

From: [Nathan J. Beard](#)
To: [Keith Scully](#); [Betsy Robertson](#); [Doris McConnell](#); [Laura Mork](#); [Eben Pabee](#); [John Ramsdell](#); [Chris Roberts](#)
Cc: [Debbie Tarry](#); [Margaret King](#)
Subject: [EXTERNAL] Re: Ordinance No. 967
Date: Sunday, June 5, 2022 11:27:56 AM
Attachments: [RBPA June 6 public comment.pdf](#)

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Good morning Councilmembers,

Please see the attached letter from the Richmond Beach Preservation Association for the Council's consideration regarding Ordinance No. 967. This Ordinance is item 8(a) on the Council's agenda for the June 6 meeting.

Very truly yours,

Nathan Beard, President
Richmond Beach Preservation Association
19419 27th Ave NW
Shoreline, WA 98177
njbeard@gmail.com
(206) 818-9991

On Fri, May 20, 2022 at 1:42 PM Nathan J. Beard <njbeard@gmail.com> wrote:

Good afternoon councilmembers,

I hope all is well with you. My name is Nathan Beard, and I am the President of the Richmond Beach Preservation Association, a non-profit representing the residents on 27th Ave NW.

Please see the attached letter for the Council's consideration and public comment on Ordinance No. 967 (agenda item 9(c) for the May 23, 2022, council meeting).

We urge the City Council to table a vote on Ordinance No. 967 so that the City and the affected stakeholders can address the variety of issues with the City acquiring the beach. In the alternative, we urge the City Council to reject the Ordinance outright.

If any of you would like to tour the street or beach in question to see the issues first hand, please let me know.

Very truly yours,

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June 6, 2022

VIA EMAIL TRANSMISSION

Shoreline City Council
City of Shoreline
17500 Midvale Avenue N
Shoreline, WA 98133

Re: Public comment for June 6, 2022, City Council Meeting

Agenda Item 8(a): Ordinance No. 967 – Authorizing the Use of Eminent Domain for Acquisition of Certain Real Property identified as King County Tax Parcel No. 727810-0905 for Public Park Land

To the City Council:

A taking of private property through eminent domain is one of the most severe actions a municipality can take. It should be done with care, planning, and meaningful public engagement. The Richmond Beach Preservation Association, representing neighbors on 27th Avenue Northwest, continues to urge the City Council to postpone a vote on Ordinance No. 967, or reject the ordinance outright, until the City meaningfully engages the public with its plan for the beach it seeks to condemn.

The City Council and Staff's discussion of the Ordinance at the May 23 meeting made it clear that there are many open questions and issues surrounding what the City will do with the beach should it acquire the beach. Most notably, the City does not have a plan for access to the beach and does not know the details of the property it seeks to acquire.

For example, when presenting the ordinance to the City Council, the City Attorney indicated that condemning the beach would "provide access...across the public bridge and up 27th Avenue Northwest" and "responds to the PROS [Parks, Recreation, and Open Space] Plan survey request to acquire shoreline and beach access."¹ There is no question, however, that the stretch of 27th Avenue leading to the beach is privately owned. When Councilmember Ramsdell asked for clarification on whether the road leading to the beach is owned by BNSF (the railroad) or both BNSF and homeowners on 27th Avenue Northwest, the City Attorney responded: "I do not have any clarification on that particular issue with me tonight. That would be a separate issue that would be separate and apart from the ordinance that is in front of the Council tonight which is solely focused on these particular tidelands..."² If the City's purpose in condemning the beach is to acquire more beach access, it would seem prudent to have some semblance of a plan

¹ Video recording of May 23, 2022, City Council Meeting at 2:05:45.

² *Id.* at 2:07:00.

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for how the public is supposed to access the beach it seeks to acquire. Not only does the City lack an access plan, it does not even know who owns the access road.

Some apparently are under the impression the City will be able to lease BNSF's right of way to create public access to the beach. The City Manager, however, indicated that while City requested a lease from BNSF that would allow people to traverse over BNSF's right-of-way to access the beach, BNSF has not responded.³ I am sure the Council appreciates the prospect of the railroad leasing its right of way for a public walkway and park is unlikely.

What is most concerning is the apparent attempt to push this Ordinance through with the least amount of notice and public engagement as possible. The Richmond Beach Preservation Association issued a Public Records Act request for materials related to City's planned acquisition of the beach the same day the agenda item was published last month. The City told us that we would not receive *any* documents until well after the Council voted on the Ordinance. To date, the City has not produced a single responsive document. Likewise, the City has refused to disclose its "just compensation appraisal" of the beach that it relies upon in its staff report in support of the Ordinance. Needless to say, the public's ability to intelligently comment on the Ordinance is frustrated when the City does not show its cards until after the Council vote.

We appreciate the City's goal to expand parks and shoreline access. This Ordinance, however, has been rushed through without a well-developed plan and without meaningful and informed stakeholder engagement. The City acknowledges there are unanswered questions and unaddressed issues. The Council should not take the extraordinary step of authorizing the condemnation and taking of the beach until these issues are addressed and the public is given a meaningful opportunity to participate in the process.

For these reasons, we respectfully request the Council table or reject Ordinance No. 967.

Very truly yours,

Richmond Beach Preservation Association



Nathan J. Beard
President

cc: Debbie Tarry / City Manager, City of Shoreline
Margaret King / City Attorney, City of Shoreline

³ *Id.* At 2:08:54.