levels for the City's fee based services; and

WHEREAS, the results of these studies were presented and discussed with the City Council; and

WHEREAS, the costs of services and user fees have now been updated to reflect the 2000 Proposed Budget and revenues and the staff has prepared recommended 2000 fee schedules for development services, parks and recreation, and public records charges;

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

Section 1. Adoption of Development Services Fee Schedule. The City Manager or designee is authorized to charge applicants for development and land use permits received by the City's Permit Center, the amounts set forth in the Development Services Fee Schedule, as presented in Exhibit A to this ordinance.

Section 2. Adoption of Parks and Recreation Fee Schedule. The City Manager or designee is authorized to charge applicants for the City's recreation programs and for rental of the City's park facilities, the amounts set forth in the Parks and Recreation Fee Schedule, as presented in Exhibit B to this ordinance.

Section 3. Adoption of Public Records Fee Schedule. The City Manager or designee is authorized to charge for copies of written records, maps, photographs, audio and video tape recordings and diskettes, and other material as requested through the disclosure for public records process, as presented in Exhibit C to this ordinance.

Section 4. Annual Adjustments. The fee schedules in Exhibits A, B and C shall be automatically updated on an annual basis on January 1st of each year by the Seattle Consumer Price Index for all urban consumers (CPI-U). The adjustment shall be calculated each year and included in the City Manager's Proposed Budget. The annual adjustment shall be based on the CPI-U average for the period that includes the last six months of the previous budget year and the first six months of the current budget year. The City Manager may choose to not include annual CPI-U adjustments in the City Manager's Proposed Budget and the City Council may choose to not include annual CPI-U adjustments in the Adopted Budget for select user fees in any individual budget year without impacting the full force of this section for subsequent budget years.

The annual adjustments to the fees in Exhibit A shall be rounded to the nearest dollar with the exception of the Building Permit fees which shall be rounded to the nearest quarter dollar. The annual adjustments to the fees in Exhibits B and C shall be rounded to the nearest quarter dollar.

Section 5. Repealer. The fee schedules as enacted in Ordinance No. 147 (update of City Fee schedules), Ordinance No. 188 (uniform building code update), and KCC 23.32.010-.040 (civil penalties adopted by Ordinance 125) are hereby repealed.

Section 6. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 7. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL ON DECEMBER ____, 1999.

Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli
City Clerk

Ian Sievers
City Attorney

Date of Publication: _____, 1999

Effective Date: _____, 1999

Planning and Development Services Fee Schedule
Fees Based on \$114 per Hour

Exhibit A.

Type of Permit Application	Fees
Appeals	\$ 350
Accessory Dwelling	\$ 114
Binding Site Plan	\$ 228 deposit plus \$114/hour
Lot Line Adjustment	\$ 570 deposit plus \$114/hour
Building Permit	1997 Uniform Building Code Plus CPI Increase (3.0%)
<u>Valuations</u>	
\$1 - \$500	\$ 24.25
\$501 - \$2,000	\$24.25 for the first \$500.00 + \$3.25 for each additional \$100.00, or fraction thereof, to and including \$2,000.00.
\$2,001 - \$25,000	\$71.25 for the first \$2,000.00 + \$14.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00.
\$25,001 - \$50,000	\$403.00 for the first \$25,000.00 + \$10.50 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00.
\$50,001 - \$100,000	\$663.00 for the first \$50,000.00 + \$7.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00.
\$100,001 - \$500,000	\$1,023.50 for the first \$100,000.00 + \$5.75 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00.
\$500,001 - \$1,000,000	\$3,330.75 for the first \$500,000.00 + \$5.00 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00.
\$1,000,001 +	\$5,777.00 for the first \$1,000,000.00 + \$3.75 for each additional \$1,000.00, or fraction thereof.
Plan Review Fee	65% of the Building Permit Fee
All Other Plan Reviews or work	Hourly Rate (hour minimum)
Construction Permit for Work Commenced Without a Building Permit	Twice the Applicable Building Permit Fee
Conditional Use Permit	\$ 3,420 plus public hearing \$1,750 (if required)
Continuation and/or Minor Alteration of Nonconforming Use	\$ 114 deposit plus \$114/hour
Home Occupation	Hourly Rate (hour minimum)
Residential Furnace	\$ 114
Residential Fireplace (up to two)	\$ 114
Commercial Mechanical	\$ 114
All other Mechanical (Residential and Commercial)	\$ 114

Planning and Development Services Fee Schedule
Fees Based on \$114 per Hour

Exhibit A.

Type of Permit Application	Fees
<u>Environmental Review</u>	
Environmental Checklist:	
Single Family	\$ 1,140
Multi-Family/Commercial	\$ 1,710
Environmental Impact Statement Review	\$ 3,990 deposit plus \$114/hour
Grading Permit	\$ 342 deposit plus \$114/hour
Sensitive Area Permit	\$ 912 plus \$114/hour
Rezone	\$ 6,840 plus public hearing \$1,750
<u>Shoreline Substantial Development:</u>	
Shoreline Exemption	\$ 228
Substantial Development Permit (based on valuation)	
up to \$10,000	\$ 1,710
\$10,000 to \$500,000	\$ 3,876
Over \$500,000	\$ 6,840
Shoreline Variance	\$ 3,420 plus public hearing \$1,750 (if required)
Sign Permit	\$ 228 plus \$114/hour
Special Use Permit	\$ 5,700 plus public hearing \$1,750
Street Vacation	\$ 4,560 plus public hearing \$1,750
<u>Subdivisions:</u>	
Preliminary Short Plat	\$ 3,420 for two lot shortplat, plus public hearing \$1,750 (if required) \$ 342 for each additional lot
Final Short Plat	\$ 912
Site Development (Engineering Plans Review and Inspections)	\$ 1,368
Short Plat Change	\$ 1,368
Preliminary Subdivision	\$ 4,332 plus \$31/lot plus public hearing \$1,750

Planning and Development Services Fee Schedule

Fees Based on \$114 per Hour

Exhibit A.

Type of Permit Application	Fees
Final Subdivision	\$ 3,420 plus \$19/lot
Variances	\$ 3,420 plus public hearing \$1,750 (if required)
<u>Right-of-Way:</u>	
Minimum Administrative Fee	\$50 plus \$114 per hour
<u>All Other Work:</u>	
All Other Fees Per Hour	\$ 114 /hour
Pre-Application for Rezone	\$ 114 /hour

Code Enforcement Fees

Civil Penalties

A. A civil penalty for violation of the terms and conditions of a notice and order shall be imposed in the amount of \$500. The total initial penalties assessed for notice and orders and stop work orders pursuant to this chapter shall apply for the first fourteen-day period following the violation of the order, if no appeal is filed. The penalties for the next fourteen day period shall be one hundred fifty percent of the initial penalties, and the penalties for the next fourteen day period and each such period or portion thereafter shall be double the amount of the initial penalties.

B. Any responsible party who has committed a violation of the provisions of the Critical Areas chapter will not only be required to restore damaged critical areas, insofar as that is possible and beneficial, as determined by the Director of the Department of Planning and Development Services, but will also be required to pay civil penalties in addition to penalties under Section A, for the redress of ecological, recreational, and economic values lost or damaged due to the violation. Civil penalties will be assessed according to the following factors:

1. An amount determined to be equivalent to the economic benefit that the responsible party derives from the violation measured as the total of:
 - a) The resulting increase in market value of the property; and
 - b) The value received by the responsible party; and
 - c) The savings of construction costs realized by the responsible party as a result of performing any act in violation of the chapter; and
2. 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
3. A penalty of \$2,000 if the violation has severe ecological impacts, including temporary or permanent loss of resource values or functions.

C. 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.

City Abatement Costs

The City shall be reimbursed all direct costs of repairs, alterations or improvements, or vacating and closing, or removal or demolition, incurred in abatement of any nuisance defined by City ordinance including reimbursement of actual hourly employee wages and benefits.

Planning and Development Services Fee Schedule /
Fire Permit Fees
Fees based on \$114 per Hour

			<u>Fees</u>
<u>Automatic Fire Alarm System</u>			
Tenant Improvement (Each additional zone over one \$57.00)			\$ 342
New System			456
<u>Cryogenic Tank</u>			342
<u>Dip Tank</u> (incorporating flammable or combustible liquids)			456
<u>Fiberglass Operations</u>			456
<u>Fire Extinguishing Systems</u>			
Commercial Cooking Hoods: : 1 to 12 flow points			342
More than 12			456
Other Fixed System Locations			456
<u>Fire Pumps</u>			456
<u>Flammable/Combustible Liquids</u>			
Commercial Tanks:			
Aboveground Tank Installations	(first tank)		228
Underground Tank Installations	(first tank)		228
Underground Tank Installations	(additional)		114
Underground Tank Piping	(with new tank)		228
Underground Tank Piping Only	(vapor recovery)		342
Underground Tank Removal	(first tank)		228
	(additional)		57
Residential Tanks:	Removal or Decommission		114
<u>Flammable Liquid Mixing / Dispensing Room</u>			456
<u>Hazardous Materials Containment Systems</u>			
	Spill Control		228
	Drainage Control/Secondary Containment		456
<u>Hazardous Materials Storage Tanks</u>			342
<u>High Piled Storage</u>			
Class I - IV Commodities:	501 - 2,500 square feet		228
	2,501 - 12,000 square feet		342
	Over 12,000 square feet		456
High Hazard Commodities:	501 - 2,500 square feet		342
	Over 2,501 square feet		570
<u>Hydrants / Water Mains</u>			342

Planning and Development Services Fee Schedule /
Fire Permit Fees
Fees based on \$114 per Hour

	<u>Fees</u>
<u>LPG (Propane) Tanks</u>	
Commercial	342
Residential	228
<u>Spray Booth</u>	456
<u>Sprinkler Systems (Each Riser)</u>	
New Systems (plus \$2.85 per head)	570
Tenant Improvement: 1 to 10 heads	342
11 to 20 heads	456
More than 20 heads (plus \$2.85 per head)	570
Residential (R-3) 13-D System, Up to 30 heads	570
13-D Systems with more than 30 heads add \$2.85 per head	
<u>Standpipe Systems</u>	456
<u>Underground Sprinkler Supply</u>	342

Additional Fees:

Projects that exceed the normal limits of anticipated work hours required for plans review or inspections because of scale or complexity may be assessed additional fees. All fees are calculated at \$114 per hour.

Reinspection fees may be assessed if work is incomplete, corrections not completed or the allotted time is depleted. Fees will be assessed at \$114 per hour, minimum one hour.

City of Shoreline Parks and Recreation Fee Schedule

SHORELINE POOL

Public Swims:

Children 4 & Under	Free
Youth 5 to 17 years	\$ 1.75 per person per session
Senior 60+ years	1.75 per person per session
Disabled	1.75 per person per session
Adult	2.75 per person per session
Family, Parent & Their Children	7.00 Family, Parent & Their Children
Reduced Swim Nights	0.75 per youth; \$1.50 per adult

Swim Lessons:

Parent & Tot	2.50 per class
Preschool (1-5)	3.65 per class
Youth (1 & 2)	3.65 per class
Youth (3-7)	3.10 per class
Adult	3.65 per class

Water Exercise Fees

Adult	
Each Class	\$ 3.50
10 Class Card	28.00 (\$2.80 per class)
Senior	
Each Class	\$ 2.75
10 Class Card	22.00 (\$2.20 per class)

Pool Rentals:

If an individual or organization rents the pool and if spectator admissions/sales are charged on-site, 20% of the gross amount will be collected by and for the City of Shoreline. For sale of goods, user groups must complete a Short-Term Concessionaire Permit.

1. Private Rentals

1 to 25 people	\$ 50.00 per hour
26 - 60 people	70.00 per hour
61 - 90 people	90.00 per hour
91 - 120 people	110.00 per hour
121 - 150 people	130.00 per hour

2. Special Interest Groups \$ 40.00 per hour

Pool Rental Special Interest Groups are groups that use the pool to teach or practice water skills, such as SCUBA or kayaking. These groups have trained instructors and leaders.

3. School Districts \$ 23.00 per hour

4. Swim Teams

When sharing the pool	\$ 5.00 per lane
When using the entire pool	7.00 per lane

Swim Teams include Swimming, Diving, Synchronized Swimming, and Water Polo. These groups have trained coaches and are registered with a national organization.

City of Shoreline Parks and Recreation Fee Schedule

Family Membership Program

(Entitles member to all public swims and adults to all adult swims)

Youth, Senior, Disabled

10 Swim Pass	\$ 14.00
3 Month Pass	55.00
Annual Pass	130.00

Adult

10 Swim Pass	\$ 22.00
3 Month Pass	85.00
Annual Pass	205.00

Family

10 Swim Pass	\$ 56.00
3 Month Pass	130.00
Annual Pass	340.00

Locker Fees \$ 0.25 per locker

RECREATION CLASSES & PROGRAMS

1. General Recreation Classes and Programs

General recreation classes and programs includes classes for preschool through senior adult-aged participants in the arts, sports, fitness and wellness, special interest, and environmental education interest areas.

The charge for general recreation classes and programs shall be based on the direct cost of providing the class plus a 50% overhead charge. The direct costs include the full cost of all instructors, facility rentals, supplies, transportation and promotional efforts, and all other services related to the offering of the class or program.

2. Special Recreation Classes and Summer Playground Programs

Special Recreation classes and programs includes classes offered for developmentally disabled participants. Summer Playground Programs serve youth in the community. A large portion of participants in these programs are lower income.

The charge for Special Recreation classes and Summer Playground Programs shall be based on the direct cost of providing the class plus a 50% overhead charge.

3. Teen Classes and Programs

Teen classes and programs include recreation programs for middle and high school aged youth.

The charge for Teen recreation classes and programs shall be based on the direct cost of providing the class plus a 50% overhead charge.

Annual Adjustments for 1, 2 and 3

The City Manager may propose, and the City Council may adopt, a smaller overhead percentage for any or all recreation classes and programs and may reduce fees for classes and programs under 2 and 3 below direct costs.

City of Shoreline Parks and Recreation Fee Schedule

ATHLETIC FIELDS

1. Baseball/Softball fields
 - a. Adult \$ 28.00 per game
 - b. Youth 6.00 per game
 - c. Seniors 55 or older 6.00 per game
 - d. Practice Fields - Youth 2.00 per practice
 - e. Practice Fields - Adults 12.00 per practice
2. Soccer and Other Field Sports
 - a. Adult \$ 28.00 per game
 - b. Youth 6.00 per game
 - c. Practice Fields - Youth 2.00 per practice
 - d. Practice Fields - Adults 12.00 per practice
3. Tournament Field Rental Fee
 - a. Adult \$ 25.00 per game
 - b. Youth 11.00 per game
 - c. Tournament Field Cancellation Fee 6.00 per game
4. Athletic field lights 11.00 per hour
5. Field Reservation Form Processing Fee

Under 75 games/practices	\$ 10.00
75-200 games/practices	20.00
200+ games/practices	50.00

CONCESSION/FACILITY USE

If an individual or organization rents a City facility and if spectator admissions/sales are charged on-site, 20% of the gross amount will be collected by and for the City of Shoreline. For sale of goods, user groups must complete a Short-Term Concessionaire Permit.

RICHMOND HIGHLANDS RECREATION CENTER

1. Rentals During Non-Public Hours:

Entire building	\$ 33.00 per hour (2 hour minimum)
Gymnasium Only	16.50 per hour (2 hour minimum)
2. All groups assessed a \$5.00 handling/processing fee per reservation form.

City of Shoreline Parks and Recreation Fee Schedule

OUTDOOR FACILITIES (Picnic Shelters)

Any groups renting outdoor facilities for activities including, but not limited to, dog shows, outdoor weddings, day camps, Fun Runs and organized picnics will pay according to the following fee schedule.)

1 - 100 Participants	\$ 50.00 per day Monday-Friday
	60.00 per day Saturday-Sunday
101 + participants	0.50 per participant per day

Reservation Form Handling Fee: All groups will be assessed a \$5.00 processing fee per Reservation Form.

PARKS SPECIAL USE

The charge for special use permits for parks facilities shall be based on the full cost of providing the park facility or services requested. The City Manager may propose, and the City Council may adopt, a smaller overhead percentage for parks special uses and may lower the fees below the full cost of providing the facility or services requested.

City of Shoreline Public Records Fee Schedule

Materials Copied on the Copier	\$ 0.15 per page if more than five pages
Materials provided on Computer Diskettes	1.50 per disk
Video Tapes	11.55 per tape
Audio Tapes	2.00 per tape
Photos/Slides	\$2 - \$20 depending on size and process
Colored Maps (up to (11" x 17"))	1.50
Large Copies (24" x 36")	3.00
Mylar Sheets	5.00

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 222, the Year 2000 Operating and Capital Budget
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Bob Deis, City Manager

EXECUTIVE / COUNCIL SUMMARY

On October 25, 1999, the 2000 Proposed Budget was presented to the City Council. Since that time, there have been a number of changes to the Proposed Budget due to the passage of statewide Initiative 695, the City's response to the impacts of that Initiative on the City's finances, and a minor adjustment based on passage of the 2000 property tax ordinance.

During a series of three budget workshops, the City Council reviewed with City staff the specifics of each departmental budget, the 2000 capital budget, and a comprehensive review and update of the City's user fees. During these meetings, the Council discussed its priorities and provided input to the City Manager on the Proposed Budget. The public was also invited to each of these workshops to share their perspectives.

On November 29, the City Council reviewed the adjustments to the 2000 Proposed Budget caused by the passage of I-695 and reviewed the City's user fees. Based on these discussions and the Public Hearing on the Proposed Budget on December 6th, your Council provided consensus to staff to return on December 13, 1999 with a 2000 Budget Ordinance for adoption. All adjustments made to the original 2000 Proposed Budget are outlined in the body of this staff report.

The 2000 budget represents the fifth full budget year for the City of Shoreline, including both operating and capital funds. The ordinance appropriates a total of \$67,020,885 to 14 separate funds. The 2000 budget appropriates \$25,771,778 to the General Fund for the general operations and service delivery programs of the City. Yet, as Councilmember Hansen reminded us on November 29th, these numbers are inflated dramatically due to governmental accounting standards that require us to double count funds when transferred between funds.

An overview of the General Fund revenues and expenditures and a summary of all 14 of the City's funds will be presented to your Council and the public at this meeting. If Council directs staff to make any changes following the December 6 public hearing they will be presented to Council in a revised ordinance for December 13.

RECOMMENDATION

Move to approve the 2000 Budget Ordinance No. 222, appropriating funds for the operating and capital budgets of the City for the 2000 budget year.

Approved By: City Manager LB City Attorney [Signature]

BACKGROUND / ANALYSIS

Since the presentation of the Proposed Year 2000 budget to your Council on October 25th, your Council has held three public workshops reviewing the budget and providing consensus to staff.

The adjustments to the 2000 Proposed Budget are described below.

- The statewide passage of Initiative 695 reduced City revenues by a total of \$2,661,418 from the 2000 Proposed Budget, this included:
 - \$1,928,416 from the General Fund,
 - \$638,514 from the Street Fund, and
 - \$94,488 from the Arterial Street Fund
- After reviewing the necessary cuts in City basic services to make up this shortfall, the City Council adopted Ordinance 210B, levying a 6% utility tax on natural gas, sanitation, telephone, and cellular phone services, and a 1% utility tax on cable TV service in the City to counteract the elimination of City revenue from the passage of I-695. This is estimated to raise \$2,342,523 in additional revenue for 2000.
- The City Council adopted Ordinance 213 levying the 2000 property taxes at the same rate (\$1.60 per \$1,000 of assessed value) as every year since the City incorporated. This is 12 cents less than the old King County Road Levy tax rate. Due to a final assessed value number that is lower than that included in the original Proposed Budget, the General Fund revenues are reduced by a net \$28,192.
- The City Council adopted Ordinances 214 and 215 granting a water and sewer franchise to Seattle Public Utilities. As part of this franchise agreement, the City is levying a 6% franchise fee on the utilities. This is estimated to raise \$419,450 in additional revenue for 2000.
- On November 29th, the City Council discussed the annual review and update of the City's user fee schedules and provided consensus to return to the December 13th City Council Meeting with Ordinance 218 to adopt the updated user fee schedules. This is estimated to raise an additional \$180,513 in Planning and Development Services revenue and an additional \$90,567 in Parks and Recreation revenue for 2000.

The table on the following page summarizes the appropriation differences between the original proposed budget and the 2000 Budget that is presented for adoption tonight. These differences reflect all of the adjustments that your Council made to the 2000 Proposed Budget. The adjustments affect six of the City's fourteen funds.

<u>Primary Revenue Funds</u>	Total Proposed Budget	Total Adopted Budget	Adopted version vs. Proposed
General Fund	\$ 24,875,846	\$ 25,771,778	\$ 895,932
Development Services Fund	2,231,465	2,372,896	141,431
Street Fund	4,112,972	4,112,972	0
Arterial Street Fund	535,096	440,608	(94,488)
Surface Water Management	5,400,146	5,400,146	0
General Capital	8,914,077	8,885,885	(28,192)
Roads Capital	13,821,112	14,274,025	452,913
Surface Water Capital	2,973,157	2,973,157	0
<u>Transfer Funds</u>			
General Reserve Fund	\$ 1,670,330	\$ 1,670,330	\$ 0
Equipment Replacement Fund	815,536	815,536	0
Vehicle Operation/Maint. Fund	131,790	131,790	0
Unemployment Fund	62,621	62,621	0
Advance Travel Fund	5,140	5,140	0
Code Abatement Fund	104,000	104,000	0
Total City Funds	\$ 65,653,289	\$ 67,020,885	\$ 1,367,596

The following tables show the details for each of the adjustments that have been made in each of the affected funds.

GENERAL FUND ADJUSTMENTS	2000 Proposed	2000 Adopted	Difference
Revenues:	\$18,927,012	\$ 19,822,944	\$ 895,932
I-695 - Retail Sales - Equalization		\$ (1,103,357)	
I-695 - Retail Sales - Equalization (extra 4th quarter loss)		(211,898)	
I-695 - State - Camper Excise		(15,432)	
I-695 - State - MVET		(515,189)	
I-695 - State - MVET - CJ - Per Capita		(3,178)	
I-695 - State - CJ - At-Risk Children		(10,015)	
I-695 - State - CJ - Domestic Violence		(10,144)	
I-695 - State - CJ - City Law Enforce.		(52,281)	
I-695 - State - CJ - Innovative Law Enforce.		(6,922)	
I-695 Estimated Loss		(1,928,416)	
Natural Gas Utility		357,055	
Telephone/Cell Phone/Pagers		1,574,958	
Sanitation Utility		366,510	
Water (franchise revenue from Seattle Public Utilities)		197,834	
Sewer (franchise revenue from Seattle Public Utilities)		221,616	
Cable TV Utility		44,000	
Lower property tax due to lower estimates of assessed value		(28,192)	
Parks Fee Revenue		90,567	
		<u>\$ 895,932</u>	

	2000 Proposed	2000 Adopted	Difference
General Fund Transfers Out:	\$ 5,400,627	\$ 6,296,560	\$ 895,932
Higher transfer to Street Fund due to revenue losses in \$ that Fund from Initiative 695			723,553
Decrease in subsidy to Development Services Fund due to Development Services Fee Increases			(252,342) \$ 471,211
Net Extra revenue for 2000 that will transfer to the General and Roads Capital Funds			\$ 424,721 \$ 895,932
General Fund Ending Balance:	\$ 927,392	\$ 927,392	\$ 0

DEVELOPMENT SERVICES FUND ADJUSTMENTS

Beginning Fund Balance:	\$ 499,746	\$ 623,005	\$ 123,259
Higher beginning balance due to higher 1999 development activity and revenues over the past few months			
Revenues:	1,020,416	1,290,929	270,513
Higher 2000 Revenue base due to higher 1999 development activity			90,000
Additional revenue due to hourly fee increase			180,513
			270,513
Transfers-In:	711,303	458,962	(252,341)
General Fund subsidy is lower due to higher Development Services revenue			
Ending Fund Balance:	\$ 567,352	\$ 708,783	\$ 141,431

Higher Development Services reserve due to higher revenues. The remaining ending balance reflects the amount of the reserve based on the distribution of the development revenue based on one, two, or three-year development activity.

	2000 Proposed	2000 Adopted	Difference
STREET FUND ADJUSTMENTS			
Revenues:	\$ 1,524,896	\$ 886,382	(638,514)
I-695 - County Vehicle License Fee			(436,431)
I-695 - Referendum 49 Transportation Funding			(202,083)
(a limited two-year revenue source)			(638,514)
Transfers-In:	1,476,586	2,115,101	638,515
Higher General Fund Subsidy Transfer In due to I-695 revenue loss in the Street and Arterial Street Funds			723,553
Lower Arterial Street Fund Transfer In due to I-695 loss in that Fund			(85,038)
			638,515
Street Fund Ending Balance:	\$ 466,901	\$ 466,901	\$ 0

ARTERIAL STREET FUND ADJUSTMENTS

Revenues:	\$ 469,736	\$ 375,248	(94,488)
I-695 - Referendum 49 Transportation Funding			
Transfers-Out:	476,586	391,548	(85,038)
Less revenue leaves less to transfer to the Street Fund			
Ending Balance:	58,510	49,061	(9,449)
Lower ending fund balance due to lower revenues			

GENERAL CAPITAL IMPROVEMENT FUND ADJUSTMENTS

Transfers-In:	\$ 1,581,384	\$ 1,553,192	(28,192)
Smaller transfer from the General Fund due to lower property tax due to lower estimates of assessed value			

ROADS CAPITAL IMPROVEMENT FUND ADJUSTMENTS

Transfers-In:	\$ 2,272,940	\$ 2,725,853	452,913
Additional resources transferred from the General Fund for the Roads Capital Improvement Fund			

LONG-TERM FINANCIAL POSITION

The table below shows the relation of the 2000 Budget to the City's long-term financial position. Your Council's budget policy says that we should not fund a short-term budget that cannot be sustained long-term. The five-year outlook provides us with a useful view of our current financial position with the following limitation: Since we are very dependent upon the financial health of the State and regional economies, economic downturns will invariably impact the City's financial position. If inflation returns beyond our recent past experience, these estimates will change.

Based on our current resources and expenditures and our assumptions for the future, the General Fund appears to be very stable over the five-year period. The ending fund balance for years 2000-2004 represents the proposed 5% undesignated fund balance policy. This does not include any additional funds for new initiatives in future years or unknown impacts from regional finance and governance issues or State mandates.

	1999 Budget	2000 Adopted	2001	2002	2003	2004
Beginning Fund Balance	\$3,455,702	\$ 3,489,102	\$ 927,392	\$ 888,906	\$ 904,000	\$ 919,498
Revenues	16,637,960	19,822,944	18,908,145	19,248,021	19,598,012	19,958,423
Transfers-In	2,422,443	2,459,732	2,359,081	2,258,594	2,267,072	2,275,720
Resources	22,516,105	25,771,778	22,194,618	22,395,521	22,769,084	23,153,641
Expenditures	16,890,311	18,547,827	17,778,134	18,079,990	18,389,953	18,708,247
Transfers-Out	2,464,826	2,412,515	2,201,732	2,315,603	2,432,532	2,549,800
Gambling Transfer to Capital	0	758,306	911,075	911,075	911,075	911,075
Capital Transfer	3,094,417	3,125,739	414,771	184,853	116,026	49,106
Expenditures	22,449,554	24,844,387	21,305,712	21,491,521	21,849,586	22,218,228
Ending Fund Balance	\$ 66,551	\$ 927,392	\$ 888,906	\$ 904,000	\$ 919,498	\$ 935,413

ADDITIONAL ADJUSTMENTS

The 2000 Budget Ordinance also establishes a new Code Abatement Fund as was discussed with your Council during the budget process to provide funding for City code abatement efforts. The costs associated with the abatement would be charged to the owner of the property either as a lien on the property or on the tax bill. Recovered monies would replenish the Fund for future abatement efforts.

The ordinance changes the name of the Asset Depreciation Fund to the Equipment Replacement Fund to more closely match it's purpose. The ordinance also changes the name of the Equipment Rental Fund to the Vehicle Operations and Maintenance Fund to more closely match the purpose of this Fund.

RECOMMENDATION

Move to approve the 2000 Budget Ordinance No. 222, appropriating funds for the operating and capital budgets of the City for the 2000 budget year.

ATTACHMENTS

Ordinance 222 - 2000 Budget Ordinance

ORDINANCE 222

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING THE ANNUAL BUDGET OF THE CITY OF SHORELINE FOR THE YEAR 2000.

WHEREAS, State law, Chapter 35A.33 RCW requires the City to adopt an annual budget and provides procedures for the filing of a proposed budget, deliberations, public hearings, and final fixing of the budget; and

WHEREAS, a proposed budget for fiscal year 2000 has been prepared and filed, a public hearing has been held for the purposes of fixing the final budget, and the City Council has deliberated and has made adjustments and changes deemed necessary and proper;

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

Section 1. The 2000 budget for the City of Shoreline for the period January 1, 2000 through December 31, 2000 as determined in the 2000 Proposed Budget, and as revised by the City Council is hereby adopted.

Section 2. Summary of Revenues and Expenditures. The budget sets forth totals of estimated revenues and estimated expenditures of each separate fund, and the aggregate totals for all such funds, as summarized below:

General Fund	\$ 25,771,778
Development Services Fund	2,372,896
Street Fund	4,112,972
Arterial Street Fund	440,608
Surface Water Management Fund	5,400,146
General Capital Fund	8,885,885
Roads Capital Fund	14,274,025
Surface Water Capital Fund	2,973,157
General Reserve Fund	1,670,330
Equipment Replacement Fund	815,536
Vehicle Operations/Maintenance Fund	131,790
Unemployment Fund	62,621
Advance Travel Fund	5,140
Code Abatement Fund	104,000
Total Funds	\$ 67,020,885

Section 3. Establishing a Code Abatement Fund. There is created a fund to be known as the "Code Abatement Fund" to be used for funding City Code Abatement efforts. The Fund is created with an initial transfer of funds from the General Fund. Recovered monies from code abatement efforts will replenish the Fund for future abatement efforts.

Section 4. Changing of Asset Depreciation Fund Title and Purpose. The title of the City's "Asset Depreciation Fund" is hereby changed to the "Equipment Replacement Fund." The purpose of this fund is to set aside funds annually to replace City vehicles, equipment, and other capital purchases when they become obsolete or unusable.

Section 5. Changing of Equipment Rental Fund Title and Purpose. The title of the City's "Equipment Rental Fund" is hereby changed to the "Vehicle Operations and Maintenance Fund." The purpose of this fund is to account for the costs of operating and maintaining the City's vehicles.

Section 6. Copies of Budget to be Filed. The City Clerk is directed to transmit a complete copy of the final budget as adopted to the division of municipal corporations in the office of state auditor and to the association of Washington cities as required by RCW 35A.33.075.

Section 7. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force January 1, 2000.

PASSED BY THE CITY COUNCIL ON DECEMBER ____, 1999.

Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli, CMC
City Clerk

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Proposed Program for Utility Tax Relief
DEPARTMENT:	Finance
PRESENTED BY:	Joe Meneghini, Finance Director

EXECUTIVE / COUNCIL SUMMARY

As your Council is aware, the Utility Tax Ordinance adopted on October 25, 1999 provided for a tax relief program to be developed and implemented as part of the ordinance.

The Utility Tax Ordinance imposes tax rates on the specified utilities as follows, also noted is the per household estimated impacts:

Utility	Rate	Revenue	Household Impact
Natural Gas	6%	357,055	\$18.79
Telephone/Cell Phone	6%	1,574,958	82.89
Sanitation	6%	366,510	19.29
Cable TV	1%	44,000	2.32
TOTAL		\$2,342,523	\$123.29

Specifically, the ordinance provides for tax relief with regards to the utility tax on the gas and sanitation utilities. The tax relief would be in the form of a tax exemption for low income families or individuals in Shoreline. The basis for a relief/exemption in these areas is that heat and sanitation are basic public health services. Telephone, cell, and cable, though important, would not be eligible for relief, as they are not critical public health areas. Further, to a large extent, expenses can be controlled better in these areas whereas there is less flexibility to do so in the critical areas of heat and sanitation.

Most cities with utility taxes do not provide for any tax relief. Those that do, generally do so on either a reimbursement method or on a limited (partial) relief basis (e.g., Bellevue, Lakewood). Our recommendation is to exempt low income individuals and families in total from the tax imposed on gas and sanitation utilities.

The criteria for eligibility for exemption would be 125% of poverty levels established by the U.S. Government as follows:

Family Members1
2
3
4
5
6**Family Income**\$ 858/mo.
\$ 1152/mo.
\$ 1446/mo.
\$ 1740/mo.
\$ 2034/mo.
\$ 2328/mo.

Individuals and families with income exceeding the amounts listed above would not be eligible for tax relief. Seattle City Light has established a tax relief program for their electrical customers using this criteria. Their program is administered by King County Human Services which does the screening and eligibility determination for City Light. Shoreline will be able to use King County Human Services determinations at no cost, based on discussions with Seattle City Light. City Light will simply give us the certified list developed by King County.

Once eligibility has been determined, individuals would be exempt from the gas and the sanitation utility tax here in Shoreline. The exemption will be re-certified on an annual basis or upon a notice of change in status. The finance department would administer the program by simply taking the certified list from City Light and forwarding it to the natural gas and sanitation providers.

The estimated impact of the recommended tax relief program ranges from \$20,000 to \$80,000 with a midpoint expected of approximately \$50,000 based on Seattle City Light experience and Shoreline demographics. The cost of this program is calculated into the projections expected in the year 2000.

RECOMMENDATION

Staff seeks Council approval on the proposed Shoreline utility tax relief program, effective December 27, 1999.

Approved By: City Manager LB City Attorney N/A

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: An Ordinance Amending Operating and Premises Requirements for
Panoram Establishments
DEPARTMENT: City Attorney/Police Department
PRESENTED BY: Ian Sievers, City Attorney/Sue Rahr, Police Chief

EXECUTIVE / COUNCIL SUMMARY

In October 1997, the City Council enacted Ordinance No. 138 which regulated panorams or adult arcades to minimize illegal sexual activity found to occur on such premises. The ordinance requires licensing of the business premises, the operator, and the panoram devices.

A lawsuit was filed in January 1999 by two panoram operators challenging the constitutionality of Ordinance 138. The parties have tentatively agreed to settle this suit based on a recommendation to make certain changes to the ordinance. The City agrees that a change to regulations of the panoram booth configuration provide for more effective law enforcement, and a clarification to licensing provisions is needed.

These changes are incorporated into the proposed ordinance and are in two areas. First, partial doors or curtains are allowed, so long as the number of occupants can be observed. Second, a manager may be the person in charge of the premises during business hours, in lieu of an officer or director of a corporate or partnership operator. A manager will be subject to the extensive identification and background checks that are part of the operator's licensing procedure.

RECOMMENDATION

Pass the proposed ordinance amending operating and premises regulations for panoram establishments.

Approved By: City Manager IB City Attorney [Signature]

BACKGROUND / ANALYSIS

In October 1997 the City enacted regulations for various forms of adult entertainment, including panoram or adult arcades and adult cabarets (Ordinances 138 and 139 respectively). The record before the Council at that time included records from Shoreline and other jurisdictions detailing illegal sexual activity that occurs within unregulated panoram booths. The panoram ordinance codified at SMC Chapter 5.15. requires licensing of panoram devices, premises, and operators.

On January 8, 1997 Joha Company, Inc. and Carol Reckart filed a lawsuit in King County Superior Court seeking a declaratory judgment finding the City's ordinance invalid, and seeking an injunction preventing the City from enforcing the ordinance. It alleged that the panoram regulations are unduly burdensome on free speech activity and privacy interests of panoram patrons, are a regulatory taking of the operator's property and unconstitutionally vague. In March 1999 the City moved for summary judgment, which was heard on April 16, 1999. The Judge granted the motion in part, finding certain mini-theater panorams were in violation of the ordinance, but denied the motion in part, reserving for jury trial whether removal of doors to panoram booths was appropriate.

The police department evaluated the policy reasons for prohibiting doors during settlement discussions in the Joha suit. The department suggested that partial doors will still allow inspection of the number of persons in the booth and will discourage patrons from cruising open booths looking for partners for unlawful sexual activity. The parties have now reached a tentative settlement. This settlement includes a police recommendation to amend certain configuration requirements of the panoram booths and a proposal to clarify the responsibility of the operator to have licensed personnel on the premises at all times during business hours.

The proposed ordinance makes these two changes. The first is to remove the prohibition on doors separating the panoram booth from the main aisle. New detailed booth configuration requirements provide that booths must be visible from the common areas of the arcade, and must be limited in size and seating to accommodate only one patron. While doors are permitted under the amendments, they must have enough space below and above the door to easily enforce the one occupant rule. Locking devices are prohibited.

The second change clarifies the existing requirement under 5.15.100 (H) that the licensed panoram operator must be on the premises at all times. When the operator is a corporation or partnership, this section is not clear as to who is to be on the premises. During the operator's license review, background information, photos and fingerprints are required for the applicant, or "applicant control persons" defined as the partners, corporate officers, directors and any other individuals holding a significant interest in the business. The definition of "control persons" is amended in the ordinance to clearly include "managers," so that these persons may be left in charge of the business and are subject to all the same background checks as the other control persons of a partnership or corporation.

RECOMMENDATION

Pass the proposed ordinance amending operating and premises regulations for panoram establishments.

ATTACHMENTS

A. Ordinance No. 217

ORDINANCE NO. 217

**AN ORDINANCE OF THE CITY OF SHORELINE AMENDING
OPERATING AND PREMISES REQUIREMENTS FOR PANORAM
ESTABLISHMENTS TO REQUIRE RECONFIGURATION OF
PANORAM BOOTHS AND INVESTIGATION OF MANAGERS; AND
AMENDING SMC 5.15.010 AND 5.15.100.**

WHEREAS, the City of Shoreline City Council finds that modifying City regulations for panoram booth configuration and requiring the investigation of personnel managing panoram establishments will reduce the opportunity for illegal activity on these premises; now therefore

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

Section 1. Amendment. Subsection B of SMC 5.15.010 *Definitions* is amended to read as follows:

...
B. "Applicant control persons" or "control persons" means all partners, corporate officers and directors, and ~~managers any other individuals in the applicant's business organization who hold a significant interest in the panoram business, based on responsibility for~~ who have responsibility for management or control of the panoram business, regardless of whether such person's name appears on corporate filings, license applications, or other official documents of the applicant.
...

Section 2. Amendment. SMC 5.15.100 *Panoram regulation* is amended to read as follows:

It shall be unlawful and a violation of this chapter for a panoram operator, or anyone owning or controlling a panoram premises, to cause, maintain, or permit to exist any condition in violation of this section; and the clerk shall not license any panoram premises which does not conform to the requirements of this section, and shall revoke or suspend the license of any panoram premises, and the license of any operator thereof, which does not maintain conformity with these requirements.

A. All panoram booths must be visible from the common area immediately inside a panoram premises entrance unless the premises is configured such that all the booths are located in a section dedicated solely for that purpose within the premises, known as a "booth section." If a booth is located in a booth section within the premises, the entrance to the booth section must be open to the arcade common area and may not be obstructed by a curtain, door, wall, merchandise, display or other material, with the booth visible from the entrance to

the booth section of the panoram premises. The interior of every panoram station shall be visible from a continuous main aisle and shall not be obscured by any curtain, door, wall, or other form of partition or enclosure.

B. A booth may not exceed twelve square feet in size and may not be equipped with a door, curtain or screening device that prevents the operator, manager, county inspector and law enforcement personnel from determining the number of individuals inside the booth. The bottom of a door, curtain or screening device on a booth must be a least twenty-four inches above the floor of the booth. The top of a door, curtain or screening device on a booth may not exceed sixty-six inches above the floor unless the door, curtain or screening device has an opening, or clear, clean window, at least twelve inches in height and twenty-four inches in width, located between sixty-six and seventy-eight inches above the floor, that provides an unobstructed view to the side walls and back wall of the booth. A booth door or other screening device may not be equipped with a locking device.

C. A chair or seating surface in a booth may not provide a seating surface of more than eighteen inches in either length or width and may not be higher than the bottom of a door, curtain or other screening device. There may not be more than one chair or seating surface in a booth.

D. B The panoram stations on any panoram premises shall be separated by partitions constructed of wood or other solid and opaque material. No openings in such partitions for ventilation or other purposes shall extend higher than 12 inches from the floor or lower than 84 inches from the floor. Any such opening shall be covered with a permanently affixed wire mesh or other cover not capable of penetration by solid matter.

E. C The licensee shall not permit any doors to other areas on the premises which are available for use by persons other than the licensee or employees of the licensee to be locked during business hours.

F. D The licensee shall maintain illumination equally distributed in all parts of the premises available for use by he public at all times when the premises are open or when any member of the public is permitted to enter and remain therein.

G. E The entire floor area of a panoram booth or stall must be level with the continuous main aisle. No steps, ramps or risers are allowed in any such booth or stall.

H. F The licensee shall permanently post and maintain on the interior and exterior of each booth or stall on the panoram premises a sign with two-inch lettering on a contrasting background stating:

Occupancy of this booth is at all times limited to only one person. Violations are subject to criminal prosecution.

I. G. The licensee shall not operate or maintain any warning system or device, of any nature or kind, for the purpose of warning customers or patrons or any other persons occupying panoram booths or stalls located on the licensee's

premises that police officers or city health, fire, licensing or building inspectors are approaching or have entered the license's premises.

~~L. H.~~ A licensed panoram operator or operator control person shall be on the premises at all times that the panoram premises is open to the public for business.

~~K. I.~~ No person under the age of 18 shall be permitted to enter any panoram premises.

Section 4. Effective Date and Publication. This ordinance, or a summary thereof, shall be published in the official newspaper of the City, and shall take effect five days after the date of publication.

PASSED BY THE CITY COUNCIL ON DECEMBER 13, 1999.

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:

Ian R. Sievers
City Attorney

Date of Publication:
Effective Date: