



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
City Council Regular Meeting Agenda
7:00 p.m., March 27, 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 36412 through 36501 in the Amount of \$302,393.71.
Total Payroll Electronic Deposits Dated 03/03/2017 in the Amount of \$78,765.43.
[Check Vouchers](#)
- B. Adopt Minutes for the February 27, 2017 and March 6, 2017 City Council Meeting
[2-27-17 Minutes](#)
[3-6-17 Minutes](#)
- C. Authorize the City Manager to Execute Interlocal Agreement 17-C1669 with King County for Water Quality Sampling of Lake Washington at Log Boom Park
[Agenda Item](#)
- D. Reaffirm the City of Kenmore's Final Intent to Enter into an Interlocal

Agreement with Regional Animal Services of King County Contingent on the Proposed Contract and Costs

[Agenda Item](#)

- E. Authorize the City Manager to Sign and Execute Consultant Services Agreement 17-C1668 with Muni Manage, LLC in an Amount Not to Exceed \$70,000

[Agenda Item](#)

VII. BUSINESS AGENDA

- A. Annual Police Report - Chief Sether
[Agenda Item](#)
- B. Discussion and Potential Approval of City of Kenmore 2017 Requested Priorities for King County - Nancy Ousley, Assistant City Manager
[Agenda Item](#)
- C. Resolution No. 17-293 Discussion of Proposed Revisions to Council Rules and Procedures - Rod Kaseguma, City Attorney
[Agenda Item](#)
[Rules and Procedures Version A](#)
[Rules and Procedures Version B](#)
- D. Approval to Pilot a Micro-Grant Program to Encourage Community Members to Design and Implement "Love Notes" in Kenmore - Leslie Harris, Community Relations Manager
[Agenda Item](#)

VIII. STAFF REPORT

IX. COUNCILMEMBER REPORTS & COMMENTS

X. COUNCILMEMBER INITIATIVES

XI. ADJOURNMENT

Upcoming Meetings:

Monday, April 3, 2017 6:00 p.m. For the Love of Kenmore Event
Tuesday, April 4, 2017 7:00 p.m. Special Council Meeting For the Love of Kenmore Debrief with Peter Kageyama
Monday, April 10, 2017 Regular City Council Meeting
Monday, April 17, 2017 Regular City Council Meeting

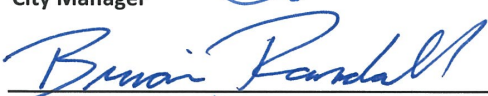
Voucher Certification and Approval

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: 36412 through 36501 \$ 302,393.71

Total Payroll electronic deposits dated: 03/03/2017 \$ 78,765.43

 City Manager	3-10-17 Date
 Finance Director	3/10/17 Date
Accountant	

Check #	Vendor Name	Description	Check Amount
36412	KENMORE COMMERCIAL LLC	March Business Incubator Lease Payment	3,213.25
36413	NATIONWIDE FINANCIAL 401a	Social Security Replacement Plan	12,756.02
36414	NATIONWIDE RETIREMENT SOLUTIONS 457	Deferred Comp Payroll Deduction	295.00
36415	ICMA RETIREMENT TRUST 457 - 304745	Deferred Comp Payroll Deduction	3,185.33
36416	DRS 457	Deferred Comp Payroll Deduction	510.00
36417	BANK OF AMERICA 941	Payroll Taxes	16,701.15
36418	DEPARTMENT OF RETIREMENT SYSTEMS	WA State Retirement	18,918.85
36419	STATE OF FLORIDA DISBURSEMENT UNIT	Payroll Deduction	275.00
36420	NAVIA	Employee Health Savings & Flexible Spending	401.90
36421	BANK OF AMERICA 941	Adj. for Employer ICMA Contribution	4.80
36422	BRAVO ENVIRONMENTAL SERVICE	Vactor Services	4,221.75
36423	CASCADE PEST CONTROL	Jan. Rhododendron Park Pest Control Service	142.35
36424	CODE PUBLISHING COMPANY	Web Hosting/Online Code 1 Yr. Renewal	350.00
36425	DAILY JOURNAL OF COMMERCE	62nd Ave NE Corridor Ads	312.00
36426	DAILY JOURNAL OF COMMERCE	NE 202nd Safe Routes to School Ads	186.00
36427	REPUBLIC SERVICES	Feb. City Hall Solid Waste Service	305.76
36428	REPUBLIC SERVICES	Feb. Rhododendron Park Solid Waste Service	355.77
36429	FERGUSON ENTERPRISES INC #1539	Catch Basin Repairs/Risers/Manhole Rings	2,136.78
36430	FRUHLING SAND & TOPSOIL	Rhododendron Park Brush Bin Dumping	200.00
36431	CALPORTLAND COMPANY	Sand Bin Refill	171.17
36432	HERRERA ENVIRONMENTAL CONSULTANTS	Jan. Aquatic Vegetation Consulting Svcs	2,552.85
36433	KING COUNTY ANIMAL SVCS	Pet Licenses/Renewals	648.00
36434	KING COUNTY FINANCE	Jan. Adult/Juvenile Detention Maintenance	181.31
36435	KING COUNTY FINANCE	Jan. Road Svcs/Signs/Banners/Ped. Svcs	34,675.58
36436	KING COUNTY RADIO COMM SERVICES	1/31-4/28 Emergency Telecommunications	298.94
36437	KING COUNTY SHERIFF	Jan. School District Police Overtime Charges	6,446.44
36438	KUSTOM SIGNALS, INC.	Police Dept. Radar Repair	410.46
36439	LIGHTHOUSE CONSULTING INC	Feb. IT Svcs/City Hall & Incubator Bldg.	4,636.45
36440	LIGHTHOUSE CONSULTING INC	Feb. Protection/Backup/Web Hosting	2,436.65
36441	PENDLETON, MICHAEL	Jan. Consulting Svc/Council Retreat	3,745.50
36442	MR. T'S TROPHIES	Hearing Examiner Plaque	45.99
36443	NORTHSHORE FIRE DEPT	January Fire Marshal Plan Review	80.00
36444	NORTHSHORE UTILITY DIST	Town Green Inspection Work	835.37
36445	OLYMPIC ENVIRONMENTAL RESOURCES INC	Spring Recycling Event Program Administration	4,533.80
36446	PACIFIC TOPSOILS	Tree & Branch Debris/Storm Cleanup	52.50
36447	PUGET SOUND ENERGY	1/12-2/13 Streetlights/Signals/Electricity/Gas	6,602.18

36448	PUGET SOUND ENERGY	1/12-2/13 7204 175th Incubator Electricity	681.58
36449	PUGET SOUND ENERGY	1/12-2/13 Town Green 6734 181st	35.67
36450	PUGET SOUND ENERGY	1/12-2/13 Town Green 6728 181st	685.09
36451	CEMEX	Asphalt for Berm Installation	57.49
36452	SEATTLE TIMES	Legal Ads/Bids Safe Routes to School & 62nd Ave	454.92
36453	TOTAL LANDSCAPE CORP	Jan. NS Summit & Squire's Landing Maintenance	865.05
36454	TOTAL LANDSCAPE CORP	Feb. Parks Landscape Maintenance	5,002.61
36455	W.S.S.O. Advanced Training	School Safety Training -3 Officers	780.00
36456	WA ASSOC OF CODE ENFORCEMENT	D. Blessington Spring Conference Registration	35.00
36457	UPS STORE	February Copy Charges	62.88
36458	MACLEOD RECKORD	Feb. 16-C1502 Moorlands Park Professional Svcs	34,661.38
36459	KING COUNTY RECORDER'S OFFICE	Recording Fee P2015-029 Title Notice	74.00
36460	SNOHOMISH COUNTY	January Vactor Disposal Charges	1,476.00
36461	WASHINGTON STATE PATROL	Jan. W. Sammamish Bridge Weight Enforcement	479.23
36462	RANDALL, BRIAN	Airfare Reimbursement/Tyler Incode Conference	411.40
36463	KONICA MINOLTA BUSINESS SOLUTIONS	2/1-2/24 Incubator Bldg. Copier	179.42
36464	TELESYSTEMS WEST	Conversion to Comcast	175.20
36465	BUILDERS EXCHANGE OF WASHINGTON INC	Ad for 68th/73rd Curb Project	135.00
36466	GRAINGER	Mirrors for Inspections	38.88
36467	A+ CONFERENCING	Conference Calls	15.93
36468	SHRED-IT USA LLC	2/15 Shredding Service	61.78
36469	SHRED-IT USA LLC	12/30 /16 & 1/9/17 Shredding Services	114.15
36470	MAACO	Police Vehicle Repair	383.25
36471	REDFIELD PROPERTIES LLC	Property Restoration Settlement SR522 Parcel 78	2,500.00
36472	GORDON THOMAS HONEYWELL	Jan. Gov't Affairs Consulting	3,916.23
36473	GORDON THOMAS HONEYWELL	Feb. Gov't Affairs Consulting	3,840.31
36474	TOWN CENTER HARDWARE	Feb. Public Works Tools & Supplies Purchased	129.22
36475	SARAH ROBERTS	January & February Prosecution Services	21,672.18
36476	PHSI PURE HEALTH SOLUTIONS INC.	City Hall Filtered Water Systems	100.63
36477	FRONTIER	2/28-3/27 City Hall Phone Svcs	439.86
36478	FRONTIER	2/28-3/27 City Hall Phone Svcs	603.08
36479	AM TEST, INC	Swamp Creek Water Sample Testing	225.00
36480	LAW OFFICE OF JOHN RONGERUDE, PS	2/15/17 Conflict Defense Services	300.00
36481	WELLS FARGO FINANCIAL	2/21-3/20 2nd Floor Copier Lease	616.91
36482	HOPKINS, CRAIG	Feb. Police Volunteer Mileage Reimbursement	75.97
36483	DEVRIES, DENIS	Feb. Police Volunteer Mileage Reimbursement	25.15
36484	MILLER STEPHENS, MARY	Feb. Public Defense Svcs @ SCORE	1,250.00
36485	GREATER BOTHELL CHAMBER OF COMMERCE	Feb. Kenmore Business Alliance Support Services	200.00
36486	OSBORN CONSULTING INC.	Jan. 12-C1081 On-Call Consulting	17,530.04
36487	CONTOUR FENCE CO. INC.	18817 73rd NE ROW Fence Repair	2,419.95
36488	BRIEN, GAYLYNN	Dec. 2016 Sales Tax Data Management	50.00
36489	HANSEN, COREY	Feb. Business Incubator Consulting Service	4,180.00
36490	STARDOM SERVICES, INC.	February Incubator Janitorial Service	510.00
36491	GALLATIN PUBLIC AFFAIRS	Feb. Media Relations/Marketing Professional Svc	3,500.00
36492	STEWART TITLE COMPANY	54 ROW Property Title Reports	17,384.22
36493	KPFF CONSULTING ENGINEERS	15-C1414 Jan. 62nd Ave Corridor Improvements	6,414.10
36494	NORTHWEST ARBORICULTURE LLC	Tree Removal	297.65
36495	FINANCIAL CONSULTING SOLUTIONS GROUP	Public Works Svc Analysis Consulting through 2/17	6,422.83
36496	OLBRECHTS & ASSOCIATES, PLLC	Feb. 16-C1558 Hearing Examiner Services	5,956.50
36497	NAZARIYA, ANATOLI	Training Ammunition Shipping Reimbursement	153.57
36498	SUMMIT TREE AND LAND, INC.	Excavation Svcs SR522/68th	4,489.50
36499	INC4INC, INC.	PRJ2007-052 ROW Cash Deposit Refund	7,500.00
36500	BEST HARBOUR DEVELOPMENT LLC	PRJ2013-0031 ROW Cash Deposit Refund	7,500.00
36501	DACO ENTERPRISES, LLC	Property Restoration Settlement SR522 Parcel 78	2,500.00
3/3/2017	PAYROLL	Direct Deposit	78,765.43
			<u>\$ 381,159.14</u>

2017	PRIOR VENDOR ACTIVITY	TOTAL	FOR 2017
	A V CAPTURE ALL		4,718.57
	A+ CONFERENCING		75.17
	AFLAC		960.98
	ALCALDE & FAY		10,035.87
	ALPHAGRAPHS US718		239.95
	AMERICAN GENERAL LIFE GPO-400S		819.88
	AMERICAN PLANNING ASSOCIATION		1,065.00
	AMERICAN PUBLIC WORKS ASSOCIATION		1,295.00
	ARTS OF KENMORE		950.00
	ASSOCIATION OF WA CITIES		15,574.00
	AWC EMPLOYEE BENEFITS		97,713.06
	BAKER, DAVID		858.85
	BANK OF AMERICA 941		69,312.09
	BANNER BANK BAKER		2,028.73
	BANNER BANK CS		2,349.58
	BANNER BANK JG		638.87
	BANNER BANK JGORDON		572.00
	BANNER BANK KENMORE		5,516.97
	BANNER BANK LD		1,544.89
	BANNER BANK NO		2,093.80
	BANNER BANK PS		617.09
	BANNER BANK RK		2,983.08
	BANNER BANK VAN NESS		731.20
	BLACKBAUD		7,304.24
	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		309.48
	CITY OF BELLEVUE		8,131.00
	CITY OF LAKE FOREST PARK		187,212.51
	CITY OF SHORELINE		2,281.53
	CLARK & SONS EXCAVATING INC.		17,347.00
	CODE PUBLISHING COMPANY		3,212.89
	COLUMBIA RIDGE LANDFILL		1,170.78
	COMCAST		4,723.28
	CONSOLIDATED PRESS		3,180.78
	CSAT, LLC		1,200.00
	DAILY JOURNAL OF COMMERCE		802.80
	DAY WIRELESS SYSTEMS		76.44
	DEPARTMENT OF LABOR AND INDUSTRIES		4,981.36
	DEPARTMENT OF RETIREMENT SYSTEMS		77,092.54
	DEVRIES, DENIS		23.54
	DRS 457		1,940.00
	EA ENGINEERING SCIENCE & TECHNOLOGY		15,801.81
	EASTSIDE HOMES, INC.		94,033.50
	ECO-COUNTER		9,580.00
	ECONOMIC DEV COUNCIL OF SEATTLE/KC		5,000.00
	ECOSS		1,941.26

EMPLOYMENT SECURITY DEPT	249.00
EVERGREEN SAFETY COUNCIL	299.00
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
GRAINGER	96.42
GREATER BOTHELL CHAMBER OF COMMERCE	1,700.00
HANSEN, COREY	9,225.00
HDR ENGINEERING, INC	3,164.75
HERRERA ENVIRONMENTAL CONSULTANTS	7,916.05
HESTON VISUAL ARTS	465.38
HONEY BUCKET	436.70
HOPKINS, CRAIG	67.41
HORIZON DISTRIBUTORS INC	107.54
HSA BANK	42.30
ICMA RETIREMENT TRUST 457 - 304745	12,739.80
INSLEE, BEST, DOEZIE & RYDER, P.S.	27,838.98
INTEGRA TELECOM	1,799.53
iWORQ SYSTEMS	2,800.00
JAYMARC - AV	39,979.37
JET CITY IMPROV	600.00
JET CITY PRINTING	78.02
JOYCE ZIKER PARKINSON	150.00
JSH PROPERTIES, INC.	420.12
KAMINS CONSTRUCTION INC.	34,828.50
KENMORE COMMERCIAL LLC	3,213.25
KENMORE HERITAGE SOCIETY	585.00
KING COUNTY FINANCE	73,672.99
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
KOMPAN, INC	2,169.20
KONICA MINOLTA BUSINESS SOLUTIONS	449.82
KUSTOM SIGNALS, INC.	81.80
LANDSCAPE FORMS, INC.	503.70
LENTZ, FLORENCE K.	6,150.00
LIGHTHOUSE CONSULTING INC	5,002.51
LINCOLN NATIONAL LIFE INSURANCE	1,879.56
MACLEOD RECKORD	35,838.59
MAIL FINANCE	703.00
MARSHBANK CONSTRUCTION	2,313.67
MCCLURE AND SONS, INC.	95,511.90
MICRONET, INC.	75.56
MILLER STEPHENS, MARY	1,250.00
MUNIMANAGE, LLC	6,500.00
NATIONAL LIFE OF VERMONT	246.34
NATIONWIDE FINANCIAL 401a	52,542.64
NATIONWIDE RETIREMENT SOLUTIONS 457	730.00

NAVIA	3,157.30
NEOPOST USA INC.	182.87
NICK MINZGHOR	850.00
NORTHSHORE UTILITY DIST	7,624.98
NORTHWEST ARBORICULTURE LLC	2,300.68
NORTHWEST LANDSCAPE SERVICES	3,490.24
OFFICE DEPOT	1,234.45
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	18,839.04
PUGET SOUND FINANCE OFFICERS ASSOC	50.00
PUGET SOUND REGIONAL COUNCIL	8,294.00
QUALITY BUSINESS SYSTEMS INC.	1,834.20
REPUBLIC SERVICES	661.53
RYCO EQUIPMENT, INC.	216.81
SCORE	30,376.05
SEATTLE TIMES	831.79
SHI INTERNATIONAL CORP.	375.59
SITTS & HILL ENGINEERS, INC.	228.00
SKYWARD CONSTRUCTION	21,144.45
SOFTWAREONE, INC.	9,830.69
SOUND CITIES ASSOC	13,829.83
SOUND PUBLISHING, INC.	609.65
SPERRY, LAURIE	34.78
STAPLES ADVANTAGE	207.71
STARDOM SERVICES, INC.	510.00
STATE OF FLORIDA DISBURSEMENT UNIT	1,100.00
STATE OF WA DEPT. OF LICENSING	30.00
STEWART MACNICHOLS HARMELL, INC.	10,000.00
STEWART TITLE COMPANY	15,774.57
TOP TO BOTTOM JANITORIAL, INC.	3,500.00
TOTAL LANDSCAPE CORP	5,867.66
TOWN CENTER HARDWARE	128.44
TRINITY CONTRACTORS, INC.	43,661.30
UFF DA LOGISTICS	283.59
UNITED STATES POSTMASTER	1,586.32
UNITED WAY OF KING COUNTY	1,008.00
UPS STORE	26.27
URBAN FORESTRY SERVICES, INC.	850.00
US POSTAL SERVICE (HASLER)	2,739.69
VAN NESS, ALLAN	81.51
VELLAT, MARC H.	32,050.00
VERIZON WIRELESS	1,058.61
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	855.36
WAGE WORKS	238.00
WASHINGTON ENERGY SERVICES CO. LLC	28.00
WASHINGTON STATE DEPT OF REVENUE	4,877.35
WASHINGTON STATE PATROL	418.01
WELLS FARGO FINANCIAL	616.91
WINTERBOURNE LANDSCAPE	574.88
	<u>\$ 1,713,008.94</u>

**City of Kenmore, Washington
City Council Regular Meeting
Minutes
February 27, 2017**

CALL MEETING TO ORDER – The Kenmore City Council regular meeting was called to order by Mayor David Baker at 7:00 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.

Mayor Baker noted that Councilmember Herbig was on his way. He was stuck in traffic.

Staff present: Rob Karlinsey, City Manager; Nancy Ousley, Assistant City Manager; Kris Overlesse, Public Works Director and Kelly Chelin, City Clerk.

FLAG SALUTE

The Council led the flag salute.

AGENDA APPROVAL

The Council approved the agenda with one change:

1. Switching Items A. and B. on the Business Agenda.

CITIZEN COMMENTS

Dom Amor, 6120 92nd Street SW, Mukilteo

Mr. Amor stated that he was from Puget Sound Energy (PSE). He stated that PSE is running an Energy Efficiency Program throughout the City. PSE is going to door-to-door offering a free LED bulb to residents. He stated he was also at the meeting to listen to the discussion on the PSE Franchise Agreement.

Sheila Walter, 15518 Simonds Road NE, Kenmore.

Ms. Walter urged the City to consider becoming a Sanctuary City. She stated that kids are afraid of losing their parents due to the new immigration rules.

Corina Pfeil, Kenmore.

Ms. Pfeil spoke on behalf of a family who is afraid of being deported due to new immigration rules. She would like the City to take a stand and have more community engagement on this issue.

Note: Councilmember Herbig arrived at 7:17 p.m.

Elizabeth Mooney, 5934 NE 201st Street, Kenmore.

Ms. Mooney asked for Consent Agenda Item F. to be pulled from the agenda. (Item F: Common Interest and Confidentiality Agreement Between City, State Parks and Daniels Real Estate). She believes there should be Council discussion on this topic and explain the item to the audience. She also spoke to the artificial turf and lights planned for the St. Edward Park ballfields. She does not believe this is an improvement and will affect the wildlife.

Ken Smith, 15816 70th Avenue, Kenmore.

Mr. Smith congratulated the Council on the Walkways and Waterways bond measure. He thought it was done well. He also spoke in support of the Resolution on the agenda about Kenmore being a Welcoming City. However, he was unclear of the meaning on the last bullet about “law and order”.

Russ Johnson, 5635 NE 20th Street, Kenmore.

Mr. Johnson told the Council he was happy to see the Resolution on the agenda about Kenmore being a Welcoming City. He believes its vital and important. He also spoke to the Puget Sound Energy Franchise Agreement.

Macy Ratliff, Kenmore.

Ms. Ratliff spoke to the St. Edward Park and stated it was sacred and a gem to the City. She stated that she supports ballfields however not artificial turf or lights.

Pastor Anja Helmon, 7427 NE 198th Place, Kenmore.

Pastor Helmon stated that she was with Northlake Church. She stated that she was speaking on behalf of people that do not feel protected. She supports the Resolution on the agenda about Kenmore being a Welcoming City. She also spoke to the last bullet in the Resolution about “law and order” being unclear.

Jane and Richard Lewis, 19325 65th Avenue NE, Kenmore.

Ms. Lewis stated that she thought she had to sign up for the meeting and did not wish to speak.

Nancy Hansen, 7219 NE 158th Street, Kenmore.

Ms. Hansen urged the Council to consider designating the City has a Sanctuary City. She doesn't believe a “Welcoming City” is strong enough language. She said there are a lot of families that fear being deported.

Penny McGillivray, 6234 NE 182nd Street, Kenmore.

Ms. McGillivray thanked the Council and City. She stated that she would be worried about being a Sanctuary City because it could violate federal law.

Brenda De Jardin, 6803 NE 149th Street, Kenmore.

Ms. De Jardin spoke to the Resolution about Kenmore being a Welcoming City. She would like to see the City be a Sanctuary City. She asked the Council to please consider this.

Miriam Tong, 19215 58th Avenue NE, Kenmore.

Ms. Tong also spoke to her support for stronger language in the Resolution.

Mayor Baker thanked the citizens for their comments.

CONSENT AGENDA

Councilmember Sperry moved to approve the consent agenda as submitted, Mayor Baker seconded the motion.

Assistant City Attorney Reitan explained Consent Agenda Item F to the audience.

Item F: Authorize and Execute Contract 17-C1658 Common Interest and Confidentiality Agreement Between City, State Parks and Daniels Real Estate and Ratify and Confirm Acts Consistent with the Agreement Taken Prior to Approval.

The motion passed 7-0.

The consent agenda included the following:

The Following Checks and Electronic Payments are Approved for Payment:

Total Check Numbers 36238 through 36327 in the Amount of \$454,150.73.

Total Payroll Electronic Deposits Dated 02/03/2017 in the Amount of \$81,650.17

Authorize the City Manager to Execute Amendment No. 2 of Contract 15-C1484 with KPFF Consulting Engineers to Increase the Contract Authority by \$900,000 (\$1,700,000 total) and Extend the Contract End Date to December 31, 2019 to Complete the Design and Right-of-Way for the 68th Avenue NE Pedestrian and Bicycle Safety Improvements Project

Authorize the City Manager to Execute Contract 16-C1625 with HDR in an amount up to \$1,800,000 for Juanita Drive Project Design and Right-of-Way Services

Authorize the City Manager to Execute Contract 17-C1656 with Mott Macdonald in an amount up to \$388,500 for the Log Boom Park Waterfront Project Design

Authorize the City Manager to Execute Contract 17-C1657 with Mott Macdonald in an Amount up to \$503,200 for the Squires Landing Park Waterfront Project Design

Authorize and Execute Contract 17-C1658 Common Interest and Confidentiality Agreement Between City, State Parks and Daniels Real Estate and Ratify and Confirm Acts Consistent with the Agreement Taken Prior to Approval

Authorize the City Manager to Execute the 16-C1623 Rhododendron Park Lease/Use Agreement between the City and the Northshore Senior Center and Establish Fees for Rental of Shelter

BUSINESS AGENDA

Discuss Resolution 17-292 Reaffirming that the City of Kenmore is Welcoming to All People and All Ideas - City Council

Council discussed a resolution re-affirming the City's commitment to welcoming all people and ideas. At the February 13, 2017 Council meeting, the Mayor distributed draft language to consider a resolution welcoming all people and ideas. Councilmember Sperry also submitted a proposed proclamation for consideration by the Council. This proclamation is a sample she received from the City of Kirkland.

The Council discussed both the proposed Resolution and the proposed proclamation. The consensus of the Council was to proceed with the City of Kirkland's language as a resolution.

The Council asked staff to bring the Resolution back to the March 6 meeting for adoption.

Draft City Proposal for Puget Sound Energy Franchise Agreement - Nancy Ousley,
Assistant City Manager

Assistant City Manager Ousley explained that the City's Franchise Agreement with Puget Sound Energy expired in 2015, coinciding with an increase in power outages and concerns raised by Kenmore residents and businesses. The concerns about power reliability and how it compares to neighboring jurisdictions served by other utilities prompted the City to consult with the Washington Utilities and Transportation Commission and other cities. The City also commissioned an independent energy reliability assessment, which was presented to the City Council and community in November, 2016. The report confirmed that the infrastructure and system serving Kenmore is outdated and lacks resiliency, and vegetation management is inadequate. The location of one particularly poor performing circuit through backyard easements makes power restoration difficult and time consuming. Over the past several years, nine of the ten circuits serving Kenmore performed in the lower 50% of the PSE system, and of those, seven performed lower than 75% of the roughly 1100 circuits in the system. Following public meetings and discussions with PSE leadership and staff, PSE presented capital plans in January, 2017 outlining reliability projects in Kenmore that could help to improve the situation.

Staff prepared a draft proposed agreement for Council review and discussion in preparation of franchise discussions with the company. In addition to tighter procedures and requirements for construction and right of way use, this proposal stresses reliability investments, smart grid technology, accelerated vegetation management, customer rebate opportunities, and increased direct reporting to the City Council and community on energy reliability including how Kenmore circuit performance compares to neighboring jurisdictions and PSE's system.

Council and staff engaged in a discussion. This item will come back to a future meeting.

STAFF REPORT

Assistant City Manager Ousley reported on Frontier's liquated damages. The deadline for Frontier to pay damages has passed. The City is considering more enforcement options. The City also received a low bid on the Tolt Trail Project; which was good news.

CITY COUNCILMEMBER REPORTS, COMMENTS & INITIATIVES

Councilmember Smith reported on the Northshore Parks and Recreation Board. The Board voted on another fund for youth recreational opportunity.

Councilmember Curtis reported that he is happy with the progress on Walkways and Waterways.

Mayor Baker reported that he talked to the Police Chief about doing home checks for seniors. The Chief is going consider whether the volunteers can help with this. He also reported that he participated in a press conference with King County Executive Constantine about immigration. Further, he reported that there is a joint board meeting with the Northshore School District Board of Directors on March 6 and a joint meeting with Northshore Utility District Board of Directors on March 20.

City Manager Karlinsey showed some pictures from this recent trip to Washington DC and New York City.

ADJOURNMENT

Mayor Baker adjourned the meeting at 9:45 p.m.

David Baker, Mayor

ATTEST:

Kelly M. Chelin, City Clerk

**City of Kenmore, Washington
City Council Regular Meeting
Minutes
March 6, 2017**

CALL MEETING TO ORDER – The Kenmore City Council regular meeting was called to order by Mayor David Baker at 7:00 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; Kris Overlesse, Public Works Director; Bryan Hampson, Development Services Director; Richard Sawyer, Surface Water Manager and Kelly Chelin, City Clerk.

FLAG SALUTE

The Council led the flag salute.

BUSINESS AGENDA

Resolution #17-292 – A Resolution Reaffirming that the City of Kenmore is a Safe, Inclusive and Welcoming Place for All People - City Council

At the February 27, 2017 meeting, the Council discussed a resolution or proclamation that would reaffirm the City's commitment to welcoming all people and ideas. The Council reviewed two submittals for consideration and received public input during the meeting. The Council agreed that the document should be a Resolution. Staff incorporated comments received from the Councilmembers and presented a draft Resolution for consideration and discussion.

MOTION: Councilmember Denuski made a motion to approve Resolution #17-292 Reaffirming that the City of Kenmore is a Safe, Inclusive and Welcoming Place for All People, Councilmember Herbig seconded the motion. The motion passed unanimously.

Joint Meeting with the Northshore School District Board of Directors – City Council and Northshore School District Board and Superintendent

All City Councilmembers were in attendance along with the Northshore School District Board of Directors: Kimberly D'Angelo, Ken Smith, David Cogan, Sandy Hayes, Amy Cast and Superintendent Dr. Michelle Reid.

The Council and the Board of Directors discussed potential future School Impact Fees and a proposed High School Rowing Program. Surface Water Manager Sawyer discussed opportunities to incorporate stormwater education in the school district's curriculum.

The School District also provided updates on new school start times, the 2017 boundary changes, North Creek High School opening, upcoming school district levies and legislation being proposed in Olympia to fully fund education and how that might change property taxes.

The Board of Directors, along with Superintendent Dr. Reid, and the City Council discussed the topic of Safe Place. Dr. Reid asked the Council for support and participation with the Kenmore Police Department. This discussion will come back to a future meeting.

Note: Councilmember Sperry left the meeting at 8:50 p.m.

City Manager Karlinsey provided City updates on the Walkways and Waterways measure, the Target Zero initiative and safe routes to school projects. He also reported on the affordable housing efforts and the possibility of Mary's Place being in the City. Lastly, he discussed redevelopment in the City and the Lakepointe development.

The Council and the Board of Directors agreed that this joint meeting was useful and would like to commit to holding this meeting on an annual basis.

ADJOURNMENT

Mayor Baker adjourned the meeting at 9:31 p.m.

David Baker, Mayor

ATTEST:

Kelly M. Chelin, City Clerk

Subject/Topic: Regional Animal Services of King County: Statement of intent to enter into an Interlocal Agreement	For Council Meeting Agenda of: 27 March 2017 Department: Executive Prepared by: Leslie Harris, Community Relations Manager <i>LH</i> Approved by Department Head: Approved by City Attorney: Approved by Finance Director: Approved by City Manager: <u>Initial & Date</u> <i>NICO 15 Mar 2017</i> <i>RJK</i>	
Proposed Council Action/Motion: Motion to reaffirm the City of Kenmore’s final intent to enter into an Interlocal Agreement with Regional Animal Services of King County contingent on the proposed contract and costs	Exhibits/Attachments:	
Expenditure Required TBD	Amount Budgeted \$1,500 in years 2017 & 2018	Appropriation Required \$0
<u>INFORMATION/BACKGROUND:</u> The City of Kenmore, along with 24 other cities, have an Interlocal Agreement with King County for Regional Animal Services (RASKC), including animal field services, licensing, and regional shelter services. Kenmore along with other North King County cities also contract with PAWS for shelter services. The current Interlocal Agreement expires at the conclusion of 2017. The cities are in the process of reaffirming their intent to participate in Regional Animal Services of King County by March 30, 2017 for the purpose of producing a cost and service analysis. A proposed Interlocal Agreement will be presented at a Council meeting this spring for review and possible adoption. Formal adoption and execution of the proposed Interlocal Agreement is required by June 1, 2017. In 2016, King County received 134 calls for field services in Kenmore, an increase of 12% from the prior year. With King County’s licensing support, Kenmore exceeded its licensing sales goal by more than 10% with 3,258 pet licenses. The revenue generated by animal licenses, helps offset costs of RASKC and PAWS. City staff is seeking City Council to approve a motion to reaffirm the City of Kenmore’s final intent to enter into an Interlocal Agreement with Regional Animal Services of King County contingent on the proposed contract and costs.		
<u>FISCAL CONSIDERATION:</u> In 2016, the City of Kenmore’s costs, including PAWS sheltering services, were covered by pet license revenue. An overview of the estimated payment calculation will be presented as part of the proposed Interlocal Agreement this spring.		

<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u>

Council Vision Statement: a community that is attentive to, and provides for, the health, safety and welfare of all citizens
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City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Lakepointe Project Consultant Move to: Authorize the City Manager to sign and execute consultant services agreement 17-C1668 with Muni Manage, LLC, in an amount not to exceed \$70,000.	For Council Meeting Agenda of: March 27, 2017 Department: City Manager's Office Prepared by: Rob Karlinsey, City Manager <u>Initial & Date</u> Approved by Department Head: _____ Approved by City Attorney: _____ Approved by Finance Director: _____ Approved by City Manager: <u>RKK 3-15-17</u> Exhibits/Attachments: Consultant Services Agreement 17-C1668, substantial as to the form attached to this City Council Agenda Bill
INFORMATION/BACKGROUND: In December of 2016, the City of Kenmore and Lakepointe, Inc. (including Weidner and Pioneer Towing) entered into a Commercial Site Development Permit (CSDP) extension agreement. In return for the CSDP extension, Lakepointe agreed to certain obligations. Among those obligations included Lakepointe's requirement to reimburse the City for up to \$150,000 of the City's project-related consultant fees in the year 2017. The proposed consultant agreement with Muni Manage, LLC provides Lakepointe project management services for the City. Muni Manage (the Consultant) will, on behalf of the City, perform services necessary to assist, facilitate, and manage the progression of the Lakepointe Project, as well as represent the interests of the City. Consultant's services will include drafting, editing, and reviewing documents; attending and running meetings; corresponding; managing other consultants; interfacing and negotiating with other agencies and lawmakers; meeting with and presenting to the Kenmore City Council; advocating for the project; and other services pertaining to the Lakepointe Project. The Consultant will coordinate and facilitate City department and consultant involvement in the project. The Consultant shall serve as a point of contact for the Lakepointe Project. The City has been utilizing Muni Manage's services for assistance with Lakepointe since 2016. This proposed Council action authorizes a new contract with Muni Manage from this point moving forward. Thanks to the CSDP extension agreement, the City will bill Lakepointe for Muni Manage services (the City will pay Muni Manage directly, and then the City will obtain reimbursement from Lakepointe). City staff and the Lakepointe team intend to provide a project status update to the City Council in April or May of this year.	

City of Kenmore Contract No. 17-C1668

CONSULTANT CONTRACT

This Agreement is entered into by and between the City of Kenmore, Washington, a municipal corporation ("City") and Muni Manage, LLC, ("Consultant") whose principal office is located at 3717 Beach Drive, SW, No. 118, Seattle, WA 98116.

WHEREAS, the City desires to have certain services performed for its citizens; and

WHEREAS, the City has selected the Consultant to perform such services pursuant to certain terms and conditions;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the parties agree as follows:

1. Scope of Services to be Performed by Consultant. The Consultant shall perform the services described in Exhibit "A" of this Agreement. In performing the services, 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.

2. Compensation and Method of Payment. The Consultant shall request payment for work performed using the billing invoice form at Exhibit "C."

The City shall pay Consultant:

[Check applicable method of payment]

X According to the rates set forth in Exhibit "B." and annual total payment will not exceed \$70,000

 A sum not to exceed \$

 Other (describe): _____

The Consultant shall complete and return to the City Exhibit "D," federal tax Form W-9, prior to or along with the first billing invoice. The City shall pay the Consultant for services rendered within ten (10) days after City Council voucher approval.

3. Duration of Agreement. This Agreement shall be in full force and effect for a period of one year commencing on March 15, 2017 and ending March 14, 2018 unless sooner terminated under the provisions of this Agreement. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

4. Ownership and Use of Documents. Any records, files, documents, drawings, specifications, data or information, regardless of form or format, and all other materials produced by the Consultant in connection with the services provided to the City, shall be the property of the City whether the project for which they were created is executed or not.

5. Independent Consultant. The Consultant and the City agree that the Consultant is an independent Consultant with respect to the services provided pursuant to this Agreement. The Consultant will be solely responsible for its acts and for the acts of its agents, employees, subconsultants or representatives during the performance of this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties.

6. Insurance. The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

A. Minimum Scope of Insurance. Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent Consultants and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.
3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

B. Minimum Amounts of Insurance. Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.

C. Other Insurance Provision. The Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

D. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

E. Verification of Coverage. The Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the

additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

F. Notice of Cancellation. The Consultant shall provide the City with written notice of any policy cancellation, within two business days of their receipt of such notice.

G. Failure to Maintain Insurance. Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days notice to the Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

H. No Limitation. Consultant's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

8. Record Keeping and Reporting.

A. The Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. The Consultant shall also maintain such other records as may be deemed necessary by the City to ensure proper accounting of all funds contributed by the City to the performance of this Agreement.

B. The foregoing records shall be maintained for a period of seven (7) years after termination of this Agreement, unless permission to destroy them is granted by the Office of the Archivist in accordance with Chapter 40.14 RCW and by the City.

9. Audits and Inspections. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review or audit by the City during the performance of this Agreement. All work products, data, studies, worksheets, models, reports and other materials in support of the performance of the service, work products, or outcomes fulfilling the contractual obligations are the products of the City.

10. Termination.

A. The City reserves the right to terminate or suspend this Agreement at any time, with or without cause, upon seven (7) days prior written notice. In the event of termination or suspension, all finished or unfinished documents, data, studies, worksheets, models, reports or other materials prepared by the Consultant pursuant to this Agreement shall promptly be submitted to the City.

B. In the event this Agreement is terminated or suspended, the Consultant shall be entitled to payment for all services performed and reimbursable expenses incurred to the date of termination.

C. This Agreement may be canceled immediately if the Consultant's insurance coverage is canceled for any reason, or if the Consultant is unable to perform the services called for by this Agreement.

D. The Consultant reserves the right to terminate this Agreement with not less than fourteen (14) days written notice, or in the event that outstanding invoices are not paid within sixty (60) days.

E. This provision shall not prevent the City from seeking any legal remedies it may otherwise have for the violation or nonperformance of any provisions of this Agreement.

11. Discrimination Prohibited. The Consultant shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Consultant under this Agreement, on the basis of race, color, religion, creed, sex, sexual orientation, age, national origin, marital status, presence of any sensory, mental or physical disability, or other circumstance prohibited by federal, State or local law or ordinance, except for a bona fide occupational qualification.

12. Assignment and Subcontract. The Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.

13. Conflict of Interest. The Consultant represents to the City that it has no conflict of interest in performing any of the services set forth in Exhibit "A." In the event that the Consultant is asked to perform services for a project with which it may have a conflict, Consultant will immediately disclose such conflict to the City.

14. Confidentiality. All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Breach of confidentiality by the Consultant shall be grounds for immediate termination.

15. Non-appropriation of Funds. If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

16. Entire Agreement. This Agreement contains the entire agreement between the parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either of the parties. If there is a conflict between the terms and conditions of this Agreement and the attached exhibits, then the terms and conditions of this Agreement shall prevail over the exhibits. Either party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

17. Notices. Notices to the City of Kenmore shall be sent to the following address:

City Clerk
City of Kenmore
P.O. Box 82607
Kenmore, Washington 98028-0607

Notices to the Consultant shall be sent to the following address:

MuniManage, LLC
Attn. Ben Yazici

3717 Beach Drive SW
No. 118
Seattle, WA 98116
Phone No.: 206-619-7890

18. Applicable Law; Venue; Attorneys' Fees. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its attorneys' fees and costs of suit, which shall be fixed by the judge hearing the case and such fee shall be included in the judgment.

19. Severability. Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

CONSULTANT

CITY OF KENMORE

By: Ben Yazici _____

By: _____

Title: Founder _____

Title: City Manager

Date: _____

Date: _____

EXHIBIT A

Scope of Services to be Provided by Consultant. The Consultant shall furnish services including, but not limited to, the following:

Project management, coordination, and advocacy for the Lakepointe Project in Kenmore. The Consultant will, on behalf of the City, perform services necessary to assist, facilitate, and manage the progression of the Lakepointe Project, as well as represent the interests of the City.

Consultant's services will include drafting, editing, and reviewing documents; attending and running meetings; corresponding; managing other consultants; interfacing and negotiating with other agencies and lawmakers; meeting with and presenting to the Kenmore City Council; advocating for the project; and other services pertaining to the Lakepointe Project.

The Consultant will coordinate and facilitate City department and consultant involvement in the project. The Consultant shall serve as a point of contact for the Lakepointe Project.

EXHIBIT B

Rates for Services to be Provided by Consultant. The Consultant shall furnish the services in accordance with the following rates:

Munimanager will be paid \$5000 per month retainer fee. Munimanager will bill \$165 per hour against this monthly retainer amount and will provide detail invoice every month. Total monthly work is expected to be approximately 30 hours ($\$5000/\$165 = 30.3$ hours) Monthly retainer fee will be adjusted if any variations occur $\pm 20\%$ from monthly hours.

Munimanager will be allowed to charge travel time for the meetings.

EXHIBIT C

**City of Kenmore
Billing Invoice**

To: City of Kenmore
PO Box 82607
Kenmore, Washington 98028
Phone: (425) 398-8900
Fax: (425) 481-3236

Invoice Number: _____ Date of Invoice: _____

Consultant: _____

Mailing Address: _____

Telephone: () _____

Contract Period: _____ Reporting Period: _____

Amount requested this invoice: \$ _____

Attach itemized description of services provided.

Specific Program: _____

Authorized signature

For Department Use Only

BUDGET SUMMARY

Total contract amount	\$ _____
Previous payments	\$ _____
Current request	\$ _____
Balance remaining	\$ _____

Approved for Payment by: _____ Date: _____

Authorized Signature (Required)

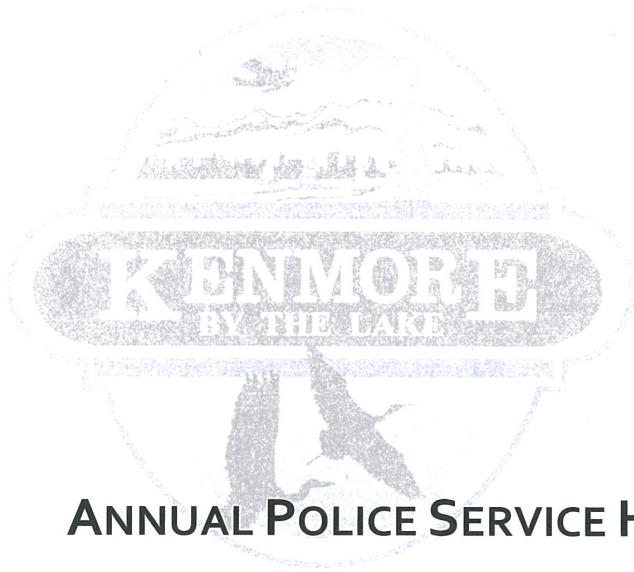
EXHIBIT D

Form W-9 (Rev. December 2014) Department of the Treasury Internal Revenue Service	Request for Taxpayer Identification Number and Certification	Give Form to the requester. Do not send to the IRS.
Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. Other (see instructions) ▶	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) Exemption from FATCA reporting code (if any) <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	
Part I Taxpayer Identification Number (TIN)		
		Social security number
		



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Annual Police Report Proposed Council Action/Motion: Review, receive, and file the 2016 Kenmore Police Report	For Council Meeting Agenda of: March 27, 2017 Department: Public Safety Prepared by: Chief Sether <u>Initial & Date</u> Approved by Department Head: _____ Approved by City Manager: <u>PJSK 3-10</u> Exhibits/Attachments: 2016 Police Report
<u>INFORMATION/BACKGROUND:</u> The 2016 Police Report is attached for City Council review. Pedestrian and bicycle safety, including the City's Target Zero goal, continues to be a priority for the Kenmore Police Department. In the spring of 2016, the City added a police motorcycle to its fleet. The police motorcycle is another tool in enforcing pedestrian and bicycle traffic safety laws. Since the motorcycle unit has become operational, Officer Deppa has logged 156 hours. He has written 184 tickets since May 2016 and will continue to make pedestrian and bicycle safety a priority. This year, I am implementing a new strategy for trail enforcement. In years past we have done the emphasis on weekends. This year I am deploying my officers randomly throughout the weekdays as well as on the weekends.	
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u> Kenmore 20-Year Vision: Kenmore is a community that supports the safety, health and welfare of all its citizens. Council Goal #1: Pedestrian and Bicycle Safety	



CITY OF KENMORE
ANNUAL POLICE SERVICE HIGHLIGHTS & DATA
2016

Provided for the Residents by:

POLICE CHIEF CLIFF SETHER, CITY OF KENMORE POLICE DEPARTMENT
18120 68th Ave NE
Kenmore, WA 98028
Phone: (206) 295-7656

City of Kenmore Administration

MAYOR	David Baker
DEPUTY MAYOR	Allan Van Ness
COUNCIL MEMBERS	Milton Curtis Stacey Denuski Brent Smith Laurie Sperry Nigel Herbig
CITY MANAGER	Rob Karlinsey
CHIEF OF POLICE	Chief Cliff Sether



From Your Police Chief

March 2017

Dear Citizens of Kenmore:

The men and women of the Kenmore Police Department are committed to providing high quality, professional law enforcement services to the citizens of Kenmore. We are dedicated to being responsive to the needs of the community. We have had an active partnership with our citizens that have embraced the philosophy of community-oriented policing and problem solving and as a result of this partnership we have seen reductions in crime and the fear of crime.



The City of Kenmore continues to operate the prescription drug drop box at City Hall, located at 18120 68 Ave NE, Kenmore. Turning in your expired or unused prescription drugs for disposal is the only secure and environmentally sound way to dispose of leftover medicines. You may drop off your medicines Monday – Friday from 9 am to 5 pm, excluding holidays, no questions asked. WE WILL NOT ACCEPT FLUIDS, NEEDLES OR INHALERS.

Every year, on the first Tuesday of August, we sponsor NNO at Kenmore City Hall, located at 18120 68 Ave Ne St. Kenmore, WA from 6:00 p.m. to 9:00 p.m. This is the time when the community comes together to promote police-community partnerships; crime, drug and violence prevention; safety; and neighborhood unity. Police officers barbecue hamburgers and hotdogs for our citizens (for FREE!). Police and fire fighting vehicles are on display for all to view and check out. Information is available for the following:

- Block watches,
- House checks,
- Personal safety,
- Fingerprinting and ID cards for kids,
- Bicycle registration cards and
- Home fire prevention.
- This is a great way to get to know some of the people that make up your community. We are looking forward to seeing you at NNO this year.

The City of Kenmore offers a house check program that is available to all Kenmore residents who are planning to be out of town for one week or longer. While you are away, a Kenmore Police Volunteer will check the exterior of your residence, several times a week; to ensure the doors and windows are secured and have not been damaged. In the event a door or window is found open or damaged, a Police Officer will be dispatched to check your residence. We will then contact either you, or a person you have designated on the form, to respond and secure the residence.

This program does not relieve any resident from taking the necessary steps to ensure their house is properly secured. Here are some helpful hints to take before leaving town:

- Contact one or two trusted neighbors or family members and let them know what your itinerary will be and give them a phone numbers to each place you plan on staying. It would be helpful to leave a key, so your neighbor or family member can access your home in case

of an emergency. If your house has an alarm give the code to them so the alarm can be deactivated if it goes off.

- You should have the Post Office hold your mail or have your neighbor/family member pick it up daily.
- You should have the newspaper stopped or have it picked up daily.
- Leaving a light on inside the house is a good idea. This can be accomplished either by plugging a lamp, or two, into a timer or have a neighbor/family member turn them on/off daily.
- Make sure your neighbor/family member takes care of the garbage, usually for the first week you're gone.
- If you are going to be gone for several weeks it's a good idea to have someone take care of your lawn.
- Make arrangements for someone to take care of your pets that are left behind and be sure to indicate what type of pet and where they are located on the property.
- If you are going to be gone for an extended time you might want to consider turning off the power and water off to your hot water heater and washing machine.

The house check forms are available on the City of Kenmore's webpage.

The Kenmore Police Department offers residential crime prevention surveys for Kenmore residents. This service is free whether you own your home, or rent it. Surveys can be conducted on houses, apartments or condominiums. The survey includes:

- ◆ A security survey of the premises.
- ◆ Information on how to make your valuables more secure.
- ◆ Tips on lighting, landscaping, door and window security, and alarms.
- ◆ Personal safety tips to make you and your family more secure.
- ◆ Information on neighborhood block watches.
- ◆ The importance of keeping an inventory of valuables.

If you are interested in setting up an appointment for a survey please contact the Kenmore Police at (206) 477-7455.

This report is a review of our performance during the year 2016. It is a compilation of statistics that portray our work and commitment to the citizens of Kenmore. I am happy to report that this year we have seen a reduction in many crime categories and will continue to work hard to make our community a safe place to live. There are a number of reasons why our crime rate has declined over the last several years, e.g. police officers actively working the crime areas of the city where repeat calls for service are generated and the arrest and incarceration of repeat offenders, just to mention a few.

We will continue to review our strategies and use innovative techniques in our ongoing efforts to reduce crime in Kenmore. We invite your comments and questions.

Sincerely,
Clifford G. Sether
Chief of Police



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About the Annual Police Service Highlights & Data Report

The Annual Police Service Highlights & Data Report contains information on the service efforts and accomplishments of the Kenmore Police Department to support its mission, goals, and objectives. The goal of the report is to keep the City of Kenmore residents, staff, administrators, and elected officials informed of police service and crime activity in the city. The report is produced by the City of Kenmore Police Department in partnership with the King County Sheriff's Office (KCSO) Research, Planning and Informational Services and Contracts Units. Questions about the report can be directed to the Kenmore chief of police.

The Police Service Highlights section gives a narrative of police efforts and year-to-year comparisons of selected crime and police service data. Most of the data in this section is taken from the Police Services Data section unless otherwise indicated as being from a difference source.

The Police Service Data section provides further detailed crime and police service data. Please note that numbers in this section may differ slightly from numbers in the Police Services Highlights due to rounding differences.

Kenmore Police Department Mission, Goals, & Core Values

Mission

The mission of the Kenmore Police Department is to prevent crime and create an environment where people feel safe, while providing quality, professional law enforcement services designed to improve public safety.

Core Values

The Kenmore Police are committed to the core values of Leadership, Integrity, Service and Teamwork. We firmly believe in our core values and let these values guide all work that we do in the community.

Goals & Objectives

In order to realize this mission, the City of Kenmore Police Department has adopted the following goals and objectives:

Goal # 1: Provide high-quality, cost-effective, and accountable services to the City of Kenmore

Objective: Provide responsive services to residents.

Objective: Provide cost-effective services to residents.

Goal # 2: Reduce crime and the fear of crime

Objective: Use information for crime analysis

Objective: Apprehend offenders

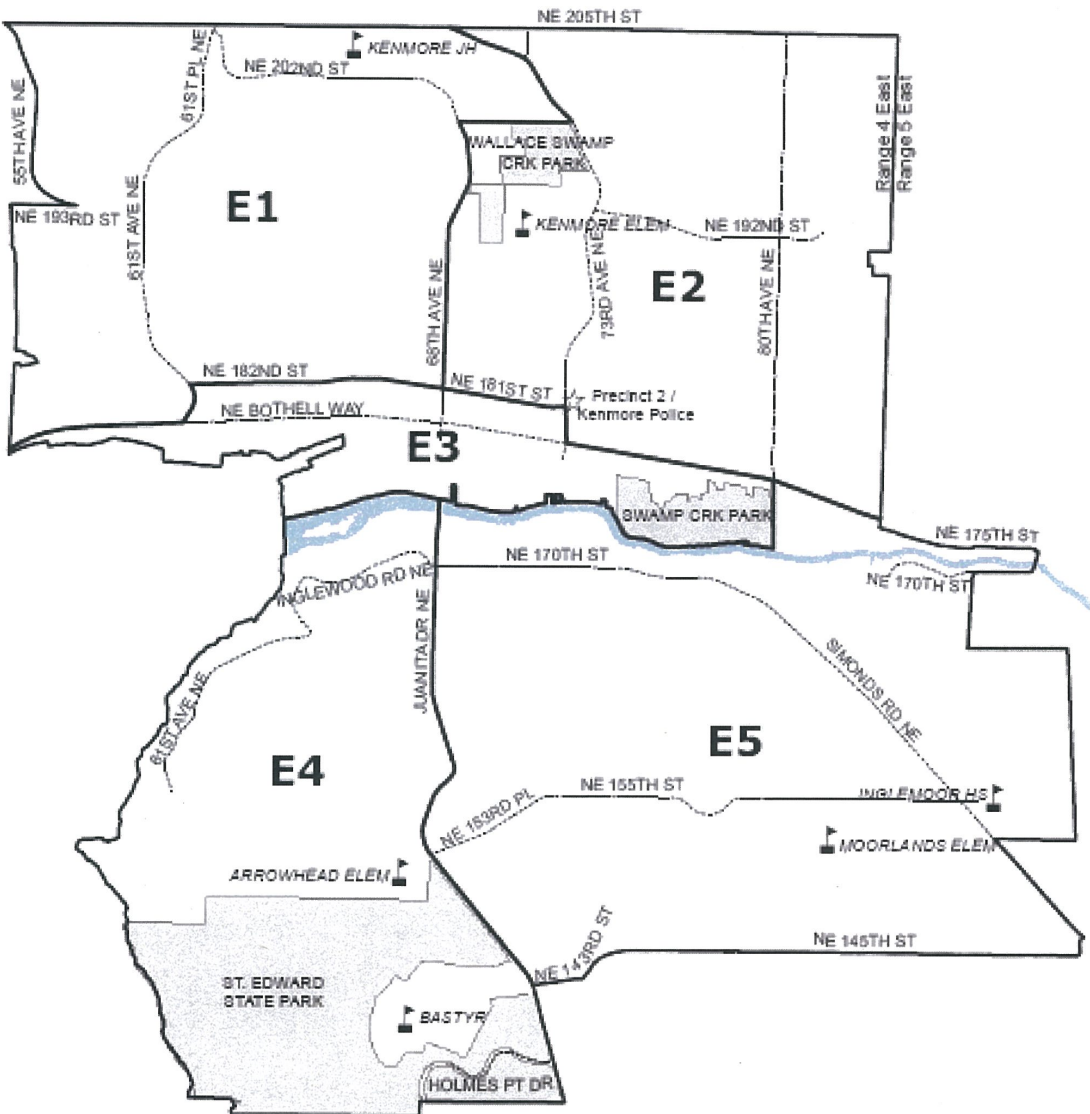
Objective: Prevent crime

Objective: Improve residents' feeling of security

Goal # 3: Increase the diversity of the workforce



City of Kenmore Patrol Districts



POLICE SERVICE HIGHLIGHTS & DATA REPORT: 2016

City of Kenmore
Police Service Highlights
2016

POLICE SERVICE HIGHLIGHTS & DATA REPORT: 2016

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City Cost Comparison

The annual police cost comparison study is conducted by the KCSO Contracts Unit. The study accounts for budget differences and may factor in (or out) certain line items in order to allow for “apples-to-apples” comparisons. Kenmore’s cost per capita here is different than the contract cost per capita, which only includes Kenmore’s law enforcement contract paid to the county.

City	2016 Police Budget	2016 Population	2016 Sworn	Cost/ Capita	Cost/ Sworn	Sworn/ 1000
Algona	\$1,323,655	3,175	7.0	\$417	\$189,094	2.20
Auburn	\$23,320,665	77,060	108.0	\$303	\$215,932	1.40
Beaux Arts	\$20,636	300	0.1	\$69	\$206,360	0.33
Bellevue	\$34,711,921	139,400	184.0	\$249	\$188,652	1.32
Black Diamond	\$1,903,300	4,305	8.0	\$442	\$237,913	1.86
Bothell	\$13,247,039	43,980	61.0	\$301	\$217,165	1.39
Burien	\$11,194,000	50,000	51.5	\$224	\$217,317	1.03
Carnation	\$497,503	1,850	2.3	\$269	\$220,134	1.22
Clyde Hill	\$1,334,779	3,060	9.0	\$436	\$148,309	2.94
Covington	\$3,788,942	18,750	18.2	\$202	\$208,298	0.97
Des Moines	\$7,868,335	30,570	33.0	\$257	\$238,434	1.08
Duvall	\$2,094,563	7,425	12.0	\$282	\$174,547	1.62
Edmonds	\$9,361,220	40,900	55.0	\$229	\$170,204	1.34
Federal Way	\$25,033,033	93,670	131.0	\$267	\$191,092	1.40
Hunts Point	\$297,425	415	1.2	\$717	\$247,854	2.89
Issaquah	\$8,348,000	34,590	37.0	\$241	\$225,622	1.07
Kenmore	\$3,300,684	22,320	16.1	\$148	\$204,503	0.72
Kent	\$32,235,879	124,500	151.0	\$259	\$213,483	1.21
Kirkland	\$21,780,797	84,680	89.0	\$257	\$244,728	1.05
Lake Forest Park	\$3,336,518	12,940	20.0	\$258	\$166,826	1.55
Lynnwood	\$13,002,111	36,590	69.0	\$355	\$188,436	1.89
Maple Valley	\$4,189,090	24,790	18.9	\$169	\$221,645	0.76
Marysville	\$13,412,833	64,940	61.0	\$207	\$219,883	0.94
Medina	\$2,050,148	3,165	9.0	\$648	\$227,794	2.84
Merced Island	\$6,716,706	23,660	31.0	\$284	\$216,668	1.31
Mill Creek	\$4,673,447	19,900	25.0	\$235	\$186,938	1.26
Mukilteo	\$4,492,055	21,070	28.0	\$213	\$160,431	1.33
Newcastle	\$2,076,488	11,090	10.1	\$187	\$206,001	0.91
Normandy Park	\$1,486,272	6,540	8.0	\$227	\$185,784	1.22
North Bend	\$1,473,400	6,570	8.2	\$224	\$179,683	1.25
Puyallup	\$14,899,707	39,850	58.0	\$374	\$256,892	1.46
Redmond	\$17,002,031	60,560	64.0	\$281	\$265,657	1.06
Renton	\$28,758,942	101,300	121.0	\$284	\$237,677	1.19
Sammamish	\$6,555,120	61,250	31.7	\$107	\$207,113	0.52
SeaTac	\$9,720,186	27,810	43.4	\$350	\$223,761	1.56
Seattle	\$299,838,119	686,800	1,404.0	\$437	\$213,560	2.04
Shoreline	\$12,345,306	54,990	52.4	\$225	\$235,463	0.95
Skykomish	\$30,590	200	0.1	\$153	\$218,500	0.70
Snoqualmie	\$4,217,642	13,110	17.8	\$322	\$236,946	1.36
Sumner	\$3,952,638	9,705	19.0	\$407	\$208,034	1.96
Tukwila	\$16,104,716	19,540	79.0	\$824	\$203,857	4.04
University Place	\$3,528,408	32,230	15.0	\$109	\$235,227	0.47
Woodinville	\$3,181,779	11,570	14.9	\$275	\$213,829	1.29
Yarrow Point	\$329,892	1,040	2.0	\$317	\$164,946	1.92
Partner City Averages (weighted)				\$200	\$219,083	0.91
Non-Partner City Averages (weighted)				\$337	\$212,682	1.58



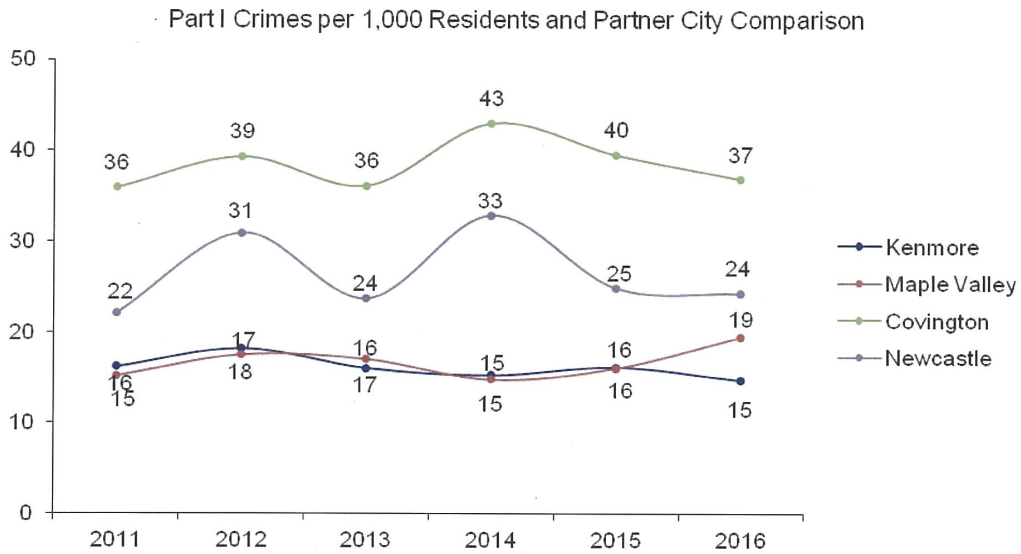
Data sources:

1. Budgets found on city websites or via city finance personnel.
2. Population is from the Office of Financial Management.

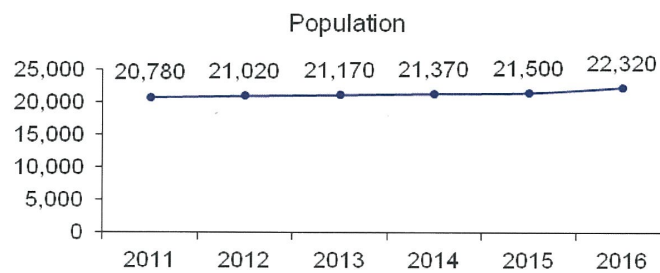


Kenmore's Crime Rate: Part I Crimes

The Crime Rate is a calculation of the number of Part I Crimes divided by population in thousands. Part I Crimes is a category of crimes established by the Federal Bureau of Investigation (FBI). It includes criminal homicide (which includes murder and non-negligent manslaughter, but excludes deaths by negligence, attempts to kill, suicides, accidental deaths, justifiable homicide, and traffic fatalities), forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.



Source: Police Services Data



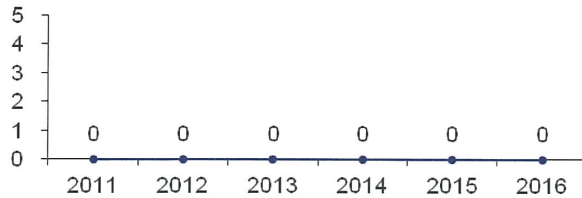
Source: Washington State Office of Financial Management



Part I Violent Crimes against People

Part I Crimes include crimes categorized as "violent crimes" or "crimes against people." The following are Kenmore's Part I Violent Crimes.

Homicide

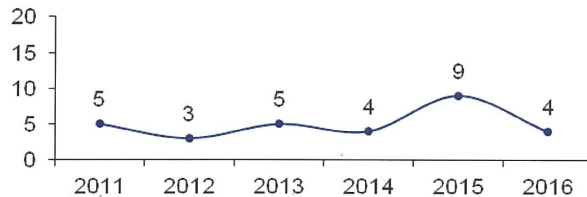


Source for all below: Police Services Data

Homicide

The willful killing of one human being by another. Includes murder and non-negligent manslaughter, justifiable homicide, and manslaughter by negligence.

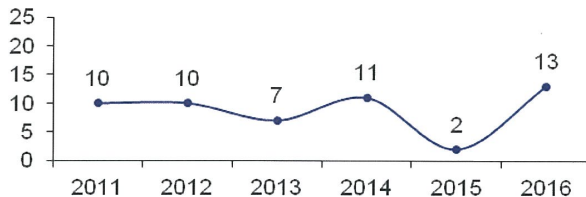
Rape



Rape

Rapes by force and attempts or assaults to rape, regardless of the age of the victim, are included in this count. Statutory offenses (no force used—victim under age of consent) are excluded.

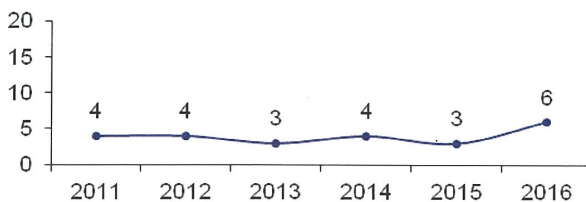
Aggravated Assault



Aggravated Assault

Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Robbery



Robbery

Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person by force, threat of force, violence, or by putting the victim in fear.

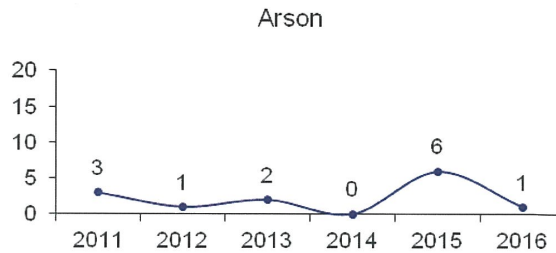


Part I Non-Violent Crimes against Property

The second group of Part I Crimes is known as "non-violent crimes," "crimes against property," or "property crimes." The following are Kenmore's Part I Crimes against Property. Information about vehicle theft, also included in this category, can be found with traffic and automobile incident information.

Arson

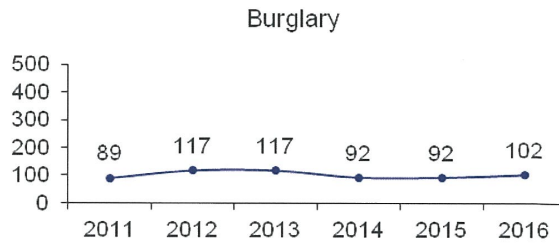
Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another.



Source for all below: Police Services Data

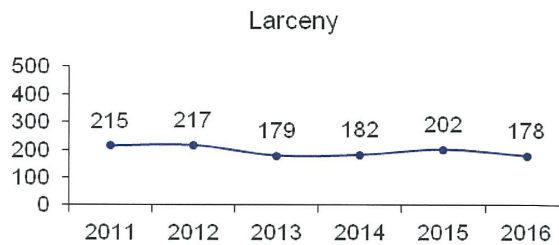
Burglary (breaking or entering)

Burglary is the unlawful entry of a commercial or residential structure with the intent to commit a crime. Attempted forcible entry is included.



Larceny (except vehicles)

Larceny is the unlawful taking, carrying, leading, or riding away of property of any value amount from the possession or constructive possession of another. Examples are thefts of bicycles, motor vehicle parts and accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, forgery, check fraud, and like crimes are excluded.

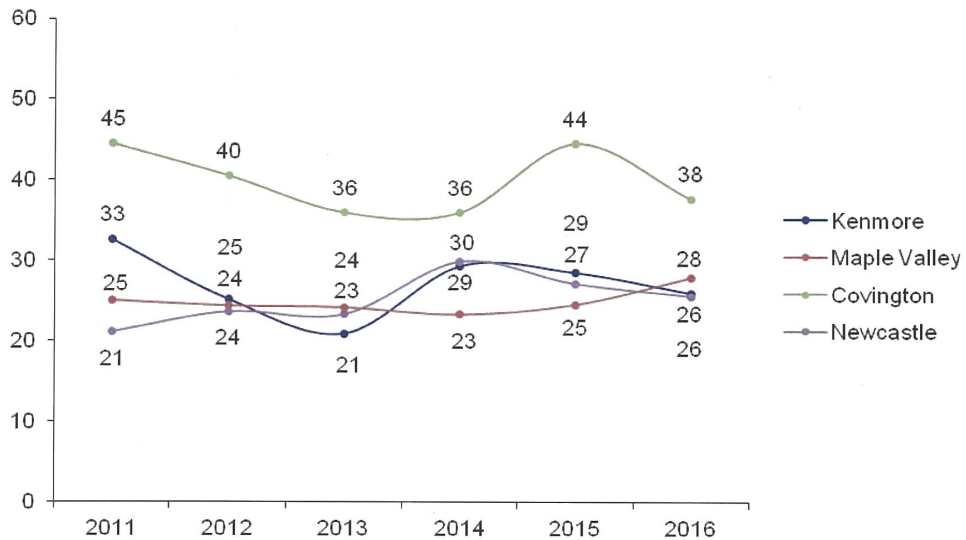


Part II Crimes

Part II Crimes are the next category of crimes after Part I Crimes. While Part I crimes are comprised of serious felonies, Part II crimes are comprised of non serious felonies and misdemeanors. Together these two types of classifications make up the crimes reported in the Uniform Crime Reports (UCR).

Part II Crimes include simple assaults, fraud, vandalism, possessing weapons, prostitution, drug offenses, driving under the influence, disorderly conduct, drunkenness, and more.

Part II Crimes per 1,000 Residents and Partner City Comparison



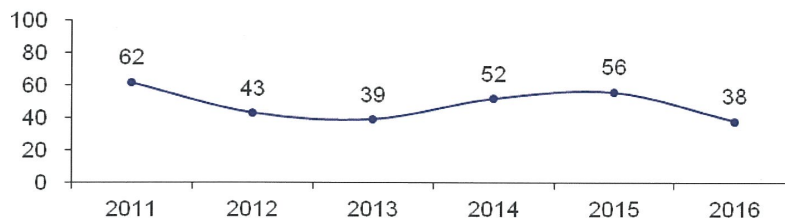
Source: Police Services Data



Domestic Violence & Driving Under the Influence Offenses

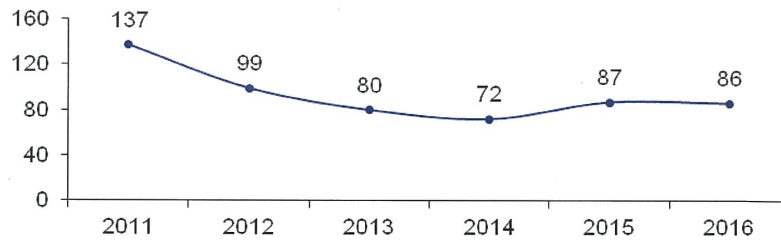
The below graphs show the last six years of data for both domestic violence offenses and driving under the influence of alcohol (DUI) offenses.

Driving Under the Influence of Alcohol (DUI) Offenses



Source: Police Services Data

Domestic Violence Offenses



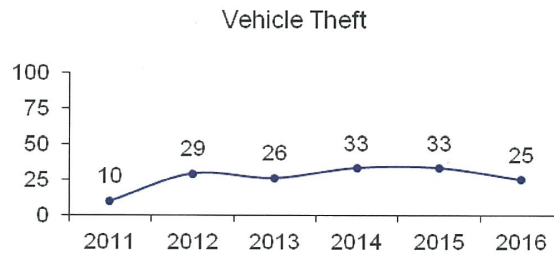
Source: Police Services Data



Traffic and Automobile Incident Information

Vehicle theft

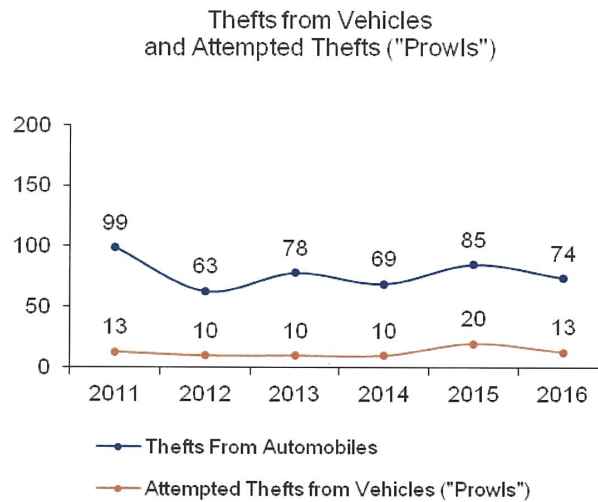
Vehicle theft is included in Part I Crimes against Property. It is the theft or attempted theft of a motor vehicle, which is defined as being self-propelled and running on a land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.



Source: Police Services Data

Thefts and Attempted Thefts ("Prowls") from Automobiles

A theft or attempted theft ("prowl") from an automobile is the act or attempted act of taking something from the inside of an automobile.

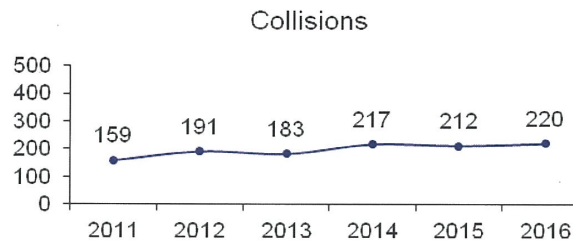


Source: Police Services Data and CAD System



Traffic Collisions

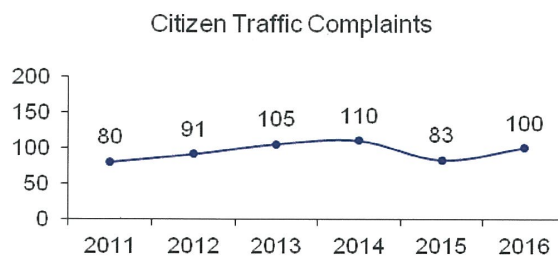
Collision information includes reports for injury, non-injury, and fatality vehicle collisions. Driving under the influence (DUI) collisions and hit-and-runs are excluded from this category.



Source: Police Services Data

Citizen Traffic Complaints

Citizen traffic complaints include all reports residents make regarding chronic traffic violations and requests for traffic enforcement. Complaints are assigned out to specific traffic enforcement units as well as patrol and are worked on a regular basis. Some complaints are resolved relatively quickly, while others become the site of on-going traffic enforcement projects.

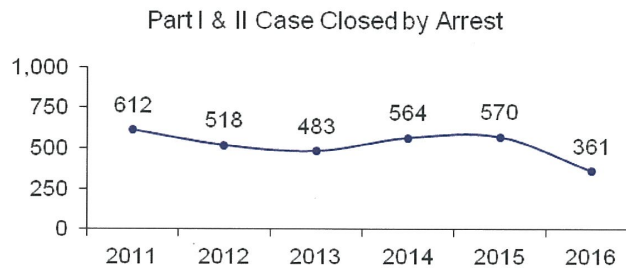


Source: Police Services Data



Part I & II Cases Closed by Arrest

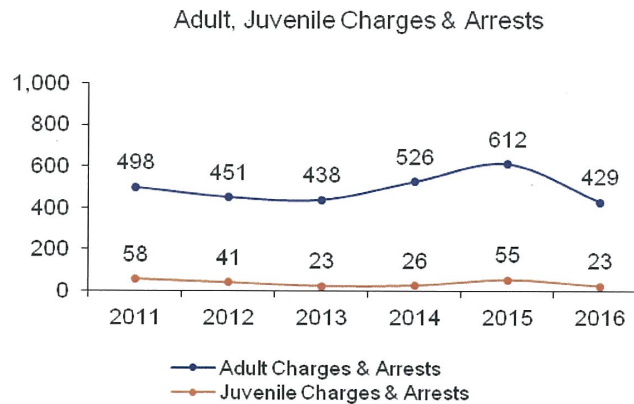
The cases below represent incidents where an officer or detective has recommended that the King County Prosecutor's Office file criminal charges against the case suspect. These criminal charges may result in an arrest or another form of punitive action, such as a citation. A prosecuting attorney is solely responsible for the decision to formally file charges and prosecute defendants.



Source: KCSO RPIS Unit

Adult and Juvenile Charges and Arrests

One or more charges can result from a single arrest. Charges also can be filed when probable cause exists against a person who may not have been arrested. The following are the total number of felony and misdemeanor charges and arrests by adult and juvenile status.



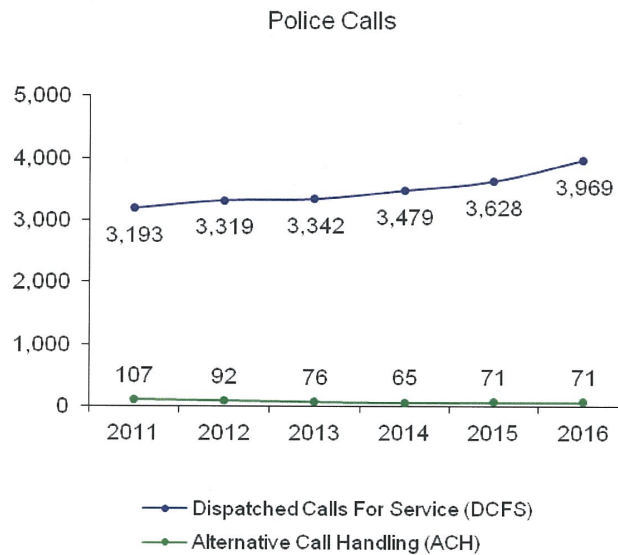
Source: Police Services Data

Calls for Police Assistance

The public receives police assistance in a variety of ways. Residents can call the Emergency 911 Communications Center to have one or more officers dispatched to the field, called a "dispatched call for service."

In addition to dispatched calls for service, 911 center operators can take certain types of reports over the phone through alternative call handling (ACH). This allows police officers more time to respond to those who need an officer present at the location of their incident.

Following are the numbers of dispatched calls for service (DCFS) and alternative call handling (ACH) incidents reported.



Source: Police Services Data and CAD



Dispatched Calls For Service (DCFS): The number of DCFS shown here includes calls that are verified to take place inside the city limits and that are charged to the city as part of its police contract. Total DCFS counts, as shown in the Police Service Data section, may be slightly higher (usually less than 5 percent higher).



Response Times to High Priority Calls

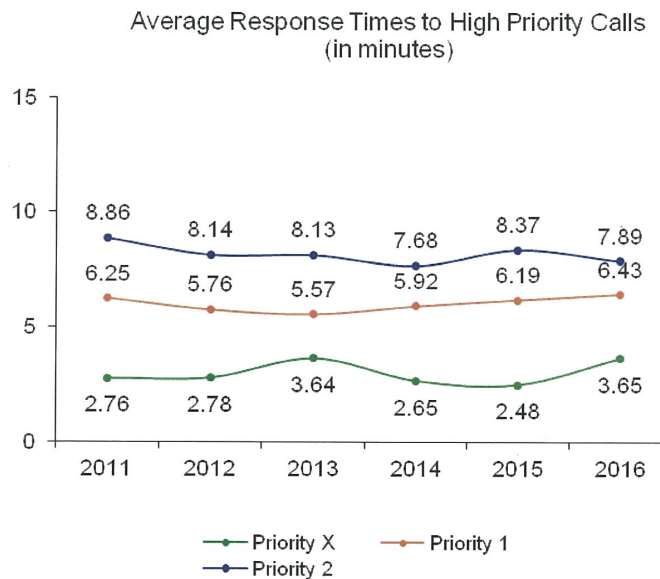
When calls for police assistance are received by the Emergency 911 Communications Center, they are entered into the Computer Aided Dispatch (CAD) system and given a "priority" based on the criteria described below. If the call receiver is in doubt as to the appropriate priority, the call is assigned the higher of the two priority designators in question.

"Priority X" designates critical dispatches. These are incidents that pose an obvious danger to the life of an officer or citizen. It is used for felony crimes in-progress where the possibility of confrontation between a victim and suspect exists. Examples include shootings, stabbings, robberies or burglaries.

"Priority 1" designates immediate dispatches. These are calls that require immediate police action. Examples include silent alarms, injury traffic accidents, in-progress crimes or crimes so recent that the suspect may still be in the immediate area.

"Priority 2" designates prompt dispatches. These are calls that could escalate to a more serious degree if not policed quickly. Examples include verbal disturbances and blocking traffic accidents.

Following are the City of Kenmore's Police response times for the above priority calls. Response times include all time from the receipt of a phone call to the moment an officer arrives at the location of the incident.



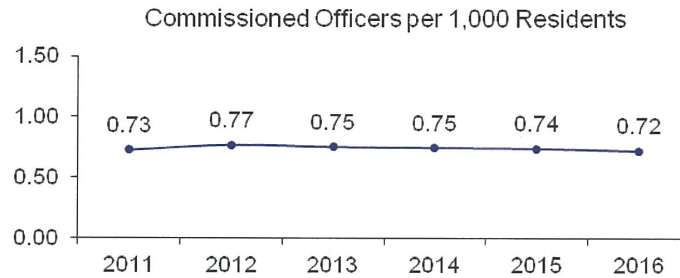
Source: Police Services Data



Computer Aided Dispatch (CAD): A computerized communication system used by emergency response agencies for dispatching and tracking calls for emergency assistance.

Commissioned Officers per 1,000 Residents

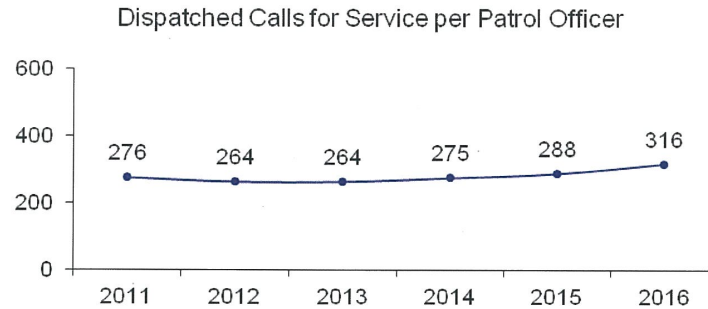
Commissioned officers per 1,000 residents shows how many commissioned police officers are employed by Kenmore for every 1,000 residents. This number includes commissioned officers who work in supervisory or other non-patrol related positions as well as special services officers who work part-time for the city. It does not include professional (i.e. non-commissioned) support staff.



Source: KCSO Contracts Unit

Dispatched Calls for Service (DCFS) per Patrol Officer

Dispatched calls for service (DCFS) per patrol officer is the average number of dispatched calls one patrol officer responds to within a year. This number uses only dispatched calls Kenmore pays for and does not include the number of responses an officer initiates (such as witnessing and responding to traffic violations, called "on views"). Also, the numbers below are *patrol only* and exclude non-patrol commissioned officers (such as supervisors or special duty officers/detectives).



Source: KCSO Contracts Unit



Costs of Police Services per Capita

The City of Kenmore contracts with the King County Sheriff's Office (KCSO) for police services. Among other benefits, contracting for services from a larger law enforcement agency allows for cost savings through "economies of scale." Specific economies of scale provided through the contract with KCSO include:

- Mutual aid agreements with other law enforcement agencies in Washington State
- A large pool of officers if back-up help is necessary
- Coverage if city officers are away
- Expertise of specialized units to assist officers
- More experienced officers to select from for city staffing
- Cost sharing throughout the department to keep city costs down

Costs for police services vary depending on a city's resources and the level and type of police services the community wants. The City of Kenmore may have additional funds or expenditures for special projects or programs as part of the city's law enforcement budget. These additional costs are not reflected in the contract cost per capita, which shows the contract cost for police services divided by Kenmore's population.

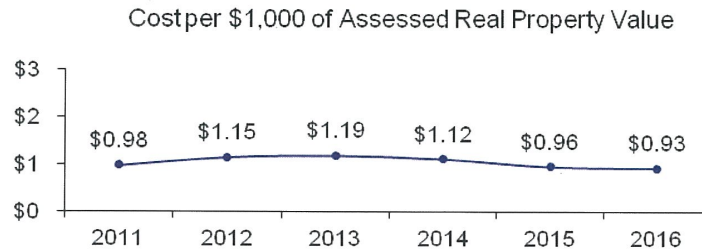


Source: KCSO Contracts Unit

**Note that the 2012 increase was due to the addition of 1 patrol officer FTE.*

Cost per \$1,000 of Assessed Real Property Value

Cost per \$1,000 of assessed real property value shows Kenmore's contract cost in relationship to the property values of Kenmore.



Source: King County Assessor's Office

City of Kenmore Police Service Data 2016



CRIME SUMMARY	1-Q	2-Q	3-Q	4-Q	YTD
TOTAL PART 1 OFFENSES	62	78	86	103	329
TOTAL PART 2 OFFENSES	136	133	169	142	580
Officers Assaulted	0	0	1	0	1
Gang Incidents	0	0	1	0	1
Part 1 Crimes DV-Related	2	0	4	1	7
Part 2 Crimes DV-Related	12	13	23	31	79
ADULT ARREST TOTAL	116	99	111	103	429

AUTO RECOVERIES	1-Q	2-Q	3-Q	4-Q	YTD
Inside / Inside	1	1	2	2	6
Outside / Inside	4	5	6	7	22

PART 1 Cases Closed/Cleared					
for the following offenses:	1-Q	2-Q	3-Q	4-Q	YTD
Homicide	0	0	0	0	0
Rape (including attempt)	1	0	0	0	1
Robbery	0	0	1	1	2
Aggravated Assault	4	0	4	2	10
Commercial Burglary	0	2	0	1	3
Residential Burglary	1	0	1	1	3
Larceny	1	1	1	3	6
Arson	1	0	0	0	1
TOTAL	8	3	7	8	26

PART 2 Cases Closed/Cleared					
for the following offenses:	1-Q	2-Q	3-Q	4-Q	YTD
Assault 4th Degree	8	4	15	14	41
Narcotics	7	1	5	4	17
Frauds	0	0	0	0	0
TOTAL	15	5	20	18	58



PART 1 OFFENSES	1-Q	2-Q	3-Q	4-Q	YTD
Assault, Hands	1	0	1	1	3
Assault, Knife	1	0	1	1	3
Assault, Firearm	2	0	3	0	5
Assault, ODW	0	1	1	0	2
HOMICIDE	0	0	0	0	0
Robbery, Bank	0	0	0	0	0
Robbery, Chain Store	0	0	0	1	1
Robbery, Commercial	0	0	0	0	0
Robbery, Gas Station	0	0	0	0	0
Robbery, Highway	0	1	2	0	3
Robbery, Miscellaneous	0	1	1	0	2
Robbery, Residence	0	0	0	0	0
Robbery, Carjack	0	0	0	0	0
Attempted Rape	0	0	0	0	0
Rape	0	2	1	1	4
Child Rape	0	0	0	0	0
Comm Burglary, FE	5	3	6	6	20
Comm Burglary, NF	0	3	1	2	6
Comm Burglary, ATT	1	0	0	0	1
Residential Burglary, FE	13	7	8	9	37
Residential Burglary, NF	4	7	4	12	27
Residential Burglary, ATT	2	2	4	3	11
Larceny	27	47	47	57	178
Vehicle Theft	6	3	4	9	22
Truck-Bus Theft	0	0	0	0	0
Other Vehicle Theft	0	0	2	1	3
Theft Boat/RV	0	0	0	0	0
Arson Confirmed	0	1	0	0	1
TOTAL PART 1 OFFENSES	62	78	86	103	329



PART 2 OFFENSES	1-Q	2-Q	3-Q	4-Q	YTD
Assault 4th Degree	14	15	20	18	67
Total Sex Offenses	5	4	4	5	18
FamilyJuvenile Offenses	19	10	27	8	64
Forgery/Fraud Offenses	10	19	23	19	71
Commercial Vice	2	0	0	0	2
Gambling, Other	0	0	0	0	0
Kidnapping	0	0	0	0	0
Weapons	0	0	0	1	1
All Other	30	31	28	24	113
Viol Crt Order (misd)	1	5	5	10	21
Viol Crt Order (felony)	0	0	3	2	5
HATE CRIMES	0	1	0	0	1
Stolen Property	0	0	0	3	3
Trespass	17	9	17	15	58
Vandalism	11	23	22	16	72
Disorderly Conduct	0	0	1	1	2
Liquor Violation	11	6	4	6	27
D U I	9	9	10	10	38
HEROIN, etc	2	0	3	2	7
SYNTHETIC NARCOTICS	4	1	2	1	8
OTHER NARCOTICS	1	0	0	1	2
MARIJUANA	0	0	0	0	0
TOTAL PART 2 OFFENSES	136	133	169	142	580



DISPATCHED CALLS FOR SERVICE					
	1-Q	2-Q	3-Q	4-Q	YTD
E1	154	182	172	202	710
E2	294	313	339	316	1262
E3	203	211	234	255	903
E4	56	58	69	66	249
E5	196	227	285	178	886
TOTAL DCFS	903	991	1099	1017	4010

AVG Response Time	1-Q	2-Q	3-Q	4-Q
Critical Dispatch X=	2.69	6.06	2.79	4.31
Immediate Dispatch 1=	6.32	6.16	7.17	5.90
Prompt Dispatch 2=	7.90	8.22	8.24	7.24
Routine Dispatch 3=	20.40	21.67	19.72	18.41

LARCENY OFFENSES	1-Q	2-Q	3-Q	4-Q	YTD
Gas	0	0	0	0	0
APA	0	3	3	2	8
Bike	3	2	8	2	15
COMD	0	0	0	0	0
NSC	4	6	12	14	36
P/P	0	0	0	0	0
P/S	0	0	0	0	0
S/L	5	2	0	9	16
TFA	9	25	20	20	74
TFB	6	9	4	10	29
TOTAL	27	47	47	57	178



ARRESTS¹					
Juvenile Arrests	1-Q	2-Q	3-Q	4-Q	YTD
Felony	0		0	2	
Misdemeanor	4		2	8	
Homicide	0	0	0	0	0
JUVENILE ARREST TOTAL	4	7	2	10	23
Adult Arrests	1-Q	2-Q	3-Q	4-Q	YTD
Felony	25		16	17	
Misdemeanor	91		95	86	
Homicide	0	0	0	0	0
ADULT ARREST TOTAL	116	99	111	103	429
Grand Total Arrests	120	106	113	113	452

¹Detailed arrests breakdown is unavailable for 2Q 2016 due to data incompatibility issues from TE software

TRAFFIC VIOLATIONS					
	1-Q	2-Q	3-Q	4-Q	YTD
TRAFFIC VIOLATIONS + CITATIONS ISSUED TOTAL	534	539	544	566	2,183

TRAFFIC ACCIDENTS/ COMPLAINTS					
	1-Q	2-Q	3-Q	4-Q	YTD
Accident, DUI [399]	1	2	2	1	6
Accident, Injury [401]	9	13	16	12	50
Accident non-Injury [402]	40	38	43	49	170
Accident, Fatal [403]	0	0	0	0	0
Hit & Run Occ. Non-Inj [406]	10	7	3	8	28
Hit & Run Unoccupied [407]	9	9	11	11	40
Hit & Run Injured [408]	0	1	1	0	2
Traffic Complaint [421]	20	27	32	21	100



TRAFFIC INFORMATION VIOLATIONS					
	1-Q	2-Q	3-Q	4-Q	YTD
Accident, D.U.I. -399	1	2	2	1	6
Abandoned Vehicle-400	29	19	28	33	109
Accident, Injury-401	9	13	16	12	50
Accident, Non-Injury-402	40	38	43	49	170
Accident, Fatal-403	0	0	0	0	0
D.U.I.-404	8	7	8	9	32
Physical Control-405	0	0	0	0	0
Hit & Run, Occu.Non-Inj-406	10	7	3	8	28
Hit & Run, Unoccupied-407	9	9	11	11	40
Hit & Run, Injury-408	0	1	1	0	2
Inc, NSC(Oth than Acci)-409	0	0	1	0	1
Motorcycle Complaint-410	0	0	0	0	0
Negligent Driving-411	3	2	0	1	6
Other Moving Violation-412	43	59	73	120	295
Defective Equipment-413	12	2	2	7	23
Other Non-Moving Vio-414	0	2	0	0	2
Off Road Veh/ATV Vio-415	0	0	0	0	0
Parking Violation-416	53	67	57	68	245
Pedestrian/Bicycle Vio-417	0	1	0	3	4
Reckless Driving-418	0	0	0	0	0
Speeding (Pace)-419	2	0	2	2	6
Speeding (Radar)-420	181	170	169	114	634
Traffic Complaint Inv-421	20	27	32	21	100
Attp to Elude -422	0	0	0	0	0
Control (Other than Fire)-423	0	0	0	0	0
Driving While License Revoked / Suspended-424	45	25	28	27	125
Operator's Lic Vio, Other-425	3	12	1	4	20
Seatbelt Violation-426	3	9	2	2	16
Vehicle License Violations-427	63	67	65	74	269
TOTAL VIOLATIONS	534	539	544	566	2,183



PART 1 CRIMES DV-RELATED OFFENSES	1-Q	2-Q	3-Q	4-Q	YTD
Assault, Hands	1	0	1	0	2
Assault, Knife	1	0	0	1	2
Assault, Firearm	0	0	2	0	2
Assault, ODW	0	0	1	0	1
HOMICIDE	0	0	0	0	0
Robbery, Bank	0	0	0	0	0
Robbery, Chain Store	0	0	0	0	0
Robbery, Commercial	0	0	0	0	0
Robbery, Gas Station	0	0	0	0	0
Robbery, Highway	0	0	0	0	0
Robbery, Miscellaneous	0	0	0	0	0
Robbery, Residence	0	0	0	0	0
Robbery, Carjack	0	0	0	0	0
Attempted Rape	0	0	0	0	0
Rape	0	0	0	0	0
Child Rape	0	0	0	0	0
Comm Burglary, FE	0	0	0	0	0
Comm Burglary, NF	0	0	0	0	0
Comm Burglary, ATT	0	0	0	0	0
Residential Burglary, FE	0	0	0	0	0
Residential Burglary, NF	0	0	0	0	0
Residential Burglary, ATT	0	0	0	0	0
Larceny, +250	0	0	0	0	0
Larceny, 0-250	0	0	0	0	0
Vehicle Theft	0	0	0	0	0
Truck-Bus Theft	0	0	0	0	0
Other Vehicle Theft	0	0	0	0	0
Theft Boat/RV	0	0	0	0	0
Arson Confirmed	0	0	0	0	0
TOTAL PT 1 DV-Related	2	0	4	1	7

PART 2 CRIMES DV-RELATED OFFENSES	1-Q	2-Q	3-Q	4-Q	YTD
Assault 4th Degree	8	6	14	15	43
Total Sex Offenses	0	0	0	1	1
FamilyJuvenile Offenses	0	0	1	0	1
Forgery/Fraud Offenses	0	0	0	0	0
Commercial Vice	0	0	0	0	0
Gambling, Other	0	0	0	0	0
Kidnapping	0	0	0	0	0
Weapons	0	0	0	0	0
All Other	2	1	0	0	3
Viol Crt Order (misd)	1	5	4	10	20
Viol Crt Order (felony)	0	0	3	2	5
HATE CRIMES	0	0	0	0	0
Stolen Property	0	0	0	0	0
Trespass	0	0	0	0	0
Vandalism	1	1	1	3	6
Disorderly Conduct	0	0	0	0	0
Liquor Violation	0	0	0	0	0
D U I	0	0	0	0	0
HEROIN, etc	0	0	0	0	0
SYNTHETIC NARCOTICS	0	0	0	0	0
OTHER NARCOTICS	0	0	0	0	0
MARIJUANA	0	0	0	0	0
TOTAL PT 2 DV-Related	12	13	23	31	79



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

Subject/Topic: Proposed City of Kenmore 2017 Requested Priorities for King County	For Council Meeting Agenda of: 27 March 2017 Department: Executive Prepared by: Nancy Ousley, Assistant City Manager <u>Initial & Date</u> Approved by Department Head: <u>Nico 16 MAR 2017</u> Approved by City Attorney: _____ Approved by Finance Director: _____ Approved by City Manager: <u>RAK 3-16-17</u>	
Proposed Council Action/Motion: Discussion and Potential Approval of City of Kenmore 2017 Requested Priorities for King County	Exhibits/Attachments: 1. Proposed 2017 Priorities for King County 2. Approved 2015 Priorities for King County	
Expenditure Required \$0	Amount Budgeted \$	Appropriation Required \$n/a
<u>INFORMATION/BACKGROUND:</u> Along with the City's State Legislative Agenda and Federal Legislative Agenda, the City of Kenmore has adopted Priorities for King County that help guide the City's intergovernmental efforts. This document also provides a concise outline for King County officials of Kenmore's issues that will likely be discussed during the year. As in previous years, transit service and commuter parking in downtown Kenmore are top issues. With the passage of Sound Transit 3 and Metro Transit planning, some of the transit level of service items mentioned in the 2015 Priorities have been addressed. The item on aquatic vegetation management in the Sammamish River and North Lake Washington has been updated, now that a plan has been developed. New issues include support for the proposed temporary use of the former King County Sheriff's Office Precinct for a temporary shelter for families and the heightened importance of introducing Water Taxi service between Kenmore and Seattle, as redevelopment plans for Lakepointe gain momentum. Kenmore is represented on the King County Council by District 1 Councilmember Rod Dembowski.		
<u>FISCAL CONSIDERATION:</u> Effective intergovernmental contacts and cooperation can help reduce the costs of dealing with the impacts to communities of regional facilities and decisions.		
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u> Council Goals on transportation safety and improvements, downtown and Lakepointe development, transit service, and watershed/water quality are addressed by the proposed Priorities for King County.		



City Of Kenmore, Washington

Kenmore Requested Priorities for King County March 2017

Transit Services and Parking

More Parking for Metro Transit Customers in Kenmore: The Metro Transit Park & Ride lots in Kenmore are brimming and spilling over into residential streets and privately owned parking areas. The downtown's Kenmore Village parking lot had served as a de facto park & ride, but this parking is now controlled and dedicated to the new property owner's projects. Though the Sound Transit 3 measure funds Bus Rapid Transit and a 300 car parking structure in Kenmore, Metro needs to acquire and/or construct additional parking for their customers as soon as possible. One suggestion is to construct a structured parking lot at the Kenmore Park & Ride and prioritize this site for Transit Oriented Development.

Water Taxi Service Expansion: King County's Water Taxi Service Area Expansion Study identified Kenmore as a top candidate for expanded service to the University of Washington and the nearby Sound Transit Station. As a regional commuter hub and a strategic north end location, Kenmore should be an ideal destination and launch point for a passenger only ferry—Kenmore's viability for Water Taxi service is even stronger now, given the progress toward the redevelopment of the Lakepointe property on Lake Washington. Water taxi service is essential to providing transportation choices for the residents and workers that will be at Lakepointe.

Increase Transit Service and Capacity on Existing Bus Routes in Kenmore: Important Kenmore bus lines were eliminated in the County's previous Metro Transit budget cuts. These routes need to be restored, and options developed in Alternate Services for paratransit services should be pursued. Additional rider capacity is needed on Metro Route 312 and 372 and Sound Transit Route 522, and the City recognizes King County's support for the additional Bus Rapid Transit and parking for the SR 522 Corridor in the Sound Transit 3 project package.

Burke Gilman Trail

More Parking for Trailhead Users: The well-used Burke Gilman Trail through Kenmore brings in a multitude of commuters who park their cars in Kenmore and ride their bicycles to work in Seattle. Their preferred parking lot is Log Boom Park which happens to be along the Burke Gilman Trail. While biking into work is laudable and encouraged, Kenmore Parks should not bear the parking burden for Burke Gilman Trail commuters. The Log Boom Park parking lot is often filled with the cars of trail commuters, leaving few or no parking space for park users.

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King County should create more vehicle parking for Burke Gilman trail users. Additional new parking opportunities include the construction of angled on-street parking along NE 175th Street near Log Boom Park and also the lease or acquisition of under-utilized privately owned parking lots in the vicinity of the trail.

Trail Beautification and Maintenance: King County Parks Department's recent landscaping improvements along the Burke Gilman Trail are noticed and appreciated. We encourage these efforts to continue. In addition, weeds in plant beds along the trail continue to be a problem. We request that more aggressive weeding and installation of native plants to keep down the weeds be made a higher priority along the Burke Gilman Trail in Kenmore.

Federal Channel Maintenance Dredging

Kenmore Navigation Channel: King County is the Local Sponsor Authority for the Kenmore Navigation Channel, which was constructed by the US Army Corps of Engineers in 1981, long before Kenmore's incorporation. We appreciate King County's partnership in advocating for long- overdue maintenance dredging of the Channel with the Corps and our Congressional Delegation.

We request King County's support for funding in the State Budget for the Washington Department of Ecology to conduct further investigation on select Kenmore locations that have had elevated levels of certain chemicals in recent sediment studies. This investigation may help identify the source of the chemicals.

Sammamish River Recreational Channel: The Sammamish River Channel is also a Corps of Engineers project and King County is the Local Sponsor Authority. The Channel is very shallow near the mouth of the River and impedes recreational boat operations, including boats that use the WA Department of Fish and Wildlife Boat Launch in Kenmore. We request that King County convene the cities that border the River to identify actions that can improve river passage and other environmental features of the Sammamish River.

King County Property in Kenmore

Former King County Sheriff's Office Precinct Property: The City supports the proposed temporary use of the property for Mary's Place, a family temporary shelter. The City requests that King County abate and remove the former shooting range from the property and establish a long term plan for the use of the property, which has a key location in Kenmore's redeveloping downtown.

Property Transfers to the City of Kenmore: According to a recent inventory, there are over 20 separate properties owned by King County in the City of Kenmore that predate the City's

incorporation, including storm water facilities and Right of Way. To ensure efficient maintenance, the City requests that King County initiate transfer of those properties to the City.

Sammamish River and North Lake Washington Aquatic Environment

Riparian Health: The Sammamish River's riparian health is not acceptable. The River's super heated state and inputs from its urban surroundings have adverse impacts on salmon migration and the River's ecosystem. We request that King County take a leadership role and convene the necessary agencies, including the cities that border the River, to create and execute a plan of action to restore the health of the River. We also request that King County add the City of Kenmore as a Stakeholder/ Project Partner in discussions regarding the Willowmoor Floodplain Restoration Project, an important effort for the Sammamish River habitat.

Invasive Aquatic Weeds and Toxic Algae: The Sammamish River and north end of Lake Washington are choked with noxious invasive weeds that negatively impact ecological processes, recreation and business activities such as marine and seaplane traffic. The City of Kenmore recently submitted to the Washington State Department of Ecology an Integrated Aquatic Vegetation Management Plan (IAVMP) that recommends long term strategies for managing these noxious weeds. However, as the recipient of invasive weeds and other debris from upstream jurisdictions including King County, Kenmore cannot manage this problem alone. The City requests support from King County in the execution of the IAVMP to help manage noxious aquatic weeds and to bring together the necessary agencies to address the problem holistically.

Toxic algae is becoming a more frequent problem in the North Lake Washington, prompting recent Public Health notices to people and animals to avoid affected areas. This issue also needs King County's leadership in correcting the conditions that encourage the growth of the toxic algae.

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City Of Kenmore, Washington

Kenmore Requested Priorities for King County April 2015

Metro Transit

More Parking for Metro Transit Customers in Kenmore: The Metro Transit Park & Ride lots in Kenmore are brimming and spilling over into residential streets and privately owned parking areas. The downtown's Kenmore Village parking lot has been serving as a de facto park & ride, but this lot will no longer be available when the Kenmore Village property changes hands and is redeveloped in the very near future. Metro needs to acquire and/or construct additional parking for their customers as soon as possible. One suggestion is to construct a structured parking lot at the Kenmore Park & Ride.

Increase Bus Routes and Capacity on Existing Bus Routes in Kenmore: Important Kenmore bus lines were eliminated in the County's recent round of Metro Transit budget cuts. These routes need to be restored, and consideration of other Kenmore routes, including a pilot town-around Kenmore trolley on wheels should be explored and pursued. Additional rider capacity is needed on Metro Route 306 and Sound Transit Route 522, and we request that King County join the City in supporting the additional Sound Transit rider capacity.

Passenger Only Ferry: The City is encouraged that King County is conducting a Water Taxi Service Area Expansion Study, and we appreciate the King County Transportation Department Marine Division's decision to include Kenmore in that study. As a regional commuter hub and a strategic north end location, Kenmore should be an ideal destination and launch point for a passenger only ferry.

Burke Gilman Trail

More Parking for Trailhead Users: The well-used Burke Gilman Trail through Kenmore brings in a multitude of commuters who park their cars in Kenmore and ride their bicycles to work in Seattle. Their preferred parking lot is Log Boom Park which happens to be along the Burke Gilman Trail. While biking into work is laudable and encouraged, Kenmore Parks should not bear the parking burden for Burke Gilman Trail commuters. The Log Boom Park parking lot is often filled with the cars of trail commuters, leaving few or no parking space for park users.

King County should create more vehicle parking for Burke Gilman trail users. Additional new parking opportunities include the construction of angled on-street parking along NE 175th Street

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near Log Boom Park and also the lease or acquisition of under-utilized privately owned parking lots in the vicinity of the trail.

Trail Beautification and Maintenance: King County Parks Department's recent landscaping improvements along the Burke Gilman Trail are noticed and appreciated. We encourage these efforts to continue. In addition, weeds in plant beds along the trail continue to be a problem. We request that more aggressive weeding and installation of native plants to keep down the weeds be made a higher priority along the Burke Gilman Trail in Kenmore.

Navigation Channel Dredging

Kenmore Navigation Channel: King County is the Local Sponsor Authority for the Kenmore Navigation Channel, which was constructed by the US Army Corps of Engineers in 1981, long before Kenmore's incorporation. We appreciate King County's partnership in advocating for long- overdue maintenance dredging of the Channel with the Corps and our Congressional Delegation. We will continue that partnership in pursuing next steps, now that the sediment characterization report has been completed by the Seattle District of the Corps of Engineers and its Dredged Material Management Program.

We request King County's support for funding in the State Budget for the Washington Department of Ecology to conduct further investigation on select Kenmore locations that have had elevated levels of certain chemicals in recent sediment studies. This investigation may help identify the source of the chemicals.

Sammamish River Recreational Channel: The Sammamish River Channel is also a Corps of Engineers project and King County is the Local Sponsor Authority. The Channel is very shallow near the mouth of the River and impedes recreational boat operations, including boats that use the WA Department of Fish and Wildlife Boat Launch in Kenmore. We request that King County convene the cities that border the River to identify actions that can improve river passage and other environmental features of the Sammamish River.

Sammamish River and North Lake Washington Aquatic Environment

Riparian Health: The Sammamish River's riparian health is not acceptable. The River's super heated state and inputs from its urban surroundings have adverse impacts on salmon migration and the River's ecosystem. We request that King County take a leadership role and convene the necessary agencies, including the cities that border the River, to create and execute a plan of action to restore the health of the River. We also request that King County add the City of Kenmore as a Stakeholder/ Project Partner in discussions regarding the Willowmoor Floodplain Restoration Project, an important effort for the Sammamish River habitat.

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Invasive Aquatic Weeds and Toxic Algae: The River and north end of Lake Washington is choked with noxious invasive weeds that interfere with the ecology of the River and impede recreational boat traffic. Even kayaks and standup paddle boards are hindered by the weeds. No single city can tackle this problem along—the County, the River cities and state agencies need to work together in attacking the aquatic weed problem head on. In tandem with the Riparian Health request above, we request that King County take the lead in bringing the necessary agencies together to solve the problem of aquatic weeds in the Sammamish River and North Lake Washington.

Toxic algae is becoming a more frequent problem in the North Lake Washington, prompting recent Public Health notices to people and animals to avoid affected areas. This issue also needs King County's leadership in correcting the conditions that encourage the growth of the toxic algae.

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City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Resolution No. 17-293 Discussion of proposed revisions to Council Rules and Procedures Proposed Council Action/Motion: No action proposed at this meeting other than discussion. Action to be taken at the next meeting based on Council direction.	For Council Meeting Agenda of: March 27, 2017 Department: <u>City Manager's Office</u> Prepared by: <u>Rob Karlinsey/Janet Quinn</u> <u>Initial & Date</u> Approved by Department Head: _____ Approved by City Attorney: <u>Rod K 3/16/17 via email</u> Approved by Finance Director: _____ Approved by City Manager: <u>RJK</u> Exhibits/Attachments: Memo of Explanation Resolution No. 17-293 Attachments to Resolution: City of Kenmore Council Rules and Procedures v. A City of Kenmore Council Rules and Procedures v. B Resolution 14-238 (being incorporated into 17-293)
Expenditure Required \$N/A Amount Budgeted \$ N/A Appropriation Required \$ N/A	
<u>INFORMATION/BACKGROUND:</u> City Councilmembers determined that they wish to revise their rules and procedures for the conduct of City business and City Council meetings to include a section on Ethics and Conflicts of Interest. In addition, Resolution 14-238, Kenmore City Council Vacancy and Leave of Absence Policy & Procedure, is proposed to be incorporated into this Resolution as part of a newly adopted Council Rules and Procedures. The City Manager's office has prepared two significantly different options for gift rules for your consideration and is seeking direction from Council. Other small revisions to the Council Rules and Procedures are included as well. Resolution 17-293, previously submitted as 16-289 & incorporating 14-238. Replaces 13-215.	
<u>FISCAL CONSIDERATION:</u> N/A	
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u> This action is consistent with RCW 35A.13.170 and 35A.12.120, which require the City Council to establish the rules by which it will be governed.	



Memorandum

Date: 3/16/2017

To: Mayor Baker, Deputy Mayor VanNess, Councilmembers Smith, Sperry, Herbig, Curtis and Denuski, and Rob Karlinsey

From: Janet Quinn

Re: Resolution 17-293 Council Rules and Procedures

At the November 28, 2016 Council meeting you were presented with a draft revision of Council Rules and Procedures under Resolution 16-289. This revision included a section on Ethics and Conflicts of Interest, and questions were raised during that meeting that encouraged further review.

Some of the language in the policy that was presented at that meeting was taken from RCW 42.23 "Code of Ethics for Municipal Officers – Contract Interests," and some of the language was from RCW 42.52 "Ethics in Public Service," specifically 42.52.140 and 42.52.150 on the topic of gifts. As Rod Kaseguma stated at that meeting, RCW 42.23 governs municipal (local government) officers and employees; RCW 42.52 governs State officers and employees and isn't directly applicable to you as Councilmembers. Some of the reasons language from RCW 42.52 was incorporated into that revision included:

- 1) RCW 42.52 gives context and practical application scenarios for what is or isn't appropriate with regard to the giving or receipt of gifts—language which is absent from RCW 42.23.
- 2) Bothell policy (and incidentally, Bellevue, Kirkland and Lynnwood policies as well) also incorporates some of the language from RCW 42.52, which we felt provided helpful guidance to Councilmembers.

RCW 42.23.070(2) simply states:

No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law."

According to recent communication from Rod Kaseguma to Rob Karlinsey, "This statute has not been interpreted or applied by the Courts or the State of Washington Attorney General. Consequently, municipal officers throughout the State of Washington are expected to interpret and apply this prohibition on their own. If they interpret and apply it incorrectly, they could be liable to their respective municipalities for a penalty of \$500.00, in addition to any civil or criminal liability or penalty as may be imposed upon them by law. RCW 42.23.050. Further, their violation of this prohibition may be grounds for forfeiture of office. RCW 42.23.050."

We have received from Kelly Chelin, City Clerk, a new resolution number with a current year designation (17-293), and under that number we are presenting two options for your consideration. The first option (Version A) simply quotes RCW 42.23.070(2) and offers no further elucidation on the subject of gifts. In Rod Kaseguma's words, "...this interpretation is conservative and 'literal,' and interprets and applies the statute by its words only—that is, all gifts, regardless of value, are prohibited if they are given or received 'for a matter connected with or related to the officer's services as such an officer.'"

The second option (Version B), termed "liberal and 'broad'" by Rod Kaseguma, attempts to provide some context and guidance to Councilmembers for the application of the phrase, "for a matter connected with or related to the officer's services as such an officer." Modeled on the definitions provided by RCW 42.52.140 and 42.52.150 (similar to what the Bothell policy attempts to do), this second option provides a list of items or gifts that are presumed not to influence votes, actions or judgments of a Councilmember, with the caveat that the presumption "is rebuttable and may be overcome based on the circumstances surrounding the receipt or giving of the gift" (Version B, Section 5B14). In other words, the items or gifts in the list are presumed not to be "for a matter connected with or related to the officer's services as such an officer," as stated in RCW 42.23.070(2); that is, they are not attempts to buy or sell influence in any way.

We are putting these two options on the meeting agenda as a discussion item so that you can decide for yourselves whether one of them is desirable, or if you instead prefer to modify one of the options and provide other guidance for us. We will incorporate your decision into a final policy and bring it to you again in April as Resolution 17-293 for approval.

A few other notes on the revisions to the Council Rules and Procedures:

- 1) The revisions incorporate a separate policy entitled, "Vacancy and Leave of Absence Policy and Procedures," approved under Resolution No. 14-238. This policy is proposed to appear as Section 4. Vacancy and Leave of Absence, and is the same in both Version A and B. This policy has been modified and updated by Katherine Weber of Inslee Best.
- 2) Section 2B3b Public Meeting Citizen Comments and Section 8B4 Public Testimony Public Hearings: Language in these sections has been modified to require "city of residence" rather than "address" from those who address the Council.
- 3) Section 7A and B Executive Sessions: Because the section headings overlap, they have been rearranged and re-titled.
- 4) Section 9: Small changes to state that only rules that aren't law can be temporarily waived, and to state that current law prevails over Rules and Procedures in case of conflict.
- 5) For ease of understanding the proposed changes, we have compared the current/existing policy (with the current "Vacancy and Leave of Absence Policy and Procedures" included) with the proposed Version A, and again with the proposed Version B, to provide 2 separate redlined versions.
- 6) The comparison documents didn't format correctly. These formatting and numbering issues will be corrected for the final version brought to you in April.

Cc: Rod Kaseguma, Inslee Best
Katherine Weber, Inslee Best

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**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 17-293**

**A RESOLUTION OF THE CITY COUNCIL OF KENMORE,
WASHINGTON, ADOPTING REVISED CITY OF KENMORE
COUNCIL RULES AND PROCEDURES AND REPEALING
RESOLUTION NO. 14-238.**

WHEREAS, City Councilmembers have agreed to certain working protocols and procedures;
and

WHEREAS, RCW 35A.13.170 and 35A.12.120 require the City Council to establish rules of
procedure for the order of business and conduct of City Council meetings; and

WHEREAS, the City Council desires to adopt its revised rules and procedures to provide for a
Code of Ethics and Conflicts of Interest section and to make other modifications; and

WHEREAS, the City Council desires to have all its rules and procedures in one document,
including Vacancy and Leave of Absence policies formerly adopted by Resolution No. 14-238;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE,
WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council adopts the “City of Kenmore Council Rules and Procedures”
attached to this Resolution.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, AT A
REGULAR MEETING THEREOF THIS ____ DAY OF APRIL, 2017.

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Kelly Chelin, City Clerk

APPROVED AS TO FORM:

Rod Kaseguma, City Attorney

Version A

ATTACHMENT TO CITY OF KENMORE RESOLUTION NO. 17-293

CITY OF KENMORE
Council Rules and Procedures

Deleted: ATTACHMENT TO CITY OF KENMORE
 RESOLUTION NO.13-2151

Deleted:

Section 1. General**A. Purpose of Meetings**

City Council meetings are for the purpose of conducting city business, including but not limited to budgeting (e.g. revenues, expenditures, taxes, fees, monthly payments, capital project payments), long-range planning (e.g. vision, zoning, development, and land use) and federal and state mandates.

B. Structure of Meetings

1. All meetings shall be open to the public, except for executive sessions authorized by law (and noted in Council Rules and Procedures, Section 7, Executive Sessions) and collective bargaining sessions and related proceedings described in RCW 42.39.140(4)(a). Final action resulting from executive session discussions will be taken during a meeting open to the public as required by law.
2. Meetings will be orderly and will involve Councilmembers, City staff, consultants, and citizens, which will allow all viewpoints to be heard and considered.
1. Meetings will be called to order by the Presiding Officer, who shall be the Mayor, the Deputy Mayor in the absence of the Mayor, or a Councilmember selected by the City Council in the absence of both the Mayor and Deputy Mayor.
1. There will be 3 regular meetings per month on the 2nd, 3rd and 4th Monday evenings. If a regular meeting falls on a holiday, it will be held the next day, Tuesday, unless canceled by the City Council. There will be no regular meetings on the 1st and 5th Monday evenings. Additional meetings, which may be referred to as meetings or work or study sessions, will be scheduled as needed. Executive sessions will be scheduled as needed. Town Hall meetings will occur periodically as determined by the City Council. Retreats will be scheduled yearly, or more often if needed, when extended blocks of time are needed to set priorities and make long-term plans for the City.
1. All public meetings will be scheduled or announced, and agendas will be prepared and made available in advance as required by State law

(the Open Public Meetings Act). Meetings may be added or canceled as discussed and approved by the City Council.

1. Actions may be taken, motions may be passed, proclamations may be made, and resolutions and ordinances may be adopted at regular meetings, or at special meetings with proper notification.
2. Meeting agendas with relevant information on each topic will be available 10 days in advance whenever possible.
3. Regular meetings will be recorded by the City Clerk or designee.
4. Remote attendance and voting will be allowed as noted in Section 6.
1. Copies of all documents distributed in the Council chambers pertaining to Council business, as well as copies of all documents submitted by speakers during Citizen Comments, shall be provided to the City Clerk and distributed as necessary.

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C. Rules for Meetings

1. These rules constitute the official rules and procedures and code of conduct for the City Council.
2. In addition to these rules, the City Council shall conduct its meetings in compliance with the most current edition of Robert's Rules of Order Newly Revised (Robert's Rules). A copy shall be maintained in the office of the City Clerk.
3. Where there is a conflict between these rules and Robert's Rules, these rules shall govern. Where there is a conflict between these rules and State and federal laws, the State and federal laws shall govern.
4. In general, the City Council will follow Robert's Rules for "Formal Debate," including requiring a second for all motions and disallowing the Presiding Officer from making motions.
5. Robert's Rules of Order for "Small Boards" will be used to:
 - a. Allow the Presiding Officer to participate in debate. In general the Presiding Officer will speak after others have spoken on the topic.
 - b. Allow informal discussion before a motion is made.
 - c. Not require speakers "for" and "against" the motion to alternate.

Section 2. Order of Business Meetings

A. Call to Order

1. The Presiding Officer will call a meeting to order.
2. The Presiding Officer will request the City Clerk to call the roll of the Councilmembers. The Clerk will record the names of Councilmembers

present and absent. The Clerk will also note the time of any late arrivals and early leave takings for the record.

B. Citizen Comments

1. Members of the public may only speak during the designated Citizen Comment period, or during a scheduled public hearing or a quasi-judicial hearing (as discussed in Section 8 below).
2. No person shall address the City Council at a meeting without being recognized by the Presiding Officer.
3. The Presiding Officer will state the rules for the Citizen Comment period. This may include items such as:
 - a. Members of the public must sign the log prior to the Citizen Comment period to be allowed to speak. They are not required to sign anywhere to attend the meeting.
 - b. They must state their name and city of residence.
 - c. There is a 3-minute time limit.
 - d. It is a time for members of the public to speak on any topic(s) of their choice.
 - e. It is not a time for the Council or staff to answer questions, but exceptions can be made at the discretion of the Presiding Officer.
 - f. Comments should be addressed to the Presiding Officer and the City Council, not the audience.
 - g. If members of the public agree with the comments of previous speakers, they are encouraged to state that their comments have already been made by previous speakers.
 - h. Booing, hissing or clapping is inappropriate.
4. Each member of the public will be given 3 minutes. Suspension of this rule will require a majority vote of the Councilmembers present.
5. The Citizen Comment period will be a maximum of 30 minutes unless approved by a majority vote of the Councilmembers present. Extra time may be given at the end of the Council business meeting to hear more citizen comments.
6. No person may use the designated Citizen Comment period to support or oppose any candidate for public office.
7. The Presiding Officer will allow members of the public to return to their seats in the audience before paraphrasing and responding to their presentations.
8. There will be no two-way conversations between Councilmembers and members of the public.

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9. The Presiding Officer may direct the City Manager to follow up with members of the public on issues brought before the City Council.

C. Agenda Approval

1. The City Council shall approve the agenda.
2. Amendments may be suggested, discussed and approved.

D. Council Business Meeting

1. Each item on the agenda will be addressed in turn with staff, consultant or special speaker reports as appropriate.
2. Council will discuss the issues and take action on them as appropriate.

E. Councilmember Reports and Comments

1. Councilmembers may give reports and make comments during "Councilmember Reports and Comments."
2. Each Councilmember will have 5 minutes for reports and comments. Extra comments can be submitted in writing.
3. By majority vote of Councilmembers present at a meeting, the maximum time for any or all Councilmember reports and comments may be extended.

F. Councilmember Initiatives

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1. Councilmembers may raise new topics or issues during "Councilmember Initiatives."
2. In raising a new topic or issue, the Councilmember must present it as a concept that includes a statement of how the topic or issue relates to existing City goals or to other important Council discussions.
3. A second Councilmember must agree to discuss the new topic or issue in order for it to be discussed by the City Council.
4. The Presiding Officer will direct discussion of the new topic or issue.
5. After discussing the new topic or issue, the City Council will vote or come to consensus on whether to move the topic or issue forward as a future agenda item or as a request for action by the City Manager.

Section 3. Structure and Roles of Government

A. Council Role

1. Focus on policy matters, including but not limited to priority setting, long-range planning, budgeting, federal and State mandates, City Manager recruitment, hiring, evaluation and termination, and approval of employee positions. **The City Council will not focus on administrative issues and matters.**
2. Comply with the laws, regulations and policies affecting operation of City government.
3. Use public office for public good, not personal gain.
4. Be independent, impartial and fair in judgments and actions.
5. Conduct public deliberations and processes openly, unless legally confidential and privileged, in an atmosphere of respect and civility.
6. Monitor and understand operations of the City to be knowledgeable in order to provide policy direction.
7. Represent the City at local, State and national forums.
8. Represent the City to its citizens.
9. Notify staff in advance of meetings regarding key questions and discussion points that likely will be raised and addressed during meetings, to allow the staff time to prepare for the questions and discussions.
10. Not individually request the City Manager to initiate any action or work that will take more than 1 hour to complete, without consent of the City Council. If a Councilmember wants the City Manager to initiate action or work that will take more than 1 hour to complete, the Councilmember must ask the City Council to approve the action or work by a majority vote.
11. Interact with City staff and consultants through the City Manager, who is responsible for their duties and use of time. If a Councilmember wants City staff or consultants to accomplish actions or work, the Councilmember must make the request of the City Manager if the action or work will take 1 hour or less and of the City Council if the action or work will take more than 1 hour.
12. Access City computers at the appropriate access level. A City computer, such as an iPad, will be provided for home access if the Councilmember requests it, and it may not be used for personal business. This is preferred to the use of a Councilmember's personal computer, for risk management purposes. The City computer is the property of the City and will be returned to the City at the end of the term of office.

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B. City Manager Role

1. Serve as the primary point of contact between the City Council and City staff and consultants. The City Manager works for and serves at the will of the City Council. The City staff works for and reports to the City Manager.
2. Direct the time of City staff and resources of the City in accordance with City Council approved priorities and budgets.
3. Spend City funds per the City's adopted purchasing policies, which align with State and City laws.
4. With input from the Mayor, prepare agendas for meetings and retreats.
5. Provide timely, useful information evenly and equally to all Councilmembers.
6. Meet with each Councilmember as mutually acceptable to the City Manager and the Councilmember.
7. ~~Prepare~~ adequately for City Council meetings.
8. ~~Meet~~ with citizens as needed to solve problems and answer questions.
9. Interact with other public agencies to accomplish City Council goals and policies.

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C. Mayor Role

1. Primary roles: facilitate meetings; represent the City at local, State and national forums; and represent the City in a ceremonial capacity.
2. Keep the City Council informed of the Mayor's activities with reports during Councilmember Comments.
3. Announce in advance public presentations, ceremonies and events that the Mayor is invited to attend.
4. Bring new issues to the City Council during Council Initiatives.
5. Request other Councilmembers to attend meetings in place of the Mayor when he or she cannot attend, or to join the Mayor at such meetings to increase the City's representation.
6. At the Mayor's option, hold monthly meetings with up to two Councilmembers and the City Manager. The Mayor should attempt to rotate the participation of Councilmembers in such meetings.
7. In the event that a City Manager resigns or leaves, the Mayor will work with the City Council to find a replacement using a recruitment agency.

Section 4. Vacancy and Leave of Absence Policy & Procedure

1.0 Purpose

This section provides guidance to the City Council when a Councilmember position becomes vacant, when a Councilmember requests an extended leave of absence, and when the City Council desires to appoint a Councilmember Pro Tempore during the Councilmember's extended leave of absence.

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2.0 References

RCW 42.12 -Vacant Position.

RCW 35A.13.020 (and RCW sections cited therein) -Vacancies – Filling of Councilmember Vacancies.

RCW 35A.13.035 -Appointment of Councilmember Pro Tempore.

RCW 35A.13.065 -Pro Tempore Appointments.

RCW 42.30.110(1)(h) – Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective Office.

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RCW 42.30.060 -Prohibition on Secret Ballots.

3.0 Definitions

"Vacancy" means a resignation, recall, forfeiture, written intent to resign, permanent incapacity or death of a Councilmember.

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"Leave of absence" means a temporary interval when a Councilmember is unable to serve due to extended absence or incapacity, but expects to return to full service prior to the end of his or her term of office.

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"Permanent incapacity" means a physical or mental incapacity that is reasonably expected to prevent the Councilmember from returning to full service (including but not limited to attending consecutive regular meetings of the council) prior to the end of his or her term of office.

4.0 Leave of Absence

The remaining Councilmembers, by a simple majority vote, may grant a leave of absence to a Councilmember upon receipt and approval of a written request.

5.1 Filling of Vacancy or Appointment of Councilmember Pro Tempore

A Councilmember vacancy shall be filled according to the process described below.

After granting a leave of absence, the remaining Councilmembers, by a simple majority vote, shall select one of the following options:

1. Leave the position unfilled;
2. Appoint a Councilmember Pro Tempore without the process described below;
3. Appoint a Councilmember Pro Tempore according to the process described below; or
4. Appoint a Councilmember Pro Tempore using another process based on the circumstances at the time of the leave of absence and the needs of the City Council.

The Councilmember who is vacating his or her position, permanently or temporarily by leave of absence, ~~shall not~~ participate in the appointment process.

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6.0 Application Process

Upon a vacancy or City Council determination to appoint a Councilmember Pro Tempore, the City Council shall direct staff to begin the Councilmember application process and establish an interview and appointment schedule so that the position is filled at the earliest opportunity.

The City Clerk's Office shall prepare and submit an advertisement to the newspaper of record, with courtesy copies to all local newspapers, which announces the vacancy consistent with the requirements necessary to hold public office. This advertisement shall contain such information that the City Council deems appropriate.

The applicant must be a registered voter of the City of Kenmore, have a two-year continuous period of residency in the City of Kenmore, and hold no other public office or employment under the City of Kenmore government.

The City Clerk's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. The application form must include the question: "Is there anything in your background that would bring discredit to this city if appointed?" The application form must also require the applicant to complete and file a Washington State PDC Form F-1. The City Clerk's Office shall make the applications available at Kenmore City Hall and such other locations that the City Council directs, if any.

~~The City Clerk's Office shall distribute to all Councilmembers the applications received by the deadline.~~ The applications shall be accompanied by any additional information submitted by the applicant and obtained by the City Clerk's Office, such as

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endorsements, letters of reference and other pertinent materials.

7.1 Interview Process

The City Council will determine which applicants will be interviewed according to qualifications submitted.

The City Clerk's Office shall notify the selected applicants of the location, date and time of City Council interviews.

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Prior to the date and time of the interview, the Mayor shall accept one interview question from each Councilmember.

Prior to the interview, the City Clerk shall obtain and provide to the Councilmembers a Criminal Check for the applicant.

The applicants' order of appearance shall be determined by a random lot drawing performed by the City Clerk.

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Each interview of an applicant shall be no more than 30 minutes in length. At the interview:

- The applicant shall present his or her credentials to the City Council.
- The City Council shall ask the predetermined set of questions.
- If agreed to by the City Council, the Councilmembers may ask and receive answers to miscellaneous questions.

8.0 Voting Process

Upon completion of the interviews, Councilmembers may convene into Executive Session to discuss the qualifications of the applicants; however, all interviews, nominations and votes taken by the Councilmembers shall be in open public session.

In voting on the applicants, the City Council shall follow *Robert's Rules of Order Newly Revised*

The position shall be filled by the applicant receiving a majority vote of the remaining members of the City Council. Thus, balloting will continue until an applicant receives a majority of four votes.

At any time during the balloting process, the City Council may postpone balloting until a special or regular meeting if no applicant has received a majority of four votes.

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The Mayor shall declare the applicant receiving a majority of four votes as the new Councilmember or Councilmember Pro Tempore, and he or she shall be sworn into office at the earliest opportunity, or no later than the next regularly scheduled City Council Meeting.

9.0 Deadline for Filling Permanent Vacancies

Permanent vacancies must be filled within ninety (90) days following the occurrence of the vacancy.

10. Term of Office

The new Councilmember shall serve the remainder of the unexpired term until his or her successor takes office, pursuant to State law.

A Councilmember Pro Tempore appointed to serve during a leave of absence of a Councilmember shall serve only until such time as the Councilmember resumes his or her duties.

Section 5. Council Conduct

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A. Purpose

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This section sets forth a Code of Conduct for Councilmembers regarding ethics and conflicts of interest, and the Councilmembers' treatment of each other, City staff, City consultants, citizens, and others with whom they come into contact while representing the City.

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B. Code of Ethics and Conflicts of Interest

1. Upon election or appointment, Councilmembers should review Chapter 42.20 RCW, Misconduct of public officers; Chapter 42.23 RCW, Code of Ethics for Municipal Officers – Contract Interests; Chapter 42.30 RCW, Open Public Meetings Act; and Chapter 42.36 RCW, Appearance of Fairness Doctrine.
2. No Councilmember may use his or her position to secure special privileges or exemptions for himself, herself, or others. See RCW 42.23.070. In addition, except for incidental electronic and telephone communication, Councilmembers shall not use public resources that are not available to the public in general, such as City staff time, equipment, supplies or facilities, for other than a City purpose.
3. No Councilmember may accept employment or engage in business or professional activity that the Councilmember might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position. See RCW 42.23.070(3)
4. Councilmembers owe a fiduciary duty to the public and are required by law to maintain confidentiality with regard to certain information gained

through their official positions. Therefore, no Councilmember may disclose confidential information gained by reason of the Councilmember's position, nor may a Councilmember otherwise use such information for his or her personal gain or benefit. See RCW 42.23.070(4).

5. If a Councilmember participates in litigation contrary to an official City position or action as adopted or ratified by a majority of the City Council, the Councilmember shall recuse himself or herself and not participate in any vote, deliberation or executive session, or receive confidential information regarding further consideration or action in that matter, once litigation regarding the matter has been served or filed. The fact that a Councilmember voted in opposition or expressed in his or her official duties an opinion in opposition to the official action or position prior to the filing or service of litigation shall not, by itself, be sufficient to trigger the need for recusal or nonparticipation.

Once litigation has been served or filed, communication regarding the case with anyone other than City staff, the City Attorney or outside legal counsel involved in the litigation of the case is discouraged during the pendency of the litigation. Councilmembers shall not in their official capacity make any comment, provide any information or otherwise involve themselves in the matter without the assistance and advice of the City attorney or outside legal counsel.

6. It shall be an appearance of conflict, which must be disclosed, (1) for any Councilmember to acquire or seek to acquire an interest in property that the City is actively seeking to acquire or has stated its intent to acquire, (2) for any Councilmember to acquire or seek to acquire an interest in property that is immediately adjacent to such property, or (3) for any Councilmember to benefit personally by the City's acquisition or non-acquisition of such property.
7. No Councilmember shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of the Councilmember, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. See RCW 42.23.030. This section shall not apply in the following cases (See RCW 42.23.030):
 - a. The furnishing of utility services by the City at the same rates and on the same terms as are available to the public generally;
 - b. The designation of public depositaries for City funds;
 - c. The publication of legal notices required by law to be published by the City, upon competitive bidding or at rates not higher than prescribed by law for members of the general public; or
 - d. Any other exception provided for by law.

8. A Councilmember may not vote in the authorization, approval, or ratification of a contract in which he or she is beneficially interested even though one of the exemptions allowing the awarding of such a contract applies. See RCW 42.23.030. The interest of the Councilmember must be disclosed to the Council and noted in the official meeting minutes before the formation of the contract. See RCW 42.23.030.
9. A Councilmember is not interested in a contract, within the meaning of subsections 7 and 8 above, if the Councilmember has only a remote interest in the contract. A "remote interest" means:
 - a. That of a non-salaried officer of a nonprofit corporation.
 - b. That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
 - c. That of a landlord or tenant of a contracting party; or
 - d. That of holder of less than one percent of the shares of a corporation or cooperative which is a contracting party.
10. If a Councilmember has a remote interest in a contract, the City Council may authorize, approve or ratify the contract, despite such remote interest, provided that the following conditions are satisfied:
 - a. The Councilmember with the remote interest fully discloses the nature and extent of the interest, and the disclosure is noted in the official meeting minutes before the contract is made.
 - b. The City Council authorizes, approves, or ratifies the contract after that disclosure and notation.
 - c. The City Council's authorization, approval, or ratification is in good faith.
 - d. Where the votes of a certain number of Councilmembers are required to authorize, approve or ratify the contract, the vote requirement is met without counting the vote of the Councilmember who has the remote interest.
 - e. The Councilmember having the remote interest does not influence or attempt to influence any other Councilmember to enter into the contract.
11. Any contract made in violation of the restrictions and requirements of subsections 7 through 10 above is void and the performance thereof, in full or in part, by a contracting party shall not be the basis of any claim against the City. See RCW 42.23.050.
12. Any Councilmember violating the provisions of subsections 7 through 10 above, subsection 13 below, or RCW 42.23.070 shall be liable to the City for a penalty in the amount of five hundred dollars, in addition to

such other civil or criminal liability or penalty as may otherwise be imposed upon the Councilmember by law. See RCW 42.23.050. In addition, a violation by a Councilmember of subsections 7 through 10 above or RCW 42.23.070 may be grounds for forfeiture of his or her office. See RCW 42.23.050.

13. No Councilmember may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law. (As stated in RCW 42.23.070(2)).

C. General Courtesy Expectations

1. Be courteous, respectful, kind and professional at all times with everyone.
2. Be honest and truthful.
3. Act with integrity and in good faith.
4. Foster an environment of mutual respect for each other. Discourteous behavior, such as sidebar discussions, inflammatory language, innuendo, or negative body language, is not permitted.
5. At meetings, raise your hand to indicate a desire to speak, and then wait to be recognized by the Presiding Officer before speaking.
6. Stay on the topic being discussed for efficiency of dealing with the items on the agenda. Remarks must be germane to the topic.
7. Refrain from speaking more than twice on the same motion as stated in Robert's Rules of Order, except by consent of a majority of the Councilmembers present at the time the motion is before the City Council. During discussions prior to a motion being made, a Councilmember may request to speak more than twice.
8. Comments will be limited to 3 minutes at a time.
9. Refrain from interrupting or arguing with another Councilmember while such Councilmember has the floor except as stated in Robert's Rules of Order, such as a "point of order."
10. Refrain from criticizing in public other Councilmembers and personally attacking (verbally or in writing) other Councilmembers, the City Manager, City staff and City consultants.
11. Treat City staff in a polite and professional manner.
12. Having courtesy expectations is compatible with open and vigorous debate, with a variety of opposing opinions expressed on public issues.

D. Respect in Regard to Voting

1. Disagreement and differences of opinion are honored and respected features of government in the City.
2. When there is disagreement, discuss and clarify the issues before voting.
3. Councilmembers will be allowed one minute maximum to explain their vote during a roll call vote. This is an exception to Robert's Rules.
4. Councilmembers must not seek out members of the media to vent feelings when on the minority side of a vote. As a matter of courtesy, letters to the editor or other communication should be presented to the full City Council at a meeting prior to publication so that Councilmembers will be aware of the proposed publication.
5. Councilmembers must not engage in personal attacks against other Councilmembers who voted against the councilmember on issues.
6. After a vote on an issue, a Councilmember may state an opposing viewpoint, but must clearly state the adopted City Council position and must clarify that the Councilmember's viewpoint or opinion is the Councilmember's personal viewpoint or opinion.
7. When Councilmembers represent the City or attend meetings in an official capacity, they must support and advocate the official City position on an issue, not a personal position on the issue.

E. Prohibited Conduct

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1. The City Council recognizes the right of every Councilmember to free speech, as stated in the U.S. Constitution and as interpreted by the courts, and encourages the dissemination of a variety of opinions and ideas for discussion in a lawful manner. Laws concerning free speech are balanced by slander and libel laws.
2. The adoption of a Code of Conduct is necessary to discourage prohibited conduct as illustrated below.
3. Prohibited conduct includes, but is not limited to, the following:
 - a. Making a personal attack against a fellow Councilmember, the City Manager, or City staff as stated in Robert's Rules. "Personal attack" means an accusation against a person's character.
 - b. Acting maliciously toward a City staff member or a fellow Councilmember. "Maliciously" means acting with hostility or anger toward, or by bullying or harassing.
 - c. Modifying, revising, altering, or editing any document, report, record, or memorandum written by the City Manager, a City staff person, or other Councilmember without the author's consent or knowledge, and without clearly stating or showing the change, the date of the change, and the person making the change.

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- d. Engaging in unreasonable interruption and interference with the day-to-day business of the City. "Unreasonable interruption and interference with the day-to-day business of the City" means:
 - (i) Contacting City staff, other than as authorized by these rules or by final action of the City Council or by the City Manager, which contact materially limits a City staff member's ability to complete work assigned by the City Manager or by final action of the City Council; or
 - (ii) Causing the City Manager or a City staff member to correct or explain the Councilmember's materially inaccurate statements or conduct, which correction or explanation substantially interrupts the efficient operations of the City.
- e. Making verbal or written contact with City staff, other than a Councilmember's contact with City staff as authorized by these rules or by final action of the City Council or by the City Manager, when such contact is used or intended to impermissibly redirect, interfere with, interrupt or undermine City staff's work assignments as determined by the City Manager or by a majority vote of the City Council.
- f. Representing to citizens, other public agencies, or other persons or organizations, that the City Council will vote or act in a specific manner concerning pending litigation or legislation, or concerning any other matter that has not yet come before the City Council for final action but that will be acted upon by the City Council.
- g. Discussing or disseminating information from an executive session to anyone outside of the proper lines of authority. "Proper lines of authority" means Councilmembers, the City Manager, City staff assigned to the topic or matter, designated legal counsel, and others attending the executive session at the invitation of the City Council.
- h. Making contact, either verbally or in writing, with legal counsel representing a person or entity with whom the City has ongoing litigation or negotiations, other than as authorized by the City Manager or by majority vote of the City Council.
- i. Making verbal or written contact with State, county, regional, or city elected or appointed officials, when a Councilmember represents a position contrary to the adopted or declared position of the City or the City Council and when the Councilmember does not disclose such adopted or declared position of the City or the City Council.
- j. Taking actions and voting when there is a conflict of interest as defined in [this policy and in Chapter 42.23 RCW](#). Recusal must be used when there is a conflict of interest. [\(See Section 5, B: Code of Ethics and Conflicts of Interest\)](#)

F. Sanctions

1. The Council has power under State law to impose punishment on its members, short of removal from office, for violation of State law or Council rules.

The Council may punish a member for violation of these rules by: a verbal admonition, written reprimand, letter of no confidence, censure, expulsion from the meeting at which the conduct occurs, removal from committee memberships, and/or removal of intergovernmental duties.

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2. The Presiding Officer may give a verbal admonition.
3. Other punishments not mentioned in Section ~~5.F.-2.~~ require the affirmative vote of 5 members of the City Council.
4. A censure is a statement by 5 members of the City Council that a prohibited action has occurred.
5. A censure will be in the same form as any other Council motion or resolution. The motion must state the prohibited conduct or action.

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Section 6. Remote Attendance and Voting

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A. Purpose

Occasionally, a Councilmember will not be able to be physically present at a meeting, but will want to be involved in the discussion and/or decision on a particular agenda item. The procedure and guidelines for permitting a Councilmember to attend a meeting via speakerphone or video is contained in this section.

B. Frequency

Councilmember attendance via speakerphone or video is limited to 3 times in a calendar year, but the City Council, by majority vote, may allow additional attendance by speakerphone or video.

B. Procedure

1. At least 24 hours before the starting time of a meeting, the Councilmember must advise the City Clerk of the desire to attend via speakerphone or video to allow time for preparation of the speakerphone or video components and of the agenda items to be attended via speakerphone or video.
2. The Councilmember attending via speakerphone must be able to hear all speakers in the meeting room, and all persons in the meeting room must be able to hear the Councilmember. The video and audio

components of videoconferencing should be visible and audible to all persons in the meeting room.

1. When the particular agenda item is ready to be discussed, the Presiding Officer should state and ask for the record:
 - a. "Councilmember _____ is attending via speakerphone/video for Agenda Item No. _____ relating to _____."
 - b. "Councilmember _____, can you (see and) hear me?" (There must then be a clearly audible response in the affirmative.)
 - c. Can the City Council and City Clerk (see and) hear Councilmember _____?
2. Upon conclusion of the particular agenda item, the Presiding Officer should state: "Councilmember _____, discussion of Agenda Item No. _____ has concluded."
3. Each agenda item being attended via speakerphone or video shall be introduced and acknowledged in the same manner as set forth above.
4. After all agenda items being attended via speakerphone or video have been concluded, the Presiding Officer should state for the record:
 - a. "Councilmember _____, thank you for your attendance via speakerphone/video. The remote connection will now be terminated."
 - b. "Let the record reflect Councilmember _____'s attendance via speakerphone/video has been terminated."

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Section 7. Executive Sessions

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G. Topics for Executive Session Discussions

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The topics that may be discussed in executive sessions are set forth in RCW 42.30.110 and RCW 42.30.140. Executive session topics include, but are not limited to, the following:

- a. Acquisition of real estate when public knowledge regarding the acquisition would cause a likelihood of increased price.
- b. Consideration of the minimum price for sale or lease of City property when public knowledge regarding such consideration would cause a likelihood of decreased price.
- c. Review of negotiations on the performance of publicly bid contracts when public knowledge regarding such review would cause a likelihood of increased costs.
- d. Receipt and evaluation of complaints or charges against a public officer or employee.

Moved down [1]: Topics discussed in executive session must not be discussed outside of the executive session with anyone outside of the proper lines of authority (Councilmembers, the City Manager, and City staff assigned to the topic or matter, designated legal counsel, and others attending the executive session at the invitation of the City Council). Councilmembers shall keep all executive session information and discussions confidential to ensure that the

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- e. Evaluation of qualifications of an applicant for public employment.
- f. Review of the performance of a public employee.
- g. Discussion with legal counsel of litigation, potential litigation or pending litigation (legal counsel may attend via speakerphone or video).
- h. Discussion of collective bargaining sessions with employee organizations.
- i. Consideration of matters affecting national security.

H. Confidentiality of Executive Session Discussions

Topics discussed in executive session must not be discussed outside of the executive session with anyone outside of the proper lines of authority (Councilmembers, the City Manager, and City staff assigned to the topic or matter, designated legal counsel, and others attending the executive session at the invitation of the City Council). Councilmembers shall keep all executive session information and discussions confidential to ensure that the City's interests are not compromised.

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I. Procedure

The Presiding Officer must announce the executive session by stating: "The City Council is recessing into an executive session pursuant to RCW _____ (e.g. "RCW 42.30.110(1)(a)) regarding _____ (e.g., review of the performance of a city employee). The executive session is expected to last for _____ minutes (hours)."

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1. If the executive session is the last item on the meeting agenda, the Presiding Officer shall state whether or not the City Council will take action or take no action when the meeting reconvenes.
2. If, during the executive session, the Presiding Officer believes that the executive session will extend beyond the announced deadline, the Presiding Officer shall announce in open session the number of minutes that the executive session will be extended.
3. The Presiding Officer shall announce the conclusion of the executive session in open session by stating: "The executive session is completed."
4. At the close of the executive session or the meeting at which the executive session occurs, the Presiding Office shall complete a document recording the topic or reason and time of the executive session, including extensions.

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D. Written Material

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1. During an executive session, papers or documents may be distributed for informational purposes to the Councilmembers in attendance as part of the discussion.
2. Papers and documents that are distributed during executive sessions are to be returned to the City Manager or the Presiding Officer (if the City Manager is not in attendance), prior to the end of the executive session. No paper or document will be removed by a Councilmember from the executive session, unless the City Manager, or the Presiding Officer (if the City Manager is not in attendance), determines that the paper or document may be removed from the executive session.
3. Written notes taken by any attendee of an executive session will be treated in the same manner as a paper or document as discussed above, that is, the paper or document will be returned to the City Manager or Presiding Officer prior to the end of the executive session.
4. Councilmembers will not generate computer notes, take photos, or make recordings during an executive session.

Section 8. Public Testimony

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A. Citizen Comment Rules in Regular and Special non-Executive-Session Business Meetings are delineated in Section 2.B. above.

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B. Public Hearings

1. The Presiding Officer shall open the public hearing and ask for a City staff presentation.
2. Members of the public will be invited to provide comments.
3. Each person will be allowed to speak for 5 minutes, which is longer than the 3 minutes allowed for Citizen Comments.
4. A person who testifies shall state his or her name, city of residence and organization (if applicable).
5. Motions will not be made during the public hearing.
6. After all members of the public wishing to speak have had an adequate opportunity to speak, and the Councilmembers have had an opportunity to ask City staff questions regarding the staff presentation and/or the public comments, the Presiding Officer shall declare the public hearing closed. The City Council may by, majority vote, continue the public hearing to a stated date, time and place, and/or allow for certain written materials to be presented to the City Council for a period of time after the public hearing.

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A. Quasi-Judicial Matters

1. Council will follow Chapter 42.36 RCW for application of the "Appearance of Fairness Doctrine," which holds that quasi-judicial matters must not only be fair in practice but must also have the appearance of fairness.
2. Quasi-judicial actions involve policy application rather than policy making. The action will generally have a greater impact on specific individuals than on the entire community. In a quasi-judicial action, the City Council applies law to facts and makes a decision. Examples of quasi-judicial actions are: conditional uses, variances, rezoning of a specific site, planned unit developments, and discretionary zoning permits. Quasi-judicial actions are distinct from legislative actions, examples of which are adopting, amending or revising comprehensive, community or neighborhood plans, land use planning documents, area-wide zoning ordinances and area-wide zoning amendments.
3. The Presiding Officer will begin a quasi-judicial hearing by asking Councilmembers to place on the record any ex parte contacts with either proponents or opponents of the action. The Presiding Officer shall ask whether any person objects to participation of a Councilmember in the action, and if so, to explain the objection. If an objection is made, the Presiding Officer shall ask for input from the City Attorney.
4. The Presiding Officer, or the City Attorney at the request of the Presiding Officer, shall explain the rules and procedures for the quasi-judicial action.
1. The Presiding Officer, with the assistance of the City Attorney, will control the taking of testimony and presentation of documents, in light of the type of quasi-judicial action and applicable City rules and regulations.

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Section 9. Waiver / Effect of Waiver of Rules

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- A. These rules are adopted for the sole benefit of the City Councilmembers to assist in the orderly conduct of City Council business. These rules do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, employees and agents, or serve as the grounds for invalidation of any City Council action or decision. The City Council may, by a majority vote, temporarily waive any of these rules, unless otherwise inconsistent with applicable law.

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- B. In case of conflict between current law and these Rules and Procedures, current law shall prevail.

Version B

ATTACHMENT TO CITY OF KENMORE RESOLUTION NO. 17-293**CITY OF KENMORE**
Council Rules and ProceduresDeleted: ATTACHMENT TO CITY OF KENMORE
RESOLUTION NO.13-2151

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Section 1. General**A. Purpose of Meetings**

City Council meetings are for the purpose of conducting city business, including but not limited to budgeting (e.g. revenues, expenditures, taxes, fees, monthly payments, capital project payments), long-range planning (e.g. vision, zoning, development, and land use) and federal and state mandates.

B. Structure of Meetings

1. All meetings shall be open to the public, except for executive sessions authorized by law (and noted in Council Rules and Procedures, Section 7, Executive Sessions) and collective bargaining sessions and related proceedings described in RCW 42.39.140(4)(a). Final action resulting from executive session discussions will be taken during a meeting open to the public as required by law.
2. Meetings will be orderly and will involve Councilmembers, City staff, consultants, and citizens, which will allow all viewpoints to be heard and considered.
1. Meetings will be called to order by the Presiding Officer, who shall be the Mayor, the Deputy Mayor in the absence of the Mayor, or a Councilmember selected by the City Council in the absence of both the Mayor and Deputy Mayor.
1. There will be 3 regular meetings per month on the 2nd, 3rd and 4th Monday evenings. If a regular meeting falls on a holiday, it will be held the next day, Tuesday, unless canceled by the City Council. There will be no regular meetings on the 1st and 5th Monday evenings. Additional meetings, which may be referred to as meetings or work or study sessions, will be scheduled as needed. Executive sessions will be scheduled as needed. Town Hall meetings will occur periodically as determined by the City Council. Retreats will be scheduled yearly, or more often if needed, when extended blocks of time are needed to set priorities and make long-term plans for the City.
1. All public meetings will be scheduled or announced, and agendas will be prepared and made available in advance as required by State law (the Open Public Meetings Act). Meetings may be added or canceled as discussed and approved by the City Council.

1. Actions may be taken, motions may be passed, proclamations may be made, and resolutions and ordinances may be adopted at regular meetings, or at special meetings with proper notification.
1. Meeting agendas with relevant information on each topic will be available 10 days in advance whenever possible.
2. Regular meetings will be recorded by the City Clerk or designee.
3. Remote attendance and voting will be allowed as noted in Section 6.
1. Copies of all documents distributed in the Council chambers pertaining to Council business, as well as copies of all documents submitted by speakers during Citizen Comments, shall be provided to the City Clerk and distributed as necessary.

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C. Rules for Meetings

1. These rules constitute the official rules and procedures and code of conduct for the City Council.
2. In addition to these rules, the City Council shall conduct its meetings in compliance with the most current edition of Robert's Rules of Order Newly Revised (Robert's Rules). A copy shall be maintained in the office of the City Clerk.
3. Where there is a conflict between these rules and Robert's Rules, these rules shall govern. Where there is a conflict between these rules and State and federal laws, the State and federal laws shall govern.
4. In general, the City Council will follow Robert's Rules for "Formal Debate," including requiring a second for all motions and disallowing the Presiding Officer from making motions.
5. Robert's Rules of Order for "Small Boards" will be used to:
 - a. Allow the Presiding Officer to participate in debate. In general the Presiding Officer will speak after others have spoken on the topic.
 - b. Allow informal discussion before a motion is made.
 - c. Not require speakers "for" and "against" the motion to alternate.

Section 2. Order of Business Meetings

A. Call to Order

1. The Presiding Officer will call a meeting to order.
2. The Presiding Officer will request the City Clerk to call the roll of the Councilmembers. The Clerk will record the names of Councilmembers present and absent. The Clerk will also note the time of any late arrivals and early leave takings for the record.

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B. Citizen Comments

1. Members of the public may only speak during the designated Citizen Comment period, or during a scheduled public hearing or a quasi-judicial hearing (as discussed in Section 8 below).
2. No person shall address the City Council at a meeting without being recognized by the Presiding Officer.
3. The Presiding Officer will state the rules for the Citizen Comment period. This may include items such as:
 - a. Members of the public must sign the log prior to the Citizen Comment period to be allowed to speak. They are not required to sign anywhere to attend the meeting.
 - b. They must state their name and city of residence.
 - c. There is a 3-minute time limit.
 - d. It is a time for members of the public to speak on any topic(s) of their choice.
 - e. It is not a time for the Council or staff to answer questions, but exceptions can be made at the discretion of the Presiding Officer.
 - f. Comments should be addressed to the Presiding Officer and the City Council, not the audience.
 - g. If members of the public agree with the comments of previous speakers, they are encouraged to state that their comments have already been made by previous speakers.
 - h. Booing, hissing or clapping is inappropriate.
4. Each member of the public will be given 3 minutes. Suspension of this rule will require a majority vote of the Councilmembers present.
5. The Citizen Comment period will be a maximum of 30 minutes unless approved by a majority vote of the Councilmembers present. Extra time may be given at the end of the Council business meeting to hear more citizen comments.
6. No person may use the designated Citizen Comment period to support or oppose any candidate for public office.
7. The Presiding Officer will allow members of the public to return to their seats in the audience before paraphrasing and responding to their presentations.
8. There will be no two-way conversations between Councilmembers and members of the public.
9. The Presiding Officer may direct the City Manager to follow up with members of the public on issues brought before the City Council.

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C. Agenda Approval

1. The City Council shall approve the agenda.
2. Amendments may be suggested, discussed and approved.

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D. Council Business Meeting

1. Each item on the agenda will be addressed in turn with staff, consultant or special speaker reports as appropriate.
2. Council will discuss the issues and take action on them as appropriate.

E. Councilmember Reports and Comments

1. Councilmembers may give reports and make comments during "Councilmember Reports and Comments."
2. Each Councilmember will have 5 minutes for reports and comments. Extra comments can be submitted in writing.
3. By majority vote of Councilmembers present at a meeting, the maximum time for any or all Councilmember reports and comments may be extended.

F. Councilmember Initiatives

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1. Councilmembers may raise new topics or issues during "Councilmember Initiatives."
2. In raising a new topic or issue, the Councilmember must present it as a concept that includes a statement of how the topic or issue relates to existing City goals or to other important Council discussions.
3. A second Councilmember must agree to discuss the new topic or issue in order for it to be discussed by the City Council.
4. The Presiding Officer will direct discussion of the new topic or issue.
5. After discussing the new topic or issue, the City Council will vote or come to consensus on whether to move the topic or issue forward as a future agenda item or as a request for action by the City Manager.

Section 3. Structure and Roles of Government

A. Council Role

1. Focus on policy matters, including but not limited to priority setting, long-range planning, budgeting, federal and State mandates, City Manager recruitment, hiring, evaluation and termination, and approval

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of employee positions. ~~The City Council will not focus on administrative issues and matters.~~

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2. Comply with the laws, regulations and policies affecting operation of City government.
3. Use public office for public good, not personal gain.
4. ~~Be independent, impartial and fair in judgments and actions.~~
5. Conduct public deliberations and processes openly, unless legally confidential and privileged, in an atmosphere of respect and civility.
6. Monitor and understand operations of the City to be knowledgeable in order to provide policy direction.
7. Represent the City at local, State and national forums.
8. Represent the City to its citizens.
9. Notify staff in advance of meetings regarding key questions and discussion points that likely will be raised and addressed during meetings, to allow the staff time to prepare for the questions and discussions.
10. Not individually request the City Manager to initiate any action or work that will take more than 1 hour to complete, without consent of the City Council. If a Councilmember wants the City Manager to initiate action or work that will take more than 1 hour to complete, the Councilmember must ask the City Council to approve the action or work by a majority vote.
11. Interact with City staff and consultants through the City Manager, who is responsible for their duties and use of time. If a Councilmember wants City staff or consultants to accomplish actions or work, the Councilmember must make the request of the City Manager if the action or work will take 1 hour or less and of the City Council if the action or work will take more than 1 hour.
12. Access City computers at the appropriate access level. A City computer, such as an iPad, will be provided for home access if the Councilmember requests it, and it may not be used for personal business. This is preferred to the use of a Councilmember's personal computer, for risk management purposes. The City computer is the property of the City and will be returned to the City at the end of the term of office.

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B. City Manager Role

1. Serve as the primary point of contact between the City Council and City staff and consultants. The City Manager works for and serves at the will of the City Council. The City staff works for and reports to the City Manager.
2. Direct the time of City staff and resources of the City in accordance with City Council approved priorities and budgets.
3. Spend City funds per the City's adopted purchasing policies, which align with State and City laws.
4. With input from the Mayor, prepare agendas for meetings and retreats.
5. Provide timely, useful information evenly and equally to all Councilmembers.
6. Meet with each Councilmember as mutually acceptable to the City Manager and the Councilmember.
7. Prepare adequately for City Council meetings.
8. Meet with citizens as needed to solve problems and answer questions.
9. Interact with other public agencies to accomplish City Council goals and policies.

Deleted: <#>In the event of a vacancy on the City Council, a committee consisting of 3 Councilmembers will be formed to deliberate and present a recommendation to the full Council.¶¶

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C. Mayor Role

1. Primary roles: facilitate meetings; represent the City at local, State and national forums; and represent the City in a ceremonial capacity.
2. Keep the City Council informed of the Mayor's activities with reports during Councilmember Comments.
3. Announce in advance public presentations, ceremonies and events that the Mayor is invited to attend.
4. Bring new issues to the City Council during Council Initiatives.
5. Request other Councilmembers to attend meetings in place of the Mayor when he or she cannot attend, or to join the Mayor at such meetings to increase the City's representation.
6. At the Mayor's option, hold monthly meetings with up to two Councilmembers and the City Manager. The Mayor should attempt to rotate the participation of Councilmembers in such meetings.
7. In the event that a City Manager resigns or leaves, the Mayor will work with the City Council to find a replacement using a recruitment agency.

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Section 4. Vacancy and Leave of AbsenceA. Purpose

This section provides guidance to the City Council when a Councilmember position becomes vacant, when a Councilmember requests an extended leave of absence, and when the City Council desires to appoint a Councilmember Pro Tempore during a Councilmember's extended leave of absence.

B. References

RCW 42.12 - Vacant Position

RCW 35A.13.020 (and RCW sections cited therein) - Vacancies – Filling of Councilmember Vacancies

RCW 35A.13.035 - Appointment of Councilmember Pro Tempore

RCW 35A.13.065 - Pro Tempore Appointments

RCW 42.30.110(1)(h) – Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective Office

RCW 42.30.060 - Prohibition on Secret Ballots

C. Definitions

“Vacancy,” means a resignation, recall, forfeiture, written intent to resign, permanent incapacity or death of a Councilmember.

“Leave of absence,” means a temporary interval when a Councilmember is unable to serve due to extended absence or incapacity, but expects to return to full service prior to the end of his or her term of office.

“Permanent incapacity” means a physical or mental incapacity that is reasonably expected to prevent the Councilmember from returning to full service (including but not limited to attending consecutive regular meetings of the council) prior to the end of his or her term of office.

D. Leave of Absence

The remaining Councilmembers, by a simple majority vote, may grant a leave of absence to a Councilmember upon receipt and approval of a written request.

E. Filling of Vacancy or Appointment of Councilmember Pro Tempore

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A Councilmember vacancy shall be filled according to the process described below.

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After granting a leave of absence, the remaining Councilmembers, by a simple majority vote, shall select one of the following options:

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1. Leave the position unfilled;

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2. Appoint a Councilmember Pro Tempore without the process described below;

3. Appoint a Councilmember Pro Tempore according to the process described below; or

4. Appoint a Councilmember Pro Tempore using another process based on the circumstances at the time of the leave of absence and the needs of the City Council.

The Councilmember who is vacating his or her position, permanently or temporarily by leave of absence, shall not participate in the appointment process.

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F. Application Process

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Upon a vacancy or City Council determination to appoint a Councilmember Pro Tempore, the City Council shall direct staff to begin the Councilmember application process and establish an interview and appointment schedule so that the position is filled at the earliest opportunity.

The City Clerk's Office shall prepare and submit an advertisement to the newspaper of record, with courtesy copies to all local newspapers, which announces the vacancy consistent with the requirements necessary to hold public office. This advertisement shall contain such information that the City Council deems appropriate.

The applicant must be a registered voter of the City of Kenmore, have a two-year continuous period of residency in the City of Kenmore, and hold no other public office or employment under the City of Kenmore government.

The City Clerk's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. The application form must include the question: "Is there anything in your background that would bring discredit to this city if appointed?" The application form must also require the applicant to complete and file a Washington State PDC Form F-1. The City Clerk's Office shall make the applications available at Kenmore City Hall and such other locations that the City Council directs, if any.

The City Clerk's Office shall distribute to all Councilmembers the applications received by the deadline. The applications shall be accompanied by any additional information submitted by the applicant and obtained by the City Clerk's Office, such as endorsements, letters of reference and other pertinent materials.

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G. Interview Process

The City Council will determine which applicants will be interviewed according to qualifications submitted.

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The City Clerk's Office shall notify the selected applicants of the location, date and time of City Council interviews.

Prior to the date and time of the interview, the Mayor shall accept one interview question from each Councilmember.

Prior to the interview, the City Clerk shall obtain and provide to the Councilmembers a Criminal Check for the applicant.

The applicant's order of appearance shall be determined by a random lot drawing performed by the City Clerk.

Each interview of an applicant shall be no more than 30 minutes in length. At the interview:

- The applicant shall present his or her credentials to the City Council.
- The City Council shall ask the predetermined set of questions.
- If agreed to by the City Council, Councilmembers may ask and receive answers to miscellaneous questions.

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H. Voting Process

Upon completion of the interviews, Councilmembers may convene into Executive Session to discuss the qualifications of the applicants; however, all interviews, nominations and votes taken by the Councilmembers shall be in open public session.

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In voting on the applicants, the City Council shall follow *Robert's Rules of Order Newly Revised*.

The position shall be filled by the applicant receiving a majority vote of the remaining members of the City Council. Thus, balloting will continue until an applicant receives a majority of four votes.

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At any time during the balloting process, the City Council may postpone balloting until a special or regular meeting if no applicant has received a majority of four votes.

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The Mayor shall declare the applicant receiving a majority of four votes as the new Councilmember or Councilmember Pro Tempore, and he or she shall be sworn into office at the earliest opportunity, or no later than the next regularly scheduled City Council meeting.

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I. Deadline for Filling Permanent Vacancies

Permanent vacancies must be filled within ninety (90) days following the occurrence of the vacancy.

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J. Term of Office

The new Councilmember shall serve the remainder of the unexpired term until his or her successor takes office, pursuant to State law.

A Councilmember Pro Tempore appointed to serve during a leave of absence of a Councilmember shall serve only until such time as the Councilmember resumes his or her duties.

Section 5. Council Conduct**A. Purpose**

This section sets forth a Code of Conduct for Councilmembers regarding ethics and conflicts of interest, and the Councilmembers' treatment of each other, City staff, City consultants, citizens, and others with whom they come into contact while representing the City.

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B. Code of Ethics and Conflicts of Interest

1. Upon election or appointment, Councilmembers should review Chapter 42.20 RCW, Misconduct of public officers; Chapter 42.23 RCW, Code of Ethics for Municipal Officers – Contract Interests; Chapter 42.30 RCW, Open Public Meetings Act; and Chapter 42.36 RCW, Appearance of Fairness Doctrine.
2. No Councilmember may use his or her position to secure special privileges or exemptions for himself, herself, or others. See RCW 42.23.070. In addition, except for incidental electronic and telephone communication, Councilmembers shall not use public resources that are not available to the public in general, such as City staff time, equipment, supplies or facilities, for other than a City purpose.
3. No Councilmember may accept employment or engage in business or professional activity that the Councilmember might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position. See RCW 42.23.070(3)
4. Councilmembers owe a fiduciary duty to the public and are required by law to maintain confidentiality with regard to certain information gained through their official positions. Therefore, no Councilmember may disclose confidential information gained by reason of the Councilmember's position, nor may a Councilmember otherwise use such information for his or her personal gain or benefit. See RCW 42.23.070(4).
5. If a Councilmember participates in litigation contrary to an official City position or action as adopted or ratified by a majority of the City Council, the Councilmember shall recuse himself or herself and not participate in any vote, deliberation or executive session, or receive confidential information regarding further consideration or action in that matter, once litigation regarding the matter has been served or filed. The fact that a Councilmember voted in opposition or expressed in his or her official duties an opinion in opposition to the official action

or position prior to the filing or service of litigation shall not, by itself, be sufficient to trigger the need for recusal or nonparticipation.

Once litigation has been served or filed, communication regarding the case with anyone other than City staff, the City Attorney or outside legal counsel involved in the litigation of the case is discouraged during the pendency of the litigation. Councilmembers shall not in their official capacity make any comment, provide any information or otherwise involve themselves in the matter without the assistance and advice of the City attorney or outside legal counsel.

6. It shall be an appearance of conflict, which must be disclosed, (1) for any Councilmember to acquire or seek to acquire an interest in property that the City is actively seeking to acquire or has stated its intent to acquire, (2) for any Councilmember to acquire or seek to acquire an interest in property that is immediately adjacent to such property, or (3) for any Councilmember to benefit personally by the City's acquisition or non-acquisition of such property.
7. No Councilmember shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of the Councilmember, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. See RCW 42.23.030. This section shall not apply in the following cases (See RCW 42.23.030):
 - a. The furnishing of utility services by the City at the same rates and on the same terms as are available to the public generally;
 - b. The designation of public depositories for City funds;
 - c. The publication of legal notices required by law to be published by the City, upon competitive bidding or at rates not higher than prescribed by law for members of the general public; or
 - d. Any other exception provided for by law.
8. A Councilmember may not vote in the authorization, approval, or ratification of a contract in which he or she is beneficially interested even though one of the exemptions allowing the awarding of such a contract applies. See RCW 42.23.030. The interest of the Councilmember must be disclosed to the Council and noted in the official meeting minutes before the formation of the contract. See RCW 42.23.030.
9. A Councilmember is not interested in a contract, within the meaning of subsections 7 and 8 above, if the Councilmember has only a remote interest in the contract. A "remote interest" means:
 - a. That of a non-salaried officer of a nonprofit corporation.

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- b. That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
 - c. That of a landlord or tenant of a contracting party; or
 - d. That of holder of less than one percent of the shares of a corporation or cooperative which is a contracting party.
- 10. If a Councilmember has a remote interest in a contract, the City Council may authorize, approve or ratify the contract, despite such remote interest, provided that the following conditions are satisfied:
 - a. The Councilmember with the remote interest fully discloses the nature and extent of the interest, and the disclosure is noted in the official meeting minutes before the contract is made.
 - b. The City Council authorizes, approves, or ratifies the contract after that disclosure and notation.
 - c. The City Council's authorization, approval, or ratification is in good faith.
 - d. Where the votes of a certain number of Councilmembers are required to authorize, approve or ratify the contract, the vote requirement is met without counting the vote of the Councilmember who has the remote interest.
 - e. The Councilmember having the remote interest does not influence or attempt to influence any other Councilmember to enter into the contract.
- 11. Any contract made in violation of the restrictions and requirements of subsections 7 through 10 above is void and the performance thereof, in full or in part, by a contracting party shall not be the basis of any claim against the City. See RCW 42.23.050.
- 12. Any Councilmember violating the provisions of subsections 7 through 10 above, subsection 13 below, or RCW 42.23.070 shall be liable to the City for a penalty in the amount of five hundred dollars, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the Councilmember by law. See RCW 42.23.050. In addition, a violation by a Councilmember of subsections 7 through 10 above or RCW 42.23.070 may be grounds for forfeiture of his or her office. See RCW 42.23.050.
- 13. Councilmembers shall not receive from or give to any person or entity anything of monetary value (hereafter referred to as "gifts") where the gifts have been received or given, or to a reasonable person would appear to have been received or given, with intent to give or obtain special consideration or influence as to any action by the Councilmember in his or her official capacity ("prohibited gifts");

provided, that nothing shall prohibit campaign contributions which are solicited or received and reported in accordance with applicable law.

14. The gifts listed below are presumed not to be prohibited gifts. However, this presumption is rebuttable and may be overcome based on the circumstances surrounding the receipt or giving of the gift.

- a. Unsolicited flowers, plants and floral arrangements;
- b. Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
- c. Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
- d. Unsolicited items received by a Councilmember for the purpose of evaluation or review, if the Councilmember has no personal beneficial interest in the eventual use or acquisition of the item;
- e. Informational materials and publications related to the Councilmember's performance of official duties;
- f. Food and beverages consumed at hosted receptions where attendance is related to the Councilmember's duties for the City;
- g. Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental or community organization, where attendance by the Councilmember is related to the Councilmember's duties for the City;
- h. Unsolicited gifts from dignitaries from another city, state or foreign country, as long as the Councilmember gives the gift to the City;
- i. Food and beverages on infrequent occasions in the ordinary course of meals where attendance by the Councilmember is related to the Councilmember's duties for the City; and
- j. Any gift which would have been offered or given to the Councilmember if he or she were not a Councilmember; and,
- k. Payments by a governmental or nongovernmental entity of reasonable expenses incurred by the Councilmember in connection with a speech, presentation, appearance, or trade mission made in an official capacity.

C. General Courtesy Expectations

1. Be courteous, respectful, kind and professional at all times with everyone.
2. Be honest and truthful.
3. Act with integrity and in good faith.
4. Foster an environment of mutual respect for each other. Discourteous behavior, such as sidebar discussions, inflammatory language, innuendo, or negative body language, is not permitted.
5. At meetings, raise your hand to indicate a desire to speak, and then wait to be recognized by the Presiding Officer before speaking.
6. Stay on the topic being discussed for efficiency of dealing with the items on the agenda. Remarks must be germane to the topic.
7. Refrain from speaking more than twice on the same motion as stated in Robert's Rules of Order, except by consent of a majority of the Councilmembers present at the time the motion is before the City Council. During discussions prior to a motion being made, a Councilmember may request to speak more than twice.
8. Comments will be limited to 3 minutes at a time.
9. Refrain from interrupting or arguing with another Councilmember while such Councilmember has the floor except as stated in Robert's Rules of Order, such as a "point of order."
10. Refrain from criticizing in public other Councilmembers and personally attacking (verbally or in writing) other Councilmembers, the City Manager, City staff and City consultants.
11. Treat City staff in a polite and professional manner.
12. Having courtesy expectations is compatible with open and vigorous debate, with a variety of opposing opinions expressed on public issues.

D. Respect in Regard to Voting

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1. Disagreement and differences of opinion are honored and respected features of government in the City.
2. When there is disagreement, discuss and clarify the issues before voting.
3. Councilmembers will be allowed one minute maximum to explain their vote during a roll call vote. This is an exception to Robert's Rules.
4. Councilmembers must not seek out members of the media to vent feelings when on the minority side of a vote. As a matter of courtesy, letters to the editor or other communication should be presented to the full City Council at a meeting prior to publication so that Councilmembers will be aware of the proposed publication.

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5. Councilmembers must not engage in personal attacks against other Councilmembers who voted against the councilmember on issues.
6. After a vote on an issue, a Councilmember may state an opposing viewpoint, but must clearly state the adopted City Council position and must clarify that the Councilmember's viewpoint or opinion is the Councilmember's personal viewpoint or opinion.
7. When Councilmembers represent the City or attend meetings in an official capacity, they must support and advocate the official City position on an issue, not a personal position on the issue.

E. Prohibited Conduct

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1. The City Council recognizes the right of every Councilmember to free speech, as stated in the U.S. Constitution and as interpreted by the courts, and encourages the dissemination of a variety of opinions and ideas for discussion in a lawful manner. Laws concerning free speech are balanced by slander and libel laws.
2. The adoption of a Code of Conduct is necessary to discourage prohibited conduct as illustrated below.
3. Prohibited conduct includes, but is not limited to, the following:
 - a. Making a personal attack against a fellow Councilmember, the City Manager, or City staff as stated in Robert's Rules. "Personal attack" means an accusation against a person's character.
 - b. Acting maliciously toward a City staff member or a fellow Councilmember. "Maliciously" means acting with hostility or anger toward, or by bullying or harassing.
 - c. Modifying, revising, altering, or editing any document, report, record, or memorandum written by the City Manager, a City staff person, or other Councilmember without the author's consent or knowledge, and without clearly stating or showing the change, the date of the change, and the person making the change.
 - d. Engaging in unreasonable interruption and interference with the day-to-day business of the City. "Unreasonable interruption and interference with the day-to-day business of the City" means:
 - (i) Contacting City staff, other than as authorized by these rules or by final action of the City Council or by the City Manager, which contact materially limits a City staff member's ability to complete work assigned by the City Manager or by final action of the City Council; or
 - (ii) Causing the City Manager or a City staff member to correct or explain the Councilmember's materially inaccurate

statements or conduct, which correction or explanation substantially interrupts the efficient operations of the City.

- e. Making verbal or written contact with City staff, other than a Councilmember's contact with City staff as authorized by these rules or by final action of the City Council or by the City Manager, when such contact is used or intended to impermissibly redirect, interfere with, interrupt or undermine City staff's work assignments as determined by the City Manager or by a majority vote of the City Council.
- f. Representing to citizens, other public agencies, or other persons or organizations, that the City Council will vote or act in a specific manner concerning pending litigation or legislation, or concerning any other matter that has not yet come before the City Council for final action but that will be acted upon by the City Council.
- g. Discussing or disseminating information from an executive session to anyone outside of the proper lines of authority. "Proper lines of authority" means Councilmembers, the City Manager, City staff assigned to the topic or matter, designated legal counsel, and others attending the executive session at the invitation of the City Council.
- h. Making contact, either verbally or in writing, with legal counsel representing a person or entity with whom the City has ongoing litigation or negotiations, other than as authorized by the City Manager or by majority vote of the City Council.
- i. Making verbal or written contact with State, county, regional, or city elected or appointed officials, when a Councilmember represents a position contrary to the adopted or declared position of the City or the City Council and when the Councilmember does not disclose such adopted or declared position of the City or the City Council.
- j. Taking actions and voting when there is a conflict of interest as defined in this policy and in Chapter 42.23 RCW. Recusal must be used when there is a conflict of interest. (See Section 5, B: Code of Ethics and Conflicts of Interest)

F. Sanctions

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- 1. The Council has power under State law to impose punishment on its members, short of removal from office, for violation of State law or Council rules.
- 2. The Council may punish a member for violation of these rules by: a verbal admonition, written reprimand, letter of no confidence, censure, expulsion from the meeting at which the conduct occurs, removal from committee memberships, and/or removal of intergovernmental duties.
- 3. The Presiding Officer may give a verbal admonition.

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4. Other punishments not mentioned in Section ~~5.F.-2.~~ require the affirmative vote of 5 members of the City Council.
5. A censure is a statement by 5 members of the City Council that a prohibited action has occurred.
6. A censure will be in the same form as any other Council motion or resolution. The motion must state the prohibited conduct or action.

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Section 6. Remote Attendance and Voting

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A. Purpose

Occasionally, a Councilmember will not be able to be physically present at a meeting, but will want to be involved in the discussion and/or decision on a particular agenda item. The procedure and guidelines for permitting a Councilmember to attend a meeting via speakerphone or video is contained in this section.

B. Frequency

Councilmember attendance via speakerphone or video is limited to 3 times in a calendar year, but the City Council, by majority vote, may allow additional attendance by speakerphone or video.

C. Procedure

1. At least 24 hours before the starting time of a meeting, the Councilmember must advise the City Clerk of the desire to attend via speakerphone or video to allow time for preparation of the speakerphone or video components and of the agenda items to be attended via speakerphone or video.
2. The Councilmember attending via speakerphone must be able to hear all speakers in the meeting room, and all persons in the meeting room must be able to hear the Councilmember. The video and audio components of videoconferencing should be visible and audible to all persons in the meeting room.
3. When the particular agenda item is ready to be discussed, the Presiding Officer should state and ask for the record:
 - a. "Councilmember _____ is attending via speakerphone/ video for Agenda Item No. _____, relating to _____."
 - b. "Councilmember _____, can you (see and) hear me?" (There must then be a clearly audible response in the affirmative.)
 - c. "Can the City Council and City Clerk (see and) hear Councilmember _____?"

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4. Upon conclusion of the particular agenda item, the Presiding Officer should state: "Councilmember _____, discussion of Agenda Item No. _____ has concluded."
1. Each agenda item being attended via speakerphone or video shall be introduced and acknowledged in the same manner as set forth above.
2. After all agenda items being attended via speakerphone or video have been concluded, the Presiding Officer should state for the record:
 - a. "Councilmember, _____ thank you for your attendance via speakerphone/video. The remote connection will now be terminated."
 - b. "Let the record reflect Councilmember _____'s attendance via speakerphone/video has been terminated."

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Section 7. Executive Sessions

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G. Topics for Executive Session Discussions

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The topics that may be discussed in executive sessions are set forth in RCW 42.30.110 and RCW 42.30.140. Executive session topics include, but are not limited to, the following:

- a. Acquisition of real estate when public knowledge regarding the acquisition would cause a likelihood of increased price.
- b. Consideration of the minimum price for sale or lease of City property when public knowledge regarding such consideration would cause a likelihood of decreased price.
- c. Review of negotiations on the performance of publicly bid contracts when public knowledge regarding such review would cause a likelihood of increased costs.
- d. Receipt and evaluation of complaints or charges against a public officer or employee.
- e. Evaluation of qualifications of an applicant for public employment.
- f. Review of the performance of a public employee.
- g. Discussion with legal counsel of litigation, potential litigation or pending litigation (legal counsel may attend via speakerphone or video).
- h. Discussion of collective bargaining sessions with employee organizations.
- i. Consideration of matters affecting national security.

Moved down [1]: Topics discussed in executive session must not be discussed outside of the executive session with anyone outside of the proper lines of authority (Councilmembers, the City Manager, and City staff assigned to the topic or matter, designated legal counsel, and others attending the executive session at the invitation of the City Council). Councilmembers shall keep all executive session information and discussions confidential to ensure that the

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Topics for Executive Session Discussions¶
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A. Confidentiality of Executive Session Discussions

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Topics discussed in executive session must not be discussed outside of the executive session with anyone outside of the proper lines of authority (Councilmembers, the City Manager, and City staff assigned to the topic or matter, designated legal counsel, and others attending the executive session at the invitation of the City Council). Councilmembers shall keep all executive session information and discussions confidential to ensure that the City's interests are not compromised.

Moved (insertion) [1]

B. Procedure

The Presiding Officer must announce the executive session by stating: "The City Council is recessing into an executive session pursuant to RCW _____ (e.g. "RCW 42.30.110(1)(a)) regarding _____ (e.g., review of the performance of a city employee). 2. The executive session is expected to last for _____ minutes (hours)."

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1. If the executive session is the last item on the meeting agenda, the Presiding Officer shall state whether or not the City Council will take action or take no action when the meeting reconvenes.
2. If, during the executive session, the Presiding Officer believes that the executive session will extend beyond the announced deadline, the Presiding Officer shall announce in open session the number of minutes that the executive session will be extended.
3. The Presiding Officer shall announce the conclusion of the executive session in open session by stating: "The executive session is completed."
4. At the close of the executive session or the meeting at which the executive session occurs, the Presiding Office shall complete a document recording the topic or reason and time of the executive session, including extensions.

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D. Written Material

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1. During an executive session, papers or documents may be distributed for informational purposes to the Councilmembers in attendance as part of the discussion.
2. Papers and documents that are distributed during executive sessions are to be returned to the City Manager or the Presiding Officer (if the City Manager is not in attendance), prior to the end of the executive session. No paper or document will be removed by a Councilmember from the executive session, unless the City Manager, or the Presiding Officer (if the City Manager is not in attendance), determines that the paper or document may be removed from the executive session.
3. Written notes taken by any attendee of an executive session will be treated in the same manner as a paper or document as discussed

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above, that is, the paper or document will be returned to the City Manager or Presiding Officer prior to the end of the executive session.

4. Councilmembers will not generate computer notes, take photos, or make recordings during an executive session.

#### **Section 8. Public Testimony**

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##### **A. Citizen Comment Rules in Regular and Special non-Executive-Session Business Meetings are delineated in Section 2.B. above.**

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##### **B. Public Hearings**

1. The Presiding Officer shall open the public hearing and ask for a City staff presentation.
2. Members of the public will be invited to provide comments.
3. Each person will be allowed to speak for 5 minutes, which is longer than the 3 minutes allowed for Citizen Comments.
4. A person who testifies shall state his or her name, city of residence and organization (if applicable).
5. Motions will not be made during the public hearing.
6. After all members of the public wishing to speak have had an adequate opportunity to speak, and the Councilmembers have had an opportunity to ask City staff questions regarding the staff presentation and/or the public comments, the Presiding Officer shall declare the public hearing closed. The City Council may by, majority vote, continue the public hearing to a stated date, time and place, and/or allow for certain written materials to be presented to the City Council for a period of time after the public hearing.

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##### **A. Quasi-Judicial Matters**

1. Council will follow Chapter 42.36 RCW for application of the "Appearance of Fairness Doctrine," which holds that quasi-judicial matters must not only be fair in practice but must also have the appearance of fairness.
2. Quasi-judicial actions involve policy application rather than policy making. The action will generally have a greater impact on specific individuals than on the entire community. In a quasi-judicial action, the City Council applies law to facts and makes a decision. Examples of quasi-judicial actions are: conditional uses, variances, rezoning of a specific site, planned unit developments, and discretionary zoning permits. Quasi-judicial actions are distinct from legislative actions, examples of which are adopting, amending or revising comprehensive,

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community or neighborhood plans, land use planning documents, area-wide zoning ordinances and are-wise zoning amendments.

1. The Presiding Officer will begin a quasi-judicial hearing by asking Councilmembers to place on the record any ex parte contacts with either proponents or opponents of the action. The Presiding Officer shall ask whether any person objects to participation of a Councilmember in the action, and if so, to explain the objection. If an objection is made, the Presiding Officer shall ask for input from the City Attorney.
1. The Presiding Officer, or the City Attorney at the request of the Presiding Officer, shall explain the rules and procedures for the quasi-judicial action.
1. The Presiding Officer, with the assistance of the City Attorney, will control the taking of testimony and presentation of documents, in light of the type of quasi-judicial action and applicable City rules and regulations.

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#### Section 9. Waiver / Effect of Waiver of Rules

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A. These rules are adopted for the sole benefit of the City Councilmembers to assist in the orderly conduct of City Council business. These rules do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, employees and agents, or serve as the grounds for invalidation of any City Council action or decision. The City Council may, by a majority vote, temporarily waive any of these rules, unless otherwise inconsistent with applicable law.

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B. In case of conflict between current law and these Rules and Procedures, current law shall prevail.





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

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| <p><b>Subject/Topic:</b></p> <p>Love Your City micro-grant pilot program</p><br><br><br><br><br><p><b>Proposed Council Action/Motion:</b></p> <p>Approval to pilot a micro-grant program to encourage community members to design and implement "Love Notes" in Kenmore</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p><b>For Council Meeting Agenda of:</b> 27 March 2017</p><br><p><b>Department:</b> Executive</p><br><p><b>Prepared by:</b> Leslie Harris, Community Relations Manager <i>LH</i></p><br><table style="width: 100%;"> <tr> <td style="width: 70%;"></td> <td style="text-align: right;"><u>Initial &amp; Date</u></td> </tr> <tr> <td>Approved by Department Head:</td> <td style="text-align: right;">_____</td> </tr> <tr> <td>Approved by City Attorney:</td> <td style="text-align: right;">_____</td> </tr> <tr> <td>Approved by Finance Director:</td> <td style="text-align: right;">_____</td> </tr> <tr> <td>Approved by City Manager:</td> <td style="text-align: right;"><i>RSK</i></td> </tr> </table><br><p><b>Exhibits/Attachments:</b></p> |                                          | <u>Initial &amp; Date</u> | Approved by Department Head: | _____ | Approved by City Attorney: | _____ | Approved by Finance Director: | _____ | Approved by City Manager: | <i>RSK</i> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u>Initial &amp; Date</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |                           |                              |       |                            |       |                               |       |                           |            |
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| Approved by City Attorney:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                          |                           |                              |       |                            |       |                               |       |                           |            |
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| Approved by City Manager:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <i>RSK</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                          |                           |                              |       |                            |       |                               |       |                           |            |
| <p><b>Expenditure Required</b> \$5,000</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p><b>Amount Budgeted</b> \$20,000 in the 2017/2018 biennial budget</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p><b>Appropriation Required</b> \$0</p> |                           |                              |       |                            |       |                               |       |                           |            |
| <p><b><u>INFORMATION/BACKGROUND:</u></b></p> <p>At the <i>For the Love of Kenmore</i> workshop in 2015, Kenmore businesses and individuals donated money to support a \$500 grant for the project that received the most votes. There were several great ideas presented at the workshop, including various community events, neighborhood block party, public art projects, Hank Heron stencil, t-shirt design, and others. While a few of the ideas came to fruition, additional projects may have been implemented if there was encouragement along with monetary support.</p> <p>At the <i>For the Love of Kenmore: To the Next Level</i> workshop on April 3, 2017, instead of awarding a \$500 grant to a single project, another idea is to offer a micro-grant that encourages community members to design and implement a "Love Note" in Kenmore. A micro-grant is small, one-time-only, cash awards given to community groups or others for short-term community projects. The micro-grant projects (Love Notes) are designed and implemented by the community groups (co-creators) themselves.</p> <p>This pilot program can be funded by the Community Event Sponsorship budget. Kenmore City Council allocated \$20,000 in the 2017-2018 biennial budget to support community organized events. The 2015-2016 biennial budget supported events such as the Kenmore Hydroplane Cup, Kenmore Air Seaplane Fly-In, Kenmore Waterfront Activities Fair, and others that brought the community together. City staff recommendation would be to allocate \$5,000 toward a pilot micro-grant program for 2017-2018.</p> <p>The Community Tool Box website outlines some benefits of a successful micro-grant program:</p> <ul style="list-style-type: none"> <li>• They inspire creative and innovative thinking</li> <li>• They are an excellent way to reach "hard to reach" or "yet to be reached" people, because they are awarded to groups (like parent teacher associations, scouts, neighborhood organizations) that have access to many more citizens than traditional health and human service organizations</li> <li>• Many grass-roots groups are not eligible for traditional grant funding. For example, they may not have federal tax-exempt status (a common grant requirement), or, they may not have another organization to</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                          |                           |                              |       |                            |       |                               |       |                           |            |

act as a fiscal conduit for them. Thus, micro-grants give them a chance to get hold of resources that would otherwise go only to bigger fish.

- The small amounts of money tend to discourage large agencies from applying, while encouraging smaller, innovative groups who might not otherwise respond
- Micro-grant money tends to buy products, not staff. In-kind contributions of staff time increase with micro-grant use. And having to make money go a long way forces people to bring other resources into play, thus increasing the amount of matching and volunteer projects receive.
- They can bring new partners into your efforts
- They can build political and community support

City staff is seeking City Council approval to pilot a micro-grant program to encourage community members to design and implement “Love Notes” in Kenmore. If approved, City staff will next establish micro-grant guidelines in anticipation of accepting applications later this spring. The micro-grant projects would be evaluated and selected by a city/citizen committee.

**FISCAL CONSIDERATION:**

The pilot micro-grant program can be funded by the Community Event Sponsorship budget. Kenmore City Council allocated \$20,000 in the 2017-2018 biennial budget to support community organized events.

**COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:**

Council Vision Statement: a community that fosters a sense of belonging and pride, makes use of the vast skills of its citizens, and promotes volunteerism