



City of Kenmore - 18120 68th Avenue NE - P.O. Box 82607 - Kenmore, WA 98028
Phone: 425-398-8900 - Fax: 425-481-3236 - E-mail: cityhall@kenmorewa.gov

City of Kenmore
Regular City Council Meeting Agenda
7:00 p.m., March 13, 2017
Kenmore City Hall, Council Chambers
18120 68th Ave. NE, Kenmore, WA 98028

If you have any questions or to confirm agenda items prior to the meeting, or if you require special accommodations, please call the City Clerk at 425-398-8900. You may also stop by City Hall at 18120 68th Avenue NE, Kenmore. Council agendas are also available on our website at www.kenmorewa.gov.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. FLAG SALUTE

IV. AGENDA APPROVAL

V. CITIZEN COMMENTS

- A. This is an opportunity to express your views on issues that are important to you and to the community. Please limit your comments to three (3) minutes.

VI. CONSENT AGENDA

- A. The Following Checks and Electronic Payments are Approved for Payment:
Total Check Numbers 36328 through 36411 in the Amount of \$497,965.03.
Total Payroll Electronic Deposits Dated 02/17/2017 in the Amount of \$78,602.77.
[Check Vouchers](#)
- B. Adopt Minutes for the February 13, 2017 City Council Meeting
[Minutes](#)
- C. Approve January 6-7, 2017 City Council Retreat Report Including City Council Goals
[Retreat and Goals](#)
- D. Authorize the City Manager to Enter Into a Contract for Construction of the Tolt Trail Phase 1 Project Not to Exceed \$152,274
[Agenda Item](#)
- E. Authorize the City Manager to Execute Amendment No. 2 to Contract No. 16-

C1502 with MacLeod Reckford for Professional Services in the Amount of \$17,597.65 for the Moorlands Park Improvement Project

[Agenda Item](#)

- F. Authorize the City Manager to Execute Agreement No. 17-C1654 with Iron Creek Construction LLC for Arrowhead Drive and 82nd Avenue Improvements in the Amount of \$53,642

[Agenda Item](#)

VII. BUSINESS AGENDA

- A. Discussion with Council on Continuing the Temporary Elimination of the Road Impact Fee and Minimum Parking Space Requirements for Changes of Use of Existing Buildings in the North Sub Area of the Regional Business Zone East of 68th Avenue NE - Bryan Hampson, Development Services Director

[Agenda Item](#)

- B. Discussion on Vegetation and Sidewalk Maintenance Policy - Brett Schock, Traffic Engineer

[Agenda Item](#)

[Presentation](#)

- C. Discussion about City Construction Manager Position - Kris Overlesse, Public Works Director

[Agenda Item](#)

VIII. STAFF REPORT

IX. COUNCILMEMBER REPORTS & COMMENTS

X. COUNCILMEMBER INITIATIVES

XI. ADJOURNMENT

Upcoming Meetings:

Monday, March 13, 2017 Council Meeting

Monday, March 20, 2017 Council/Northshore Utility District Joint Meeting

Monday, March 27, 2017 Council Meeting

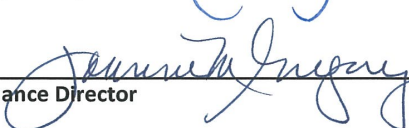
Voucher Certification and Approval

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Kenmore and that I am authorized to authenticate and certify to said claim.

The following checks and electronic payments are approved for payment:

Total Check numbers: 36328 through 36411 \$ 497,965.03

Total Payroll electronic deposits dated: 02/17/2017 \$ 78,602.77

 City Manager	2-27-17 Date
 Finance Director	2-24-17 Date

Check #	Vendor Name	Description	Check Amount
36328	NATIONWIDE FINANCIAL 401a	Social Security Replacement Plan	12,747.43
36329	NATIONWIDE RETIREMENT SOLUTIONS 457	Deferred Comp Payroll Deduction	295.00
36330	ICMA RETIREMENT TRUST 457 - 304745	Deferred Comp Payroll Deduction	3,185.33
36331	DRS 457	Deferred Comp Payroll Deduction	510.00
36332	AFLAC	Private Medical/ Disability Plans	480.49
36333	BANK OF AMERICA 941	Payroll Taxes	16,722.81
36334	DEPARTMENT OF RETIREMENT SYSTEMS	WA State Retirement	19,063.58
36335	DEPARTMENT OF LABOR AND INDUSTRIES	Worker's Compensation	2,770.76
36336	UNITED WAY OF KING COUNTY	Employee Charitable Contribution	504.00
36337	NATIONAL LIFE OF VERMONT	Life Insurance	123.17
36338	AMERICAN GENERAL LIFE GPO-400S	Life Insurance	409.94
36339	STATE OF FLORIDA DISBURSEMENT UNIT	Payroll Deduction	275.00
36340	NAVIA	Employee Health Savings & Flexible Spending Contr.	401.90
36341	AWC EMPLOYEE BENEFITS	Employee Health Insurance	47,143.45
36342	LINCOLN NATIONAL LIFE INSURANCE	Life/Long Term Disability/AD&D	938.24
36343	AMERICAN PLANNING ASSOCIATION	Lauri Anderson Membership Dues	596.00
36344	BAKER, DAVID	Mileage Reimbursement 1/25-2/17/17	401.79
36345	CITY OF LAKE FOREST PARK	January Public Works Crew & Equipment	74,270.40
36346	DAILY JOURNAL OF COMMERCE	Ad for Bids for Tolt Trail Project	628.00
36347	KENMORE HERITAGE SOCIETY	Kenmore History for Kids Books	535.00
36348	KING COUNTY FINANCE	Qtr 4 '16 Liquor Profits/ExciseTax K.C. Mental Health	1,426.35
36349	KING COUNTY FINANCE	Jan. Road Svcs/Overlay & Credit for Bridge Project	2,901.83
36350	KING COUNTY FINANCE	Jan. Dump Fees	48.50
36351	KING COUNTY FINANCE	Jan. Road Svcs/Signs/Signal Maintenance	11,173.17
36352	SOUND PUBLISHING, INC.	Jan. Bothell/Kenmore Reporter Advertising	609.65
36353	BLACKBAUD	Fundware Renewal 2/28-12/31/17	7,304.24
36354	KUSTOM SIGNALS, INC.	Police Equipment - Antenna	81.80
36355	NORTHSHORE UTILITY DIST	11/15-1/15 Town Green 6728 181st	322.93
36356	NORTHSHORE UTILITY DIST	January Vehicle Fuel & Maintenance	1,409.42
36357	HONEY BUCKET	Squire's Landing 1/28-2/24/17	218.35
36358	OFFICE DEPOT	Office Supplies	887.43
36359	PUGET SOUND ENERGY	12/31-1/31 Various Street Lights	9,638.41
36360	CEMEX	Asphalt for Road Repairs	117.72

36361	SEATTLE TIMES	Ad for Tolt Trail Project Bid	575.34
36362	SEATTLE TIMES	Ad for St. Edward Lodge Public Hearing	122.65
36363	WA STATE DEPT OF TRANSPORTATION	Jan. Signal Maintenance 68th/181st & 68th/175th	624.64
36364	COLUMBIA RIDGE LANDFILL	Street Sweeper Dump Fees	1,170.78
36365	MACLEOD RECKORD	16-C1502 Jan. Moorlands Park Project Prof. Svcs.	35,838.59
36366	MAIL FINANCE	3/19/17-6/18/17 Postage Machine Lease	703.00
36367	KONICA MINOLTA BUSINESS SOLUTIONS	January Incubator Copier Lease	209.32
36368	BANNER BANK LD	Supplies/Software Renewal/Volunteer Event	1,423.48
36369	BANNER BANK CS	Camera/Ammunition/Police Supplies	1,763.84
36370	BANNER BANK NO	Event Supplies/Conference Registration	559.24
36371	QUALITY BUSINESS SYSTEMS INC.	Jan. 2nd Floor Copier Charges	282.92
36372	BANNER BANK JG	Parking/Background Checks/Wellness	95.00
36373	GRAINGER	Signage Materials	96.42
36374	BANNER BANK KENMORE	Supplies/Tools/Registration	366.32
36375	BANNER BANK KENMORE	Supplies/Registration/Meals/Computer Equipment	2,586.46
36376	A+ CONFERENCING	St. Edward Lodge Conference Call	75.17
36377	BANNER BANK JGORDON	Adjustable Desk/Registration	572.00
36378	EVERGREEN SAFETY COUNCIL	Membership Dues	299.00
36379	ALCALDE & FAY	Feb. Government Affairs Consulting	5,018.05
36380	KOMPAN, INC	Park Playground Equipment	2,169.20
36381	COMCAST	2/14-3/13 City Hall Internet	290.88
36382	COMCAST	City Hall/Incubator/Hangar 1/3	2,245.95
36383	CSAT, LLC	Police Training Tactical Pistol/Rifle	1,200.00
36384	TOWN CENTER HARDWARE	Jan. Tools & Materials Purchased	128.44
36385	HORIZON DISTRIBUTORS INC	Rhododendron Park Water Line Repair Parts	75.13
36386	INTEGRA TELECOM	2/8-3/7 City Hall Phone Svcs.	915.46
36387	WASHINGTON ENERGY SERVICES CO. LLC	Refund for Mechanical Permit Cancelled	28.00
36388	VERIZON WIRELESS	1/27-2/26 Cell Phones	529.24
36389	BANNER BANK VAN NESS	Registration & Airfare	731.20
36390	BANNER BANK BAKER	Airfare/Lodging/Registration/Meals	1,366.42
36391	WASHINGTON STATE PATROL	Dec. Sammamish Bridge Load Rating Enforcement	418.01
36392	JOYCE ZIKER PARKINSON	Jan. Legal Advice Lake WA Sediments	150.00
36393	WAGE WORKS	Monthly Flex Plan & HSA Administrative Fee	122.00
36394	NORTHWEST LANDSCAPE SERVICES	Feb. SR522 ROW Landscaping	1,745.12
36395	HESTON VISUAL ARTS	State of the City Address Video Services	465.38
36396	SCORE	January Inmate Housing	30,349.62
36397	SCORE	December Outside Health Services	26.43
36398	HANSEN, COREY	Feb. Training - 5X Entrepreneur Series	5,045.00
36399	STEWART TITLE COMPANY	Juanita & 68th Ped/Bike Project ROW Title Reports	15,774.57
36400	BANNER BANK RK	Meals/Retreat Expenses	2,337.94
36401	SOFTWAREONE, INC.	Office 365 License Reconciliation	946.08
36402	SOFTWAREONE, INC.	Office 365 Renewal	8,884.61
36403	NORTHWEST ARBORICULTURE LLC	Tree Evaluations	284.31
36404	NORTHWEST ARBORICULTURE LLC	Emergency Tree Removal	2,016.37
36405	MUNIMANAGE, LLC	Lakepointe Svcs 1/11-2/10/17	4,500.00
36406	RYCO EQUIPMENT, INC.	Hank Heron Foot	216.81
36407	QUALITY BUSINESS SYSTEMS	1st Floor Copier 2/5-3/4/17	672.46
36408	SHI INTERNATIONAL CORP.	Software Subscription/InDesign	375.59
36409	CLARK & SONS EXCAVATING INC.	17-C1637 68th & 73rd Curbing	17,347.00
36410	VELLAT, MARC H.	202nd Project ROW Property Payment	32,050.00
36411	EASTSIDE HOMES, INC.	PRJ2008-060 ROW Cash Deposit Refund	94,033.50
2/17/2017	PAYROLL	Direct Deposit	78,602.77
			<u>\$ 576,567.80</u>

2017	PRIOR VENDOR ACTIVITY	TOTAL	FOR 2017
	A V CAPTURE ALL		4,718.57
	AFLAC		480.49
	ALCALDE & FAY		5,017.82
	ALPHAGRAPHICS US718		239.95
	AMERICAN GENERAL LIFE GPO-400S		409.94
	AMERICAN PLANNING ASSOCIATION		469.00
	AMERICAN PUBLIC WORKS ASSOCIATION		1,295.00
	ARTS OF KENMORE		950.00
	ASSOCIATION OF WA CITIES		15,574.00
	AWC EMPLOYEE BENEFITS		50,569.61
	BAKER, DAVID		457.06
	BANK OF AMERICA 941		52,589.28
	BANNER BANK BAKER		662.31
	BANNER BANK CS		585.74
	BANNER BANK JG		543.87
	BANNER BANK KENMORE		2,564.19
	BANNER BANK LD		121.41
	BANNER BANK NO		1,534.56
	BANNER BANK PS		617.09
	BANNER BANK RK		645.14
	BRAVO ENVIRONMENTAL SERVICE		3,706.50
	BRIEN, GAYLYNN		50.00
	BRUCE DEES & ASSOCIATES		236.51
	CANYON VIEW ESTATES		7,561.70
	CAPITAL ONE COMMERCIAL/ COSTCO		158.29
	CASCADE PEST CONTROL		142.35
	CEMEX		191.76
	CITY OF BELLEVUE		8,131.00
	CITY OF LAKE FOREST PARK		112,942.11
	CITY OF SHORELINE		2,281.53
	CODE PUBLISHING COMPANY		3,212.89
	COMCAST		2,186.45
	CONSOLIDATED PRESS		3,180.78
	DAILY JOURNAL OF COMMERCE		174.80
	DAY WIRELESS SYSTEMS		76.44
	DEPARTMENT OF LABOR AND INDUSTRIES		2,210.60
	DEPARTMENT OF RETIREMENT SYSTEMS		58,028.96
	DEVRIES, DENIS		23.54
	DRS 457		1,430.00
	EA ENGINEERING SCIENCE & TECHNOLOGY		15,801.81
	ECO-COUNTER		9,580.00
	ECONOMIC DEV COUNCIL OF SEATTLE/KC		5,000.00
	ECOSS		1,941.26
	EMPLOYMENT SECURITY DEPT		249.00
	FERGUSON ENTERPRISES INC #1539		547.19
	FINANCIAL CONSULTING SOLUTIONS GROUP		11,651.25
	FIRE PROTECTION, INC		246.42
	FLEMINGS HOLIDAY LIGHTING LLC		3,241.27
	FRONTIER		23,969.59

FUN RENTALS	710.66
GALLATIN PUBLIC AFFAIRS	3,500.00
GORDON, JENNIFER	150.00
GREATER BOTHELL CHAMBER OF COMMERCE	1,700.00
HANSEN, COREY	4,180.00
HDR ENGINEERING, INC	3,164.75
HERRERA ENVIRONMENTAL CONSULTANTS	7,916.05
HONEY BUCKET	218.35
HOPKINS, CRAIG	67.41
HORIZON DISTRIBUTORS INC	32.41
HSA BANK	42.30
ICMA RETIREMENT TRUST 457 - 304745	9,554.47
INSLEE, BEST, DOEZIE & RYDER, P.S.	27,838.98
INTEGRA TELECOM	884.07
iWORQ SYSTEMS	2,800.00
JAYMARC - AV	39,979.37
JET CITY IMPROV	600.00
JET CITY PRINTING	78.02
JSH PROPERTIES, INC.	420.12
KAMINS CONSTRUCTION INC.	34,828.50
KENMORE COMMERCIAL LLC	3,213.25
KENMORE HERITAGE SOCIETY	50.00
KING COUNTY FINANCE	58,123.14
KING COUNTY FINANCE W.L.R.D.	569.64
KING COUNTY MUNICIPAL CLERKS ASSOC	25.00
KING COUNTY RECORDER'S OFFICE	92.00
KING COUNTY SHERIFF	4,945.25
KONICA MINOLTA BUSINESS SOLUTIONS	240.50
LANDSCAPE FORMS, INC.	503.70
LENTZ, FLORENCE K.	6,150.00
LIGHTHOUSE CONSULTING INC	5,002.51
LINCOLN NATIONAL LIFE INSURANCE	941.32
MARSHBANK CONSTRUCTION	2,313.67
MCCLURE AND SONS, INC.	95,511.90
MICRONET, INC.	75.56
MILLER STEPHENS, MARY	1,250.00
MUNIMANAGE, LLC	2,000.00
NATIONAL LIFE OF VERMONT	123.17
NATIONWIDE FINANCIAL 401a	39,795.21
NATIONWIDE RETIREMENT SOLUTIONS 457	435.00
NAVIA	2,755.40
NEOPOST USA INC.	182.87
NICK MINZGHOR	850.00
NORTHSHORE UTILITY DIST	5,892.63
NORTHWEST LANDSCAPE SERVICES	1,745.12
OFFICE DEPOT	347.02
OFFICE TEAM	383.20
OLBRECHTS & ASSOCIATES, PLLC	3,825.50
OLYMPIC ENVIRONMENTAL RESOURCES INC	1,575.00
PACIFIC TOPSOILS	21.00
PAMPLIN MEDIA GROUP	190.00
PASSPORT TRAVEL AND TOURS	598.00

PERSONAL BEST/ TOPHEALTH	117.74
PHSI PURE HEALTH SOLUTIONS INC.	201.26
PHSI PURE WATER FINANCE	301.86
PUGET SOUND CLEAN AIR AGENCY	17,756.00
PUGET SOUND ENERGY	9,200.63
PUGET SOUND FINANCE OFFICERS ASSOC	50.00
PUGET SOUND REGIONAL COUNCIL	8,294.00
QUALITY BUSINESS SYSTEMS INC.	878.82
REPUBLIC SERVICES	661.53
SEATTLE TIMES	133.80
SITTS & HILL ENGINEERS, INC.	228.00
SKYWARD CONSTRUCTION	21,144.45
SOUND CITIES ASSOC	13,829.83
SPERRY, LAURIE	34.78
STAPLES ADVANTAGE	207.71
STARDOM SERVICES, INC.	510.00
STATE OF FLORIDA DISBURSEMENT UNIT	825.00
STATE OF WA DEPT. OF LICENSING	30.00
STEWART MACNICHOLS HARMELL, INC.	10,000.00
TOP TO BOTTOM JANITORIAL, INC.	3,500.00
TOTAL LANDSCAPE CORP	5,867.66
TRINITY CONTRACTORS, INC.	43,661.30
UFF DA LOGISTICS	283.59
UNITED STATES POSTMASTER	1,586.32
UNITED WAY OF KING COUNTY	504.00
UPS STORE	26.27
URBAN FORESTRY SERVICES, INC.	850.00
US POSTAL SERVICE (HASLER)	2,739.69
VAN NESS, ALLAN	81.51
VERIZON WIRELESS	529.37
VERSATILE MOBILE SYSTEMS	260.88
WA ASSOC OF BUILDING OFFICIALS	2,450.00
WA CITIES INSURANCE AUTHORITY	265,141.00
WA FINANCE OFFICERS ASSOCIATION	150.00
WA STATE DEPT OF TRANSPORTATION	230.72
WAGE WORKS	116.00
WASHINGTON STATE DEPT OF REVENUE	4,877.35
WELLS FARGO FINANCIAL	616.91
WINTERBOURNE LANDSCAPE	574.88
	<u>\$ 1,215,043.91</u>

**City of Kenmore, Washington
City Council Special and Regular Meeting
Minutes
February 13, 2017**

CALL SPECIAL MEETING TO ORDER — The Kenmore City Council special meeting was called to order by Mayor Baker at 6:45 p.m.

EXECUTIVE SESSION

Mayor Baker recessed the special meeting to an executive session at 6:45 p.m. Pursuant to RCW 42.30.110(1)(b), Property Negotiations and RCW 42.30.110 (1)(i), Litigation topics were discussed. He stated that the executive session will last for approximately 45 minutes and that action may take place after the session.

At 7:26 p.m., Mayor Baker announced that the executive session will be extended to 7:40 p.m.

Mayor Baker adjourned the special meeting at 7:40 p.m. There will be action later in the meeting.

CALL MEETING TO ORDER – The Kenmore City Council regular meeting was called to order by Mayor David Baker at 7:40 p.m.

Councilmembers present: Mayor David Baker, Deputy Mayor Allan Van Ness and Councilmembers Brent Smith, Laurie Sperry, Milton Curtis, Nigel Herbig and Stacey Denuski.

Staff present: Rob Karlinsey, City Manager; Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance and Administration Director; Kris Overlesse, Public Works Director; Debbie Bent, Community Development Director; Bryan Hampson, Development Services Director; Rod Kaseguma, City Attorney; Cliff Sether, Police Chief; Laurie Anderson, Senior Planner; John Vincente, Capital Projects Manager and Kelly Chelin, City Clerk.

AGENDA APPROVAL

The Council approved the agenda with one change:

1. Added a Settlement Agreement to the Business Agenda as Item G.

MOTION: Councilmember Denuski made a motion to approve the agenda with the amendment, Mayor Baker seconded the motion. The motion passed 7-0.

FLAG SALUTE

The Council led the flag salute.

PRESENTATION

Outgoing Master Patrol Officer Nick Minzghor - Chief Sether

Chief Sether and Mayor Baker presented Master Patrol Officer Minzghor with a plaque for his retirement.

PROCLAMATION

Children's Dental Health Month – February, 2017

Mayor Baker formally presented two pediatric dentists, Dr. Laura Stewart and Dr. Brad Mott, with the proclamation.

CITIZEN COMMENTS

Elizabeth Mooney, 5934 NE 201st Street, Kenmore.

Ms. Mooney spoke to the artificial turf at the Saint Edwards ball fields. She does not want artificial turf and wants to keep the area peaceful. She believes noise will be an issue and would like the City to find an alternative location for the ball fields.

Sara Baker, HDC, 1402 3rd Avenue, Seattle.

Ms. Baker introduced herself as a representative from the Housing Development Consortium. She complimented the Council for looking at affordable housing.

Dom Amor, 6120 92nd Street SW, Mukilteo.

Mr. Amor is the Local Government and Public Policy Manager with Puget Sound Energy. He thanked the City for their patience during the windstorm. He stated that outages were not as severe as anticipated and only one circuit went down. Lastly, he stated that he could come back to a future meeting and discuss Energize Eastside if the Council desires.

Miriam Tong, 19215 58th Avenue NE, Kenmore.

Ms. Tong asked if the City is going to consider becoming a sanctuary City. She urged the Council to pass a resolution that pledges to treat everyone equally.

Yoon Kang-O Higgins, 6257 NE 202nd Street, Kenmore.

Ms. Kang-O Higgins stated that she has lived in Kenmore for 6 years. She would like to see the City do more messaging on the immigration issue and welcoming all people. She would like this City to issue a strong statement and to be proactive.

Nancy Hansen, 7219 NE 158th Street, Kenmore.

Ms. Hansen stated that she was new to the neighborhood. She said she came to the meeting to support a resolution about the City welcoming all people and to treat everyone fairly.

Karen Prince, 15122 65th Avenue NE, Kenmore.

Ms. Prince has lived in the City for over 30 years. She said she was standing in for Anne Anderson who could not be in attendance tonight. She read a letter into the record regarding concerns over the ball fields.

John Hendrickson, 5919 NE 202nd Lane, Kenmore.

Mr. Hendrickson spoke about how he believes the Council has violated the Open Public Meetings Act.

Mayor Baker thanked the citizens for their comments.

CONSENT AGENDA

Councilmember Densuki moved to approve the consent agenda as submitted, Mayor Baker seconded the motion. The motion passed 7-0.

The consent agenda included the following:

The Following Checks and Electronic Payments are Approved for Payment:
Total Check Numbers 36108 through 36170 in the Amount of \$655,964.55
Total Payroll Electronic Deposits Dated 1/20/17 in the Amount of \$82,862.59

The Following Checks and Electronic Payments are Approved for Payment:
Total Check Numbers 36171 through 36237 in the Amount of \$590,056.30
Electronic Investment Purchase dated 1/26/17 in the Amount of \$997,271.47

Adopt Minutes for the January 9 and January 23, 2017 City Council Meetings

Cancel February 21, 2017 Regular City Council Meeting

Authorize the City Manager to Execute Contract No. 16-C1634 Interlocal Agreement for 2017-2018 with King County Waste and Recycling Grant Program

Authorize the City Manager to Execute Agreement 16-C1536 for Catch Basin Repairs on SR 522 between 65th Avenue NE and 73rd Avenue NE

Adopt Resolution 17-290 Granting Final Plat Approval for Plat of Zuberger

Authorize the City Manager to Execute a Settlement Agreement

Authorize the City Manager to Execute Contract No. 17-C1639 Service Agreement with King County Department of Adult and Juvenile Detention Community Work Program

BUSINESS AGENDA

Housing Strategy Plan - Consideration of Direct Assistance Strategies - Debbie Bent, Community Development Director and Laurie Anderson, Senior Planner

Staff and ARCH Representative Arthur Sullivan introduced direct assistance strategies to be considered as part of the Housing Strategy Plan and provided pros and cons for each. The City Council discussed housing conditions on April 25, 2016 and this conversation resulted in direction to the Planning Commission to develop a Housing Strategy Plan related to affordable housing.

Council engaged in a lengthy discussion with Staff and Mr. Sullivan. Attachments 1 and 2 in the packet were reviewed and Attachments 3 and 4 were provided for background. The direct assistance strategies will be brought back to the March 20 Council Meeting. At that time, the Council will be asked to approve the Housing Strategy Plan and identify the top priorities for the coming year.

Note: Councilmember Smith left the meeting at 8:48 p.m.

Regional Coalition for Housing (ARCH) Administrative Budget and Work Program - Nancy Ousley, Assistant City Manager and Debbie Bent, Community Development Director

Staff explained that the Regional Coalition for Housing (ARCH) is comprised of fifteen East King County cities and King County. Through the technical assistance to its members on

housing policy and plan development combined with ARCH Housing Trust Fund investments, ARCH helps local jurisdictions meet the obligations of the Growth Management Act to provide for housing opportunities that are affordable to a wide range of incomes.

The City of Kenmore approved an Amended and Restated Agreement with ARCH in March 2010 (Contract No. 10-C866). Under the terms of the ARCH Interlocal Agreement, each member jurisdiction must annually approve the ARCH Administrative Budget. Each member jurisdiction contributes annually to ARCH to provide administrative and technical support for the organization's housing activities.

Note: Deputy Mayor Van Ness left the meeting at approximately 9:30 p.m.

MOTION: Councilmember Herbig made a motion to approve the 2017 ARCH administrative budget and work program, Councilmember Curtis seconded the motion. The motion passed 5-0. (Deputy Mayor Van Ness and Councilmember Smith were not present)

Resolution No. 17-291 Authorizing Execution of Documents Necessary to Fund Housing Projects Recommended by the Executive Board of ARCH - Nancy Ousley, Assistant City Manager

Staff explained that the ARCH Executive Board Fall 2016 Housing Trust Fund recommendation includes funding for two projects, for a total of \$932,3429, with a contingency award up to an additional \$400,000. The actual funding amount for the projects will depend on final action by the member jurisdiction City Councils. The requested funding contribution from the City of Kenmore's Trust Fund contributions is \$64,287, of which \$40,163 allocated to Imagine Housing 30Bellevue Project and \$24,124 allocated to the Imagine Housing Esterra Park Block 6B Project located in Redmond.

MOTION: Councilmember Sperry made a motion to approve Resolution #17-291, authorizing execution of documents necessary to fund housing projects recommended by the Executive Board of a Regional Coalition for Housing (ARCH), Councilmember Denuski seconded the motion. The motion passed 5-0. (Deputy Mayor Van Ness and Councilmember Smith were not present)

Approve a Budget Increase of \$412,980 for Moorlands Park Improvements, Revising the Adopted 2017-2022 Capital Improvement Plan - Ann Stanton, Park Project Manager

Staff explained that the Moorlands Park project is on track for renovation in 2017. City Council approved the 2016 Master Plan Update in November 2016. This streamlined plan eliminated as many elements of the 2006 master plan's scope of work as possible without compromising the quality and purpose of the renovation. However, a geotechnical analysis of the site completed in December confirmed that underdrainage of the outfield, which was not proposed in the 2006 plan, will be required to secure proper drainage for the renovated ballfield. As the only ballfield owned by the city, the field is fully-scheduled by Little League, Northshore Youth Soccer Association and Northshore Girls Slow pitch Softball Association. A quality play experience is considered a high priority by city staff.

Cost Reduction Options for Moorlands Park Estimated Running Remaining
Improvements 2017 Construction Bid Reduction Total Shortfall

Cost Reduction Options for Moorlands Park improvements 2017 Construction Bid		Estimated Reduction	Running Total	Remaining Shortfall
1.	Do not charge 1% for Art to project	-15,000	-15,000	385,000
2.	Do not charge staff time to project	-20,000	-35,000	365,000
3.	Delete restroom building	-135,000	-170,000	230,000
4.	Delete picnic tables and benches	-55,000	-225,000	175,000
5.	No change to fencing at SE corner	-10,000	-235,000	165,000
6.	Delete lighting; install conduit only	-20,000	-255,000	145,000
7.	Cheaper play equipment package	-32,000	-287,000	113,000
8.	Change drainage design to Option 2	-170,000	-457,000	-57,000

Council discussed removing #1 and #5 from the list. Some of the Councilmembers agreed with this and some did not.

MOTION: Councilmember Curtis made a motion to remove #1 and #5 from the project for a total cost of \$387,980. The motion failed due to a lack of second.

MOTION: Councilmember Denuski made a motion to approve a budget increase of \$412,980 (without removing #1 and #5). The motion passed 5-0. (Deputy Mayor Van Ness and Councilmember Smith were not present)

2017 City Council Committee Appointments - City Council

The Council reviewed the list of committees. The City Clerk will follow up with Deputy Mayor Van Ness and Councilmember Smith to identify who is serving on the Northshore Performing Arts Advisory Board.

December Financial Report - Joanne Gregory, Finance and Administration Director Director Gregory

Director Gregory reviewed the financial report with the Council.

MOTION: Councilmember Herbig made a motion to receive and file the December 2016 Financial Report for the City of Kenmore, Washington, Councilmember Denuski seconded the motion. The motion passed 5-0. (Deputy Mayor Van Ness and Councilmember Smith were not present).

New Item Added - Settlement Agreement - City Council

MOTION: Councilmember Denuski made a motion to approve the Settlement and Release of Claims Agreement between the City of Kenmore and Owen Benson, Roger Knight and 3 S. Management LLC, relating to the property at 16570 72nd Avenue NE in the City, and to authorize the City Manager to Sign the Agreement, Councilmember Curtis seconded the motion. The motion passed 5-0. (Deputy Mayor Van Ness and Councilmember Smith were not present).

STAFF REPORT

Capital Projects Manager Vicente and Public Works Director Overlesse gave an update to the Council on the 202nd and 66th Avenue Sidewalk Project. City Manager Karlinsey gave an update to the Council on the Saint Edwards State Park Ball fields and Lakepointe. City Manager Karlinsey asked if the Council would like Dom Amor from Puget Sound Energy to come back at a future meeting and discuss Energize Eastside. Council agreed that they would like that discussion at a future meeting. He also gave an update on House Bill 1028, State Capital Budget Requests and the RFQs for the Federal Integral Relations Consultation Project. Submittals for that RFQ are due on February 15. Lastly, he updated the Council on Mary's Place tentatively moving into the old sheriff's precinct in the City. More information to come when details are finalized.

CITY COUNCILMEMBER REPORTS, COMMENTS & INITIATIVES

Mayor Baker handed out a sample resolution for the Council to consider that would reaffirm the City of Kenmore as a welcoming place to all. The Mayor stated that in light of recent political discourse and concerns from citizens, the City may wish to adopt a resolution. This item will come back for discussion at the February 27 meeting.

Mayor Baker reminded the Council that the City Council will hold a joint meeting with the Northshore School Board on March 6. The joint meeting with the Northshore Utility District will be March 20.

ADJOURNMENT

Mayor Baker adjourned the meeting at 10:10 p.m.

David Baker, Mayor

ATTEST:

Kelly M. Chelin, City Clerk



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic:	For Council Meeting Agenda of: March 13, 2017		
January 6-7, 2017 City Council Retreat Report, including City Council Goals	Department:	City Manager's Office	
	Prepared by:	Rob Karlinsey	
	To Be Presented By: Rob Karlinsey		
Move to:	Approved by Department Head:	<u>Initial & Date</u>	
	Approved by City Attorney:	_____	
Approve January 6-7, 2017 City Council Retreat Report, including City Council Goals	Approved by Finance Director:	_____	
	Approved by City Manager:	<u>ROK</u>	
	Exhibits/Attachments:		
	1. 2017-2018 Kenmore City Council Goals 2. January 6-7, 2017 City Council Retreat Report, including City Council Goals.		
Expenditure Required N/A	Amount Budgeted N/A	Appropriation Required N/A	
<u>INFORMATION/BACKGROUND:</u>			
The Kenmore City Council held its annual retreat on January 6 and 7, 2017. At the retreat, the City Council discussed updates to its Goals for 2017-2018. These goals are found on the first attachment to this Agenda Bill and also in the retreat report.			



*City of Kenmore
Washington*

2017 - 2018 City Council Goals

1. **To focus and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle, and other means of travel.**
 - **Implement the Sidewalk Plan.**
2. **To update and continue to implement the Economic Development Plan, with an emphasis on the following key points:**
 - **Advance Public's Access to Water**
 - **Create a vibrant, walkable downtown**
 - **Attract new businesses and support existing businesses**
 - **Promote the Image of Kenmore**
3. **To continue to seek opportunities to complete a successful Lakepointe project.**
4. **To actively pursue Sound Transit 3 projects for SR 522.**
5. **To continue to implement a Parks Improvement and Financial Plan.**
6. **To continue to seek funding and mitigation for State impacts on the City's transportation system.**
7. **To address watershed and water quality issues affecting the City.**
8. **To continue to establish a contemporary Information Technology Program.**

*PENDLETON CONSULTING, L.L.C.*_____

MICHAEL R. PENDLETON Ph.D.

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THE
KENMORE CITY COUNCIL
ANNUAL RETREAT

January 6th and 7th
2017

Summary Report

Introduction

The Kenmore City Council annual retreat was held on January 6th and 7th, 2017 at the La Conner Channel Lodge in La Conner, Washington. The retreat is located and structured to provide an uninterrupted forum for in-depth discussion of selected issues. 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. In addition, this retreat focused on establishing goals and objectives for 2017 and 2018. The following agenda guided the discussions during this council retreat:

1. 2016 Accomplishments
2. Financial Forecast
3. Disaster Preparedness
4. Code Updates and Planning Commission Docket
5. Economic Development
6. Waterfront Topics
7. Lakepointe
8. Downtown Issues
9. Transportation
10. New Frontiers
11. General City Issues
12. Goals for 2017 and 2018

The following report is a summary of the discussions and outcomes of the retreat (a complete recording of this retreat was made and is retained by City officials):

Progress on 2016-17 Goals

The retreat opened with a review of the agenda and brief discussion of progress on the current City Council Goals. Much of the progress noted was reviewed, in detail, during the City Manager Performance Review conducted in November of 2016. (See City Manager Evaluation Report 2016)

2016 Accomplishments

The retreat opened with a listing of key accomplishments that have occurred within the City during the last year. It was noted that a more in-depth listing of accomplishments can be found in the 2016 City Manager Evaluation Report. See Appendix Two for a listing of accomplishments identified during the retreat.

Financial Forecast

The participants reviewed a memo presented by the Finance Director providing an overview of the 6 Year Financial Forecast. Basic assumptions, expenditures, and a variety of “what if scenarios” were covered in the memo. It was noted that the revenue and expenditure lines will cross in 2020 requiring adjustments necessary to prevent this from happening.

Disaster Preparation

Staff provided an update on the disaster preparation program. The Lidar Imagery program was reviewed and discussed. This program provides data detailing slide zones and other hazards within the City. The purpose is to provide more detailed information about the nature of any geophysical hazards on properties throughout the City. It was noted that it will be important to preempt the release of this information with an information notifications and sessions to help citizens understand the information and its implications.

The participants discussed other aspects of the Disaster Preparation program detailing new processes around a joint Emergency Operations Center (EOC) and the need for additional training.

Code Updates and Planning Commission Docket

City staff provided an overview of the draft 2017 Planning Commission Docket. It was noted that this docket will come before the City Council on January 23rd, 2017. The participants discussed selected aspects of the docket including school impact fees, and the protection of Heritage Trees.

Economic Development

The participants next considered the Economic Development Program. It was suggested that the current plan may be too broad, and it might be time for a more specific focus and objectives. Such a focus might include identifying and recruiting specific businesses and/or business sectors. It was noted and participants agreed that the program could benefit from more specific measures of accomplishments. Such measures might include how many “incubator” businesses either located or left the City for other locations, data that would be collected and packaged for developers, and how much private investment has been made in the City. It was noted that while the incubator program is very successful, there seems to be little or no physical space for startup businesses to locate within the City. It was

noted that it may be time for the Incubator Program to be moved to the General Fund rather than be funded from the Strategic Opportunities Fund.

It was noted that a member of the City Council was also a member of the Economic Development Council (EDC) and better use of the EDC should be considered. It was also noted that zoning codes may need to be reviewed to insure they support the location of business wanting to locate within the City. Finally, the participants discussed the value and ability to extend the current ordinance temporarily eliminating traffic impact and parking requirements to encourage and help business within the southeast subarea of the Regional Business Zone.

Waterfront Topics

Participants next considered and discussed a number of waterfront related issues detailed below:

Squires Landing. The participants next discussed the Army Corps of Engineers proposal to work together on the implementation of restoration measures for the Squires Landing property. It was noted that on January 9th 2017 there would be a joint meeting between the City and the Corps. This project would require City matching funds but would bring 8 to 10 million dollars of federal funds into the restoration project. The pros and cons of participating in the project were discussed. Various ways to acquire matching funds was discussed. In addition, the ability and process for opting out was also discussed. Participants questioned the need for the project noting natural processes may accomplish the same objectives. After a long discussion the participants agreed to wait until after the meeting with the Corps to make any final decisions.

Dredging and the role of business. Participants next discussed the dredging that is required in front of waterfront businesses in the City. It was noted that this dredging benefits several businesses and that these businesses should “step up” and share the costs for the dredging. It was noted that it was last dredged in 1997 and was funded by federal “earmarks”. While the earmark process has been eliminated, it is believed they may be coming back under a new Presidential administration. It was noted that a similar effort is underway in Everett and it might be best to simply see how it is handled in that project before doing much in this area. Finally, it was discussed whether this project request should stay on the City’s federal legislative agenda.

Log Boom Park. It was briefly noted that it will be important to fulfill promises to the voters on providing more access to the water. All participants agreed.

General Waterfront Discussions. Participants discussed the importance of strong and frequent updates on waterfront development to the citizens. It was noted that it would be great to get SR522 earlier than the expected 2024 date. Finally, it was noted that a rowing program involving the High School is emerging and there may be a possibility to locate the program at Log Boom Park.

Lakepointe

The Council received an update from the City Manager on the Lakepointe project. There is an agreement in place that provides a roadmap for the project. It is important that the City Council weighs in on the vision and concept plans for the site. The developer is holding a charrette scheduled for March 8th and 9th to go over the project. It is important to coordinate this project with the Sound Transit 3 (ST-3) projects, especially the location of the parking garage. The role of the City as a potential partner was discussed. Specifically, the participants discussed the role and limitations of public funding in this project. Finally, it was noted that this project is a good case of turning a brown field into a green field.

Downtown Issues and Topics

The participants next discussed a number of Downtown issues detailed below:

Parking. It was noted that increased development in the downtown area may result in a parking problem. It was noted that the City is in transition and that new ways to get around in the City may ease parking pressure. Some participants noted that parking is not a big problem at night. It was observed that having cars in the area at night makes it feel like a "downtown". Others noted that restaurants may not be locating in the City because of limited parking. It was noted that the Kenmore Library Advisory Committee is concerned with not enough parking for the library. The participants discussed a number of solutions to the problem.

Town Square Programing. All participants were excited about the upcoming opening of the Town Square Project. The discussion focused on future programing of events and activities in the Square. It was noted that two events, "why I love Kenmore" and Movies in the Park were already planned. It was noted that marketing and promotion of the Town Square will be important. Booking the community room was discussed along with the limits on groups and events. It was suggested the "coffee with the Council" might be a good event to hold in the new Hangar building. Other ideas like the "Million Cups of Coffee" and other ideas were discussed.

Transportation

The participants next discussed a number of transportation issues detailed below:

Infrastructure Grants. The participants noted the need for funds for a number of road projects within the City. It was noted that it will be important to lobby for funds to accomplish these projects and the importance of adding these project funds to the legislative agenda.

Sound Transit 3. Participants discussed the next steps subsequent to the recent voter approval of Sound Transit 3. It was quickly noted that it is important to keep the multi-jurisdictional partnership together that was so instrumental to the passing of the bond. The importance of various projects such as the 145th roadway was noted and discussed. The siting of the parking garage was of particular interest and how it relates to the Lakepointe project. The importance of informing the Lakepointe developer of ST-3 and the garage was discussed. It was agreed to make sure that the Lakepointe developer is included in the ST-3 stakeholder group.

Town Shuttle. Participants next discussed the nature and value of a town shuttle. The idea would be to fund a Shuttle that would travel throughout the City linking various neighborhoods to the downtown and other prominent locations/activities within the City. It was suggested the shuttle could be funded by Metro or perhaps Bastyr University. It was noted that the idea is great but perhaps the City does not have the density to warrant the expense. It was noted that the shuttle could be based upon an “on demand” model. It was noted that there are other options like Uber that might be more cost effective. Others noted that a shuttle would be susceptible to traffic problems and perhaps an idea like the gondola discussed in Seattle would be useful. Other ideas like the autonomous vehicle were discussed.

SR 520 “Rest of the West”. The participants next discussed the 520 bridge construction project and specifically the disruption caused by this project. It was noted that the impacts are significant and that the City should vigorously oppose the disruption that will occur. It was noted that the City needs to take a much stricter position on this disruption.

New Frontiers

The participants next discussed the importance of looking out into the future to consider both new opportunities that might occur with a new Presidential administration AND the arrival of new innovations. The following issues were discussed:

Federal Changes. Participants briefly discussed the possible impacts of a new presidential administration. It was noted that it may be reasonable to expect less federal regulations, focus on creating jobs and more funds for infrastructure.

Federal Lobbyist. Participants next discussed the role and need for a federal lobbyist. The activities, role of the lobbyist, and impacts for the City were discussed. The fact that insider knowledge in Washington DC enables both meaningful contacts and information was noted. The role of the lobbyist on recent City projects was reviewed and discussed. Some participants felt the deliverables seemed weak. Others disagreed pointing to several outcomes directly related to working with a lobbyist. Finally, it was noted that the City will be putting out a Request for Proposals (RFP) in the next year to review a number of candidates for the role.

New Innovations. The participants reaffirmed their commitment to new innovations particularly in the technology field. It was noted that it is important to be nimble, and being a small City enables action in a timely way on new opportunities. The nature of the community and its participation in the technology field is a tremendous asset and a central feature in the identification and adoption of new innovations.

General City Issues

The participants next reviewed and discussed a number of general City issues detailed below:

Process for citizen requests. The City Manager presented the need for clarification on the Councils desired process for entertaining new requests from citizens to adopt or act on various suggestions or requests. Currently the criteria for consideration has been the following:

- Is the request within our mission?
- What would the Council want to be considered?
- Is it within our budget?
- Do we have resources we can add to the effort?

Several examples were mentioned and discussed. After a discussion, the participants agreed to have citizens come in front of the City Council during citizen comments and if the Council wishes to follow up they will provide that direction to staff.

Citizen Comments. Participants next discussed the process of receiving citizen comments during the City Council meetings. The need to require citizens to state their address was discussed. At the close of the discussion the participants agreed to the following:

Agreement One: Staff will produce a set of written guidelines for council review and approval. These guidelines should include how to present to the council, contact information and a script for the moderator. City address will not be required unless the citizen wants to be contacted via mail.

Parental Leave Policy. The participants next discussed the nature and value of a parental leave policy for City employees. Such a policy might provide for paid leave for parents who have a newborn child. It was noted that other jurisdictions are doing this. It is compassionate, provides for family bonding and enables the City to be competitive with other jurisdictions for good employees. Such a leave would be for 12 weeks. The participants discussed a number of pros and cons of such a policy including expense, coverage, and related issues. After a long discussion, the participants agreed to the following:

Agreement Two: Staff will come back to the council with a draft Parental Leave Policy for further consideration and possible adoption.

Twin Springs Park. The participants next discussed various uses and issues associated with Twin Springs Park. It was noted the planning and development of the park should include a role for surrounding neighbors. The possibility of opening the park until a development plan is created was discussed. The need to provide parking was discussed as well as other needs important to surrounding neighbors and park users. Finally, the possibility of trail connections was discussed.

Saint Edwards Ball Fields. Participants discussed the on-going discussions and negotiations with the State Parks Department about the ball field project. Concerns with the rising costs and relentless process and discussions were discussed. While some participants noted that getting the ball fields was a big deal and important, the process may be starting to be too much. It was noted that the need for ball fields may require a larger view that might need to look to other alternatives such as the school district.

Parks Operations and Maintenance. Participants discussed the importance of an Operations and Maintenance Plan for the park system. In taking on new parks, funding the on-going maintenance should be considered. After a discussion it was agreed that by the mid-year budget retreat a specific discussion on how to address this issue will occur.

Joint Jurisdictional Meetings. During the ST-3 project, surrounding jurisdictions joined in a number of meetings to work closely together on the issue. Participants discussed the value of these meetings and the need and desire to continue meeting on a range of topics. It was agreed to attempt to arrange a joint meeting in the future.

Murphy's Auction Property. The City Manager gave an update on the future of the property currently owned by Murphy's Auction. While the ball is in their court so to speak, the participants are interested in a possible development agreement on the property if such an opportunity should occur. While the specifics of such an agreement are unknown at this time, all participants agreed that the inclusion of sidewalks on 181st Street in any future use is a must.

City Council Goals

The participants next reviewed and discussed the "long list" of City Council goals established at last year's retreat. The participants eliminated goals that had been accomplished and decided that a few new goals were needed for this coming year. Using a combination of consensus and discussion, the 2017-18 goals were established (see next page).

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

**Long List
2017-2018 Council Goals**

1. To focus and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle, and other means of travel.
-Implement the Sidewalk Plan
2. To update and continue to implement the Economic Development Plan, with an emphasis on the following key points:
 - Advance Public's Access to Water
 - Create a vibrant walkable downtown
 - Attract new businesses and support existing businesses
 - Promote the Image of Kenmore
3. To continue to seek opportunities to complete a successful Lakepointe project.
4. To actively pursue Sound Transit 3 projects for SR 522.
5. To continue to implement a Parks Improvement and Financial Plan.
6. To continue to seek funding and mitigation for State impacts on the City's transportation system.
7. To address watershed and water quality issues affecting the City.
8. To continue to establish a contemporary Information Technology Program

APPENDIX ONE
Retreat Participants

Mayor
David Baker

Deputy Mayor
Allan Van Ness

Councilmember
Brent Smith

Councilmember
Laurie Sperry

Councilmember
Milton Curtis

Councilmember
Nigel Herbig

Councilmember
Stacey Denuski

City Manager
Rob Karlinsey

Assistant City Manger
Nancy Ousley

Finance and Administration Director
Joanne Gregory

Community Development Director
Debbie Bent

Development Services Director
Bryan Hampson

City Clerk
Kelly Chelin

**APPENDIX TWO
2016 Accomplishments**

- 1. Voters Approved the Walkways & Waterways Bond Measure**
- 2. Completed the SR 522 West A project**
- 3. Town Square Project**
- 4. AAA Bond Rating**
- 5. The Process Utilized to pass Walkways and Waterways**
- 6. Progress on the Seminary Building**
- 7. Jurisdictional collaboration on Sound Transit 3**
- 8. Preventing 520 bridge demolition in Kenmore**
- 9. Void repair and re-configuration on 61st street**
- 10. Sidewalks and lights on 81st street**
- 11. Increased walkability within the City**
- 12. Extension of safety for pedestrians and bicyclists with new programs and projects**
- 13. Progress on Ball Fields**
- 14. Developed and adopted the 2017-2018 biennial budget**
- 15. Christmas Tree Lighting event and its organization**
- 16. The Historical Mural**
- 17. Enabling Kenmore Air to fly during Presidential Visits**
- 18. Business Incubator's move into the Virtual Realm**

- 19. New pedestrian bridge at Log Boom Park
- 20. NTTP program
- 21. Low Impact Development Policies
- 22. Received the Governors Smart City Award
- 23. Transportation and Parks Grants



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Contract No. 15-C1469 for construction of the Tolt Trail Phase 1 Project Proposed Council Action/Motion: Authorize City Manager to enter into a contract for construction of the Tolt Trail Phase 1 Project not to exceed \$152,274.	For Council Meeting Agenda of: March 13, 2017 Department: Community Development Prepared by: Zack Richardson, Civil Engineer <u>Initial & Date</u> Approved by Department Head: <u>DA 2/22/17</u> Approved by City Attorney: <u>N/A</u> Approved by Finance Director: <u>[Signature] 2/22/17</u> Approved by City Manager: <u>[Signature]</u> Exhibits/Attachments: N/A															
Expenditure Required \$ 152,274	Amount Budgeted \$206,936 (2017)	Appropriation Required \$ 0														
<u>INFORMATION/BACKGROUND:</u> Staff have worked through the design and permitting processes for the Tolt Trail Phase 1 Project and have secured approval from the City of Seattle to complete the project and are now ready to proceed with construction. Staff advertised for bids on 1/31/2017 and received 10 bids before the deadline on 2/21/2017. The lowest apparent bidder is Trimaxx Construction Inc with bid of \$126,895, which was below the engineer's estimate. The requested contract authority represents the low bid plus a 20% contingency. Even with the 20% contingency, the project is still tracking to remain under budget.																
<u>FISCAL CONSIDERATION:</u> This project was originally budgeted with 2014 and 2105 Park Capital Funds, which have since been rolled over to 2017 funds. The remaining project funding available in the 2017 budget is \$206,936 and the project will remain under budget with the contract authority being requested. See table of anticipated project costs below: <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr style="background-color: #d3d3d3;"> <th style="padding: 5px;">Reaming Project Component</th> <th style="padding: 5px;">Approx. Cost</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Construction Support (Non-staff)</td> <td style="padding: 5px;">\$4,000</td> </tr> <tr> <td style="padding: 5px;">Construction Management (Staff)</td> <td style="padding: 5px;">\$4,000</td> </tr> <tr> <td style="padding: 5px;">Construction</td> <td style="padding: 5px;">\$152,274</td> </tr> <tr style="background-color: #d3d3d3;"> <td style="padding: 5px;">Estimated Project Total</td> <td style="padding: 5px;">\$160,274</td> </tr> <tr style="background-color: #d3d3d3;"> <td style="padding: 5px;">Remaining Project Budget (2017)</td> <td style="padding: 5px;">\$206,936</td> </tr> <tr style="background-color: #d3d3d3;"> <td style="padding: 5px;">Budget Difference</td> <td style="padding: 5px;">\$46,662</td> </tr> </tbody> </table>			Reaming Project Component	Approx. Cost	Construction Support (Non-staff)	\$4,000	Construction Management (Staff)	\$4,000	Construction	\$152,274	Estimated Project Total	\$160,274	Remaining Project Budget (2017)	\$206,936	Budget Difference	\$46,662
Reaming Project Component	Approx. Cost															
Construction Support (Non-staff)	\$4,000															
Construction Management (Staff)	\$4,000															
Construction	\$152,274															
Estimated Project Total	\$160,274															
Remaining Project Budget (2017)	\$206,936															
Budget Difference	\$46,662															

COUNCIL GOAL/BUDGET OBJECTIVES BEING ADDRESSED:

1. To focus on and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle, and other means of travel.
6. To continue to implement a Parks Improvement and Financial Plan.



City Council Business Agenda Item City of Kenmore, WA

Subject/Topic: Contract Amendment to Contract No. 16-C1502 with Macleod Reckord for the Moorlands Park Improvements project.		For Council Meeting Agenda of: March 13, 2017	
Proposed Council Action/Motion: Authorize the City Manager to execute amendment no. 2 to Contract No. 16-C1502 with Macleod Reckord for Professional Services in the amount of \$17,597.65.		Department: Community Development Prepared by: Ann Stanton, Parks Project Manager	
		Initial & Date Approved by Department Head: <u>DA 2/28/17</u> Approved by City Attorney: <u>N/A</u> Approved by Finance Director: Approved by City Manager: <u>POK</u>	
		Exhibits/Attachments: Amendment #2 to Contract #16-C1502	
Expenditure Required \$17,597.65		Amount Budgeted \$1,980,000	
		Appropriation Required NA	
INFORMATION/BACKGROUND: The Moorlands Park Improvements project will upgrade the athletic field, add new paths, restroom, landscaping, and playground. The project is on schedule to start construction in summer 2017.			
Macleod Record is the landscape architecture firm that prepared the 2006 master plan and updated it in 2016. On 2/11/16 Council authorized execution of Contract No. 16-C1502 with MacLeod Record for an amount not to exceed \$194,990.20 to prepare construction documents and provide construction oversight. Amendment #1 authorized an increase of \$32,323.50 on 10/5/16 to add a tree assessment, outfield underdrainage analysis and 30% cost estimate. The proposed amendment #2 will complete additional surveying, design and permit support services.			
Staff recommends Council authorize execution of amendment no. 2 to Contract No. 16-C1502 with Macleod Reckord in the amount of \$17,597.65.			
FISCAL CONSIDERATION: There is sufficient budget to cover this amendment. On 2/13/17, Council authorized a \$412,980 budget appropriation, increasing the project budget to \$1,980,000. If amendment #2 is approved, the total contract amount for Macleod Reckord will be \$244,901.35, or 16% of the estimated cost of construction.			
COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED: Council Goal #6 To continue to implement a Parks Improvement and Financial Plan.			

City of Kenmore
Contract No. 16-C1502
Amendment #2

The following sections of the contract for professional services dated 3/1/2016, between the City of Kenmore ("City") and Macleod Reckord PLLC ("Consultant") is amended to read in its entirety as set forth below or attached. All other terms and conditions of the underlying contract shall remain in full force and effect.

Section 1. Scope of Services to be performed by Consultant: The Consultant shall perform the additional services described in Attachment A. The Consultant shall comply with all federal, State and local laws and regulations applicable to the services. The consultant shall perform the services diligently and completely and in accordance with professional standards of conduct and performance.

Section 2. Compensation and Method of Payment: The Consultant shall request payment for work performed using the billing invoice form at Exhibit "C" in the original contract. The City shall pay Consultant a sum not to exceed \$17,597.65 according to the fees and rates described in Attachment A.

Section 3. Duration of Agreement: This agreement shall be in full force and effect through December 31, 2018. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

Dated this _____.

CONSULTANT

CITY OF KENMORE

By: _____
Connie Reckord
Title: Principal

By: _____
Rob Karlinsey
Title: City Manager

Date: _____

Date: _____

ATTACHMENT A

Moorlands Park Contract No. 16-C1502 Amendment #2 February 21, 2017

Scope of Work

1.0 Lighting

Per City comments provided in the review of 60% plans, the City/School District requests lighting along the N/S path connecting school to church parking. Design will include 12' pole lighting and service/control located either in a cabinet (base bid) or in the restroom building (additive alternate). The City has indicated there is no park standard for the fixture, so several options will be presented for the City to make final selection. Provide PS&E at 90% and 100%.

2.0 Backstop Structural Calculations

The City has requested structural calculations for the backstop as part of the permit review process. Structural design of the superstructure and footings, as well as calculations will be provided and will use the criteria established by the City for the design wind speed category in the area of 85 mph with 110 mph 3-second gusts. Fee includes calculations, footing detail, superstructure calculations, performance specification, and review of shop drawings, submittals and RFI's. Provide PS&E at 90% and 100%.

3.0 Survey, Legal Descriptions, and Revised Path/Ramp/Wall Layout & Grading

Per request from the City, PACE to provide additional survey in the areas where proposed improvements extend off site to the north church property (2 new gate/access locations). Mapping will be merged with the previous survey which will require the original survey to be updated to current ACAD Civil 3D 2016. Mapping will not be available for 90% submittal, so will be provided at 100% submittal.

In addition to the survey work, the City has requested preparation of three legal descriptions and exhibit figures for temporary construction purposes.

Additional design work will result in this area to accommodate ADA compliant access between the church parking lot and park property. Revise path alignment and profile to meet grades with an ADA compliant ramp and longitudinal path grades. Provide PS&E at 100%.

4.0 Storage Shed

Provide information, including specification of a vendor named unit, for a storage shed facility to be located at the southwest corner of the park. Coordinate with up to 2 vendors to provide information sufficient to present alternatives to the City, then refine details of access, materials, size, and cost for the single selected unit. Assemble information from selected vendor to incorporate into the plans, specifications, and cost estimate as required to bid project. Provide preliminary information at 90% submittal, full PS&E at 100%.

5.0 Interpretive Sign Base

Provide a range of alternatives for interpretive sign base to the City for review and comment. Based on their selected product, provide detail, specification, and cost information on one preferred interpretive sign base. Assemble information from selected vendor to incorporate into the plans, specifications, and cost estimate as required to bid project. Note the scope of this effort does not include design of the interpretive sign face, which the City has indicated would be provided by them. Provide preliminary information at 90% submittal, full PS&E at 100%.

6.0 Soccer Field Layout Alternatives and Revision

Provide some alternatives for field size/layout to address the City-directed change from a temporary outfield fence to a permanent outfield fence. Incorporate rolling gates in locations as directed, and finalize details and specifications for same. Provide PS&E at 90% and 100%.

Moorlands Park
Amendment # 2
 Fee Summary (see attached derivations)
 February 21, 2017

Task/Team	MacLeod Reckord	Stantec	MLA	PACE	Subtotal
1.0 Lighting	745.00	1,680.00			2,425.00
2.0 Backstop Structural Calculations	835.00		1,881.50		2,716.50
3.0 Survey and Easement	2,400.00			3,850.00	6,250.00
4.0 Storage Shed	1,660.00				1,660.00
5.0 Interpretive Sign Base	1,815.00				1,815.00
6.0 Soccer Field Layout Alternatives and Revision	1,990.00				1,990.00
Subtotal	9,445.00	1,680.00	1,881.50	3,850.00	16,856.50
Direct Expenses					-
Admin. Mark-up (10%)					741.15
Total	9,445.00	1,680.00	1,881.50	3,850.00	17,597.65

Moorlands Park**Amendment #2**

MacLeod Reckord Fee Derivation

February 21, 2017

		MacLeod Reckord					
		PC	PM	PD	DR	AD	SUBTOTAL
Task	SCOPE OF WORK	\$160.00	\$130.00	\$110.00	\$110.00	\$100.00	
1.0	Lighting						
	Research, evaluation, distribution of fixture options		1				\$130
	Coordination with Stantec, City		1				\$130
	Review prelim and final 90% for conformance		1				\$130
	Final plan, spec review; coordinate on cost estimate	1	1				\$290
	Project Management		0.5				\$65
	Subtotal:	1	4.5	0	0	0	\$745
2.0	Backstop Structural Calculations						
	Coordination with MLA, City	1	2				\$420
	Revise footing and backstop design per wind load reqmnts		1		2		\$350
	Project Management		0.5				\$65
	Subtotal:	1	3.5	0	2	0	\$835
3.0	Survey, Legal, Revised Path/Ramp/Wall Layout & Grading						
	Identify, distribute info for survey	0.5	1				\$210
	Update survey base file and distribute to team		0.5		1		\$175
	Coordination with PACE, City		0.5				\$65
	Revise path alignment and profile; update layout and grading		4	2	4		\$1,180
	Add wall adj detail; update details, specs, and cost est.	1	2		2		\$640
	Project Management		1				\$130
	Subtotal:	1.5	9	2	7	0	\$2,400
4.0	Storage Shed						
	Research, evaluation, distribution of shed options		2				\$260
	Coordination with City		0.5				\$65
	Coordination with vendor		3				\$390
	Update layout plan		1		1		\$240
	Add shed detail info as necessary; update specs, cost est	1	2		2		\$640
	Project Management		0.5				\$65
	Subtotal:	1	9	0	3	0	\$1,660
5.0	Interpretive Sign Base						
	Research, evaluation, distribution of base options		2	1			\$370
	Coordination with City		1				\$130
	Coordination with supplier		1				\$130
	Update layout plan and details		2		4		\$700
	Update specs and cost estimate	1	2				\$420
	Project Management		0.5				\$65
	Subtotal:	1	8.5	1	4	0	\$1,815
6.0	Soccer Field Layout Alternatives and Revision						
	Research, evaluation, distribution of optional layouts		2				\$260
	Coordination with City	0.5	0.5				\$145
	Revise field, fence, and gate layout		4	2	2		\$960
	Update details with addition of rolling gate		1		2		\$350
	Update specs and cost estimate	0.5	1				\$210
	Project Management		0.5				\$65
	Subtotal:	1	9	2	4	0	\$1,990
Subtotal		7	44	5	20	0	\$9,445
Direct Expenses:							
SUBTOTAL:							\$9,445



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Arrowhead Drive and 82nd Avenue Improvements Project Proposed Council Action/Motion: Authorize the City Manager to execute agreement No. 17-C1654 with Iron Creek Construction, LLC for Arrowhead Drive and 82nd Avenue Improvements in the amount of \$53,642.	For Council Meeting Agenda of: March 13, 2017 Department: Public Works Prepared by: Brett Schock, PE Approved by Department Head: Approved by City Attorney: Approved by Finance Director: Approved by City Manager: <u>Initial & Date</u> <u>KMD 3/8/17</u> <u>N/A</u> <u>RSK</u> Exhibits/Attachments: None						
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Expenditure Required</td> <td style="width: 33%;">Amount Budgeted</td> <td style="width: 33%;">Appropriation Required</td> </tr> <tr> <td>\$53,642</td> <td>\$54,725</td> <td>\$0</td> </tr> </table>		Expenditure Required	Amount Budgeted	Appropriation Required	\$53,642	\$54,725	\$0
Expenditure Required	Amount Budgeted	Appropriation Required					
\$53,642	\$54,725	\$0					
<u>INFORMATION/BACKGROUND:</u> The City of Kenmore solicited bids for a project to construct improvements on Arrowhead Drive and 82nd Avenue NE. The project will widen the "curve" in Arrowhead Drive, north of NE 154th Street, providing additional space for pedestrians and sharpening the turn radius to calm vehicle speeds through this section of roadway. The project will add a speed cushion to 82nd Avenue north of NE 187th Way. Both projects were identified by citizens and developed through the Neighborhood Transportation Plan program. The projects were bid in 2017 instead of 2016 to reduce costs by bidding early in the calendar year. Staff recommends that Kenmore City Council approve this project. With Council approval, the projects are expected to be completed by the end of April, 2017.							
<u>FISCAL CONSIDERATION:</u> The funding for this project has been provided for in the 2017-18 budget, through the Neighborhood Transportation Plans Program. The expenditure required indicated above includes a 10% contingency above the bid contract price of \$48,765. No further appropriation is required for the agreed upon contract amount.							
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u> 1. To focus on and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle and other means of travel.							



**City Council Business Agenda Item
City of Kenmore, WA**

Subject/Topic: Discussion with Council on continuing the temporary elimination of the road impact fee and minimum parking space requirements for changes of use of existing buildings in the North Sub Area of the Regional Business Zone east of 68th Ave NE	For Council Meeting Agenda of: <u>March 13, 2017</u> Department: <u>Development Services</u> Prepared by: <u>Samantha Loyuk, Associate Planner</u>	
Proposed Council Action/Motion: No action requested this evening. Council discussion.	<u>Initial & Date</u> Approved by Department Head: <u>BA 3/3/17</u> Approved by City Attorney: <u>✓ K.U.</u> Approved by Finance Director: _____ Approved by City Manager: <u>[Signature]</u> Exhibits: A. Ordinance No. 15-0398 B. Regional Business Zone Subareas Zoning Map	
Expenditure Required \$0	Amount Budgeted \$0	Appropriation Required \$0
<u>INFORMATION/BACKGROUND:</u> On July, 27, 2015, the City, pursuant to Ordinance No. 15-0398, adopted a pilot program in which the road impact fee and the minimum parking space requirements for changes of use of existing buildings in the RB North Zone were temporarily eliminated while the City considered and analyzed the reasonableness and appropriateness of such requirements. Non-residential, change of uses, in existing buildings in the North Subarea of the Regional Business Zone, east of 68th Ave NE were eligible. (Reference Exhibit B). Ordinance No. 15-0398 was for an 18-month period. It automatically expired on its own terms effective December 31, 2016. A condition of Ordinance No. 15-0398, for utilizing the reduced on-site parking requirement, is that the business owner must pay the City \$7,500 per year, up to five years, for the City to use for parking-related purposes, including traffic enforcement. During the initial period, one business took advantage of this incentive. The City may desire to continue to encourage new public oriented businesses, such as breweries, wineries, small eating and drinking places and other commercial type businesses, to locate in existing buildings along the north side of NE 175th east of 68th Ave NE as spaces and buildings in this area become vacant. So far the program has been successful. Based on this we anticipate it will continue to do so. The City Council may wish to discuss whether or not to continue the pilot program for an additional period of time in order to further analyze and evaluate the reasonableness and appropriateness of this policy in the North Subarea of the Regional Business Zone. Because the parking spaces regulation is a "land use regulation", the Ordinance is subject to the GMA procedural requirements. Accordingly, the appropriate approach is to include (i) Commerce approval; (ii) public hearing; and (iii) SEPA review. This process is estimated to take two to three months.		
<u>FISCAL CONSIDERATION:</u> Loss of potential road impact fee revenue generated from change of use applications during this period.		
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u> To continue to implement the Economic Development Plan.		

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 15-0398**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
RELATING TO THE NORTH SUBAREA OF THE REGIONAL
BUSINESS ZONE, EAST OF 68TH AVENUE NE, AND TEMPORARILY
ELIMINATING THE ROAD IMPACT FEE AND MINIMUM PARKING
SPACE REQUIREMENTS FOR CHANGES OF USE OF EXISTING
BUILDINGS IN SUCH ZONE.**

WHEREAS, the City desires to encourage new businesses to locate in existing buildings in the North Subarea of the Regional Business Zone, East of 68th Avenue NE (“RB North Zone”); and

WHEREAS, the City has determined that the road impact fee and minimum parking space requirements discourage new businesses from locating in existing buildings in the RB North Zone; and

WHEREAS, the City desires to eliminate temporarily the road impact fee and the minimum parking space requirements for changes of use of existing buildings in the RB North Zone while the City considers and analyzes the reasonableness and appropriateness of such requirements;

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

Section 1. Findings. The City Council enters the following findings of fact to explain and support Sections 2 and 3 of this Ordinance:

- A. Because economic development is an important issue for the City, the City desires to promote the retention of existing businesses and the creation of new businesses, and desires to explore opportunities to promote development in areas targeted for investment by using tools and incentives. See, Goal II and strategy C.2 in the Economic Development Strategy, and Policy LU-25.2.4 in the Comprehensive Plan.
- B. The City desires to:
 - a. Create job opportunities for all citizens;
 - b. Create vibrant and successful commercial areas to provide employment and generate tax revenue;
 - c. Create a climate of business creation and retention;
 - d. Encourage the provision of commercial services;
 - e. Actively support expansion of the local economic base;
 - f. Use zoning to stimulate business revitalization and creation;
 - g. Use zoning and infrastructure incentives to achieve redevelopment and infill in the downtown; and
 - h. Create regulations and incentives that, in conjunction with market influences, will result in an inviting and vital central core that is self-supporting.

See, Goal 25, Objectives 25.1, 25.2 and 25.3, Land Use Element, Comprehensive Plan; Policies LU-25.2.1, LU-25.2.3, and LU-25.5.3, Comprehensive Plan.

- C. The Regional Business Zone, East of 68th Avenue NE (“RB North Zone”) currently has a diversity of existing businesses, including office, retail, light manufacturing, breweries and wholesaling.
- D. The RB North Zone is unique because it:
 - a. Supports a concentration and diversity of existing businesses, such as office, retail, light manufacturing, breweries and wholesaling;
 - b. Has small buildings (ranging in size from 4,000 square feet to 12,000 square feet), which are divided into smaller spaces (ranging in size from 2,000 square feet to 4,000 square feet), which are attractive to small entrepreneurial and start-up businesses;
 - c. Is located near transportation routes, such as State Route 522 and the regional Burke Gilman pedestrian and bicycle trail, which provide important visibility and access to customers of new businesses; and
 - d. Is located near recreational opportunities, such as the Burke Gilman pedestrian and bicycle trail and Squires Landing Park, which are amenities and attractions for customers of new businesses.
- E. Two examples of permitted uses in the RB North Zone are “eating and drinking places” and “retail sales.” The road impact fee of KMC Chapter 20.47 for new uses of this type in the RB North Zone is extremely high, which will discourage new uses of this type in RB North Zone existing buildings.
- F. Temporarily eliminating the road impact fee for changes of use in RB Zone North existing buildings will encourage new permitted uses and businesses to locate in these existing buildings.
- G. Two examples of land uses for purposes of applying minimum parking space requirements are “restaurants” and “wineries/breweries.” In the RB North Zone, there are a limited number of onsite parking spaces available for compliance with minimum parking space requirements, thereby discouraging new land uses to locate in RB North Zone existing buildings.
- H. Temporarily eliminating the minimum parking space requirements of KMC18.40.030 for changes of use in RB North Zone existing buildings will encourage new land uses to locate in RB North Zone existing buildings.
- I. A pilot program that temporarily eliminates the road impact fee and temporarily eliminates the minimum parking space requirements for changes of use in RB North Zone existing buildings will provide an incentive for new businesses to locate in these existing buildings and will create a new business cluster, until the market is ready for new development or redevelopment in the RB North Zone.
- J. For the reasons stated in the findings above, the City Council finds that the impact fee and the minimum parking space requirements for changes of use in RB North Zone existing buildings should be temporarily eliminated for a period of eighteen (18) months, as a pilot program, in order to study and analyze the impact fee and minimum parking space requirements for such changes of use.

Section 2. New Municipal Code Section. A new City of Kenmore Municipal Code Section 20.47.035 is hereby created to read as follows:

20.47.035 Temporary suspension of road impact fees relating to change of use.

Notwithstanding any other provision of this chapter, the city temporarily eliminates the collection of the road impact fee from any applicant seeking development approval from the city for any change of use in an existing building in the North Subarea of the Regional Business Zone, East of 68th Avenue NE; provided that this section shall not apply to dwelling units; provided further that this section shall not apply to projects that add to, increase or expand the gross floor area of an existing building; and provided further that this section shall apply only to the use, renovation or remodeling of an existing building and shall not apply to redevelopment projects or other projects in which an existing building is replaced or substantially redeveloped. The term “existing building” in this section means a building that was constructed before July 1, 2015. This section shall apply to projects for which a complete development approval application is filed with the city on July 1, 2015 through December 31, 2016. This section shall automatically expire on December 31, 2016.

Section 3. New Municipal Code Section. A new City of Kenmore Municipal Code Section 18.40.035 is hereby created to read as follows:

18.40.035 Temporary suspension of required off-street parking spaces.

- A. Notwithstanding any other provision of this chapter, the city temporarily eliminates the minimum number of parking spaces for any applicant seeking development approval from the city for any change of use of an existing building in the North Subarea of the Regional Business Zone, East of 68th Avenue NE; provided that this section shall not apply to dwelling units; provided further that this section shall not apply to projects that add to, increase or expand the gross floor area of an existing building; and provided further that this section shall apply only to the use, renovation or remodeling of an existing building and shall not apply to redevelopment projects or other projects in which an existing building is replaced or substantially redeveloped. Although the minimum number of parking spaces is temporarily eliminated, the applicant shall provide as many parking spaces as is feasible for the project. The term “existing building” in this section means a building that was constructed before July 1, 2015. This section shall apply to projects for which a complete development approval application is filed with the city on July 1, 2015 through December 31, 2016. This section shall automatically expire on December 31, 2016.
- B. Any applicant seeking development approval from the city for the change of use described in subsection (A) of this Section is encouraged to enter into a written contract with a property owner who will make available to the occupants, users or customers of the building the number of parking spaces equal to the difference between the number of parking spaces required by KMC 18.40.030 and the number of parking spaces that are feasible for the project. This written contract must be

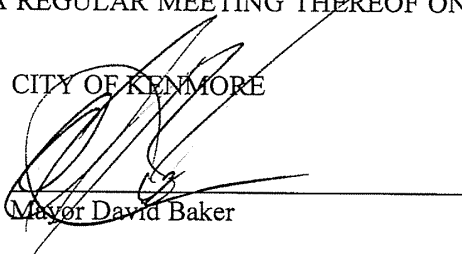
- C. reviewed and approved, and must remain in force, as provided for in KMC 18.40.020(C). If this written contract is not entered into prior to development approval, the applicant must pay to the city (1) \$7,500.00 within sixty (60) days of the date of the development approval, and (2) \$7,500.00 within (60) days of the next four (4) anniversary dates of the development approval, or until the applicant enters into a written contract with a property owner as provided for in this subsection (B). The payments shall be deemed to be consideration for eliminating the change of use from the minimum parking space requirement of subsection (A) of this Section and the road impact fee of KMC Chapter 20.47. The payments shall be used by the City for parking-related purposes, including but not limited to installation of new parking lots. The payments shall not be returned to the applicant after expiration of the temporary elimination.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, 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.

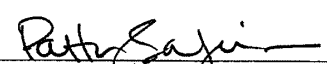
Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27th DAY OF JULY, 2015.

CITY OF KENMORE


Mayor David Baker

ATTEST/AUTHENTICATED:


Patty Safrin, City Clerk

Approved as to form:


Rod P. Kaseguma, City Attorney

FILED WITH THE CITY CLERK: July 17, 2015
PASSED BY THE CITY COUNCIL: July 27, 2015
ORDINANCE NO. 15-0398
PUBLISHED: July 31, 2015
EFFECTIVE DATE: August 5, 2015

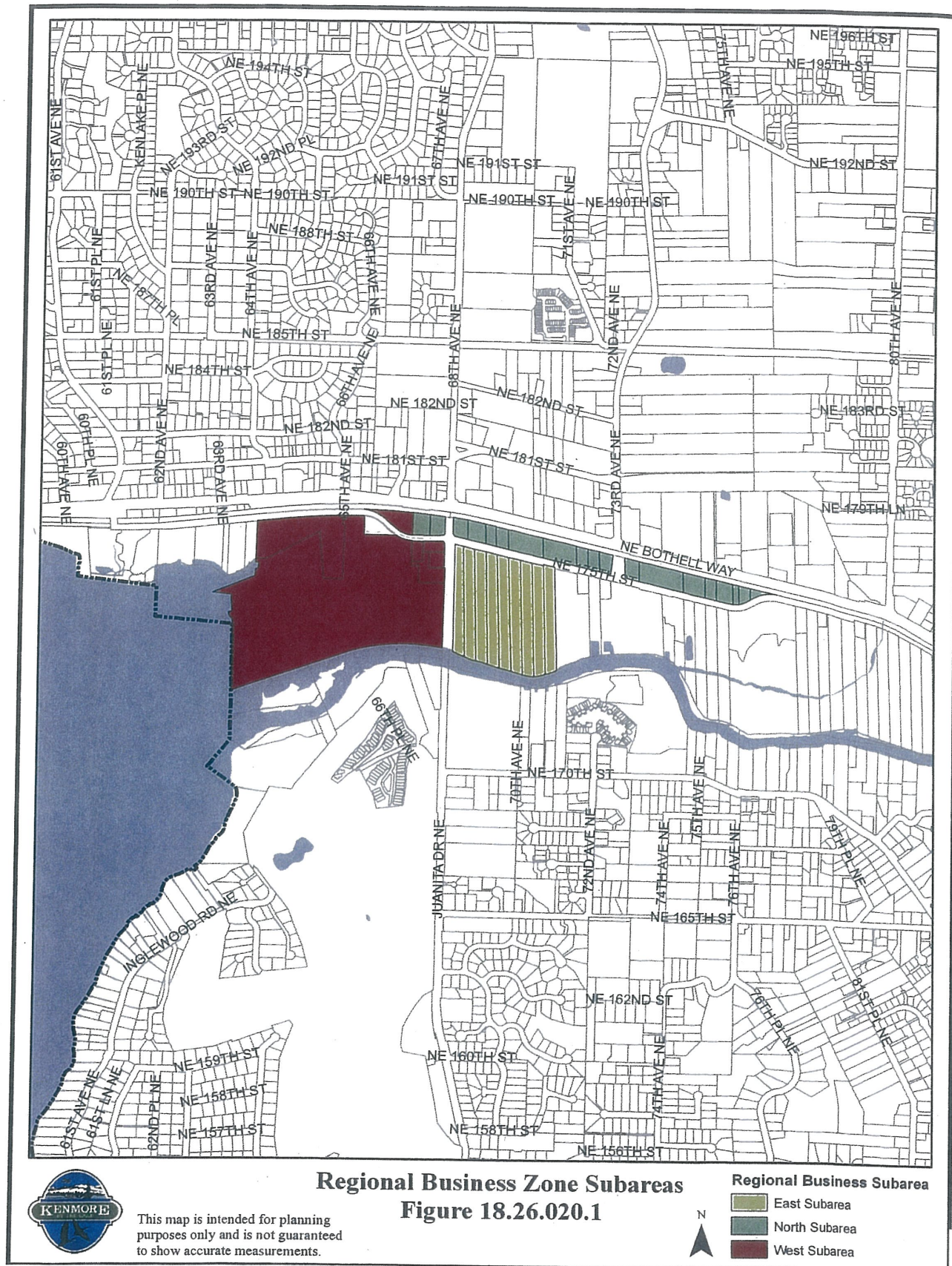
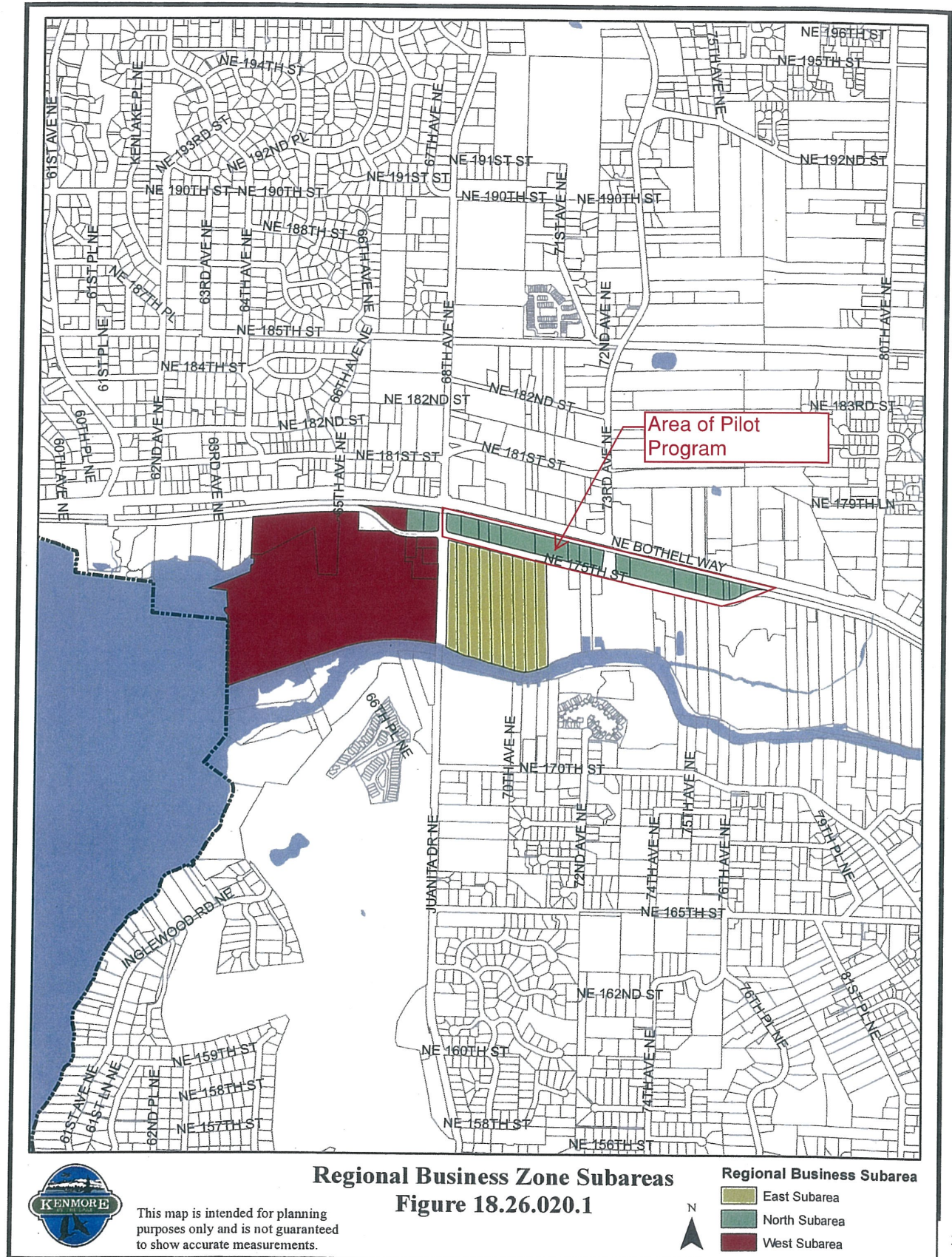


EXHIBIT B





**City Council Business Agenda Item
City of Kenmore, WA**

Subject/Topic: Vegetation and Sidewalk Maintenance Policy. Proposed Council Action/Motion: N/A	For Council Meeting Agenda of: March 13, 2017 Department: Public Works Prepared by: Brett Schock, PE <table style="width: 100%;"> <tr> <td style="width: 70%;">Approved by Department Head:</td> <td style="width: 30%; text-align: center;"><u>Initial & Date</u> <u>KHO 2/28/17</u></td> </tr> <tr> <td>Approved by City Attorney:</td> <td style="text-align: center;"><u>N/A</u></td> </tr> <tr> <td>Approved by Finance Director:</td> <td style="text-align: center;"><u></u></td> </tr> <tr> <td>Approved by City Manager:</td> <td style="text-align: center;"><u>RJK</u></td> </tr> </table> Exhibits/Attachments: Attachment A – Kenmore Municipal Code excerpts Attachment B – Washington RCW excerpts	Approved by Department Head:	<u>Initial & Date</u> <u>KHO 2/28/17</u>	Approved by City Attorney:	<u>N/A</u>	Approved by Finance Director:	<u></u>	Approved by City Manager:	<u>RJK</u>
Approved by Department Head:	<u>Initial & Date</u> <u>KHO 2/28/17</u>								
Approved by City Attorney:	<u>N/A</u>								
Approved by Finance Director:	<u></u>								
Approved by City Manager:	<u>RJK</u>								
Expenditure Required \$0	Amount Budgeted \$0	Appropriation Required \$0							
<u>INFORMATION/BACKGROUND:</u> The purpose of this discussion is to explain and review the current City code and practices for maintenance of vegetation and sidewalks in the public right of way. Kenmore Municipal Code (KMC) address these topics in the following sections, copies of which can be found in Attachment A: • Vegetation maintenance: 8.35.010, 12.70.010, 12.70.040 and 18.30.240 • Sidewalk maintenance: 12.70.020, 12.70.030 Staff believes it is appropriate to revisit these policies. Council feedback and guidance will be incorporated into draft code revisions which will be presented within the next several months. Ultimately, any code revisions will require a public hearing and Council adoption. The policy discussion format is: 1. Identify the issue being addressed 2. Provide a summary of the current code requirements 3. Provide information on the current practices of the city in enforcing the code 4. Compare the City's practices with those of neighboring cities 5. Provide staff feedback and recommendations 6. Receive Council feedback									

Policy I: Vegetation Maintenance

What is the issue?

The maintenance of vegetation in the public right of way (ROW) is important for many reasons. Vegetation along the roadside should be maintained to facilitate:

- Sight distance at driveways and cross streets
- Clear pedestrian walkways, both sidewalk and roadside
- Clear bicycle lanes or bicycles on shoulders
- Functioning engineered drainage facilities
- Aesthetics

What does the current Code say?

Maintenance of vegetation is described in three sections of the KMC. Section 8.35.010 of the code classifies vegetation which encroaches on the public right of way as a public nuisance and allows the City to address the situation as needed. Section 12.70 of the code provides a definition of planting strips and guidance on the responsibility of property owners for maintenance. The definition of planting strips describes the relationship between curbs, sidewalks and the right of way line as it relates to vegetation. The section describes the authority of the City to issue notices of maintenance issues and the authority of the City to assess costs of maintenance performed by the City to the property owner. City Council approval is required for the assessment of these costs to property owners.

The KMC language leaves some ambiguity in the definition of the limits of responsibility for vegetation. The definition of areas of responsibility related to pavement edges, curbs and sidewalks (if present) are not clear for all situations. The expectation for the limits of trimming and vegetation removal are not clear for all situations, such as pedestrian and bicycle encroachments and driveway sight distance.

What is the City doing now?

Our interpretation of the KMC is that property owners are responsible for maintenance of vegetation in the right of way between the road and private property boundary, adjacent to their property. City staff review vegetation concerns related to visibility and pedestrian space encroachments on a case-by-case basis when complaints are received or when conditions are noted in the field which require attention. These complaints come through the Citizen Action Request system, Neighborhood Transportation Plan meetings and other public forums where citizens can report concerns. City staff also self-report vegetation trimming needs and record them in the Citizen Action Request database. City staff follows up on complaints with a site visit and documentation of existing conditions. If City staff determine that there is a vegetation maintenance concern, a letter is sent to the property owner of record requiring removal of vegetation within 30 days of the letter date. A follow-up letter is sent if no action is noted in the field by City employees after 30 days. If property owners continue to refuse to perform the requested maintenance and the concern presents a safety hazard, the City will, at the discretion of the Public Works Director or Operations Manager, perform trimming at the City's expense. The City has, for the past few years, performed vegetation maintenance along arterials for aesthetics at the discretion of the City Manager. In recent years, the City has not assigned these costs to property owners.

Vegetation policies of neighboring cities

The City of Shoreline does not have a separate vegetation maintenance code. Shoreline includes right of way vegetation under the heading of "maintenance" in reference to the responsibility of adjacent property owners for sidewalk maintenance.

The City of Kirkland requires removal of any vegetation that is overhanging or growing on sidewalks or streets and which impairs the use of those facilities by the general public. Other code sections require the maintenance of landscape strips (similar to Kenmore's definition of planter strips) by property owners. Kirkland code requires keeping driveways clear of obstructions, but does not specifically call for removal of vegetation. Kirkland passed an ordinance in 2011 which clearly defined a structure of penalties and the procedures by which assessments of fines for non-compliance with violations of nuisance policies, such as vegetation overhang, would be collected and pursued.

The City of Bothell describes vegetation maintenance in the "Public Nuisances" section of their municipal code. Bothell specifically states that a 7-foot high vertical clearance must be maintained over any sidewalks adjacent to a property. Bothell requires removal of all vegetation in an 11-foot high vertical clearance over any point of the "traveled way" of a street. The code is not specific about the mode of travel which defines a "traveled way". No guidance is provided for vegetation removal to address sight distance at driveways or intersections.

Staff Recommendation

Staff recommends keeping the current practice of placing the responsibility for performance and cost of vegetation maintenance in the right of way on the adjacent property owner. Staff also recommends continuing the reactive program of vegetation maintenance. On a case-by-case basis, staff recommends continuing to use City personnel and funding to perform vegetation maintenance where imminent safety issues exist. The City may, at our discretion, maintain the right of way along arterial roadways for aesthetics. The use of City personnel and funding will be at the discretion of the City Manager or designee. The assignment of costs for City maintenance will be at the discretion of the City Manager or designee, and should not require Council approval.

Staff recommends clarifying the KMC language defining property owner responsibility for vegetation in various roadside conditions (curbed, planter strip, uncurbed). Staff recommends clarifying the KMC language defining City expectations for proper maintenance of vegetation as it relates to pedestrian walkways, bike lanes and sight distance at driveways and intersections. When those expectations are not met, staff recommends clarifying and simplifying the KMC language for when the City can perform vegetation maintenance and charge the adjacent property owner.

Request for Council feedback

1. Direct the City Manager to maintain the current approach to vegetation maintenance, or transfer this responsibility to the City.
2. Direct the City Manager to develop a program of proactive maintenance or maintain the current predominantly reactive program of vegetation maintenance.
3. Direct the City Manager to develop a policy of expectations for vegetation maintenance and provide guidance on the framework of those expectations with regard to:
 - Definition of the limits of property owner responsibility in various roadside conditions (curbed, planter strip, uncurbed)
 - Definition of pedestrian facilities with respect to roadside conditions (sidewalk, paved walkway, beaten paths/undefined walkways)
4. Direct the City Manager to develop a process streamlining the City's ability to pass costs to adjacent property owners who refuse a notice from the City to maintain vegetation.

Policy 2: Sidewalk Maintenance

What is the issue?

Sidewalk maintenance in the public right of way is necessary to maintain safe travel ways for pedestrians. Many sidewalks will last for years without significant maintenance issues, but over time will need to be repaired. Tree growth adjacent to sidewalks, environmental exposure and collisions with vehicle tires can cause damage and wear. Damaged sidewalks can cause a trip hazard for pedestrians or can force pedestrians to seek alternative routes which may include pavements within the vehicle traveled way.

What does the current Code say?

The current code requires the identification of sidewalks in need of repair by the Department of Public Works. Upon such a finding, the code requires adjacent property owners to both perform repairs and pay for the cost of repairs. There is a limit to the cost of repairs of 25% of the value of the adjacent property. The code also allows for the City to perform repairs if notice is provided to property owners of the need to repair and those repairs are not completed in reasonable amount of time. If the City performs sidewalk repairs, the code allows the assessment of those costs to the property owner. The Council must approve the assessment of repair costs to property owners.

What is the City doing now?

The City does not have a proactive program for sidewalk maintenance. The City receives complaints about sidewalks through the Citizen Action Request system and other public forums such as the Neighborhood Transportation Plan program. The City performed a city-wide 2015 inventory of all sidewalks and curb ramps which included some evaluation of condition. The City is planning an alternatives analysis for repair or replacement of sidewalks on 61st Avenue in 2017.

The City of Kenmore, as a first class city (population over 10,000), is authorized by the Revised Code of Washington (RCW) section 35.68 to repair sidewalks. The RCW authorizes the City to either pay the costs from available funds or require abutting property owners to pay the costs of repair. An excerpt of this RCW section, and others related to sidewalk repair, can be found in Attachment B.

Sidewalk repair policies of neighboring cities

The City of Shoreline requires property owners to maintain sidewalks and assigns the cost of repairs to the adjacent property owners. Shoreline requires property owners to notify the City of unsafe conditions on the sidewalks adjacent to their property. Their code requires property owners to bear the cost of repairs, but does give their Council the ability to limit the cost assessed to property owners. Their council actions are guided by RCW section 35.68 which gives cities the authority to either repair sidewalks from an established City fund, or to assess those costs to adjacent property owners.

The City of Kirkland code makes a distinction between sidewalk repairs necessary because of the actions or omissions of an adjacent property owner and repairs that are not due to causes from private property (such as a privately planted tree). In the case of the cause of repair being from private property, Kirkland places the responsibility for repair of sidewalks on the adjacent property owner. In other cases, the City of Kirkland references the RCW section 35.69.020 of which states that the adjacent property owner shall bear the cost of sidewalk repairs unless damage is the result of City actions or failure of the City to enforce its ordinances.

The City of Bothell places the burden for performance and cost of maintenance of sidewalks on adjacent property owners. The Bothell code does require their Council to adopt a resolution regarding the assessment of

the cost of repairs, and thereby does give the Council the ability to limit the cost assessed to property owners. The Bothell code references the RCW sections 35.68 and 35.69 to guide the assessment of costs.

Staff recommendations

Staff recommends transfer of the responsibility for sidewalk repairs to the City. This recommendation is based on the need to maintain conformity with other sidewalks in the City and to improve safety.

Staff recommends altering the code language for repair to identify the source of the damage to sidewalks that are in need of repair. If the damage to sidewalks cannot be attributed to a source located on the private property of the adjacent property owner, staff recommends that the City be responsible for the repairs. In the case of an identified source of sidewalk damage from private property, that property owner shall be responsible for the repair. The City of Kenmore code should be revised to reference RCW sections 35.68 and 35.69 for further guidance on the assessment of the costs of sidewalk repair.

Request for Council feedback

1. Direct the City Manager to develop a program to proactively identify sidewalks in need of repair, including an objective metric of determining a safety concern, or maintain the current reactive program of identifying sidewalks in need of repair.
(Any proactive program of repair will require a significant amount of new resources. Discussion of this issue should be tied to that of the Public Works service analysis.)
2. Direct the City Manager to develop a policy to identify the cause of damage to sidewalks prior to repair to determine if the repair is the responsibility of the City or property owner, per staff recommendation.
3. Direct the City Manager to develop a process streamlining the City's ability to pass costs to adjacent property owners who are deemed responsible for sidewalk repairs.

SCHEDULE FOR FUTURE COUNCIL REVIEW AND ACTION:

Additional discussions will be held in the future on this topic to address the following issues:

- Presentation of draft code changes for Council review
- Public hearing and adoption of updated code (as appropriate)

(Dates for presentation and discussion of these topics have not been scheduled.)

FISCAL CONSIDERATION:

Modifications to the vegetation and sidewalk maintenance policy may incur costs to the City for personnel and capital projects such as:

- Inspection of the right of way for vegetation in need of trimming or sidewalk in need of repair
- Cost of vegetation trimming
- Cost of sidewalk repair and/or replacement

Should Council desire to change the City's approach, this conversation will be combined with that for the Public Works service analysis as. The City is maintaining vegetation on arterials for aesthetics with current levels of resources. Adding sidewalk repair (including assessment and repairs) would require additional resources.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

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



City Council Business Agenda Item
City of Kenmore, WA

Attachment A – Kenmore Municipal Code (KMC) excerpts

**KMC Chapter 8.35
PUBLIC NUISANCES**

8.35.010 Unlawful public nuisances declared.

It shall be a public nuisance for any person owning, occupying, leasing or having charge or possession of any property in the City to maintain or allow to be maintained on such property any of the following conditions:

A. Vegetation and landscaping which constitute health, fire or other public safety hazards:

1. The accumulation of weeds contained in the then-current King County Noxious Weeds List or contained within then-current Chapter 16-750 WAC, Noxious Weed List Classes A, B, C.
2. Neglected or improperly maintained landscaping visible from a public street, sidewalk or right-of-way, including but not limited to dead, debris-laden, weed-infested or overgrown vegetation, such as trees, shrubs, hedges, grass and ground covers, or vegetation dying as a result of physical damage, disease, insect infestation or lack of water. For purposes of this subsection, a lawn area shall be deemed overgrown if 50 percent or more of its area exceeds 12 inches in height.
3. Any vegetation that is growing rampant and unmaintained so as to provide unsightly, unsanitary and/or unsafe conditions, is destructive to other vegetation or that block public rights-of-way or threatens to invade neighboring properties.

**KMC Chapter 12.70
SIDEWALKS, PLANTING STRIPS AND STREET TREES**

12.70.010 Definitions.

Terms used in this chapter with relation to sidewalks, planting strips and curbs shall have the meanings as set forth in this section:

A. "Curb" means a cement, concrete or asphaltic concrete raised structure designed to delineate the edge of the streetway and to separate the vehicular portion from that provided for pedestrians and to control surface drainage.

B. "Planting strip" means that portion of the right-of-way behind the curb line and between the curb line and the sidewalk or between the sidewalk and the right-of-way line used for the planting of trees, grass, shrubs or ground cover.

C. "Sidewalk" means that property between the curb line and the adjacent property, set aside and intended for the use of pedestrians, improved by paving with cement concrete or asphaltic concrete. [Ord. 03-0180 §§ 1, 2; Ord. 02-0141 § 1; Ord. 98-0024 §§ 1, 2 (KCC 14.52.010).]

12.70.020 Sidewalk – Repair determination – Responsibility and costs.

Whenever a portion of any street, including any boulevard, avenue, lane or place, is improved by a sidewalk thereon, and the sidewalk shall have become unfit or unsafe for public travel, the department of public works may determine that the repair of that portion of sidewalk is necessary for the public safety and convenience. If the department does so find, the duty, burden and expense of repair shall be the responsibility of the abutting property owner; provided, that the abutting property owner shall not be charged with any costs of repair in excess of 25 percent of the valuation of the abutting property, exclusive of improvements. [Ord. 03-0180 §§ 1, 2; Ord. 02-0141 § 1; Ord. 98-0024 §§ 1, 2 (KCC 14.52.020).]

12.70.030 Sidewalk – Notice to repair – Cost assessment.

Whenever the department of public works has determined that a portion of a sidewalk has become unfit or unsafe for public travel, the department shall serve a written notice on the owner of the abutting property, instructing the owner to repair the sidewalk in accordance with standard plans and specifications which shall be attached to the notice. The notice may be delivered in person to the owner, to the resident of the property, or by mail to the last known address of the property owner. If the owner is unknown, a copy of the notice shall be posted in a conspicuous place on the portion of the street where the improvements are to be made. The notice shall specify a reasonable time for such construction or reconstruction and shall also state that in the event the project is not completed within the time period specified, the department of public works will proceed to have the improvements completed. Following completion, the department will report to the council an assessment roll showing the lots or parcels abutting the project and the name of the owner(s). Upon expiration of the normal time for hearing protests as specified in RCW 36.88.090, the council shall assess the cost for the improvement against the abutting property owner which shall become a lien against the property if not paid. [Ord. 03-0180 §§ 1, 2; Ord. 02-0141 § 1; Ord. 98-0024 §§ 1, 2 (KCC 14.52.030).]

12.70.040 Planting strip maintenance.

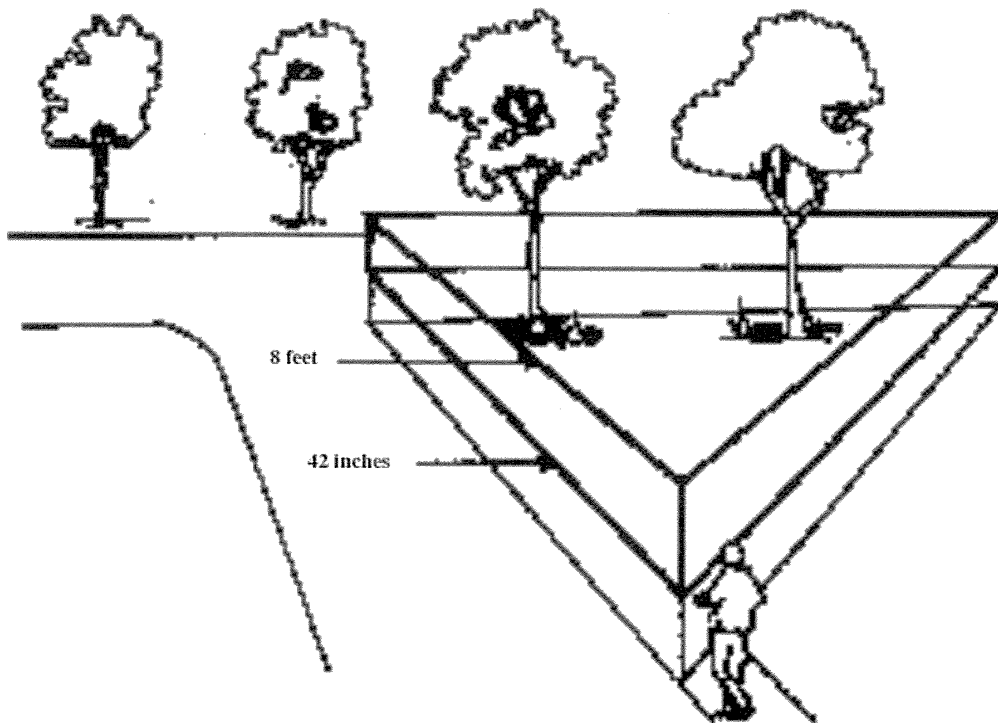
Maintenance of planting strips including trees, shrubbery, grass or other ground cover shall be the responsibility of the abutting property owner. Should the director of public works find that such property is not being properly maintained, a notice shall be forwarded as provided in KMC 12.70.030 specifying a reasonable time within which such maintenance shall be accomplished. If the owner fails to proceed, the department of public works will have the maintenance performed, and the cost will be assessed against the property owner as provided in KMC 12.70.030. [Ord. 03-0180 §§ 1, 2; Ord. 02-0141 § 1; Ord. 98-0024 §§ 1, 2 (KCC 14.52.040).]

KMC Chapter 18.30
DEVELOPMENT STANDARDS – GENERAL

18.30.240 Sight distance requirements.

Except for utility poles and traffic control signs, the following sight distance provisions shall apply to all intersections and site access points:

A. A sight distance triangle area as determined by subsection B of this section shall contain no fence, berm, vegetation, on-site vehicle parking area, signs or other physical obstruction between 42 inches and eight feet above the existing street grade;



NOTE: The area of a sight distance triangle between 42 inches and eight feet above the existing street grade shall remain open.

B. The sight distance triangle at:

1. A street intersection shall be determined by measuring 15 feet along both street property lines beginning at their point of intersection. The third side of the triangle shall be a line connecting the endpoints of the first two sides of the triangle; or
2. A site access point shall be determined by measuring 15 feet along the street lines and 15 feet along the edges of the driveway beginning at the respective

points of intersection. The third side of each triangle shall be a line connecting the endpoints of the first two sides of each triangle; and

C. The city manager may require modification or removal of structures or landscaping located in required street setbacks, if:

1. Such improvements prevent adequate sight distance to drivers entering or leaving a driveway; and
2. No reasonable driveway relocation alternative for an adjoining lot is feasible.

D. If an off-site sight distance triangle is created on adjoining property, the applicant shall obtain an easement from the neighboring property owner for the area of the sight distance triangle and make such modifications as are necessary to provide adequate sight distance for drivers.

E. The city manager may modify any of the requirements of this section as long as public safety is not compromised. [Ord. 11-0329 § 3 (Exh. 1).]



City Council Business Agenda Item
City of Kenmore, WA

Attachment B – Revised Code of Washington (RCW) excerpts

RCW Chapter 35.68

SIDEWALKS, GUTTERS, CURBS, AND DRIVEWAYS—ALL CITIES AND TOWNS

35.68.010 Authority conferred.

Any city or town, hereinafter referred to as city, is authorized to construct, reconstruct, and repair sidewalks, gutters and curbs along and driveways across sidewalks, which work is hereafter referred to as the improvement, and to pay the costs thereof from any available funds, or to require the abutting property owner to construct the improvement at the owner's own cost or expense, or, subject to the limitations in RCW 35.69.020 (2) and (3), to assess all or any portion of the costs thereof against the abutting property owner.

35.68.020 Resolution—Contents.

No such improvement shall be undertaken or required except pursuant to a resolution of the council or commission of the city or town, hereinafter referred to as the city council. The resolution shall state whether the cost of the improvement shall be borne by the city or whether all or a specified portion shall be borne by the city or whether all or a specified portion shall be borne by the abutting property owner; or whether the abutting owner is required to construct the improvement at his or her own cost and expense. If the abutting owner is required to construct the improvement the resolution shall specify the time within which the construction shall be commenced and completed; and further that if the improvement or construction is not undertaken and completed within the time specified that the city will perform or complete the improvement and assess the cost against the abutting owner.

35.68.040 "Sidewalk construction fund."

When all or any portion of the cost is to be assessed against the abutting property owner, the city council may create a "sidewalk construction fund No." to be numbered differently for each improvement; and with warrants drawn on this fund the cost of the respective improvements may be paid. The city may advance as a loan to the sidewalk construction fund from any available funds the amounts necessary to pay any costs of the improvement. When any assessments are made for the improvement, payments therefor shall be paid into the particular sidewalk improvement fund; and whenever any funds are available over the amounts necessary to pay outstanding warrants any advances or loans made to the fund shall be repaid. Whenever warrants are drawn on any such fund which are not paid for want of sufficient funds, they shall be so stamped and shall bear interest until called and paid at a rate established by the city council by resolution.

RCW Chapter 35.69

SIDEWALKS—CONSTRUCTION, RECONSTRUCTION IN FIRST AND SECOND-CLASS CITIES

35.69.020 Resolution of necessity—Liability of abutting property—Reconstruction.

(1) Whenever a portion, not longer than one block in length, of any street in any city is not improved by the construction of a sidewalk thereon, or the sidewalk thereon has become unfit or unsafe for purposes of public travel, and such street adjacent to both ends of said portion is so improved and in good repair, and the city council of such city by resolution finds that the improvement of such portion of such street by the construction or reconstruction of a sidewalk thereon is necessary for the public safety and convenience, the duty, burden, and expense of constructing or reconstructing such sidewalk shall devolve upon the property directly abutting upon such portion except as provided in subsections (2) and (3) of this section.

(2) An abutting property shall not be charged with any costs of construction or reconstruction under this chapter, or under chapter 35.68 or 35.70 RCW, in excess of fifty percent of the valuation of such abutting property, exclusive of improvements thereon, according to the valuation last placed upon it for purposes of general taxation.

(3) An abutting property shall not be charged with any costs of reconstruction under this chapter, or under chapter 35.68 or 35.70 RCW, if the reconstruction is required to correct deterioration of or damage to the sidewalk that is the direct result of actions by the city or its agents or to correct deterioration of or damage to the sidewalk that is the direct result of the failure of the city to enforce its ordinances.

RCW Chapter 35.70

SIDEWALKS—CONSTRUCTION IN SECOND-CLASS CITIES AND TOWNS

35.70.020 Owners' responsibility.

In all cities of the second class and towns the burden and expense of constructing sidewalks along the side of any street or other public place shall devolve upon and be borne by the property directly abutting thereon. The cost of reconstructing or repairing existing sidewalks may devolve upon the abutting property subject to the limitations in RCW 35.69.020 (2) and (3).

POLICY DISCUSSION: VEGETATION AND SIDEWALK MAINTENANCE

*City of Kenmore, City Council
March 13, 2017*

Vegetation and Sidewalk Maintenance

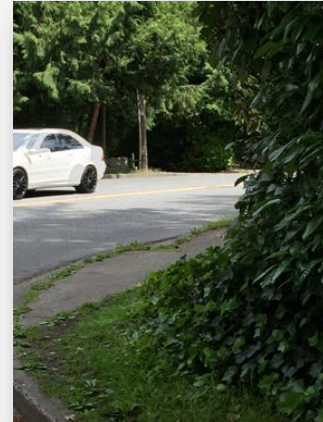
- Identify the policy issue
- Current Kenmore Municipal Code (KMC) requirements
- Review of current City practices
- Comparison with neighboring cities
- Staff recommendations
- **Council feedback**
 - No decisions tonight

Agenda

VEGETATION MAINTENANCE

What's The Issue?

- Vegetation maintenance in the public right of way helps to maintain:
 - Sight distance at driveways and cross streets
 - Clear pedestrian walkways
 - Clear bicycle lanes
 - Functional drainage facilities
 - Aesthetics

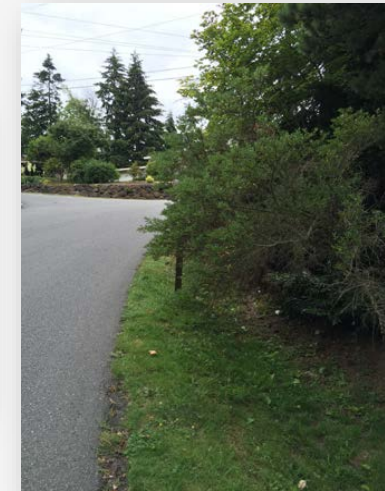


Vegetation Maintenance

Kenmore Municipal Code

- Three sections of code address vegetation maintenance
- Definition of “planter strip”
- Responsibility to the adjacent property owner
 - Performance
 - Cost
 - Council approval required for assessment of costs to adjacent property owners

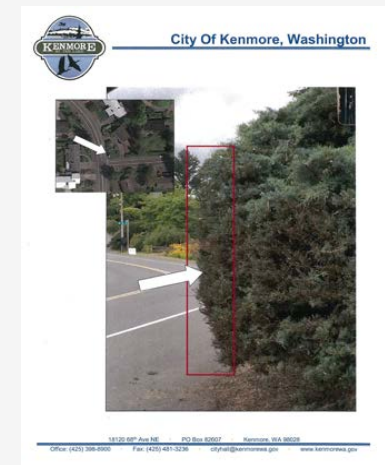
Vegetation Maintenance



Current City Practices

- Reactive program of addressing vegetation
- Letters sent with 30 day response period
- Immediate safety hazards will be addressed by the City
- Arterial trimming and maintenance for aesthetics
 - City Manager's discretion
- Sign visibility
 - Operations Manager's discretion

Vegetation Maintenance



City Codes Outside of Kenmore

Vegetation Maintenance

Shoreline

- Adjacent property owners are responsible for encroaching vegetation

Kirkland

- Adjacent property owners are responsible for removal of vegetation which “impairs” use by the public of sidewalks and streets
- Passed an ordinance to define assessment and collection of fines for non-compliance

Bothell

- Adjacent property owners are responsible for removal of vegetation to specified clearance heights over sidewalks and “traveled ways”

Staff Recommends

- Maintain reactive program of maintenance
- Responsibility should remain with adjacent property owners
- Clarify code language defining limits of responsibility and expectations for maintenance
- Streamline code requirements for assessing cost of removal at City's expense to adjacent property owners

Vegetation Maintenance



Council Feedback

- Responsibility for maintenance
 - City vs. adjacent property owners
- Proactive vs. reactive program
- Defining limits of responsibility and expectations
- Assessment of costs for City maintenance to adjacent property owner

Vegetation Maintenance

SIDEWALK MAINTENANCE

What's The Issue?

- Sidewalk maintenance in the public right is necessary to maintain safe pedestrian walkways
- Consistency of sidewalks is important
- Cause of damage should be considered in determining responsibility for repairs



Sidewalk Maintenance

Kenmore Municipal Code

- Requires the Public Works department to identify sidewalks in need of repair
- Adjacent property owners are responsible for repairs
 - Performance
 - Cost
 - Council approval is necessary to assess costs to adjacent property owners



Sidewalk Maintenance

Current City Practices

- Reactive program of addressing sidewalk repair
 - Citizen Action Requests
 - Neighborhood Transportation Plan
- 2015 sidewalk inventory
- Revised Code of Washington (RCW) 35.68 authorizes the City to repair sidewalks and assess costs to adjacent property owners or use City funds



Sidewalk Maintenance

City Codes Outside of Kenmore

Sidewalk Maintenance

Shoreline

- Adjacent property owners are responsible for sidewalk maintenance
 - Costs are assessed to property owners by Council approval

Kirkland

- Adjacent property owners are responsible for repair of sidewalks when the cause of damage is found to be on private property

Bothell

- Adjacent property owners are responsible for sidewalk maintenance
 - Costs are assessed to property owners by Council approval

Staff Recommends

- Transfer the responsibility for sidewalk maintenance to the City
 - Maintain conformity
 - Safety
 - Increased City cost
- Revise code to allow identifying the source of damage to sidewalks prior to repairs
 - Assess cost of repair to adjacent property owner only if cause of damage is from private property



Sidewalk Maintenance

Council Feedback

- Proactive vs. reactive program
 - Proactive program would require additional resources and would be tied to Public Works service analysis
- Assessment of cause of damage
- Assessment of costs for City maintenance to adjacent property owner if cause of damage is on private property

Sidewalk Maintenance

Next Steps

- Incorporate Council feedback into code updates
- Present code updates to Council for discussion
- As appropriate, finalize code modifications and return to Council for a public hearing
- Adopt updated codes



In reviewing the six-year Capital Improvement Program for parks, transportation and surface water projects, staff assessed the long term projection for construction management staff to see if it made sense to do business a different way. Staff concluded the following:

- The City will utilize at least 1.0 FTE of Construction Manager in the next 6 years.
- Many years will significantly exceed the need for 1.0 FTE Construction Manager. Especially when the West Sammamish River Bridge, Juanita and 68th Avenue Sidewalk Projects, and Log Boom and Squires Landing Park projects are under construction.
- Staff do not believe the need for a Construction Manager will dip below 1.0 FTE long into the future.

STAFF RECOMMENDATION:

Staff believes managing construction projects using consultants with the depth and breadth of construction management expertise is an acceptable practice. However, a premium is paid when utilizing consultants. Staff recommends hiring a full time Construction Manager for the City's Capital Improvement Program to supplant 1.0 FTE of consultant Construction Manager. Projects that require additional staffing resources would continue to utilize consultants.

The Construction Manager position would manage the day-to-day operations of construction projects. This individual would serve as the point of contact between the City, contractor and franchise utilities, and ensure that the projects are implemented in accordance with the contract documents and local, state and federal regulations. Construction managers must have excellent oral and written communication skills, supervise field staff, and possess the necessary attention to detail and ability to troubleshoot problems as they arise. A successful candidate would possess a strong skill set in communication, leadership, organization, construction software proficiency, problem solving / claim resolution, and federal aid documentation necessary to manage complex construction projects, and the ability to manage multiple projects at a time. Staff does not believe a professional engineer's license is needed for this position as all projects would continue to involve the engineer of record (staff or consultant).

FISCAL CONSIDERATION:

Attachment A demonstrates annual cost savings to the City when supplanting a consultant Construction Manager with an in-house employee.

For review, staff assumed a City Construction Manager salary range would be equivalent to a Senior Engineer (to be determined, but a reasonable assumption). At \$67/hour (which includes benefits) for a City Construction Manager, the projected savings are estimated to be approximately \$140,000 a year. Should the Construction Manager work on grant funded projects, the savings would likely be shared amongst the City and funding partners. Using SR 522 West A as an example, the City would have realized roughly 50% of the project savings as TIB funded the other half.

To be conservative, staff also analyzed a scenario wherein the Construction Manager was paid at the Construction Manager level, but only performed inspection work for the City. In this scenario, the City would still realize an estimated savings of roughly \$50,000 annually.

NEXT STEPS:

Should Council agree with the staff recommendation to create a full time City Construction Manager position, staff would return to Council at a later date for approval.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

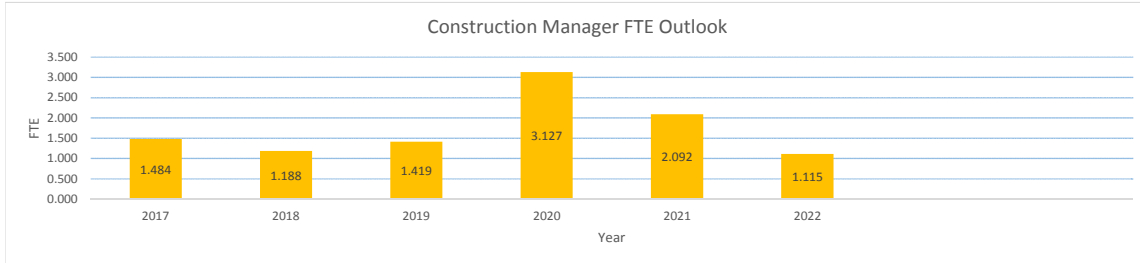
Council Goal 1: To focus and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle and other means of travel – Implement the Sidewalk Plan

Council Goal 6: To continue to implement a Parks Improvement and Financial Plan.

Council Goal 7: To address watershed and water quality issues affecting the City.

Attachment A

CITY OF KENMORE CONSTRUCTION MANAGER (CM) FTE ANALYSIS BASED ON 6-YEAR CIP SCHEDULED PROJECTS LIST (TRANSPORTATION, SURFACE WATER, PARKS):



FTE Consultant vs. In-house City Staff Person (assuming CM performs 100% CM services)						
Consultant CM Hourly Rate (at 4% escalation per YR):	\$131	\$136	\$142	\$147	\$153	\$159
City CM Hourly Rate (w/ 4% merit/COLA escalation per YR):	\$48	\$50	\$52	\$54	\$56	\$58
Plus 40% Benefits (at 6% escalation per YR):	\$19	\$21	\$23	\$26	\$28	\$31
Weighted City CM Hourly Rate:	\$67	\$71	\$75	\$80	\$85	\$90
1 FTE Consultant CM Cost:	\$272,626	\$283,531	\$294,872	\$306,667	\$318,933	\$331,691
Minus 1 FTE City CM Cost:	\$139,776	\$147,859	\$156,521	\$165,810	\$175,781	\$186,493
Delta Cost Savings:	\$132,850	\$135,672	\$138,351	\$140,857	\$143,152	\$145,198
	2017	2018	2019	2020	2021	2022

FTE Consultant vs. In-house City Staff Person (assuming CM performs 50% CM / 50% Inspection services)						
Consultant CM-Inspector Hybrid Hourly Rate (at 4% escalation per YR):	\$112	\$116	\$121	\$126	\$131	\$136
City CM Hourly Rate (w/ 4% merit/COLA escalation per YR):	\$48	\$50	\$52	\$54	\$56	\$58
Plus 40% Benefits (at 6% escalation per YR):	\$19	\$21	\$23	\$26	\$28	\$31
Weighted City CM Hourly Rate:	\$67	\$71	\$75	\$80	\$85	\$90
1 FTE Consultant CM/Inspector Cost:	\$232,534	\$241,835	\$251,508	\$261,569	\$272,031	\$282,913
Minus 1 FTE City CM Cost:	\$139,776	\$147,859	\$156,521	\$165,810	\$175,781	\$186,493
Delta Cost Savings:	\$92,758	\$93,976	\$94,988	\$95,759	\$96,250	\$96,420
	2017	2018	2019	2020	2021	2022

FTE Consultant vs. In-house City Staff Person (assuming CM performs 100% Inspection services)						
Consultant Inspector Hourly Rate (at 4% escalation per YR):	\$93	\$96	\$100	\$104	\$108	\$113
City CM Hourly Rate (w/ 4% merit/COLA escalation per YR):	\$48	\$50	\$52	\$54	\$56	\$58
Plus 40% Benefits (at 6% escalation per YR):	\$19	\$21	\$23	\$26	\$28	\$31
Weighted City CM Hourly Rate:	\$67	\$71	\$75	\$80	\$85	\$90
1 FTE Consultant Inspector Cost:	\$192,442	\$200,139	\$208,145	\$216,471	\$225,129	\$234,135
Minus 1 FTE City CM Cost:	\$139,776	\$147,859	\$156,521	\$165,810	\$175,781	\$186,493
Delta Cost Savings:	\$52,666	\$52,280	\$51,624	\$50,661	\$49,349	\$47,642
	2017	2018	2019	2020	2021	2022