

From: [Scott Ruthfield](#)
To: [agenda comments](#)
Subject: [EXTERNAL] Comment on issue 8(a) for 6/6 Meeting
Date: Friday, June 3, 2022 11:13:19 AM

CAUTION: This email originated from outside of the City of Shoreline. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Shoreline City Council Members -

For the May 23rd public meeting, over 100 Shoreline residents submitted comments for Ordinance 967. The vast majority were in favor, and of those in favor, almost all used the words “purchase” or “acquire” to refer to the beach parcel owned by Peter Vitaliano. This makes sense: when the city has the opportunity to purchase land adjacent to existing parks from a willing seller, and when the city has a clear plan to use that land to benefit our residents, then I expect we would all support that: parks are a public good.

That’s not what’s happening here, though, and while communication to the residents urging them to support this ordinance no doubt suggested that language, I’d hope our city officials would look at the reality:

—This land is not for sale (currently, though it has been in the past); the city is looking to seize the land from the person who purchased it last year. This land has been privately owned for decades; this is the city deciding they should condemn and then take someone’s property. This isn’t a purchase or an acquisition: it’s a seizure.

Additionally, it’s a seizure without any conversation. The city didn’t approach the landowner to have a discussion, or to see if there might be an opportunity to work together, or provide their plans for public comment. They stunned the owner with a threatening letter - sell us your land or we’ll condemn it - and are now hiding behind legal arguments to say it’s ok.

—There is no genuine plan to use this land for anything new or valuable. As everyone’s agreed, the parcel has long been accessible from the south, and residents and visitors have accessed this permissibly for decades, with (despite some comments) zero change from the current owner. There is no new access to the beach that suddenly becomes available by seizing this land, and any questions around that are just being postponed to the future. This is spending our tax dollars on something that is, at best, speculative: we can argue in public comment or otherwise about how access should be provided, and what might happen with negotiations with BNSF, and the number of molecules between BNSF’s land and the homeowner’s land, but what is plain to see is that none of this has been actually figured out.

It’s worth noting that in the council’s questions to the city on the 5/23 meeting, members asked about these two issues. One council member asked if the city knew the details regarding the access road from the north side and ownership, and was told

that this could be figured out later - this is one of very many issues relating to this. Another asked if the city had followed protocol for declaring eminent domain, and was told that the city met its very specific legal obligations. Maybe that's true, but it's still not what we should expect as residents.

Let's just be honest with each other. This came as a surprise because it is a surprise: it's the city acting from one resident's encouragement (and finagling with the county's records) to seize another resident's land without any well-defined plan to do anything with it to benefit the community. I don't believe that's what our city should be doing.

Eminent domain should be a big deal. As a city, we should seize land from owners only when the benefits and the plans are crystal clear and we have exhausted all other options. This has been the case in the past: in a search on the Shoreline website, I've found that the city's few authorizations of eminent domain since at least 2012 (as far back as is searchable) have been for clearly-defined, already-funded public works projects (i.e. the I-5 corridor). This isn't anything close to that, and it sets a precedent worth being wary of.

We have a lot of homeowners with land that's adjacent to public parks. Would Hillwood Park be better if it was larger and went up to 8th Ave NW? James Keough Park is small and in a neighborhood with many children - should it include the land with houses adjacent to the south? Would Richmond Beach Saltwater Park have more usable land, where facilities could be built on level ground, if the houses on the bluff or just northeast of the park were removed? Would the expansion of our tennis and pickleball courts at Shoreview Park and Richmond Beach Community Park to the land occupied by nearby houses give more athletic opportunities to residents of all ages? All of these would be public goods - should the owners of those properties (all of which, unlike the beach one, are actually buildable, and some of which are actually mentioned in Prop 1) be waiting for threatening letters from the city? Is this the new plan, a constant drumbeat of eminent domain - because it certainly wasn't discussed in the Prop 1 materials?

In each of those cases, like this one, the number of people who would benefit (in a small way) greatly outnumbers the number of people impacted (in a large way). It's understandable why people wouldn't shed many tears for the homeowner impacted here. I don't believe that's how we should make decisions as a city, though: seizing private land should be the last option, not the first option.

Richmond Beach is a treasure, and the city could make it more accessible to residents in ways that don't involve or require seizing private land and punting solving the related issues for the future. The plan to do this, like anything else using our tax dollars and impacting our residents, should be public, reviewable, and thorough. That's a fair ask from all of us, and until that's done, the council shouldn't authorize eminent domain.