



City of Kenmore
City Council Regular Meeting
Agenda
Monday, September 15, 2025
7:00 PM

ZOOM - LINK: <https://kenmorewa-gov.zoom.us/j/84973489596>

Password: 091525

Telephone: Dial US: +1 253 215 8782

Webinar ID: 849 7348 9596

SIGN UP FOR VIRTUAL PUBLIC COMMENT HERE: kenmorewa.gov/publiccomment

REQUEST AN ACCOMMODATION HERE: kenmorewa.gov/accommodation

If you have technical difficulties accessing the meeting virtually, please contact the Acting City Clerk at mkang@kenmorewa.gov.

Technical Difficulties - If the virtual component of the meeting disconnects, and we cannot resolve technical difficulties to reconnect the virtual component, the in-person meeting will continue at City Hall if there is a quorum of the body to conduct business.

1. CALL REGULAR MEETING TO ORDER - 7:00 PM

2. ROLL CALL

3. LAND ACKNOWLEDGEMENT

We acknowledge that the City of Kenmore is situated upon the ancestral lands of the Snohomish, Snoqualmie, Sauk-Suiattle, Duwamish, Stillaguamish, Tulalip, Suquamish, Muckleshoot, and other tribes who are part of the Coast Salish Peoples. We recognize and express our deepest respect for their enduring stewardship and profound relationship with this land, which they have cherished and protected since time immemorial. We honor the First Peoples, acknowledge their vibrant cultures, and commit ourselves to learning from their wisdom in our journey to promote justice, equity, and mutual understanding. We pledge to stand alongside these communities in acknowledging past injustices and working towards a future that respects and celebrates the diverse heritage of this land.

4. FLAG SALUTE

5. AGENDA APPROVAL

6. PROCLAMATIONS

- A) Hispanic and Latino Heritage Month - September 15 - October 15, 2025
 - 1. Hispanic and Latino Heritage Month - September 15-October 15, 2025
- B) National Diaper Need Awareness Week, September 15-21, 2025, to be accepted by KidVantage Senior Manager of Programs Carolina Liendo
 - 1. National Diaper Need Awareness Week - September 15-21, 2025

7. WHERE'S THE FUN?

8. PUBLIC COMMENTS

Welcome to the Council's meeting. Please address your comments to the Mayor and Council. You'll have three minutes to speak. If there are more than 20 speakers, time will be reduced to two minutes per speaker. The Clerk will call your name when it's your turn. The Presiding Officer may choose to alternate between in-person and online comments. Please state your name and city of residence and keep within the allotted time. To make every person feel welcome and safe here, please refrain from booing, clapping, heckling, yelling, or other interruptions. Please note: Under Washington State law (RCW 42.17A.555), public comment time may not be used to support or oppose candidates or ballot measures. Thank you for keeping remarks focused on City business. The meeting is recorded for transparency. Thank you for being here, and for sharing your input respectfully.

- A) **VIRTUAL PUBLIC COMMENT PRE-REGISTRATION:** To provide public comments virtually, please fill out the [Virtual Public Comment Request Form](#) in advance of the meeting. The form opens Tuesdays at 12:00 Noon and closes Mondays at 12:00 Noon. You will be confirmed by the City Clerk's Office. If you are having difficulty, please reach out to the City Clerk's Office at clerks@kenmorewa.gov.

9. CONSENT AGENDA

- A) Receive and file the final report summarizing the May 17, 2025 City Council Retreat.
 - 1. Agenda Bill - City Council Retreat Report
 - 2. Attachment 1 - City Council Retreat Final Report
 - 3. Attachment 2 - 2026 City Council Priorities
- B) Authorize the City Manager to enter into an Interlocal Agreement with King County for iNet use and services.
 - 1. Agenda Bill - iNet
- C) Approve Contract No. 25-C3176 Puget Sound Energy Utility Easement Agreement for the Public Works Operations Center and authorize the City Manager or designee to sign the agreement.
 - 1. Agenda Bill - Contract No. 25-C3176 (added 9/8)

2. Attachment 1 - Contract No. 25-C3176 (added 9/8)

D) Authorize the Mayor to sign the comment letter opposing the Environmental Protection Agency's Proposed Rule Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards and take all actions necessary to submit to letter on behalf of the City. *(added 9/12)*

1. Agenda Bill - Letter in Opposition (added 9/12)
2. Attachment 1 - Comment Letter (added 9/12)

10. STAFF REPORTS

11. COUNCILMEMBER REPORTS & COMMENTS

12. EXECUTIVE SESSION

A) Confidential Session of the Council – Pursuant to RCW 42.30.110(1)(b) and (i), the City Council will now enter an executive session to consider the selection of a site or the acquisition of real estate and to discuss potential litigation. This executive session is slated to last approximately 45 minutes, but may be extended. An announcement will be made if a time extension is needed. No final action is expected.

13. ADJOURNMENT

UPCOMING MEETING SCHEDULE:

- A) Monday, September 22, 2025 7:00 PM – City Council Regular Meeting
Monday, October 13, 2025 7:00 PM – City Council Regular Meeting
Monday, October 20, 2025 – City Council Regular Meeting

NOTICE OF POTENTIAL QUORUMS

- A) [Click here for information about Potential Quorums of the City Council](#). Now found on the City website under City Council Meetings.

City of Kenmore, Washington Proclamation

WHEREAS, Hispanic and Latino Heritage Month is observed each year from September 15 to October 15, honoring the rich histories, deep cultures, and enduring contributions of Hispanic and Latino Americans; and

WHEREAS, the term Hispanic or Latino refers to a person's culture of origin, those who identify having Mexican, Mexican American, Chicano, Puerto Rican, Cuban, or other Hispanic, Latino, or Spanish origin; and

WHEREAS, Hispanic and Latino Americans make our Nation richer and more dynamic through a diversity of cultures, languages, and religions, and there is no single story of the Latin or Hispanic experience, but rather a tapestry of contributions that enhance and shape America's culture and society; and

WHEREAS, Hispanic and Latino Americans continue to enhance our region's economy, culture, education, politics, arts, history, literature, science, and technological developments, despite institutional and systemic injustices that prevent and limit these achievements and contributions; and

WHEREAS, the Kenmore City Council reaffirms its commitment to fostering a community built on diversity, equity, inclusion, and accessibility, recognizing that celebrating Hispanic and Latino heritage strengthens our collective future; and

WHEREAS, the City recognizes and celebrates the invaluable contributions, resilience, and cultural richness of Hispanic and Latino Americans, whose history, heritage, and enduring spirit have profoundly shaped the character of our community; through generations of leadership, creativity, and perseverance, they have strengthened our City, enriched our neighborhoods, and added depth and vibrancy to the cultural, social, and economic fabric of our city, state, and nation.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **SEPTEMBER 15, 2025 – OCTOBER 15, 2025** to be **HISPANIC AND LATINO HERITAGE MONTH** throughout the City of Kenmore.

IN WITNESS WHEREOF, signed this 15th day of September 2025.

Signed: _____ Attested: _____
Nigel Herbig, Mayor Michelle Kang, Acting City Clerk

City of Kenmore, Washington

Proclamation

WHEREAS, diaper need, the condition of not being able to afford a sufficient supply of clean diapers to keep babies and toddlers clean, dry, and healthy, can adversely affect the health and well-being of children and their families; and

WHEREAS, national surveys and research studies report that nearly one in two families struggles with diaper need, and 48 percent of families delay changing a diaper to extend the available supply; and

WHEREAS, a daily or weekly supply of diapers is generally an eligibility requirement for babies and toddlers to participate in childcare programs and quality early-education programs that enable children to thrive and parents to work; and

WHEREAS, many parents struggling with diaper need report missing an average of five days of work each month due to an insufficient supply of diapers; and

WHEREAS, without enough diapers, babies and toddlers risk infections and health problems that may require medical attention resulting in medical costs, and parents may be prevented from accessing childcare needed to go to work or school, thereby destabilizing the family's economic prospects and well-being; and

WHEREAS, the people of Kenmore recognize that diaper need is a public health issue, and addressing diaper need can lead to economic opportunity for the state's families and communities and improved health for children, thus ensuring all children and families have access to the basic necessities required to thrive and reach their full potential; and

WHEREAS, Kenmore is proud to be home to trusted community-based organizations including KidVantage that recognize the importance of diapers in ensuring health and providing economic stability for families and thus distribute diapers to families through various channels; and

WHEREAS, through their important work of addressing diaper need, diaper banks play a critical role in supporting families, improving infant health and wellbeing, and advancing our local and state economic growth.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **SEPTEMBER 15-21, 2025** to be **NATIONAL DIAPER NEED AWARENESS WEEK** throughout the City of Kenmore.

IN WITNESS WHEREOF, signed this 15th day of September 2025.

Signed: _____ Attested: _____
Nigel Herbig, Mayor Michelle Kang, Acting City Clerk

**City Council Agenda Bill
City of Kenmore, WA**



Meeting Date: 9/15/2025

Subject/Topic:	Proposed Council Action/Motion:
May 17, 2025 City Council Retreat Final Report	☐ Information Only ☒ Receive and File ☐ Discuss ☐ Provide Direction ☐ Public Hearing ☐ Adopt/Approve ☐ Authorize ☐ Other:
Department: City Manager's Office	
Prepared by: Stephanie Lucash Interim City Manager	
Attachments: 1. May 17, 2025 City Council Retreat Final Report 2. Kenmore City Council 2026 Priorities	Receive and File the final report summarizing the May 17, 2025 City Council retreat.

Approvals:

Department Head SLL, 9/4/2025 City Attorney N/A Finance Director MM, 9/4/2025 City Manager SLL, 9/4/2025 Optional N/A

Summary/Background:

The Kenmore City Council held its annual retreat on Saturday, May 17, 2025 at Kirkland City Hall in Kirkland, WA. Consultant Michael Pendleton was retained by the city to facilitate the retreat and to produce a final report summarizing the discussions and agreements made at the retreat. That report is attached to this agenda bill and is to be received and filed for the city's records. Also attached is the list of the City Council's 2026 priorities, which were agreed to at the retreat.

Previous Council Action(s):

No previous council action has been made on this topic.

Fiscal Consideration:

None

City Council Priorities or Budget Objective Being Addressed:

The City Council has prioritized holding an annual retreat each year. This retreat is an opportunity to review the Council's priorities for the coming year. The Council set its priorities for 2026 at the retreat; those are attached to this agenda bill.

**THE
KENMORE CITY COUNCIL
RETREAT**

May 17th, 2025

Summary Report

Introduction

The Kenmore City Council held their annual retreat on May 17th 2025 at Kirkland City Hall, Kirkland, WA. The purpose of this retreat was to discuss, in depth, key projects and policy issues identified by the participants during a pre-retreat interview to establish the agenda. This one-day retreat format was introduced this year as an “off year” retreat to be followed next year by the traditional two-day format. The following agenda guided the discussions during this council retreat and provides the basis of this summary report (note: a complete recording and supporting print documents of the retreat is retained by the City of Kenmore):

1. City Council Member opening remarks
2. Fiscal Outlook and Financial Forecast
3. Financial Sustainability Plan
4. Lakepointe Update and Ballot Measure Options
5. What Success Looks Like: Council Priorities Work Plan
6. Public Works Operation Center
7. City Council Process
8. General Policy Issues
9. City Council Priority Setting Process

City Councilmembers Opening Remarks

The retreat opened with each City Council member sharing their views on key issues and opportunities facing the city. Important values and principles that should guide their decision making, and long-term goals that continue to guide their actions into the future. Some of the key points/issues/topics expressed included:

1. The importance of addressing city financial stability
2. Housing and addressing the need for affordable housing
3. Seeking opportunities to address Lakepointe
4. The importance of a “people oriented”, walkable city
5. Environmental stewardship
6. Connecting people to the city waterfront

7. The importance of Downtown redevelopment and growth of the business community.

Financial Outlook and Forecast

The next discussion module focused on a presentation and discussion of future financial projections for the City of Kenmore. Staff presented a financial overview and forecasts looking out as far as 2032. Various factors that might have a fiscal impact on the city were noted, such as changes in federal funding policies, tariffs, and other economic impacts. In addition, projected revenue and expense assumptions were presented and reflected in various fiscal outcomes. In all scenarios, expenses are projected to rise faster than revenues, creating budget shortfalls. It was noted that the 2024 Financial Sustainability Plan (FSP) recommendations address the shortfalls (see below).

The participants next discussed the presentation. The possibility of a B&O tax was discussed, but it was noted that likely revenues from such a tax would be lower than was projected in the FSP. It was also noted that it will be important to engage in an expenditure reduction exercise to also address shortfalls during the next budget process. While other cities also are facing shortfalls, it was noted that Kenmore's vision and focus on this issue will set it apart from other jurisdictions. It was noted that while the Financial Sustainability Plan recommends cutting \$100,000 from the budget, staff already cut more than \$300,000 in expenditures in the current adopted budget. It was noted by several participants that it is not possible to "cut our way out" of the projected shortfalls. It is important to note that by year 2032 the projected deficit will be \$13.2 million, creating a high level of concern and making it necessary for the city to find other sources of revenue, specifically by raising taxes.

Financial Sustainability Plan

The next discussion module focused on the role of the current Financial Sustainability Plan (FSP). The Interim City Manager presented the importance of updating and using the FSP as the driving strategy for addressing the shortfall projections. In the FSP, the City Manager presented nine recommendations to address fiscal sustainability (both increasing revenues and cutting expenditures):

1. Picnic Shelter Rental Fees (revenue)
2. Metropolitan Park District Levy Lid lift (revenue)
3. Convert street lights to LED (expense)
4. Public Safety and Human Services Levy Lid Lift (revenue)
5. Human Services Case Worker/Program Navigator (expense)

6. Utility Tax Assistance or Rebate Program (expense)
7. Additional KAPE photo enforcement (revenue)
8. Increase Transportation Sales Tax (revenue)
9. Public Safety Sales Tax (revenue)

The participants discussed, in depth, the FSP and the specific City Manager recommendations. It was noted that it is unclear if a ballot measure would pass in the city, that it might be possible to actually increase the utility rebate program if new revenues come in, and that it will be important for businesses to participate in upcoming discussions, and that it might be time to revisit legalized gambling within the city.

Lakepointe Update and Ballot Measure Options

Lakepointe. Participants heard an update on the Lakepointe property/project. The Mayor and Interim City Manager have met with the new property owner liaison to provide introductions and establish new working relationships. The city continues to work with the attorney for Lakepointe and have agreed to meet again in the late summer or early fall. This will provide an opportunity for the new representatives to “get up to speed” on the history and nature of this project.

Ballot Measure Options. The participants next reviewed and discussed, in-depth, two ballot measures that were recommended in the FSP as ways to address financial shortfalls. Based upon the fiscal projection (see prior discussion) it was noted that the city’s financial situation is more urgent than anticipated, it is necessary to achieve sustainability through 2032, ballot measure(s) would be necessary in 2026, expense reductions will also be necessary, and that the City Council should also explore councilmanic options.

Staff presented overviews of two possible ballot measure options:

Option 1: Metropolitan Park District (MPD) would be dedicated to park maintenance, capital projects, park environmental restoration and future expansion should the Lakepointe property come available. Rates that would be considered would be either \$0.20 per \$1000 of property assessed values or \$0.25 per \$1000 of property assessed values. A statistically valid survey conducted in March/April of 2024 of 303 respondents (registered voters) showed support for this approach.

Option 2: Public Safety and Human Services would cover the growing costs for police, courts, jail and RCR (Regional Crisis Response) and Community Court. These funds would also support the resource navigator position and utility

assistance. These funds would also support implementation of the Human Services Strategic Plan. The rates that would be considered would be \$0.30 per \$1000 of property assessment or \$0.35 per \$1000 of property assessment.

The staff recommended moving forward with one of the two options which would increase the annual property tax for the average homeowner an estimated \$200 to \$350 per year.

The participants discussed, at length, the pros and cons of 2026 ballot measure(s). It was noted that the MPD funds, if approved, would not become available until 2028. It was further noted that the cost of a ballot measure is about \$40,000 to \$50,000. It was also noted that an uncertain voter climate and potential ballot fatigue is possible. In addition, it was noted that there is a higher voter turnout during midterm elections and that these ballot measure(s) would build on the Love Where You Live community engagement efforts within the city. Finally, it was noted that going out to the voters was a key part of the community staffed FSP recommendations.

Participants further considered the importance and timing of retaining a consultant to guide the ballot measure process. It was noted that the MPD takes time to establish and time for the funds to be realized. The importance of including/or not Lakepointe as part of the MPD along with the support of the current Lakepointe property owner was also discussed. Finally, it was noted that time is critical and that efforts to address the coming budget shortfalls (Ballot Measure(s) and other potential cost savings) should begin immediately.

After a very long and detailed discussion the City Council members were in agreement that it is necessary to move forward and agreed to the following:

Agreement One: To direct city staff to begin the process to create one or both ballot measures for presentation to Kenmore citizens in upcoming election cycles.

Agreement Two: To direct staff to retain a consultant to advise and direct the process creating one or both ballot measures. This should begin immediately to obtain consulting services as soon as possible.

What Success Looks Like: Council Priorities Work Plan

The next discussion module was a staff presentation and brief discussion of the 2025-2026 staff work plan that focuses on the City Council's Priorities. Various staff members presented overviews of specific work items under each priority and when these items are scheduled to come before the City Council.

The City Council noted their appreciation for this presentation and specifically, the graphic layout of this annual work plan.

Public Works Operations Center Project

The next discussion item focused on the plans for building a new Public Works Operations Center. Staff provided a detailed presentation of the project, which had been updated since prior presentations to the City Council. The project aims to centralize the Operations and Environmental Services divisions of the Public Works Department. Permits have/will be applied for in the spring of 2025. Construction for phase one of the work is due to begin in fall of 2025. The facility is expected to open in 2027. The building is designed to be built using a “phased construction plan” to coincide with funding availability and need. The center will include geothermal heating, EV charging, solar readiness and rainwater cisterns to optimize climate sensitive innovations and practices. The total estimated cost is \$22.51 million dollars which is included in the Capital Improvement Plan budget which the City Council adopted. The annual debt service will be \$1.6 million dollars and will come from the REET and Surface Water Utility Tax. The city plans to continue to apply for more grants to help with funding. Finally, it was noted that Municipal Bonds were issued in December of 2024 under Ordinance 23-0599. These bonds are tax exempt and restricted to capital uses under federal law.

The participants briefly discussed the project. Concerns about managing costs were noted. It was also noted that exploring a possible partnership with the North Shore Utility District (NUD) to defray costs should be considered. It was noted that NUD was contacted earlier in the project planning phase to explore a partnership but no opportunities were identified. Staff will reach out to NUD again to see if something might have changed which would enable a productive partnership.

City Council Process

The next discussion section focused on selected council processes.

Public Comment During City Council Meetings. The participants briefly discussed the council rules/procedures governing the public comment process during council meetings. After a brief discussion the City Council made the following agreement:

Agreement Three: Staff prepare a Frequently Asked Question (FAQ) sheet with information related to public comment on ballot measures during City Council meetings.

City Council Advisory Committees. Participants next discussed the need for better interaction between the City Council and their advisory committees. In addition, it was noted that to promote younger community member involvement in city governance/issues that a youth position could be considered in all or some selected Advisory Committees. The value of having annual study sessions with both the City Council and Advisory Committees was discussed and requested. It was noted that it would be important for selected committees to be consulted (“weigh in”) on various items coming before the City Council. It was also noted and requested that a DEIA Equity Framework Tool should be developed/ utilized as part of the City Councils regular decision-making processes. After this discussion the participants agreed to the following:

Agreement Four: City Council Member Loutsis will bring a proposal for student engagement in the City Councils Boards and Commissions for further review by the City Council.

Agreement Five: Staff will work on an amended agenda bill to include an Equity Framework Tool.

Jail Contracting. Participants next discussed the current jail contract and a concern with the number of jail deaths associated with the contract jail. The need to review costs were also discussed. After the discussion the participants agreed to the following:

Agreement Six: Staff will look into jail contracting options and report back to the City Council.

Safe Lighting Ordinance. The next discussion focused on lighting in the city. It was noted that the City Council had already asked staff to research a Safe Lighting Ordinance for future City Council review. The goal is to balance safety with preserving dark skies, recognizing that while some aspects (like the increasing use of ultra-bright LEDs) are outside the City’s control, there are measures the city can take. No further discussion was needed at this time, as research is underway in partnership with Puget Sound Energy.

Economic-Neighborhood Development. The participants next discussed economic and neighborhood development. The importance of future-focused economic and neighborhood development, particularly in alignment with the

City's long-term vision, was noted. One concern raised was ensuring that zoning or overlay regulations, especially for legacy industrial properties (such as Plywood Supply and Lakepointe), remain aligned with that vision and allow for higher-value future uses (such as mixed-use development), which could enhance property values and sale potential. The intent, it was noted, is to ensure that both City Council and the public remain aware of these zoning considerations and that Kenmore's future economic and neighborhood development continues to reflect modern priorities, especially in the downtown core along SR-522.

Staff clarified that Kenmore no longer has industrial-zoned areas; remaining properties operate under legacy "P-suffix" overlays from King County. These overlays still support community goals (public access, mixed-use, transportation). Removing them is possible but would require careful coordination with property owners and alignment with the comprehensive plan vision. Previous conversations with property owners indicated they preferred to keep the overlays until redevelopment occurs.

City Council Priorities

The participants next reviewed current 2025 and 2026 City Council priorities established at last year's retreat. The participants then revised the existing priorities based upon completion and desire for revised wording. Finally, the participants used a Paired Comparison Methodology to select the order of their priorities for the period covered beginning in 2026.

The top five priorities will comprise a portion of the City Manager's annual performance review. Priorities will be addressed to generally reflect their ranking; however, opportunity and/or necessity may require an emphasis on selected priorities outside the priority ranking listed in this report.

City Council Priorities for 2026

"Off Year"

Review and Adjustment

- 1. Ensure financial sustainability through revenue enhancement and cost cutting (40 points).**
- 2. Continue to implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, And habitat restoration and preservation (36 points).**

3. **Create opportunities to activate the Lakepointe property in service of environmental, housing, economic development, and parks and recreation priorities (35 points).**
4. **Preserve and increase availability of all types of housing at all income levels, including the needs of people experiencing homelessness (33 points).**
5. **Promote sustainable economic development strategies that enhance downtown and attract residents, small businesses, and visitors (32 points).**
6. **Enhance multimodal transportation, including pedestrian and bicycle safety (27 points).**
7. **Finalize, adopt, and implement the Human Services Strategic Plan (20 points).**
8. **Explore opportunities to expand parks and recreation (18 points).**
9. **Continue to implement the Diversity, Equity, Inclusion and Accessibility (DEIA) Strategic Plan (18 points).**
10. **Broaden community engagement and fun (11 points).**

Appendix One
Retreat Participants

Mayor
Nigel Herbig

Deputy Mayor
Melanie O’Cain

Council Member
Jon Culver
Absent

Councilmember
Nathan Loutsis

Councilmember
Joe Marshall

Councilmember
Valerie Sasson

Councilmember
Debra Srebnik

Interim City Manager
Stephanie Lucash

Department Directors Participated During Specific Conversations

Facilitator
Michael Pendleton



2026 KENMORE CITY COUNCIL PRIORITIES

The City's top priority will always be fulfilling its core mission, which includes City governance, ensuring public safety, maintaining the City's infrastructure, complying with state and federal mandates, and safeguarding the City's finances. In addition, achieving the City's 20-year vision as described in the Comprehensive Plan is of high importance. In this context, the City Council can emphasize certain initiatives or address specific problems through its priority-setting process each year. These priorities are described as follows:

1. Ensure financial sustainability through revenue enhancement and cost-cutting measures.
2. Continue to implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.
3. Create opportunities to activate the Lakepointe property in service of environmental, housing, economic development, and parks and recreation priorities.
4. Preserve and increase availability of all types of housing at all income levels, including the needs of people experiencing homelessness.
5. Promote sustainable economic development strategies that enhance downtown and attract residents, small businesses, and visitors.
6. Enhance multimodal transportation, including pedestrian and bicycle safety.
7. Finalize, adopt, and implement the Human Services Strategic Plan.
8. Explore opportunities to expand parks and recreation.
8. Continue to implement the Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic Plan.
10. Broaden community engagement and foster fun.

City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 9/15/2025

Subject/Topic:	Proposed Council Action/Motion:
King County Interlocal Agreement for the iNet use and services. Department: Engineering Prepared by: John Vicente, Engineering Director Attachments: N/A	☐ Information Only ☐ Receive and File ☐ Discuss ☐ Provide Direction ☐ Public Hearing ☒ Adopt/Approve ☐ Other: Authorizing the City Manager to enter into an Interlocal Agreement with King County for iNet use and services.

Approvals:
 Department Head 9/3/2025 City Attorney DR 7/21/2025 Finance Director N/A City Manager SL 9/4/2025 Optional N/A

Summary/Background:

City staff is seeking city council approval to enter into an interlocal agreement and any associated amendments with King County for iNet use and services to provide City staff access to the City's Gridsmart traffic camera system at traffic signals operated by the Washington State Department of Transportation (WSDOT) located one block off of State Route 522. This is a contract for fiber network services to purchase bandwidth from King County which will provide video and data connection to our WSDOT operated traffic signals. Currently we do not have direct access to the signals on the WSDOT network, and setting this access up will allow closer monitoring of our intersections as well as provide data for analyzing the safety and operational performance of our WSDOT managed intersections. The access this connection will provide will match the level of access we currently enjoy with our King County managed signals, but this level of access was not previously possible withing the network security requirements imposed by the WSDOT fiber network. The King County INET system is able to serve as a secured fiber network linking to the WSDOT fiber network and making access to our signals possible while still meeting the security requirements of the WSDOT fiber network

Locations:

Gridsmart cameras are currently located at 73rd Ave NE/NE 181st St and 68th Ave NE/NE 175th St. Staff plan to install additional Gridsmart cameras at the following locations in 2026 where iNet services will be needed:

- 68th Ave NE/NE 181st
- 61st Ave NE/NE 181st

Background:

Gridsmart is a camera detection system that gathers data on the number and movement of vehicles, pedestrians, and cyclists that enter a given intersection. The City currently uses Gridsmart at several of our signalized intersections to collect information that helps us evaluate and determine measures to ensure the safe and efficient use of our signalized intersections. We currently have Gridsmart at the following intersections:

- 73rd Ave NE/NE 181st St
- 68th Ave NE/NE 175th St
- 68th Ave NE/NE 170th St
- Simonds Rd/NE 155th St
- Juanita Dr/NE 153rd St

The signals located one block off State Route 522 are operated by WSDOT and WSDOT is not able to provide the City with remote access to the Gridsmart cameras. Through King County, we are able to get that remote access. The following services being offered through this agreement are noted in table A:

Table A. Service Offering Summary

Services Offered	
1. Internet Bandwidth	6. Professional Services
2. Transport Bandwidth	▪ Network Engineering Service
3. King County Exchange Services	▪ Solution Architecture
4. Support Services	▪ Project Management Service
5. Additional IPV4 Addresses	▪ Support Surcharge

Previous Council Action(s):

No previous council action has been made on this topic.

Fiscal Consideration:

Monthly service fees are set at \$375 plus any additional on-call time and material costs set at \$150/hr. Funding for this contract will be paid for under the Kenmore Automated Photo Enforcement program fund.

City Council Priorities or Budget Objective Being Addressed:

Council Priority 5: To focus and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle and other means of travel.



Subject/Topic:	Proposed Council Action/Motion:
Public Works Operations Center (PWOC) Utility Easement Department: Public Works Operations Prepared by: Jennifer Gordon Public Works Operations Director Attachments: Draft Contract No.25-C3176 Puget Sound Energy (PSE) Easement Agreement	☐ Information Only ☐ Receive and File ☐ Discuss ☐ Provide Direction ☐ Public Hearing ☐ Adopt/Approve ☒ Authorize ☐ Other: Move to approve contract 25-C3176 Easement Agreement with Puget Sound Energy in a form acceptable to the City Attorney's Office and authorize the City Manager or designee to sign the agreement and take all steps necessary to implement the same.

Approvals:

Department Head	JG 9/5/25	City Attorney	DR 9/8/25	Finance Director	MM 9/8/25	City Manager	SLL 9/8/25	Optional	N/A
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Summary/Background:

The Public Works Operations Center (PWOC) is being constructed at 6450 NE 202nd ST and requires a Puget Sound Energy easement for electrical equipment necessary to power the site.

Previous Council Action(s):

N/A

Fiscal Consideration:

N/A

City Council Priorities or Budget Objective Being Addressed:

The City's top priority is to fulfill its core mission, which includes maintaining the City's infrastructure.

RETURN ADDRESS:

Puget Sound Energy, Inc.
 Attn: ROW Department
 PO Box 97034 / BEL-08W
 Bellevue, WA 98009-9734
 Attn: Gabi Mullins

**EASEMENT**

REFERENCE #:
 GRANTOR (Owner): **CITY OF KENMORE**
 GRANTEE (PSE): **PUGET SOUND ENERGY, INC.**
 SHORT LEGAL: **PTN. OF NW ¼ of NE ¼ Sec. 2, T26N, R04E; W.M., King County**
 ASSESSOR'S PROPERTY TAX PARCEL: **011410-0370**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **CITY OF KENMORE, a Municipal Corporation** ("Owner"), hereby grants and conveys to **PUGET SOUND ENERGY, INC.**, a Washington corporation ("PSE"), for the purposes hereafter set forth, a nonexclusive perpetual easement over, under, along, across and through the following described real property (the "Property" herein) in King County, State of Washington:

**PARCEL A AND B, SHORT PLAT NO. 274038, RECORDED AUGUST 27, 1994
 UNDER RECORDING NO. 7408270358, BEING A SHORT PLAT OF LOT 2, BLOCK 8,
 ALDERWOOD MANOR NO. 14, ACCORDING TO THE PLAT THEREOF RECORDED
 IN VOLUME 26 OF PLATS, PAGE 4, RECORDS OF KING COUNTY, WASHINGTON;
 TOGETHER WITH LOT 3, BLOCK 8, ALDERWOOD MANOR NO. 14, ACCORDING TO
 THE PLAT THEREOF RECORDED IN VOLUME 26, PAGE 24, RECORDS OF KING
 COUNTY, WASHINGTON.
 EXCEPT THE NORTHERLY 624.85 FEET AS MEASURED ALONG THE EAST AND
 WEST LINES OF SAID TRACT 2.**

Except as may be otherwise set forth herein PSE's rights shall be exercised upon that portion of the Property ("Easement Area" herein) described as follows:

AN EASEMENT AREA TEN (10) FEET IN WIDTH HAVING FIVE (5) FEET OF SUCH WIDTH ON EACH SIDE OF THE CENTERLINE OF PSE'S FACILITIES AS NOW CONSTRUCTED OR TO BE CONSTRUCTED, EXTENDED OR RELOCATED LYING WITHIN THE ABOVE DESCRIBED PROPERTY.

1. Purpose. PSE shall have the right to use the Easement Area to construct, operate, maintain, repair, replace, improve, remove, upgrade and extend one or more utility systems for purposes of transmission, distribution and sale of electricity. Such systems may include, but are not limited to:

Underground facilities. Conduits, lines, cables, vaults, switches and transformers for electricity; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, manholes, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing.

Following the initial construction of all or a portion of its systems, PSE may, from time to time, construct such additional facilities as it may require for such systems.

2. Access. PSE shall have a reasonable right of access to the Easement Area over and across the Property to enable PSE to exercise its rights granted in this easement.

3. Easement Area Clearing and Maintenance. PSE shall have the right to cut, remove and dispose of any and all brush, trees or other vegetation in the Easement Area. PSE shall also have the right to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

4. Trees Outside Easement Area. PSE shall have the right to cut, trim remove and dispose of any trees located on the Property outside the Easement Area that could, in PSE's reasonable judgment cause damage to PSE's systems and/or present a hazard to the general public health, safety or welfare as defined in RCW 64.12.035. PSE shall, except in the event of an emergency, prior to the exercise of such right, identify such trees and make a reasonable effort to give Owner prior notice that such trees will be cut, trimmed, removed or disposed. Owner shall be entitled to compensation for the actual market value of merchantable timber (if any) cut and removed from the Property by PSE.

5. Restoration. Following the initial installation, repair or extension of its facilities, PSE shall, to the extent reasonably practicable, restore landscaping and surfaces and portions of the Property affected by PSE's work to the condition existing immediately prior to such work. PSE shall use good faith efforts to perform its restoration obligations under this paragraph as soon as reasonably possible after the completion of PSE's work.

6. Owner's Use of Easement Area. Owner reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided, however, Owner shall not perform the following activities without PSE's prior written consent: (1) excavate within or otherwise change the grade of the Easement Area; (2) construct or maintain any buildings, structures or other objects on the Easement Area; and/or (3) conduct any blasting within 300 feet of PSE's facilities.

7. Indemnity. PSE agrees to indemnify Owner from and against liability incurred by Owner as a result of PSE's negligence, or the negligence of PSE's employees, agents or contractors in the exercise of the rights herein granted to PSE, but nothing herein shall require PSE to indemnify Owner for that portion of any such liability attributable to the negligence of Owner, its employees, agents or contractors or the negligence of third parties.

8. Attorneys' Fees. The prevailing party in any lawsuit brought to enforce or interpret the terms of this Easement shall be entitled to recover its reasonable attorneys' fees and costs incurred in said suit, including on appeal.

9. Successors and Assigns. This Easement is binding upon and will inure to the benefit of the successors and permitted assigns. PSE may not assign or otherwise transfer any of its rights, obligations or interest under this Easement without the prior written consent of Owner, which consent may not be unreasonably withheld. Notwithstanding the foregoing, PSE may assign or apportion this Easement or rights hereunder to an affiliate or in connection with a merger, acquisition, corporate reorganization, pledge of assets as collateral, sale of assets or other change in control, joint venture, tenancy-in-common or sale of business lines.

10. Complete Agreement; Amendment; Counterparts. This Easement contains the entire agreement of the parties with respect to this subject matter and supersedes all prior writings or discussions relating to the Easement. This Easement may not be amended except by a written document executed by the authorized representatives of Owner and PSE. This Easement may be executed in counterparts, each of which shall be treated as an original for all purposes and all executed counterparts shall constitute one agreement.

11. Warranty and Representation of Authority. The parties each represent to the other that the person or persons executing this Easement have authority to do so and to bind the parties hereunder. All consents, permissions and approvals related to this Easement, and the obligations hereunder, have been obtained. Owner further warrants to PSE that it has the necessary right, title and interests in the Property to grant the easement rights set forth herein.

12. Severability. Invalidity of any of the provisions contained in this Easement, or of the application thereof to any person, by judgment or court order, shall in no way affect any of the other provisions thereof or the application thereof to any other person and the same shall remain in full force and effect. If a provision is found to be unenforceable or invalid, that provision shall be modified or partially enforced to the maximum extent permitted by law to effectuate the purpose of this agreement.

13. Non-Waiver. The failure of any party to insist upon strict performance of any of the terms, covenants or conditions hereof shall not be deemed a waiver of any rights or remedies which that party may have hereunder or at law or equity and shall not be deemed a waiver of any subsequent breach or default in any of such terms, covenants or conditions.

[Signature follow next page]

DATED this _____ day of _____, 20_____.

OWNER: **CITY OF KENMORE, a Municipal Corporation**

By: _____
(name)

Its: _____
(title)

STATE OF WASHINGTON)
) SS
COUNTY OF _____)

On this _____ day of _____, 20_____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, to me known to be the person(s) who signed as _____, of **CITY OF KENMORE, a Municipal Corporation**, that executed the within and foregoing instrument, and acknowledged said instrument to be his/her/their free and voluntary act and deed and the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned; and on oath stated that he/she/they was authorized to execute the said instrument on behalf of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

(Signature of Notary)

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of Washington, residing at _____

My Appointment Expires: _____

Notary seal, text and all notations must be inside 1" margins

City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 9/15/2025

Subject/Topic:	Proposed Council Action/Motion:
Proposed Rule to rescind EPA's 2009 Greenhouse Gas Endangerment Finding and Greenhouse Gas Vehicle Standards. Department: Environmental Services Prepared by: Nina Rasmussen Climate Action Plan Program Manager Attachments: City of Kenmore Comment Letter Regarding Proposed Rule on the Endangerment Finding	☐ Information Only ☐ Receive and File ☐ Discuss ☐ Provide Direction ☐ Public Hearing ☐ Adopt/Approve ☒ Authorize ☐ Other: Authorize the Mayor to sign the comment letter opposing the Environmental Protection Agency's Proposed Rule Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards and take all actions necessary to submit the letter on behalf of the City.

Approvals:

Department Head	City Attorney	Finance Director	City Manager	Optional
RS 9/10/2025	DR	N/A	TK 9/10/25	N/A

Summary/Background:

On July 29, 2025 the U.S. Environmental Protection Agency (EPA) announced a proposed rule to rescind the 2009 Greenhouse Gas Endangerment Finding and Greenhouse Gas Vehicle Standards. The proposal would entail the removal of all regulations that require new motor vehicle and new motor vehicle engine manufacturers to measure, report, or comply with the standards for greenhouse gas (GHG) emissions.

These federal changes have regional and local implications. The removal of vehicle regulations greatly decreases the City's ability to meet emissions goals and reach 95% reduction + net zero emissions by 2050.

Comments may be submitted via Regulations.gov before end of day on September 22, 2025 regarding this proposed rule. With the City Council's approval, the attached comment letter, signed by Mayor Herbig, would oppose EPA's proposal to rescind the Endangerment Finding and federal vehicle GHG standards and to retain them in their current form.

Previous Council Action(s):

N/A

Fiscal Consideration:

N/A

City Council Priorities or Budget Objective Being Addressed:

1. Continue to implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.



City of Kenmore, Washington

September 10, 2025

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

VIA ELECTRONIC SUBMISSION

Subject: Proposed Rule, Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards," 90 Fed. Reg. 36,288 (Aug. 1, 2025)

Docket No.: EPA-HQ-OAR-2025-0194; FRL-12715-01-OAR

To Whom It May Concern:

On behalf of the City of Kenmore, I write to submit this comment letter in strong opposition to EPA's proposal to reconsider or rescind the Endangerment Finding for greenhouse gases (GHGs) and to eliminate federal GHG standards for motor vehicles. As a local government mayor charged with protecting the health, safety, and welfare of our residents, I urge EPA to maintain the Endangerment Finding and the vehicle GHG standards that are critical to lessening the impacts of GHG-induced climate change in our communities.

1. Local governments are on the front lines of climate impacts.

Cities like Kenmore are already experiencing the consequences of climate change, which is caused in significant part by GHG emissions from motor vehicles and power plants in the U.S. Rising temperatures, heavier rainfall, and more frequent extreme weather events are straining public infrastructure and increasing costs for local governments. These hazards are also increasing health risks for our community and for generations to come. In Kenmore, for example, we have experienced:

- **Extreme heat:** In 2021, Washington State experienced a heat dome creating dangerously high temperatures that killed 126 Washingtonians¹ and put countless others at risk in a region where many do not have air conditioning in

¹ Climate Impacts Group, University of Washington, *In the Hot Seat: Saving Lives from Extreme Heat in Washington State*, p. 1.

their homes. Increased summer temperatures in recent years have also raised utility bills for those with cooling, increased the risk of electricity service outages, and put vulnerable populations such as seniors and outdoor workers at particular risk each year.

- **Air quality:** A state highway runs through the City of Kenmore contributing to a high level of vehicle emissions. This paired with hotter summers has worsened smog and particulate matter and Kenmore consistently ranks at high risk of health disparities due to particulate matter exposure.² These conditions aggravate asthma and other respiratory conditions, especially in children and the elderly.
- **Wildfire smoke:** Hotter, drier summers have exacerbated wildfire impacts, leading to more frequent, intense and longer fire seasons. Smoke from these fires has worsened air quality during wildfire season, again putting children, the elderly, and those with respiratory conditions at risk.

Rolling back the Endangerment Finding and vehicle GHG standards would undermine our ability to protect residents from these escalating harms.

2. The Endangerment Finding is grounded in sound science, including federal climate assessments.

EPA's 2009 Endangerment Finding rested on an extensive body of peer-reviewed science, which has only grown stronger in the years since. The Fifth National Climate Assessment, published in 2023, confirms that climate change is already harming U.S. cities and their residents, finding that "Cities are experiencing increased risks from climate hazards, including extreme heat, flooding, sea level rise, drought, and wildfires"³ and that "Infrastructure designed for past climate conditions is increasingly vulnerable, leading to rising costs for municipalities and residents."⁴

These findings are borne out by the experiences of Kenmore. The City of Kenmore and the Puget Sound region have already experienced heat waves, drier conditions, reduced snowpack, extreme wildfire smoke, flooding, and other risks to residents. The City of Kenmore urges EPA to regulate according to the best available science, including as it relates to increased climate hazards and infrastructure vulnerabilities at the local level.

² Washington State Department of Health, *Washington Health Disparities Map* (September 10, 2025), <https://doh.wa.gov/data-and-statistical-reports/washington-tracking-network-wtn/washington-environmental-health-disparities-map>.

³ NCA5, *Cities and the Built Environment*, Key Message 1, p. 1842.

⁴ NCA5, *Cities*, p. 1845.

3. Rescinding vehicle GHG standards would eliminate any meaningful regulation of transportation emissions.

Transportation is the largest source of greenhouse gas emissions in the United States, accounting for 28 percent of total emissions in 2022 according to EPA data.⁵ In the City of Kenmore, transportation accounts for 31% of all GHGs emitted within city boundaries.

Despite the outsized role of the transportation sector in national and local GHG emissions, Section 209 of the Clean Air Act⁶ preempts states and cities like Kenmore from setting their own motor vehicle GHG standards. If EPA withdraws both the Endangerment Finding and the federal vehicle GHG standards, cities like Kenmore will be left without any recourse to address this dominant source of emissions and the resulting impacts as described above. EPA repeal of existing GHG standards for new motor vehicles will not empower local governments; it would leave us powerless to regulate transportation-related emissions, despite bearing the costs of their impacts.

Conclusion

The City of Kenmore strongly urges EPA to withdraw this proposal and retain the Endangerment Finding and federal vehicle GHG standards in their current form. Protecting the health and welfare of our residents requires continued recognition of the dangers posed by GHG emissions and decisive action to mitigate them.

Respectfully submitted,

Nigel Herbig
Mayor
City of Kenmore

⁵ U.S. EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks* (July 1, 2025), <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks>.

⁶ 42 U.S.C. § 7543.