



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 Special & Regular Meeting Agenda
6:30 p.m., Monday, April 16, 2018
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. 6:30 p.m. POST LEGISLATIVE RECEPTION

- A. Post 2018 Legislative Session Report with the 46th District Delegation: Senator David Frockt and State Representatives Gerry Pollet and Javier Valdez. (Co-hosted with the City of Lake Forest Park)

II. 7:30 p.m. CALL MEETING TO ORDER

III. ROLL CALL

IV. FLAG SALUTE

V. AGENDA APPROVAL

VI. 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.

VII. PRESENTATION

- A. Introduction of Rebecca Range, Communications Specialist - Nancy Ousley, Assistant City Manager
- B. Introduction and Presentation by John Wilson, King County Assessor
[Agenda Item](#)

VIII. CONSENT AGENDA

- A. Total Check Numbers 39358 through 39473 in the amount of \$559,941.60.
Total Payroll/Taxes/Flexible Spending & Health Savings Account Electronic

Deposits Dated: 3/16/18 in the amount of \$97,026.19.

[Checks](#)

- B. City Council Meeting Minutes of February 26, 2018 and City Council Meeting Minutes of March 19, 2018
[2-26-2018 Minutes](#)
[3-19-18 Minutes](#)
- C. Authorize the City Manager to Execute Contract 18-C1828 with SMS Cleaning, Inc. for Janitorial Services at City Hall and the Hangar Building
[Agenda Item](#)

IX. BUSINESS AGENDA

- A. Seattle SMS Limited Partnership, a Delaware limited partnership D/B/A Verizon Wireless Franchise Agreement Presentation - Jennifer Gordon, Public Works Operations Manager
[Agenda Item](#)
- B. Report on the 2018 Legislative Session and Kenmore's Legislative Agenda - Nancy Ousley, Assistant City Manager and Shelly Helder and Briahna Murray from Gordon Thomas Honeywell Government Affairs
[Agenda Item](#)

X. STAFF REPORT

XI. COUNCILMEMBER REPORTS & COMMENTS & INITIATIVES

XII. ADJOURNMENT

Upcoming Meetings:

- A. Monday, April 23, 2018 Regular Council Meeting
Monday, April 30, 2018 Special Council Meeting (5:00 p.m. to 9:00 p.m.)
Monday, May 7, 2018 Special Council Meeting
Monday, May 14, 2018 Regular Council Meeting
Monday, May 21, 2018 Special Budget Council Meeting (5:00 p.m. to 9:00 p.m.)
Tuesday, May 22, 2018 Special Budget Council Meeting (5:00 p.m. to 9:00 p.m.)
Tuesday, May 29, 2018 Special Council Meeting

Presentation to Kenmore City Council:

Property Taxes in the Age of McCleary

John Wilson
King County Assessor



King County

We Aren't San Francisco or Vancouver



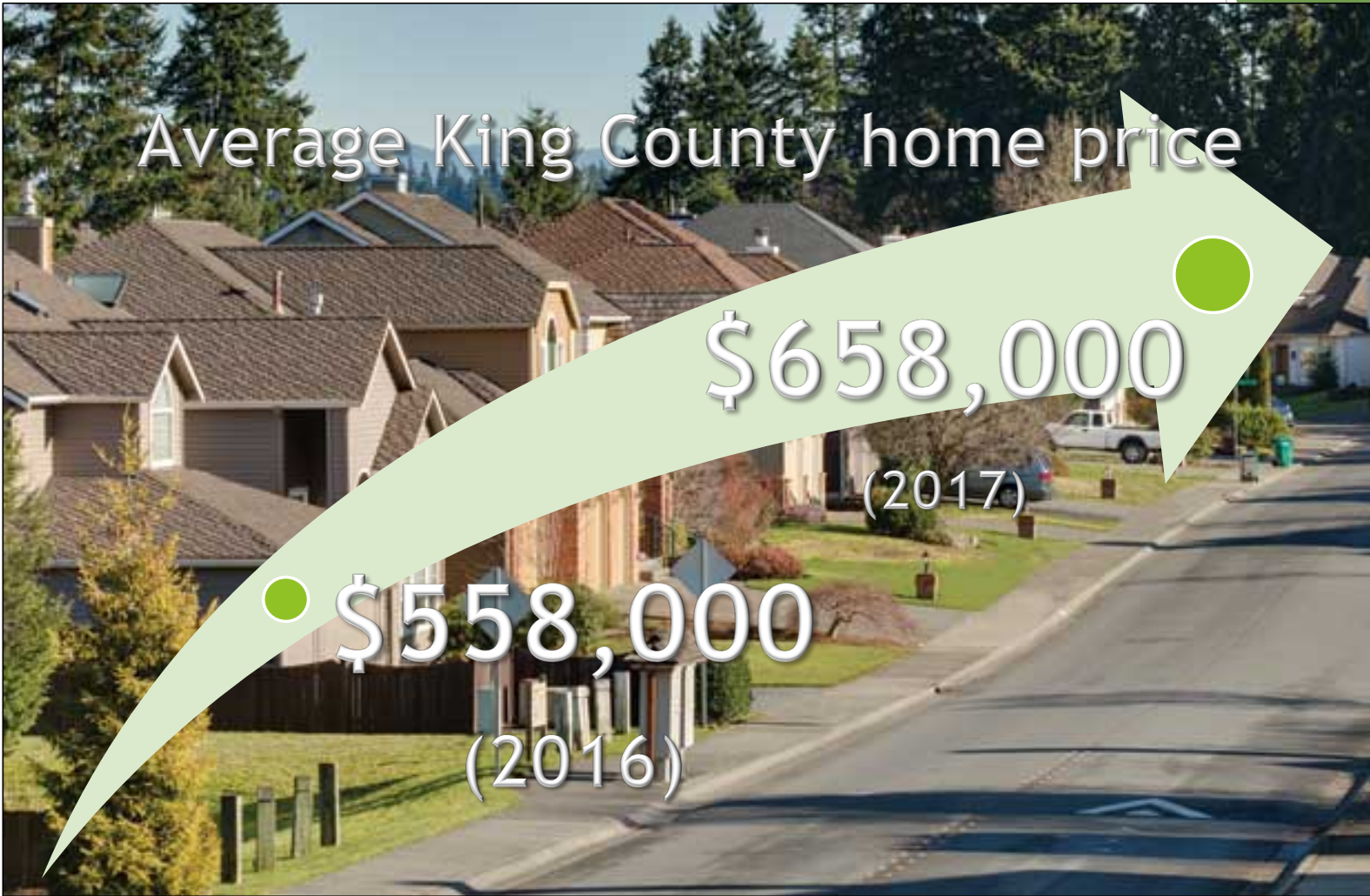


Median price in San Francisco

\$1.5 Million





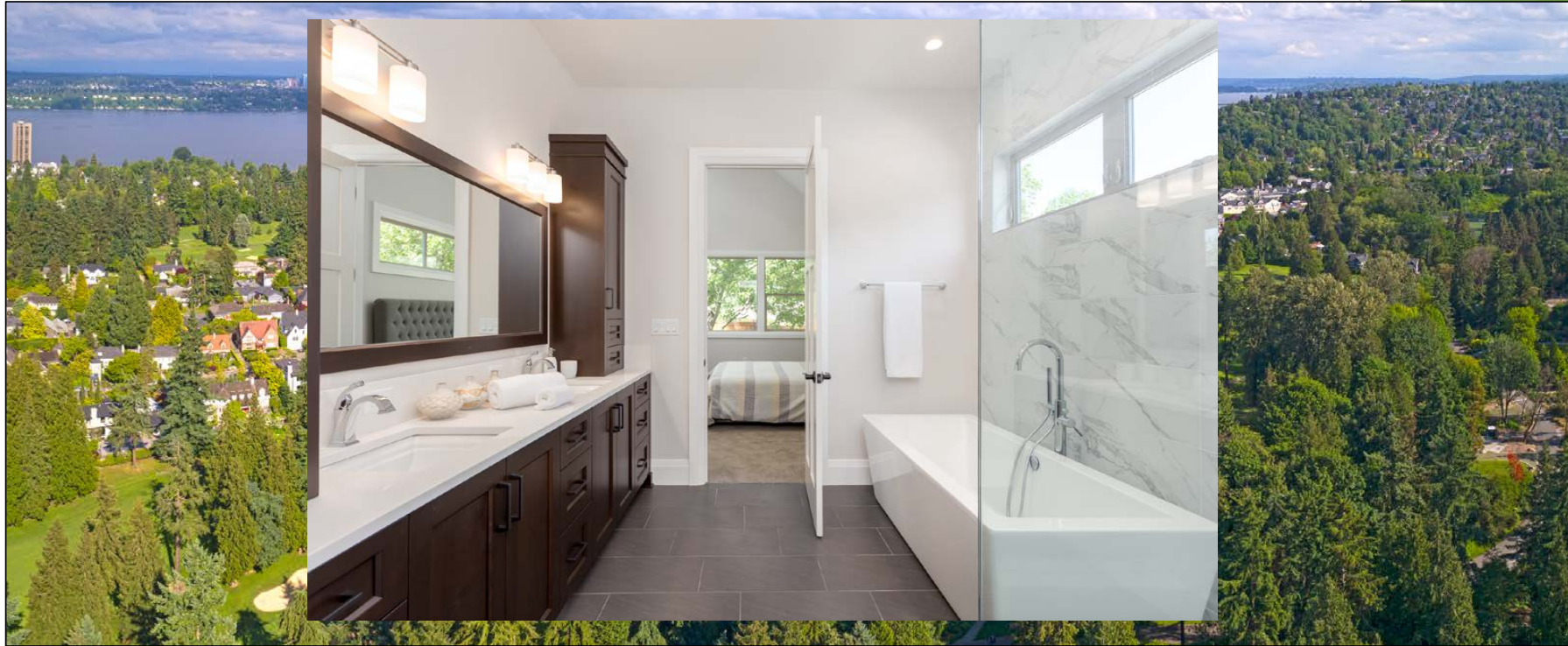


How We Do Our Job Setting Values



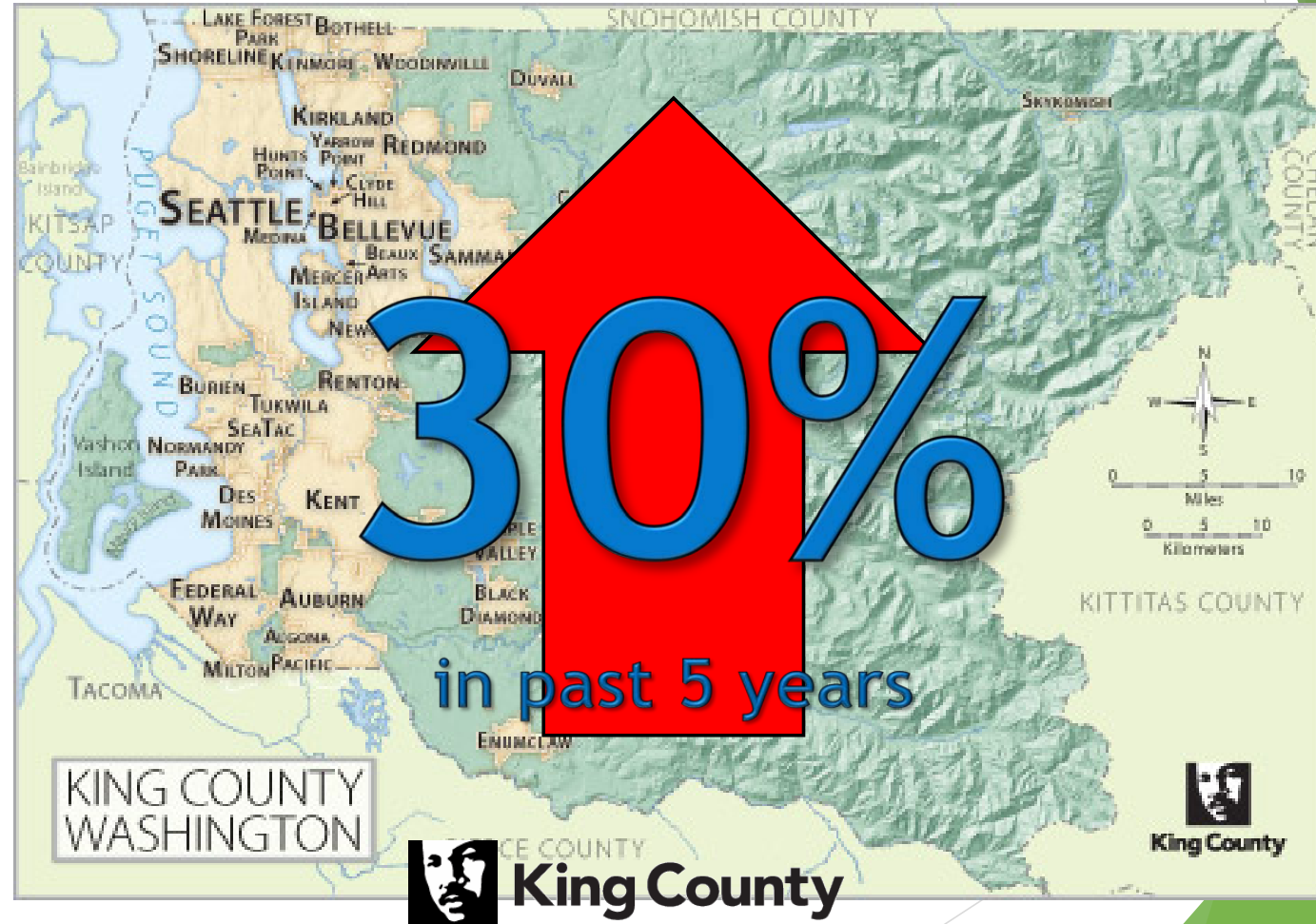
King County

What Goes Into Your Home's Value?





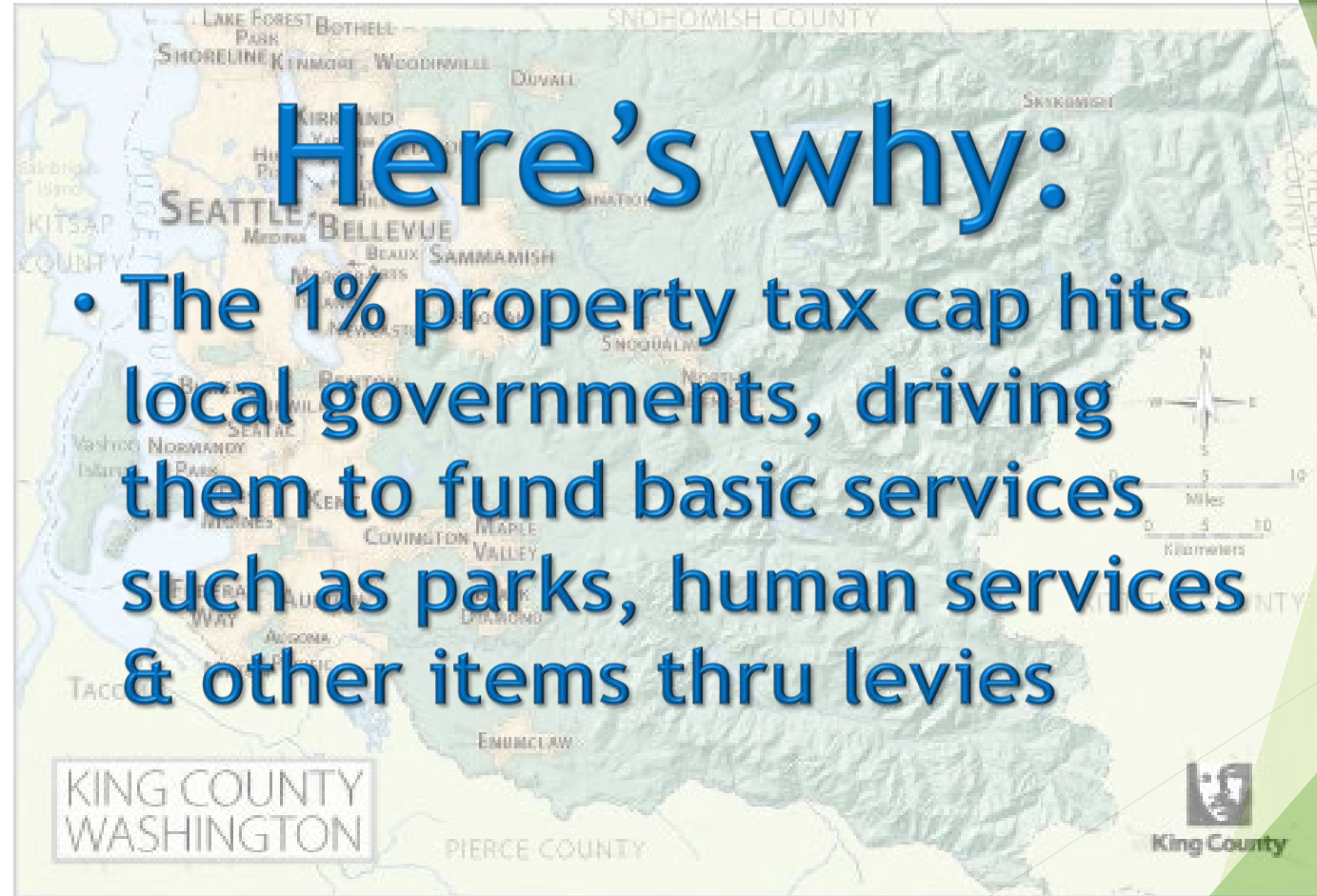
And Yes, Property Taxes Are Going Up



And Yes, Property Taxes Are Going Up



And Yes, Property Taxes Are Going Up



And Yes, Property Taxes Are Going Up



And Yes, Property Taxes Are Going Up



Surging Values & Voter Approved Levies Are Driving Up Taxes

Governments can only increase property tax revenues 1% per year, but voters can approve more spending...and they are.

Seattle Only Special Levies on 2017 Tax Bill:

- School District M&O \$758,300,000
- School Construction \$475,300,000
- Low Income Housing \$290,000,000
- Families and Education \$231,000,000
- Pre-K \$58,266,518
- Transportation \$930,000,000
- Campaign Finance \$30,000,000
- Libraries \$122,630,099
- Parks \$287,400,000

This Doesn't Include County Wide or Regional Levies, Like Sound Transit 3



And Now Enter The Legislature's McCleary Fix on Property Taxes to Fund Schools

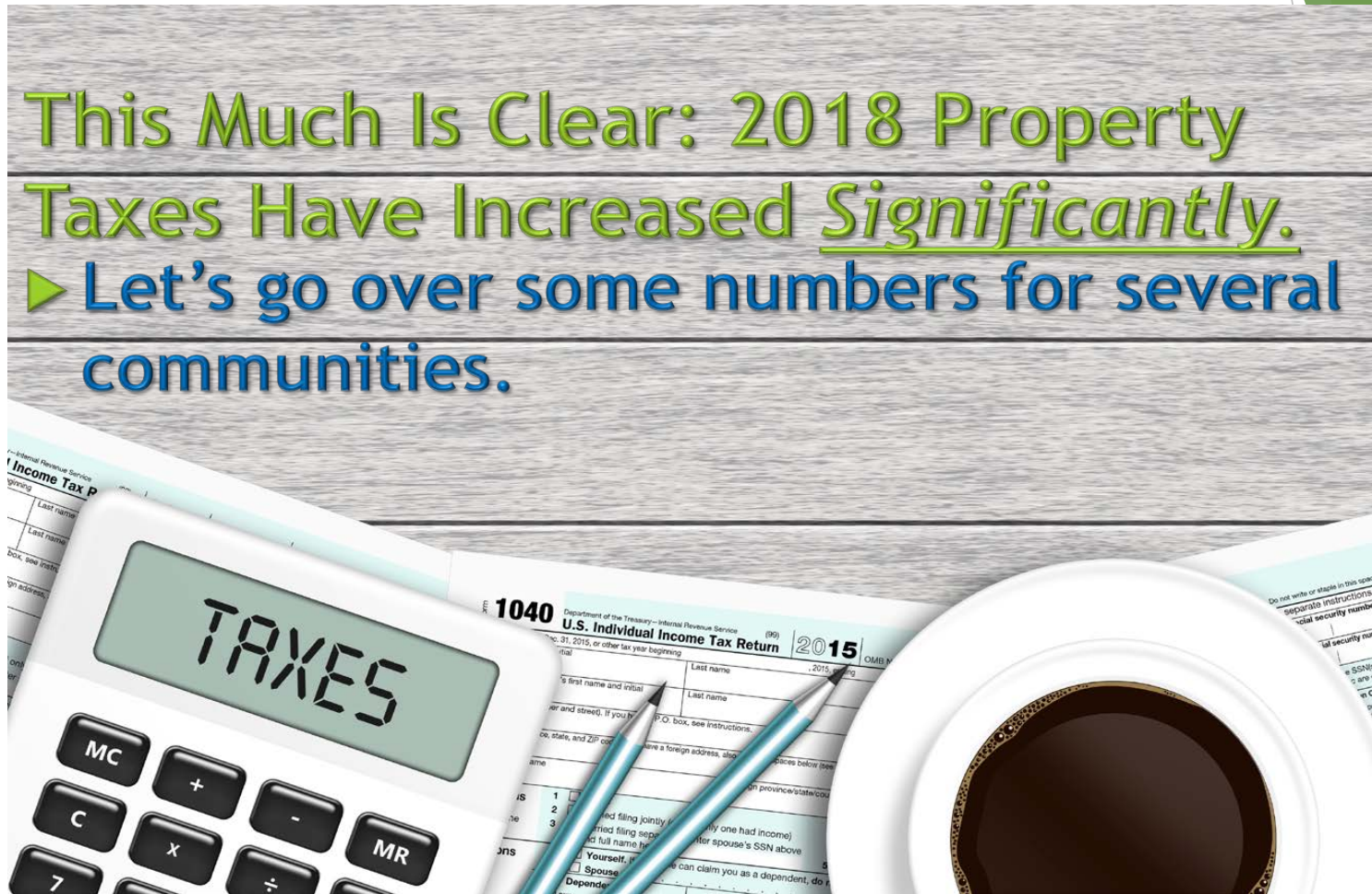
- ▶ Under the new “levy swap” system, the state property tax went up by an \$1.01 per thousand in King County, while voter approved school levies will not begin to go down until 2019. **All of King County will see a *significant* property tax spike this year.**
- ▶ Beginning in 2019, local school levies will be capped at \$1.50 per thousand or \$2,500 per student, whichever is less. **Property taxes rates are to drop from the 2018 level, but in most urban and suburban school districts property taxes will be higher in 2019 than they are today.**

How Tax Assessments Normally Works



But This Is How the McCleary Solution Works





What's McCleary Doing to Property Taxes?



What's McCleary Doing to Property Taxes?



What's McCleary Doing to Property Taxes?



What's McCleary Doing to Property Taxes?



What's McCleary Doing to Property Taxes?



What's McCleary Doing to Property Taxes?





King County



King County

Could you qualify for a Senior Exemption?



- Owner/occupant of home
- 61 years old or older
- Household income of \$40,000 or less
- Call (206) 296-3920

Where does the money come from?

State & Local Governments



King County has **139** governments, including **39** cities plus various special districts (school, fire, sewer, water, park, hospital, drainage...)



Washington state has **~2,000** governments, including:

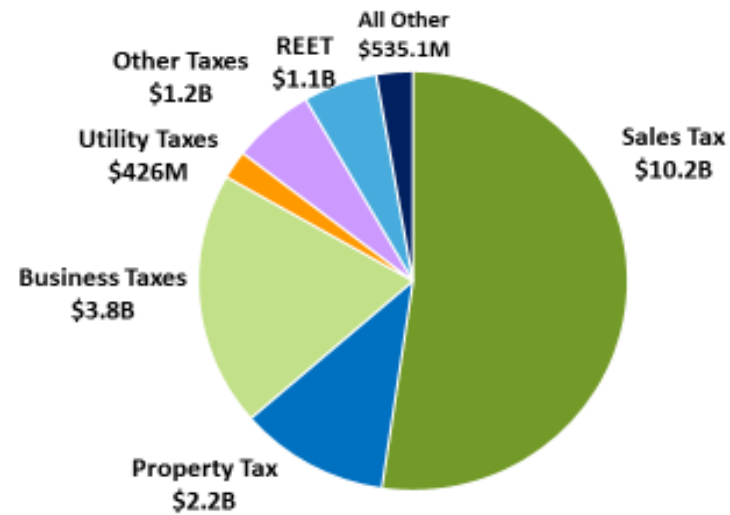
- **281** cities
- **39** counties
- **~1,700** special districts



King County

Where does the money come from?

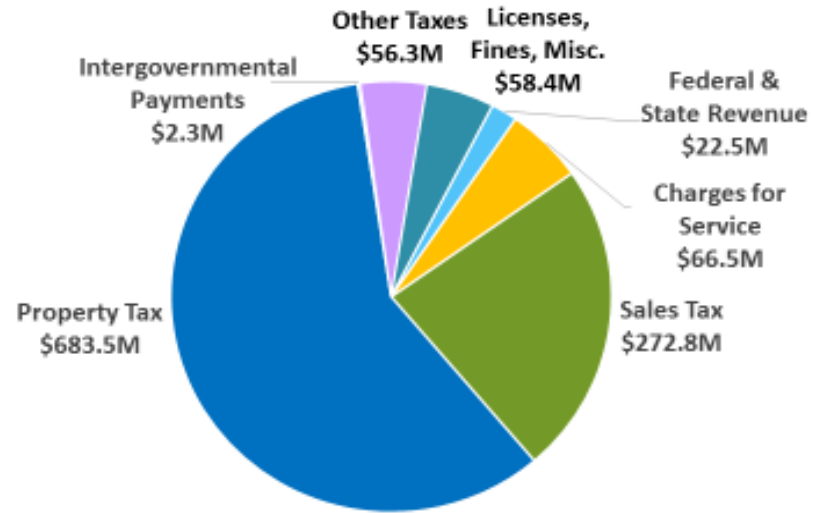
State of Washington



King County

Where does the money come from?

King County



King County

Where does the money come from?

State & Local Taxes per \$1,000 of Personal Income



Beyond rising taxes, other problems ...

- Low income seniors are not exempt from special levies
 - Although we can now waive certain levies in the future
- Using special levies to pay for basic services like schools, human services, and parks is risky, inequitable and unstable.
 - What happens when voters say no?
- The 1% cap is forcing service cuts by small counties and King County.
- **And finally, rising property taxes adds to our housing affordability problem.**
- **And then there is the Trump Tax Cut - and what that could mean?**

What's the Impact of Federal Tax Law Changes?



What's the Impact of Federal Tax Law Changes?



What's the Impact of Federal Tax Law Changes?



What's the Impact of Federal Tax Law Changes?



What's the Impact of Federal Tax Law Changes?



We Need to Talk About Washington's Future

Our tax system and service delivery is broken. No one designed it. It just happened.

We need to fix it.

We want YOU to be part of the discussion.



Thank you!

King County Assessor
John Wilson

john.wilson@kingcounty.gov
(206) 263-2463





Voucher Certification and Approval

City of Kenmore

DATE RANGE:

03/10/2018 - 03/23/2018

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 the 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 #s 39358 through 39473: \$559,941.60

Total Payroll/Taxes/Flexible Spending & Health Savings Acct. Electronic Deposits Dated: 03/16/2018: \$ 97,026.19

RS Kalin 3-27-18
City Manager / Date

Joanne M. Eugene 3/26/18
Finance Director / Date

Vendor Name	Check #	Date	Description	Amount
AFLAC	39358	03/16/2018	Employee Medical/Disability Plans	172.38
AFLAC	39358	03/16/2018	Employee Medical/Disability Plans	154.72
AMERICAN GENERAL LIFE GPO-400S	39359	03/16/2018	Life Insurance	248.68
AMERICAN GENERAL LIFE GPO-400S	39359	03/16/2018	Life Insurance	67.37
AMERICAN GENERAL LIFE GPO-400S	39359	03/16/2018	Life Insurance	37.63
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	3,097.74
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	634.26
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	374.29
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Ins Contributions	(0.01)
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Ins Contributions	(0.01)
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Ins Contributions	(0.01)
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Ins Contributions	665.00
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Ins Contributions	(0.02)
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Ins Contributions	162.86
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Ins Contributions	(0.01)
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Ins Contributions	62.87
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	3,542.86
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	27,164.54
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	5,377.65
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	2,999.67
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	38.80
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	6.59
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	4.96
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	405.17
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	78.01
AWC EMPLOYEE BENEFITS	39360	03/16/2018	Employee Health Insurance	50.14
AWC EMPLOYEE BENEFITS	39361	03/16/2018	Void	-

DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	146.94
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	49.54
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	52.48
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	566.24
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	190.92
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	202.26
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	104.16
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	2.25
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	0.85
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	189.75
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	4.10
DEPARTMENT OF LABOR AND INDUSTRIES	39362	03/16/2018	City of Kenmore	1.53
DEPARTMENT OF RETIREMENT SYSTEMS	39363	03/16/2018	Public Employees Retirement	1,697.48
DEPARTMENT OF RETIREMENT SYSTEMS	39363	03/16/2018	Public Employees Retirement	14,988.95
DEPARTMENT OF RETIREMENT SYSTEMS	39363	03/16/2018	Public Employees Retirement	2,480.88
DEPARTMENT OF RETIREMENT SYSTEMS	39363	03/16/2018	Public Employees Retirement	1,436.46
DEPARTMENT OF RETIREMENT SYSTEMS	39363	03/16/2018	Public Employees Retirement	374.48
DEPARTMENT OF RETIREMENT SYSTEMS	39363	03/16/2018	Public Employees Retirement	135.36
DEPARTMENT OF RETIREMENT SYSTEMS	39363	03/16/2018	Public Employees Retirement	828.77
DEPARTMENT OF RETIREMENT SYSTEMS	39363	03/16/2018	Public Employees Retirement	599.50
DRS 457	39364	03/16/2018	DRS 457 Deferred Comp	505.00
ICMA RETIREMENT TRUST 457 - 304745	39365	03/16/2018	ICMA 457 Deferred Comp	3,428.80
ICMA RETIREMENT TRUST 457 - 304745	39365	03/16/2018	ICMA 457 Deferred Comp	692.08
LINCOLN NATIONAL LIFE INSURANCE	39366	03/16/2018	Life Ins/ADD & LTD	322.00
LINCOLN NATIONAL LIFE INSURANCE	39366	03/16/2018	Life Ins/ADD & LTD	48.51
LINCOLN NATIONAL LIFE INSURANCE	39366	03/16/2018	Life Ins/ADD & LTD	36.48
LINCOLN NATIONAL LIFE INSURANCE	39366	03/16/2018	Life Ins/ADD & LTD	(0.03)
LINCOLN NATIONAL LIFE INSURANCE	39366	03/16/2018	Life Ins/ADD & LTD	(0.01)
LINCOLN NATIONAL LIFE INSURANCE	39366	03/16/2018	Life Ins/ADD & LTD	(0.01)
LINCOLN NATIONAL LIFE INSURANCE	39366	03/16/2018	Life Ins/ADD & LTD	486.39
LINCOLN NATIONAL LIFE INSURANCE	39366	03/16/2018	Life Ins/ADD & LTD	70.39
LINCOLN NATIONAL LIFE INSURANCE	39366	03/16/2018	Life Ins/ADD & LTD	52.84
NATIONAL LIFE OF VERMONT	39367	03/16/2018	Life Insurance	123.17
NATIONWIDE FINANCIAL 401a	39368	03/16/2018	City of Kenmore 401a Loan	240.68
NATIONWIDE FINANCIAL 401a	39368	03/16/2018	City of Kenmore 401a Loan	219.19
NATIONWIDE FINANCIAL 401a	39368	03/16/2018	City of Kenmore 401a	10,254.89
NATIONWIDE FINANCIAL 401a	39368	03/16/2018	City of Kenmore 401a	1,410.62
NATIONWIDE FINANCIAL 401a	39368	03/16/2018	City of Kenmore 401a	1,057.59
NATIONWIDE RETIREMENT SOLUTIONS 457	39369	03/16/2018	Nationwide 457 Deferred Comp	250.00
NATIONWIDE RETIREMENT SOLUTIONS 457	39369	03/16/2018	Nationwide 457 Deferred Comp	75.00
STATE OF FLORIDA DISBURSEMENT UNIT	39370	03/16/2018	Employee Deduction	275.00
UNITED WAY OF KING COUNTY	39371	03/16/2018	Employee Charitable Contribution	74.61
A-1 LANDSCAPING AND CONSTRUCTION, INC	39372	03/23/2018	17-C1650 Jan./Feb. Moorlands Park Improvements	90,359.82
AAA FLAG & BANNER MFG. CO., INC.	39373	03/23/2018	Brew Row Banners	3,022.34
AM TEST, INC	39374	03/23/2018	Jan. Swamp Creek Water Sampling	225.00
BAKER, BRIDGIT	39375	03/23/2018	Mileage Reimbursement - Training in Lakewood	30.25
BAKER, BRIDGIT	39375	03/23/2018	Mileage Reimbursement - Training in Lakewood	30.25
BANNER BANK BAKER	39376	03/23/2018	Business Mtgs. & Conf. Transportation	64.72
BANNER BANK BAKER	39376	03/23/2018	Business Mtgs. & Conf. Transportation	237.94

BANNER BANK	BH	39377	03/23/2018	Registration/Parking/Meals	97.50
BANNER BANK	BH	39377	03/23/2018	Registration/Parking/Meals	97.50
BANNER BANK	BH	39377	03/23/2018	Registration/Parking/Meals	15.00
BANNER BANK	BH	39377	03/23/2018	Registration/Parking/Meals	355.39
BANNER BANK	DB	39378	03/23/2018	Stakes for Moorlands Park	17.13
BANNER BANK	JG	39379	03/23/2018	Registration/Employee Engagement Survey/Adobe	645.00
BANNER BANK	JG	39379	03/23/2018	Registration/Employee Engagement Survey/Adobe	25.00
BANNER BANK	JG	39379	03/23/2018	Registration/Employee Engagement Survey/Adobe	65.99
BANNER BANK	JGORDON	39380	03/23/2018	Acoustic Panels/Parks Tools/Certification Fee	214.62
BANNER BANK	JGORDON	39380	03/23/2018	Acoustic Panels/Parks Tools/Certification Fee	108.83
BANNER BANK	JGORDON	39380	03/23/2018	Acoustic Panels/Parks Tools/Certification Fee	60.00
BANNER BANK	JGORDON	39380	03/23/2018	Acoustic Panels/Parks Tools/Certification Fee	746.65
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	6.08
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	470.00
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	12.09
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	4.56
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	31.91
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	219.99
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	13.68
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	8.75
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	8.31
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	6.08
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	21.27
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	164.99
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	12.16
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	33.62
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	25.82
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	26.50
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	9.12
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	24.69
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	12.16
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	109.31
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	9.12
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	268.36
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	52.16
BANNER BANK	KENMORE	39381	03/23/2018	Supplies/Safety Gear/Computer Monitor/Tools	132.35
BANNER BANK	KENMORE	39382	03/23/2018	Void	-
BANNER BANK	KENMORE	39383	03/23/2018	Supplies/Battery Recycling/Plaque/Key to the City	143.80
BANNER BANK	KENMORE	39383	03/23/2018	Supplies/Battery Recycling/Plaque/Key to the City	8.80
BANNER BANK	KENMORE	39383	03/23/2018	Supplies/Battery Recycling/Plaque/Key to the City	93.76
BANNER BANK	KENMORE	39383	03/23/2018	Supplies/Battery Recycling/Plaque/Key to the City	10.95
BANNER BANK	KENMORE	39383	03/23/2018	Supplies/Battery Recycling/Plaque/Key to the City	8.80
BANNER BANK	KENMORE	39383	03/23/2018	Supplies/Battery Recycling/Plaque/Key to the City	26.39
BANNER BANK	KENMORE	39383	03/23/2018	Supplies/Battery Recycling/Plaque/Key to the City	88.00
BANNER BANK	NO	39384	03/23/2018	Supplies/Meals/Subscription/Conf. Registration	79.20
BANNER BANK	NO	39384	03/23/2018	Supplies/Meals/Subscription/Conf. Registration	101.22
BANNER BANK	NO	39384	03/23/2018	Supplies/Meals/Subscription/Conf. Registration	210.00
BANNER BANK	NO	39384	03/23/2018	Supplies/Meals/Subscription/Conf. Registration	19.00
BANNER BANK	NO	39384	03/23/2018	Supplies/Meals/Subscription/Conf. Registration	774.00
BANNER BANK	NO	39384	03/23/2018	Supplies/Meals/Subscription/Conf. Registration	99.94
BANNER BANK	NO	39384	03/23/2018	Supplies/Meals/Subscription/Conf. Registration	498.88
BANNER BANK	NO	39384	03/23/2018	Supplies/Meals/Subscription/Conf. Registration	99.15
BANNER BANK	RK	39385	03/23/2018	Dues/Conference Registration/Parking	14.71
BANNER BANK	RK	39385	03/23/2018	Dues/Conference Registration/Parking	260.00

BANNER BANK	RK	39385	03/23/2018	Dues/Conference Registration/Parking	41.20
BANNER BANK	RK	39385	03/23/2018	Dues/Conference Registration/Parking	25.00
BANNER BANK	RK	39385	03/23/2018	Dues/Conference Registration/Parking	650.00
BANNER BANK	RK	39385	03/23/2018	Dues/Conference Registration/Parking	(443.89)
BANNER BANK	SKROGH	39386	03/23/2018	Reservation Software/Award Submission Fee	175.00
BANNER BANK	SKROGH	39386	03/23/2018	Reservation Software/Award Submission Fee	69.90
BRAVO ENVIRONMENTAL , NW INC.		39387	03/23/2018	Vactor Services	96.00
CADMAN MATERIALS, INC.		39388	03/23/2018	Ashphalt for Catch Basin/Potholes 18321 83rd	57.75
CADMAN MATERIALS, INC.		39389	03/23/2018	Asphalt - Pothole Repair Simonds/84th/155th	80.08
CADMAN MATERIALS, INC.		39390	03/23/2018	Asphalt for Speed Bump & Pothole Repair	77.00
CALPORTLAND COMPANY		39391	03/23/2018	Sand for Stock	299.93
CALPORTLAND COMPANY		39392	03/23/2018	Quarry Spalls for Ditch Repair 193rd/61st	75.53
CASCADE PEST CONTROL		39393	03/23/2018	Rhododendron Park Pest Control	143.00
CITY OF LAKE FOREST PARK		39394	03/23/2018	February Public Works Services	18,450.65
CITY OF LAKE FOREST PARK		39394	03/23/2018	February Public Works Services	155.43
CITY OF LAKE FOREST PARK		39394	03/23/2018	February Public Works Services	19,188.67
CITY OF LAKE FOREST PARK		39394	03/23/2018	February Public Works Services	967.12
CITY OF LAKE FOREST PARK		39394	03/23/2018	February Public Works Services	36,163.26
CITYWORKS/ AZTECA SYSTEMS INC.		39395	03/23/2018	Cityworks Annual Fee	22,000.00
CODE PUBLISHING COMPANY		39396	03/23/2018	Municipal Code Web Update 2/27	402.10
COMCAST BUSINESS		39397	03/23/2018	3/14-4/13 City Hall Cable/Internet	152.06
COMCAST BUSINESS		39398	03/23/2018	March City Hall, Incubator & Hangar Internet Svc	824.27
COMCAST BUSINESS		39398	03/23/2018	March City Hall, Incubator & Hangar Internet Svc	463.52
COMCAST BUSINESS		39398	03/23/2018	March City Hall, Incubator & Hangar Internet Svc	563.41
COMCAST BUSINESS		39399	03/23/2018	March City Hall Phone Service	369.21
COMCAST BUSINESS		39400	03/23/2018	3/10-4/9 Squire's Landing Internet	69.95
COMMUNITY ATTRIBUTES INC.		39401	03/23/2018	2/5-3/4/18 Economic Development Consulting Svcs	7,488.50
DAY WIRELESS SYSTEMS		39402	03/23/2018	Police Radar Repairs	76.79
DDK DESIGNS, LLC		39403	03/23/2018	Surface Water Tools	35.38
ENVIRONMENTAL SYSTEMS RESEARCH INST		39404	03/23/2018	Annual ArcGIS Software Renewal	5,720.00
FRUHLING SAND & TOPSOIL		39405	03/23/2018	Brush Dumping from Tree Trimming 193rd/61st	60.00
GALLATIN PUBLIC AFFAIRS		39406	03/23/2018	Feb. Media/Marketing Relations	3,500.00
GOOD TO GO		39407	03/23/2018	City Vehicle 405 Toll Fees	7.25
HANSEN, COREY		39408	03/23/2018	1/31-3/16 Business Acceleration Series	7,700.00
HANSEN, COREY		39409	03/23/2018	Feb. Incubator Consulting Services	4,180.00
HELMETS R US INC		39410	03/23/2018	Bike Helmets	208.97
HEWITT		39411	03/23/2018	17-C1791 Town Square Restaurant Pad Review	2,255.00

HOME DEPOT CREDIT SERVICES	39412	03/23/2018	Drainage Materials	206.92
HYDROPOINT DATA SYSTEMS, INC.	39413	03/23/2018	Town Sq./ROW Irrigation Controller/WeatherTRAK	258.50
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	2.27
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	1.71
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	11.94
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	5.12
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	2.27
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	7.96
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	4.55
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	9.66
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	3.41
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	4.55
INDEPENDENT STATIONERS	39414	03/23/2018	Office Supplies	3.41
INNOVAC	39415	03/23/2018	Vactor Services	1,678.88
INNOVAC	39416	03/23/2018	Vactor Services	2,897.13
JET CITY PRINTING	39417	03/23/2018	April Business Open House Postcards	173.25
JET CITY PRINTING	39418	03/23/2018	April Business Open House Extra Postcards	49.50
JOHNSTON GROUP, LLC	39419	03/23/2018	18-C1832 Feb. Government Relations Consulting	4,025.00
JUDHA OF LION LANDSCAPING	39420	03/23/2018	18-C1826 Front Lawn Installation	21,890.00
KENMORE COMMERCIAL LLC	39421	03/23/2018	April Incubator Bldg. Lease Payment	3,291.66
KING COUNTY FINANCE	39422	03/23/2018	February Road Svcs/Overlay	1,622.92
KING COUNTY FINANCE	39423	03/23/2018	Election Voter's Pamphlets	458.26
KING COUNTY FINANCE	39424	03/23/2018	2017 Voter Registration	57,433.31
KING COUNTY FINANCE	39425	03/23/2018	February Road Services - Signs	1,449.81
KING COUNTY FINANCE	39426	03/23/2018	February Dump Fees/Mattress from ROW	24.25
KING COUNTY FINANCE	39427	03/23/2018	Feb. Road Svcs/Signal Maintenance/Signs	6,157.41
KING COUNTY FINANCE	39427	03/23/2018	Feb. Road Svcs/Signal Maintenance/Signs	3,553.32
KING COUNTY SHERIFF	39428	03/23/2018	January Police Svcs/School District Overtime	6,437.68
KONICA MINOLTA BUSINESS SOLUTIONS	39429	03/23/2018	Incubator Copier Charges 2/3-3/2/18	11.14
KONICA MINOLTA BUSINESS SOLUTIONS	39430	03/23/2018	Incubator Copier Lease 3/3-4/2/18	212.74
KPFF CONSULTING ENGINEERS	39431	03/23/2018	15-C1484 Jan. Engineering Services	101.84
KPFF CONSULTING ENGINEERS	39431	03/23/2018	15-C1484 Jan. Engineering Services	2,985.68
MACLEOD RECKORD	39432	03/23/2018	16-C1502 Moorlands Park Feb. Moorlands Park	1,116.00
MEAD GILMAN & ASSOCIATES	39433	03/23/2018	Refund BLA18-0011 Fire Dept. Review Overpaid	40.00
MILLER STEPHENS, MARY	39434	03/23/2018	Feb. Public Defense Services @ SCORE	1,250.00
NORTHSHORE UTILITY DIST	39435	03/23/2018	February Fleet Fuel & Vehicle Maintenance	38.31
NORTHSHORE UTILITY DIST	39435	03/23/2018	February Fleet Fuel & Vehicle Maintenance	37.13
NORTHSHORE UTILITY DIST	39435	03/23/2018	February Fleet Fuel & Vehicle Maintenance	55.83
NORTHSHORE UTILITY DIST	39435	03/23/2018	February Fleet Fuel & Vehicle Maintenance	214.98

NORTHSHORE UTILITY DIST	39435	03/23/2018	February Fleet Fuel & Vehicle Maintenance	150.39
NORTHSHORE UTILITY DIST	39435	03/23/2018	February Fleet Fuel & Vehicle Maintenance	123.25
NORTHSHORE UTILITY DIST	39435	03/23/2018	February Fleet Fuel & Vehicle Maintenance	549.71
NORTHWEST ARBORICULTURE LLC	39436	03/23/2018	61st Ave Stream Repair/Move Log Sections	1,886.24
O'CONNOR CONSULTING GROUP, LLC	39437	03/23/2018	18-C1823 Lakepointe Consulting 1/11-3/15/18	5,000.00
OFFICE DEPOT	39438	03/23/2018	Office Supplies	9.84
OFFICE DEPOT	39438	03/23/2018	Office Supplies	7.38
OFFICE DEPOT	39438	03/23/2018	Office Supplies	17.17
OFFICE DEPOT	39438	03/23/2018	Office Supplies	51.66
OFFICE DEPOT	39438	03/23/2018	Office Supplies	22.14
OFFICE DEPOT	39438	03/23/2018	Office Supplies	9.84
OFFICE DEPOT	39438	03/23/2018	Office Supplies	34.44
OFFICE DEPOT	39438	03/23/2018	Office Supplies	19.68
OFFICE DEPOT	39438	03/23/2018	Office Supplies	41.82
OFFICE DEPOT	39438	03/23/2018	Office Supplies	14.76
OFFICE DEPOT	39438	03/23/2018	Office Supplies	19.68
OFFICE DEPOT	39438	03/23/2018	Office Supplies	14.76
OFFICE TEAM	39439	03/23/2018	Temporary Reception Svcs 40 hrs Wk Ending 3/16	1,022.00
OFFICE TEAM	39440	03/23/2018	Temporary Reception Svcs 8 hrs Wk Ending 3/9	204.40
OFFICE TEAM	39441	03/23/2018	Temporary Reception Svc 5 hrs.Wk Ending 3/9	127.75
OLSON BROTHERS PRO-VAC	39442	03/23/2018	Facility Maintenance/Catch Basin & Storm Lines	9,681.10
OSBORN CONSULTING INC.	39443	03/23/2018	12-C1081 Jan. Surface Water On Call Svcs	1,701.61
PACE ENGINEERS, INC.	39444	03/23/2018	15-C1483 Jan. On Call Services	34,506.04
PACE ENGINEERS, INC.	39444	03/23/2018	15-C1483 Jan. On Call Services	3,327.06
PACE ENGINEERS, INC.	39444	03/23/2018	15-C1483 Jan. On Call Services	2,487.24
PACE ENGINEERS, INC.	39444	03/23/2018	15-C1483 Jan. On Call Services	3,332.29
PACE ENGINEERS, INC.	39444	03/23/2018	15-C1483 Jan. On Call Services	226.51
PACE ENGINEERS, INC.	39444	03/23/2018	15-C1483 Jan. On Call Services	867.41
PACE ENGINEERS, INC.	39444	03/23/2018	15-C1483 Jan. On Call Services	1,212.83
PAWS	39445	03/23/2018	February Animal Sheltering Services	558.00
PERTEET INC.	39446	03/23/2018	12-C1082 1/29-3/4 Engineering Professional Svcs	5,305.42
PLAN TO PERMIT, LLC	39447	03/23/2018	Project P27 Shoreline Permits	1,265.00
PUGET SOUND ENERGY	39448	03/23/2018	2/1-3/2 Traffic Signals	12.50
PUGET SOUND ENERGY	39448	03/23/2018	3/3-3/12 61st/181st Streetlights	32.18
PUGET SOUND ENERGY	39448	03/23/2018	2/1-3/2 61st/181st Streetlights	96.52
PUGET SOUND ENERGY	39448	03/23/2018	2/15-3/12 68th/182nd Streetlights	134.29
PUGET SOUND ENERGY	39448	03/23/2018	3/3-3/12 68th/Spencer Square Streetlights	30.45
PUGET SOUND ENERGY	39448	03/23/2018	2/1-3/2 68th/Spencer Square Streetlights	91.38
PUGET SOUND ENERGY	39448	03/23/2018	2/1-3/2 Streetlights/Multiple Locations	8,885.25
QUALITY BUSINESS SYSTEMS	39449	03/23/2018	3/5-4/4 1st Floor Copier Lease	675.53
QUALITY BUSINESS SYSTEMS INC.	39450	03/23/2018	2/2-3/1 2nd Floor Copier Overage Chgs	200.56
REPUBLIC SERVICES	39451	03/23/2018	February Town Square/Hangar Solid Waste	478.75
REY TRANSLATIONS	39452	03/23/2018	Planning Commission Interpreter Services	975.25
SCHOCK, BRETT	39453	03/23/2018	Parking & PE License Renewal Reimbursement	116.00
SCHOCK, BRETT	39453	03/23/2018	Parking & PE License Renewal Reimbursement	21.00

SEATTLE TIMES	39454	03/23/2018	Legal Ads Ord. #18-0460	111.50
STANLEY PATRICK STRIPING COMPANY	39455	03/23/2018	Moorlands Park Curb Replacement	7,287.50
STANTON, ANN	39456	03/23/2018	Training Class Mileage Reimbursement	57.77
STAPLES ADVANTAGE	39457	03/23/2018	Facility Maintenance Supplies	20.81
STATE OF WA DEPARTMENT OF LICENSING	39458	03/23/2018	Notary Public Renewal Fee	30.00
STATE OF WA DEPT. OF LICENSING	39459	03/23/2018	Code Enforcement Vehicle License Look Up	2.80
TELESYSTEMS WEST	39460	03/23/2018	City Hall Phone Services/Relocations	137.51
THE POTTING SHED	39461	03/23/2018	Flower Baskets	1,787.50
T-MOBILE USA, INC.	39462	03/23/2018	IPad Data Plans for Inspectors	10.61
TOP TO BOTTOM JANITORIAL, INC.	39463	03/23/2018	March City Hall Janitorial Services	3,500.00
TOTAL LANDSCAPE CORP	39464	03/23/2018	February Northshore Summit & Squire's Landscaping	869.00
TOTAL LANDSCAPE CORP	39465	03/23/2018	March City Hall & Parks Landscaping	880.00
TOTAL LANDSCAPE CORP	39465	03/23/2018	March City Hall & Parks Landscaping	4,145.45
TOWN CENTER HARDWARE	39466	03/23/2018	Parks Materials & Tools	9.87
TOWN CENTER HARDWARE	39466	03/23/2018	Parks Materials & Tools	17.37
VERIZON WIRELESS	39467	03/23/2018	2/27-3/26 Cell Phone Charges	80.18
VERIZON WIRELESS	39467	03/23/2018	2/27-3/26 Cell Phone Charges	20.81
VERIZON WIRELESS	39467	03/23/2018	2/27-3/26 Cell Phone Charges	58.63
VERIZON WIRELESS	39467	03/23/2018	2/27-3/26 Cell Phone Charges	161.46
VERIZON WIRELESS	39467	03/23/2018	2/27-3/26 Cell Phone Charges	77.83
VERIZON WIRELESS	39467	03/23/2018	2/27-3/26 Cell Phone Charges	195.21
VERTICAL VISUAL SOLUTIONS INC.	39468	03/23/2018	Moorlands Park Signs	11,811.25
WA ASSOC OF CODE ENFORCEMENT	39469	03/23/2018	Spring Conference Registration/Debbie Hohnstein	40.00
WA ASSOC OF PUBLIC RECORDS OFFICERS	39470	03/23/2018	Teresa McAllister Spring Training Registration	175.00
WA STATE DEPT OF TRANSPORTATION	39471	03/23/2018	February Traffic Signal Maintenance	647.40
ZONAR SYSTEMS	39472	03/23/2018	3/1/18-2/28/19 Sweeper & De-Icer GPS Tracking	263.87
ZONAR SYSTEMS	39472	03/23/2018	3/1/18-2/28/19 Sweeper & De-Icer GPS Tracking	263.86
PETERSEN BROTHERS, INC.	39473	03/23/2018	Guard Rail Repair	1,994.16
NAVIA	DFT0000130	03/16/2018	Employee Flexible Spending Account	153.85
NAVIA	DFT0000130	03/16/2018	Employee Flexible Spending Account	161.00
NAVIA	DFT0000130	03/16/2018	Employee Flexible Spending Account	85.38
NAVIA	DFT0000130	03/16/2018	Employee Flexible Spending Account	96.15
BANK OF AMERICA 941	DFT0000131	03/16/2018	Federal Taxes	2,795.30
BANK OF AMERICA 941	DFT0000131	03/16/2018	Federal Taxes	8,869.33
BANK OF AMERICA 941	DFT0000131	03/16/2018	Federal Taxes	797.86
BANK OF AMERICA 941	DFT0000131	03/16/2018	Federal Taxes	358.84
BANK OF AMERICA 941	DFT0000131	03/16/2018	Federal Taxes	909.30
BANK OF AMERICA 941	DFT0000131	03/16/2018	Federal Taxes	993.20
BANK OF AMERICA 941	DFT0000131	03/16/2018	Federal Taxes	269.02
PAYROLL		03/02/2018	Direct Deposit	81,536.96
Total				<u>\$ 656,967.79</u>



City of Kenmore

Vendor Purchasing Report

For Date Range 01/01/2018 - 03/23/2018

Vendor Set: Vendor Set 01

Vendor	Name	Volume
0002	ACTION ENTERTAINMENT	500.00
0014	AMERICAN PLANNING ASSOCIATION	1,240.00
0022	ASSOCIATION OF WA CITIES	16,115.00
0024	BAKER, DAVID	1,073.30
0037	BASTYR UNIVERSITY	200.00
0047	BRAVO ENVIRONMENTAL , NW INC.	96.00
0054	BULGER SAFE & LOCK, INC.	257.41
0064	CASCADE PEST CONTROL	286.00
0067	CENTER FOR HUMAN SERVICES	5,250.00
0076	CITY OF BELLEVUE	8,353.00
0083	CITY OF LAKE FOREST PARK	266,705.61
0092	CODE PUBLISHING COMPANY	402.10
0099	CONSOLIDATED PRESS	4,684.80
0106	CROWN PRODUCTS LLC	981.05
0111	DEPARTMENT OF ECOLOGY	190.00
0121	REPUBLIC SERVICES	2,266.05
0145	FRUHLING SAND & TOPSOIL	457.50
0151	CALPORTLAND COMPANY	670.60
0152	GOVERNMENT FINANCE OFFICERS ASSOC	190.00
0173	HOME DEPOT CREDIT SERVICES	206.92
0184	INSLEE, BEST, DOEZIE & RYDER, P.S.	31,747.13
0197	JET CITY PRINTING	301.13
0201	KCDA PURCHASING COOP	11,858.36
0206	KENMORE MIDDLE SCHOOL	2,463.62
0213	KING COUNTY ANIMAL SVCS	1,050.00
0218	KING COUNTY FINANCE	1,466.80
0219	KING COUNTY FINANCE	90,064.90
0224	SOUND PUBLISHING, INC.	900.00
0229	KING COUNTY OFFICE OF FINANCE	419.03
0230	KING COUNTY RADIO COMM SERVICES	300.30
0233	KING COUNTY SHERIFF	13,310.12
0235	KING COUNTY TREASURY	14,935.53
0246	LAKE CITY PICTURE FRAMING	257.85
0251	LIGHTHOUSE CONSULTING INC	12,656.95
0261	MICHAEL PENDLETON	3,505.20
0267	MR. T'S TROPHIES	217.53
0285	NORTHSHORE FIRE DEPT	1,060.00
0287	NORTHSHORE SENIOR CENTER	7,900.00
0288	NORTHSHORE UTILITY DIST	10,529.90
0289	NORTHSHORE YMCA	1,625.00
0290	NORTHSHORE YOUTH & FAMILY SERVICES	4,000.00
0292	HONEY BUCKET	430.10
0299	EBIX, INC./ TOPHEALTH	118.27
0300	OFFICE DEPOT	1,811.61
0302	OFFICE TEAM	2,999.73
0314	PETTY CASH CUSTODIAN	392.12
0327	PUGET SOUND CLEAN AIR AGENCY	18,341.00
0328	PUGET SOUND ENERGY	46,433.29
0329	PUGET SOUND FINANCE OFFICERS ASSOC	50.00
0345	SEATTLE TIMES	1,258.40
0355	STAPLES ADVANTAGE	1,689.20
0356	STATE AUDITOR'S OFFICE	673.20

Vendor Purchasing Report

For Date Range 01/01/2018 - 03/23/2018

Vendor Set: Vendor Set 01

Vendor	Name	Volume
0357	STEWART MACNICHOLS HARMELL, INC.	15,000.00
0359	SOUND CITIES ASSOC	45.00
0365	TOTAL LANDSCAPE CORP	16,814.35
0371	UNITED STATES POSTMASTER	4,927.07
0374	URBAN LAND INSTITUTE	220.00
0386	WA ASSOC OF CODE ENFORCEMENT	40.00
0387	WA CITIES INSURANCE AUTHORITY	274,278.00
0389	WASHINGTON CITY/COUNTY MGMT ASSOC	630.00
0401	WA STATE DEPT OF TRANSPORTATION	1,381.25
0412	COLUMBIA RIDGE LANDFILL	1,795.68
0419	WONDERLAND DEVELOPMENT	1,250.00
0422	NATIONWIDE FINANCIAL 401a	78,747.83
0423	NATIONWIDE RETIREMENT SOLUTIONS 457	1,950.00
0424	ICMA RETIREMENT TRUST 457 - 304745	24,695.46
0425	DRS 457	2,970.00
0426	AFLAC	981.30
0428	BANK OF AMERICA 941	93,498.68
0429	AWC EMPLOYEE BENEFITS	136,819.29
0431	DEPARTMENT OF RETIREMENT SYSTEMS	134,887.69
0432	DEPARTMENT OF LABOR AND INDUSTRIES	8,295.12
0434	UNITED WAY OF KING COUNTY	447.66
0436	NATIONAL LIFE OF VERMONT	369.51
0448	UPS STORE	2.58
0484	CITY WIDE FENCE COMPANY, INC	1,172.60
0497	DAY WIRELESS SYSTEMS	76.79
0501	MACLEOD RECKORD	3,356.60
0558	SNOHOMISH COUNTY	4,179.00
0586	MAIL FINANCE	706.20
0588	ENVIRONMENTAL SYSTEMS RESEARCH INST	5,720.00
0594	RANDALL, BRIAN	519.60
0639	KONICA MINOLTA BUSINESS SOLUTIONS	668.74
0641	TELESYSTEMS WEST	137.51
0675	BANNER BANK CS	612.44
0685	PACE ENGINEERS, INC.	82,492.48
0689	DIGITAL REPROGRAPHICS SERVICES INC.	241.18
0690	BUILDERS EXCHANGE OF WASHINGTON INC	45.00
0692	HDR ENGINEERING, INC	20,095.87
0696	AMERICAN GENERAL LIFE GPO-400S	1,061.04
0699	BANNER BANK DB	716.03
0743	BANNER BANK NO	2,371.23
0764	OUSLEY, NANCY	204.22
0781	QUALITY BUSINESS SYSTEMS INC.	3,413.70
0788	CURTIS, DR. MILTON	59.43
0791	NORTHSHORE ROTARY CLUB	220.00
0800	BANNER BANK JG	4,969.82
0834	BANNER BANK KENMORE	6,609.17
0852	GREGORY, JOANNE	404.60
0858	A+ CONFERENCING	111.72
0868	JAYMARC - AV	8,990.29
0869	BANNER BANK JGORDON	2,675.49
0892	JACOBS ENGINEERING GROUP	57,439.19
0898	ZONAR SYSTEMS	527.73
0899	SHRED-IT USA LLC	421.06
0912	ALCALDE & FAY	10,040.77
0913	KENMORE ELEMENTARY PTA	1,250.00
0937	ZUMAR	232.58
0981	COMCAST BUSINESS	7,490.52
0983	PASSPORT TRAVEL AND TOURS	1,003.60

Vendor Purchasing Report

For Date Range 01/01/2018 - 03/23/2018

Vendor Set: Vendor Set 01

Vendor	Name	Volume
0994	GORDON THOMAS HONEYWELL	8,024.39
1000	JRW ENTERPRISES	2,516.78
1003	IWORQ SYSTEMS	2,800.00
1010	TOWN CENTER HARDWARE	212.53
1045	HORIZON DISTRIBUTORS INC	78.59
1047	SARAH ROBERTS	22,322.34
1052	FIRE PROTECTION, INC	874.50
1114	PHSI PURE HEALTH SOLUTIONS INC.	202.18
1116	FRONTIER	2,115.86
1123	AM TEST, INC	225.00
1131	SUSSMAN/PREJZA & CO, INC	1,350.00
1140	PAWS	1,302.00
1152	WASHINGTON ENERGY SERVICES CO. LLC	36.75
1161	INDEPENDENT STATIONERS	56.85
1177	WELLS FARGO FINANCIAL	1,239.46
1181	BANNER BANK BH	2,347.89
1192	HOPKINS, CRAIG	124.27
1193	DEVRIES, DENIS	49.60
1197	MILLER STEPHENS, MARY	2,500.00
1215	STATE OF FLORIDA DISBURSEMENT UNIT	1,650.00
1222	OLSON BROTHERS PRO-VAC	9,681.10
1259	PERTEET INC.	68,812.97
1266	AAA FLAG & BANNER MFG. CO., INC.	3,022.34
1291	SCHNEE, CARLA	404.60
1299	VERIZON WIRELESS	1,078.24
1309	BANNER BANK BAKER	3,142.00
1311	WASHINGTON STATE PATROL	1,051.42
1313	GREATER BOTHELL CHAMBER OF COMMERCE	2,100.00
1326	JOYCE ZIKER PARKINSON	542.50
1327	HWA GEOSCIENCES INC.	1,120.44
1337	STATE OF WA DEPT. OF LICENSING	6.00
1339	STATE OF WA DEPARTMENT OF LICENSING	30.00
1357	KENMORE COMMERCIAL LLC	6,661.73
1358	ALPHAGRAPHICS	522.18
1363	INNOVAC	10,351.01
1370	WINTERBOURNE LANDSCAPE	577.51
1385	CITYWORKS/ AZTECA SYSTEMS INC.	22,000.00
1390	UTILITIES UNDERGROUND LOCATION CTR	366.36
1403	OSBORN CONSULTING INC.	6,343.40
1431	BRIEN, GAYLYNN	100.00
1437	VOLGISTICS, INC	540.00
1452	CITY OF KENT	500.00
1456	HESTON VISUAL ARTS	863.50
1457	LANGUAGE LINE SERVICES, INC.	17.18
1459	FLEMINGS HOLIDAY LIGHTING LLC	5,768.62
1479	A V CAPTURE ALL	4,740.12
1480	VERTICAL VISUAL SOLUTIONS INC.	11,811.25
1485	WA ASSOC OF PUBLIC RECORDS OFFICERS	175.00
1504	SCORE	40,638.11
1540	A-1 LANDSCAPING AND CONSTRUCTION, INC	90,359.82
1541	HEWITT	2,255.00
1550	HANSEN, COREY	16,060.00
1552	DENUSKI, STACEY	46.70
1555	LINCOLN NATIONAL LIFE INSURANCE	3,108.44
1577	MUMMA, RYAN	100.55
1581	STARDOM SERVICES, INC.	1,020.00
1590	HERMANSON COMPANY, LLP	817.85
1598	HELMETS R US INC	208.97

Vendor Purchasing Report

For Date Range 01/01/2018 - 03/23/2018

Vendor Set: Vendor Set 01

Vendor	Name	Volume
1606	GALLATIN PUBLIC AFFAIRS	7,000.00
1607	SCHOCK, BRETT	137.00
1609	MARSHBANK CONSTRUCTION	8,567.54
1657	STEWART TITLE COMPANY	7,531.70
1661	WHITEMAN, TELA	199.00
1673	KPFF CONSULTING ENGINEERS	25,056.64
1689	MOTT MACDONALD GROUP, INC.	67,132.85
1690	SITTS & HILL ENGINEERS, INC.	3,535.00
1704	BANNER BANK RK	5,435.25
1711	SOFTWAREONE, INC.	8,925.18
1715	THE WIDE FORMAT COMPANY	770.00
1718	RESOURCE EXPLORATION, LLC	20,000.00
1719	SALTER, JON	333.50
1721	GOOD TO GO	22.75
1726	UNITED STATES TREASURY	30.30
1731	NORTHWEST ARBORICULTURE LLC	11,953.02
1734	TOP TO BOTTOM JANITORIAL, INC.	13,424.00
1738	MUNIMANAGE, LLC	31,140.00
1762	BAKER, BRIDGIT	149.16
1785	ECOSS	2,594.20
1798	OLBRECHTS & ASSOCIATES, PLLC	1,072.50
1806	RYCO EQUIPMENT, INC.	1,155.00
1816	NAVIA	3,978.28
1819	COSTTREE, LLC	3,000.00
1822	ECO-COUNTER	840.00
1826	MCCLURE AND SONS, INC.	5,794.00
1828	QUALITY BUSINESS SYSTEMS	2,026.59
1848	STANLEY PATRICK STRIPING COMPANY	21,894.50
1852	STANTON, ANN	57.77
1859	IRON CREEK CONSTRUCTION LLC	1,820.63
1873	ENGINEERING/REMEDIATION RES. GROUP	12,276.05
1879	HOLMBERG COMPANY	2,004.10
1884	CADMAN MATERIALS, INC.	608.58
1889	WILLIAMS, KASTNER & GIBBS PLLC	848.67
1900	ASPECT CONSULTING LLC	3,337.47
1901	NORTH COAST ELECTRIC COMPANY	142.84
1920	BERGER PARTNERSHIP	2,865.00
1930	T-MOBILE USA, INC.	10.61
1932	U.S. BANK N.A. - CUSTODY	156.00
1944	OHNO CONSTRUCTION	10,812.80
1946	FALL PROZ INC	3,886.00
1960	WALTER E. NELSON CO.	368.18
1961	WESTERN ENTRANCE TECHNOLOGY, LLC	605.00
1962	BANNER BANK SKROGH	691.96
1964	EARTHWORKS	14,167.65
1975	COMMUNITY ATTRIBUTES INC.	20,006.50
1980	HRA VEBA TRUST	13,950.00
1982	CRAWFORD ELECTRIC	366.55
1985	CONTRACT LAND STAFF LLC	2,055.55
1987	KITSAP CONFERENCE CENTER	124.69
1989	WA TRAFFIC SAFETY COMMISSION	103.49
1990	GLOCK PROFESSIONAL, INC.	500.00
1991	WASHINGTON STATE TREASURER	6,570.28
1994	LAKE CITY PARTNERS ENDING HOMELESSNESS	2,000.00
1995	REY TRANSLATIONS	1,755.76
1997	BARCLAY DEAN ARCHITECTURAL PRODUCTS, LLC	115.50
1998	JOHNSTON GROUP, LLC	1,400.00
1999	KING COUNTY POLICE CHIEFS ASSOCIATION	20.00

Vendor Purchasing Report**For Date Range 01/01/2018 - 03/23/2018****Vendor Set: Vendor Set 01**

Vendor	Name	Volume
2000	WILLIAMS MECHANICAL, INC.	2,931.50
2001	PETERSEN BROTHERS, INC.	1,994.16
2002	GHORBANI, FARIBA	472.00
2003	INNOVATIVE COMFORT SYSTEMS, INC.	255.15
2004	RED BARN ENGINEERING, INC.	291.77
2005	VAN DYK, JOE	850.00
2006	SOMOL HAMASAKI, KRIS	36.75
2007	HYDROPOINT DATA SYSTEMS, INC.	258.50
2008	MEAD GILMAN & ASSOCIATES	40.00
2009	O'CONNOR CONSULTING GROUP, LLC	5,000.00
2010	JUDHA OF LION LANDSCAPING	21,890.00
2011	PLAN TO PERMIT, LLC	1,265.00
2012	DDK DESIGNS, LLC	35.38
2013	THE POTTING SHED	1,787.50
Vendor Set Vendor Set 01 Total:		2,386,581.48

City of Kenmore, Washington
REVISED City Council Regular Meeting Minutes
February 26, 2018

CALL MEETING TO ORDER — The Kenmore City Council special meeting was called to order by Mayor Baker at 7:00 p.m.

Councilmembers present:

Mayor David Baker
Deputy Mayor Nigel Herbig
Councilmember Joe Marshall
Councilmember Milton Curtis
Councilmember Debra Srebnik
Councilmember Stacey Denuski
Councilmember Brent Smith

Staff present:

Rob Karlinsey, City Manager
Nancy Ousley, Assistant City Manager
Bryan Hampson, Development Services Director
Debbie Bent, Community Development Director
Dawn Reitan, City Attorney
Kelly Chelin, City Clerk

FLAG SALUTE

The Council led the flag salute.

AGENDA APPROVAL

The agenda was approved as submitted.

PRESENTATION

Arts and Culture events in Kenmore - Sara Solum Hayashi, The Arts of Kenmore

PROCLAMATION

Vicki L. Sherwood, Retiring Inglemoor High School Principal, Week in the City of Kenmore (March 5 through March 9, 2018)

Mayor Baker read the proclamation aloud and proclaimed it Vicki L. Sherwood week in the City of Kenmore from March 5 through March 9, 2018. Mayor Baker also presented Ms. Sherwood with a key to the City. This is only the second key that the City has handed out.

CITIZEN COMMENTS

Rick Verlinda
19017 62nd Avenue NE
Kenmore, Washington 98028

Mr. Verlinda introduced himself as the newest Commissioner for the Northshore Fire District. He stated that he was with the Seattle Fire Department for 16 years. He is available to meet with anyone for coffee.

Phyllis Finley
5962 NE Arrowhead Drive
Kenmore, Washington 98028

Ms. Finley stated her disappointment that not one Councilmember seconded Councilmember Marshall's motion at the last meeting, to start exploring a partnership with the school district.

John Hendrickson
5919 NE 202nd Lane
Kenmore, Washington 98028

Mr. Hendrickson spoke about ethical concerns. He stated that Daniels Real Estate is not in favor of the ballfields at St. Edward. He also handed out a document that outlined the history of the ballfield development at Northshore School District.

CONSENT AGENDA

MOTION: Councilmember Denuski made a motion to approve the consent agenda, Councilmember Smith seconded the motion. The motion passed unanimously.

The consent agenda included the following:

Cancel the Regular Council Meeting of March 12, 2018 (Next regularly-scheduled Council meeting is March 19, 2018)

Regular Council Meeting Minutes of January 22, 2018

Authorize the City Manager to Execute Contract No. 18-C1827 with Olympic Environmental Resources

Authorize the City Manager to Enter into a Service Agreement with King County Department of Adult and Juvenile Detention Community Work Program

Approve City Council Retreat Summary Report, Including City Council Goals

Receive and File the November 2017 Financial Report for the City of Kenmore

BUSINESS AGENDA

Amendments to Kenmore Municipal Code Chapter 1.10 - Disclosure of Public Records and Fixing an Effective Date - Ordinance 18-0460 – Teresa McAllister, Administrative Assistant

Administrative Assistant Teresa McAllister explained that in 2017, the Washington State Legislature adopted legislation, ESHB 1594 and EHB, amending RCW 42.56 the Public Records Act (PRA). The legislation provides for improved public records administration and authorizes public agencies to charge costs associated with responding to public records requests. The legislation also directed agencies to incorporate the legislation updates into their codes.

The proposed Ordinance amends Kenmore Municipal Code Chapter 1.10 Public Records, incorporating the administrative updates, such as adding "clarification of request" as a permitted response to a public records request and requiring training of public records officers in records

retention, production and disclosure of electronic documents, as well as implementing electronic copy fees. The City will continue to defer to the statutory default copy fees in response to public records requests rather than calculating the actual costs for making copies. As required by the new law, the amended KMC Chapter 1.10.070(b) provides for a declaration of the reasons that calculating actual copying costs would be unduly burdensome to the City. A copy of KMC Chapter 1.10 code showing proposed amendments is included in the Council packet.

Current fees are fifteen cents per page for photocopies. The Ordinance, as allowed by State law, authorizes copying fees to be charged for electronically produced copies. A fee will be charged for scanned copies at ten cents per page. Electronic files or attachment uploaded to email, cloud-based data storage, or other means of electronic delivery will be charged five cents per each four files/attachments, and ten cents per gigabyte for the transmission of public records in an electronic format or for the use of agency equipment to send the records electronically. The proposed amended copy fees schedule is included in the Council packet. The City proactively posts many documents to the City's website for the public to access at no charge.

Assistant City Manager Ousley stated that there are over 400 requests each year.

Council and staff engaged in a discussion. They discussed whether or not this new code language would be putting the public through "extra steps" in order to obtain public records.

MOTION: Councilmember Curtis made a motion to approve Ordinance 18-0460 Amendments to Kenmore Municipal Code Chapter 1.10 - Disclosure of Public Records and Fixing an Effective Date, Councilmember Denuski seconded the motion. The motion passed 4-3 with Deputy Mayor Herbig, Councilmember Marshall and Councilmember Srebnik voting against.

Amendments to Kenmore Municipal Code Section 1.20.010 and Chapter 8.25 - Nuisance Ordinance 18-0461 – Bryan Hampson, Development Services Director

Development Services Director Hampson explained that by State Statute, a city that adopts an ordinance establishing procedures for the abatement and removal of junk vehicles or parts thereof from private property must contain the provisions required by RCW 46.55.240.

Ordinance No. 18-0461 amends the City's regulations and procedures for the abatement and removal of junk vehicles to be in alignment with State Statute.

MOTION: Deputy Mayor Herbig made a motion to approve Ordinance 18-0461 Amendments to Kenmore Municipal Code Section 1.20.010 and Chapter 8.25 Nuisance, Councilmember Srebnik seconded the motion. The motion passed unanimously.

COUNCIL REPORTS

Councilmember Marshall stated that he thought the Key to the City presentation earlier to Ms. Sherwood was really nice.

Councilmember Srebnik stated for the record that, if possible, she does support a rehab of the existing school fields.

Mayor Baker brought up an idea from a citizen who wanted to know if the City would allow a chicken parade in the City. Mayor Baker thought maybe the 4th of July celebration or the summer event would be a good time for this.

ADJOURNMENT

Mayor Baker adjourned the meeting at 7:58 p.m.

David Baker, Mayor

ATTEST:

Kelly M. Chelin, City Clerk

City of Kenmore, Washington
REVISED City Council Regular Meeting Minutes
March 19, 2018

CALL SPECIAL MEETING TO ORDER — The Kenmore City Council special meeting was called to order by Mayor Baker at 6:30 p.m.

Councilmembers present:

Mayor David Baker
Deputy Mayor Nigel Herbig
Councilmember Joe Marshall
Councilmember Stacey Denuski
Councilmember Brent Smith
Councilmember Milton Curtis (Absent)
Councilmember Debra Srebnik (Absent)

Staff present:

Rob Karlinsey, City Manager
Nancy Ousley, Assistant City Manager
Joanne Gregory, Finance and Administration Director
Bryan Hampson, Development Services Director
Debbie Bent, Community Development Director
Pete Horvath, Police Chief
Dawn Reitan, City Attorney
Kelly Chelin, City Clerk

RECESS TO EXECUTIVE SESSION

The meeting was recessed to executive session to discuss Property Acquisition pursuant to RCW 42.30.110(1)(b) for approximately 15 minutes.

The meeting reconvened to regular session at 6:45 p.m.

The Council took a break from 6:45 to 7:00 p.m.

FLAG SALUTE

The Council led the flag salute.

AGENDA APPROVAL

The agenda was approved as submitted.

PRESENTATION

Beth Knox, President and CEO of Special Olympics 2018 USA Games

Ms. Knox explained that the Special Olympics is coming to the City of Kenmore at Kenmore Lanes in the summertime.

PROCLAMATION

Sleep Deprivation Awareness Month - April 2018

Mayor Baker read the proclamation aloud and presented it to several Inglemoor Highschool students.

CITIZEN COMMENTS

Lisa Keller
6520 NE 188th
Kenmore, Washington 98028

Ms. Keller stated that she has lived in the City for over 20 years. She handed out a letter to the Council asking for \$3,000 for a community garden at Northlake Lutheran Church. The money would be for the purchase of food quality soil for the garden beds plus tax and delivery.

John Hendrickson.
5919 NE 202nd Lane
Kenmore, Washington 98028

Mr. Hendrickson spoke about the ballfields. He stated that he would like the new Councilmembers to know the history on the project. He also asked why Chief Sether left the City of Kenmore and what his compensation was. Third, he requested the City add a third lane on the bridge to ease congestion.

Steve Holmes
10150 NE 201st
Bothell, Washington 98011

Mr. Holmes is from Stand-Up Kayak. He thanked the City for all the sidewalk projects around the City. His 88-year-old mother can now get around the City much easier in her wheelchair.

CONSENT AGENDA

MOTION: Councilmember Denuski made a motion to approve the consent agenda, Mayor Baker seconded the motion. The motion passed unanimously.

The consent agenda included the following:

The following checks and electronics payments are approved for payment:

Total checks 39148 through 39257 in the amount of \$397,920.58.

Total payroll/taxes/flexible spending and health savings account electronic deposits dated: 2/16/18 in the amount of \$97,608.20

The following checks and electronic payments are approved for payment:

Total checks #39258 through #39357 in the amount of \$367,879.01.

Total payroll/taxes/flexible spending and health savings account electronic deposits dated 3/2/18 in the amount of \$98,521.40

Council Meeting Minutes of January 29, 2018 and Council Meeting Minutes of February 12, 2018

Authorize the City Manager to execute Contract 18-C1850 with Shannon & Wilson, Inc. in an amount not to exceed \$200,000 to assist with the City's update of critical areas regulations and the Shoreline Master Program (Contract authorization amount includes a 3% contingency)

BUSINESS AGENDA

Walkways and Waterways Park Projects Update - Debbie Bent, Community Development Director and Maureen Colaizzi, Parks Project Manager

Project Manager Colaizzi explained that this presentation provides an update about refinements that have been made to the project concept plan and cost estimate for the Squire's Landing Waterfront & Natural Open Space Access project. City Council received an update on the Log Boom Park Waterfront Access and Viewing Project on February 12th. Additional refinements have been made to the Log Boom site plan for the upcoming public open house including moving the picnic pavilion further east to improve views and access to the water.

An open house scheduled for Thursday, March 22nd will present the refined Squire's Landing and Log Boom Park site plans to the public. A mailer inviting the public to the open house has been sent to all residents.

Proposition 1 Walkways & Waterways bond measure was approved by voters November 2016. Improving public access to Kenmore's waterfront is also a priority. The City has over seven miles of shoreline on Lake Washington and the Sammamish River but limited opportunities for public access. Kenmore residents' desire to connect to the waterfront has been strongly expressed over the years and was confirmed through the Imagine Kenmore community engagement process. The Walkways and Waterways bond measure includes public waterfront improvements at Rhododendron Park, Squire's Landing Park and Log Boom Park.

Rhododendron Park Waterfront and Natural Open Space Access project provides public access to the Sammamish River after constructing a new trail and boardwalk to connect the playfield through the natural open space to the riverfront and dock. The project was completed at the end of 2017 and is now open to the public. A dedication and ribbon cutting is planned for early May. Staff will provide more details as they are available.

For information about Walkways and Waterways projects, please visit our webpage at: kenmorewa.gov/walkwaysandwaterways.

SQUIRE'S LANDING WATERFRONT AND NATURAL OPEN SPACE ACCESS PROJECT UPDATE:

Walkways and Waterways Concept Plan:

This project will create eleven acres of new park development to enhance public access to the Sammamish River.

The concept plan was developed to schematically show the location of proposed improvements prior to the ballot measure. The ballot measure concept plan shows a public hand powered water craft facility with staging areas, float and hand carry launches, a community plaza, restroom, parking lot, trails and walkways with bridges and river viewing platforms through enhanced natural areas and environmental enhancements.

Regulatory Agency Consultation:

Staff and our consultant team (Mott MacDonald) met with agencies including the Army Corps of Engineers (ACE), Washington Department of Fish and Wildlife (WDFW), Department of Ecology, the Muckleshoot Indian Tribe; King County and the Recreation and Conservation Office (RCO) to hear preliminary feedback on the concept plan with respect to their areas of regulatory control. Based on this feedback, the consultant team conducted additional environmental and design analysis to refine the concept plan and answer questions from regulators. A follow-up meeting was held with WDFW and the Muckleshoot Tribe to review the additional environmental and design analysis conclusions and design refinements.

Environmental and Design Analysis Phase:

A site analysis was conducted to refine the concept plan ideas into more accurate and detailed design drawings for land use, environmental permit submittal and construction cost estimating.

The site analysis included:

1. Topographic and bathymetric survey analysis to confirm location, size and extent of existing site features such as park features, wetlands, underwater landform and water depths, underground utilities, easements and property boundaries. Once the topographic survey, title and property deeds were documented, the concept plan was overlaid onto the topographic survey (Attachment #3).
2. Engineering and environmental assessment to inform the design and location for the program site elements including:
 - Wetland delineations;
 - Tree preservation where feasible;
 - Review and analysis of Sammamish River ACE Civil Works project drawings;
 - Review of FEMA Flood Zone Maps;
 - Water temperature sampling and analysis;
 - Review and analysis of ADA requirements for public docks and gangways;
 - Review and analysis of the Shoreline Management Plan code;
 - Storm water code regulations;
 - Review of future maintenance and operation needs.
3. Stakeholder Coordination was conducted with Kenmore Water Activity Center (KWAC) board members and Sno-King Watershed Council and Adopt-A-Stream Foundation and some Trail Walk Building A condominium residents.

King County Waste Water Sewer Easement:

After reviewing the concept plan/survey overlay (Attachment #3), it was clear that some proposed improvements were overlapping the 15' King County waste water sewer easement. Staff met with King County staff to discuss what could be located within the easement. Permanent structures such as underground footings are not permitted; however, plazas, trails or elevated walkways, and landscaping are permissible uses over the sewer line.

Design Refinements:

The draft 30% site plan (Attachment #2) provides for the same project elements as the concept plan (Attachment #1) with a few exceptions. Most refinements were made to reduce impacts to environmental critical areas. Reducing impacts to the critical areas also reduces mitigation costs.

Attachment #2 and Attachment #1 project elements are numbered to correspond with the descriptions of refinements listed below.

1. Entry, Parking Lot and Restroom: There has been no significant change for the location of the proposed park entry, parking lot and restroom which are in the northeast corner of the project site. The topographic survey informed placement to avoid as many significant trees as possible. The entrance and parking lot will include signage, security lighting, gates, fencing and a landscaped buffer along the northeast property line.
2. Plaza: The original concept plan plaza (Attachment #1) has been labeled in the draft 30% site plan (Attachment #2) as Upper Plaza and Waterside Plaza. The waterside plaza has not changed in size (40'x80'); however, it has been shifted northeast to assure that the plaza's structural footings are outside of the 15' King County sewer easement and avoid wetland impacts. The entire plaza shown in Attachment #1 was approximately 7,100 sq. ft. in size. The size of the upper plaza was reduced nearly in half to decrease wetland buffer impacts and mitigation costs. The proposed 16' wide by 115' long upper plaza (1840 sq. ft.) is wide enough to allow for passing hand carry vessels. Using a standard of 10-20 sq. ft. per person, the upper plaza would provide a gathering area for about 100-200 people. In addition, the waterside plaza (3,200 sq. ft.) would provide a gathering area for about 150-350 people.

3. Public Hand Powered Watercraft Facility:

- Gangway and Float Launch: The 30% draft site plan (Attachment #2) includes two ADA gangways with 45' floats, one on either side of the pond. Analysis of the bathymetry and critical areas during the site analysis phase informed the location and configuration of each float to provide adequate water depths for mooring, loading and launching vessels.

The western float will be accessed from the western portion of Squire's Landing Park and is sized and engineered to moor and launch the KWAC safety power boat and up to two dragon boats used for public programming. This float serves the purpose of one large float and one small float shown on the original concept plan. See Attachment #1.

The eastern float is engineered for unprogrammed public use to launch personal kayaks, canoes and stand-up paddle boards. It will also be used for KWAC public boating programs including launching dragon boats. It is designed to allow for loading and launching on either side, maximizing the full use of the float. There will be no in water mooring on this float.

- Hand Carry Launch (Pocket Beach): Topographic and critical area analysis informed the design for the hand carry boat launch, which was previously referred to as pocket beach in Attachment #1. It is relocated northwest of the plaza to minimize grading and environmental impacts.
- Upland and Floating Kayak Storage: The floating kayak storage to support KWAC public programming shown in the concept plan (Attachment #1) was removed from the design after environmental concerns were raised during our discussion with regulatory agencies. Storage has moved landward to the south of the parking lot outside of the wetland buffer. The 2,700-sq. ft. area was designed to meet KWAC's storage needs for dragon boat, kayak/canoe and paddle board programming.

4. Trails, Walkways with Bridges to View Decks:

- Trails: Trail alignment and surface material refinements have been made. Trails within the southeastern portion of the site have been reduced and converted to elevated walkways to reduce wetland impacts. Trails within the northwestern portion of the site have been converted from asphalt to gravel to reduce impacts to the wetland buffer and construction cost.
 - Elevated Walkways: The elevated walkway between the plaza to the bridges has increased in width from six feet to ten feet to allow access for maintenance vehicles. The remaining elevated walkways will remain six feet in width.
 - Bridges: There are two main bridges that will connect the site across the lagoon and Swamp Creek. The third bridge that spanned a created side channel in the concept plan was removed along with the side channel after further analysis did not support its effectiveness as an environmental enhancement opportunity.
 - View Decks: The draft 30% concept plan provides three opportunities for viewing the creek and river, one along Swamp Creek and two along the Sammamish River on the peninsula. The fourth viewing deck that was originally proposed on the peninsula was removed to reduce environmental mitigation and construction costs. View decks are approximately 8 feet wide by 15 feet long and would provide a gathering area for about six to fifteen people.
5. Picnic (Riverside) Pavilion: The proposed riverside picnic pavilion was relocated north to where the existing mobile home is located outside of the delineated wetland. This location is topographically higher and improves views to the Sammamish River. It also locates it outside of an area of heavy use for staging and launching hand powered watercraft.
6. Environmental Enhancements:
The engineering and environmental assessment, water temperature sampling and analysis, wetland delineation and site survey provided needed data about the location and extent of large trees and wetlands and how to configure the parking lot, trails, plaza, floats and bridges to reduce impacts to critical areas and trees. The side channel, bridge and elevated walkway and south viewing platform were eliminated from the design. The 30% site plan (Attachment #2) provides for environmental enhancements including planting along NE175th Street, within wetlands, their buffers and riparian areas along swamp creek and the Sammamish River. Other enhancements include Swamp Creek streambank improvements and created wetlands.

Project Schedule Update:

A public open house is scheduled for Thursday, March 22nd. Land use permits (including SEPA and Shoreline Permit) are estimated to be submitted this summer/fall 2018. Staff will be developing grant applications with the Recreation and Conservation Office (RCO). Applications are due May 1, 2018. The 60% design development phase will begin after submitting land use and environmental permits. Staff anticipates providing Council with another update in the winter of 2018/19. Construction is anticipated to be complete in 2023 with design, permitting and bidding continuing from 2018 through 2022.

Project Cost Estimate Update: Attachment #4 includes an overview of the updated cost estimate to design, permit and construct the project and a funding plan.

Design, Permitting and Construction Costs: The total design, permitting and construction cost with contingencies is \$1.1 Million dollars above our current total project budget of \$5.1 Million. Costs will continue to be reviewed in future design phases. Staff will update the City Council on

costs in the 60% design phase to prioritize the design for construction bidding. This 30% site plan phase allows the City to submit the project for environmental and site development permits.

Design refinements have reduced cost by reducing wetland and riparian habitat impacts, and changing assumptions on the type, size and quantity of materials. However, some cost projections increased including:

- potential frontage improvements;
- mitigation to enhance wetlands and their buffers and to create wetlands and riparian habitat in the pond and Swamp Creek,
- Washington State Sales tax up from 9.5% to 10%;
- increasing construction cost escalation to 6% escalation per year until construction; and
- additional construction management.

There are two other major expenses this project will incur. They include 10-year environmental monitoring and maintenance and land acquisition. Costs for both are shown in Attachment #4 in the Total Project Funding Plan chart listed below the Cost Estimate chart. These costs add an additional \$1.4 Million dollars to the total project costs. Total project funding needed is estimated at about \$7.6 Million.

Environmental Monitoring and Maintenance: The cost to monitor and maintain environmental mitigation area for the Squire's Landing project will be approximately \$40,000/year for 10 years. Normal park operation and maintenance costs are not included in this capital project budget.

Land Acquisition: Several Squire's Landing parcels east of the lagoon were originally acquired by King County with Recreation Conservation Office (RCO) funding that restricts active recreation use of the parcels. To allow for more active uses (particularly associated with water access for the hand powered watercraft), the RCO land conversion process requires replacing land based on current appraised value of between \$650,000 to \$920,000. The City has been working with RCO on the land conversion and the process is underway. The conversion process needs to be completed before construction begins. Public input is required by RCO prior to the Recreation and Conservation Board will approve the land conversion process. Staff will present the details of the land conversion to City Council in a public hearing to allow for public comment.

Funding Sources: In addition to the \$5.1 million-dollar bond levy funding, the city is seeking other funds to narrow a potential gap. In March, staff applied for a matching grant award from King County's Conservation Futures Trust (CFT) for up to \$500,000 towards the cost for land acquisition. In May, Staff will submit applications for two grants from the RCO for up to \$1,000,000 with the hope of receiving one grant award of up to \$500,000. Other available City funding would be required for the balance.

Council and staff engaged in a discussion. A public open house is scheduled for Thursday, March 22. Staff will come back with updates on this project as it proceeds.

Authorize the City Manager to Enter into an Agreement for Waterfront Programming Services -
Rob Karlinsey, City Manager

City Manager Karlinsey explained that over the years, the City Council has made waterfront access and recreation a high priority. Since 2014, Kenmore Waterfront Activities Center (KWAC) and its affiliate organizations have provided waterfront recreational programs at Squire's Landing Park and other waterfront parks in the City. KWAC is run by volunteers and

has provided these services under an agreement whereby KWAC may use City storage facilities and other areas at waterfront parks in return for the recreational programming.

Now that almost four years has transpired since the agreement began, both the City and KWAC desire to enter into a new agreement that expands KWAC's programming services to the community and provides for a City financial contribution to KWAC vessels and equipment.

Council and staff discussed the proposed terms and conditions of the new agreement.

MOTION: Councilmember Denuski made a motion to authorize the City Manager to enter into an agreement for Waterfront Programming Services, Deputy Mayor Herbig seconded the motion. The motion passed 5-0.

COUNCIL REPORTS

Council discussed the request from the earlier citizen who spoke during citizen comments and requested \$3,000 for a community garden.

MOTION: Councilmember Denuski made a motion to go forward with the \$3,000 request (for the community garden) one-time, subject to the City Attorney's advice (on the church/state issue), Mayor Baker seconded the motion. The motion passed 4-1 with Councilmember Marshall voting against.

Councilmember Marshall asked the Council to consider hosting a summit of local jurisdictions to discuss a Northshore pool.

MOTION: Councilmember Marshall made a motion to direct the City Manager to host a summit of local entities concerning a public pool, Deputy Mayor Herbig seconded the motion. The motion failed 5-0.

City Manager Karlinsey stated that he will get together with other City Managers in the area to discuss the feasibility of the pool.

Council discussed the motion raised by Councilmember Marshall at the last meeting to pursue grants for school fields.

City Manager Karlinsey stated a discussion needs to be had with the school and then seek funding.

Mayor Baker reported on a few meetings he has recently attended with the City's delegation.

ADJOURNMENT

Mayor Baker adjourned the meeting at 8:57 p.m.

David Baker, Mayor

ATTEST:

Kelly M. Chelin, City Clerk

Subject/Topic:

For Council Meeting Agenda of: April 16, 2018

Prepared by: Jennifer Gordon, Public Works Ops
Manager

Approved by Department Head: _____ Initial & Date

Approved by City Attorney:
Approved by Finance Director: June 3/30/18
Approved by City Manager: POK

Contract No. 18-C1828

Historically since City Hall opened its doors in 2010 the City had its own in-house Maintenance Custodian performing the routine daily janitorial duties. The position became vacant in early 2016 at which time the City entered into a contract for temporary janitorial services. With the upcoming development of the Town Square and Hangar building, staff decided it was a good idea to re-evaluate the position and its duties.

The Building Maintenance Technician position was created to take the place of the Maintenance Custodian. The new position would take on more building repair tasks, building systems management as well as provide support to both City Hall and the Hangar Building. This position no longer has the capacity to provide the routine janitorial services to the two buildings, especially with the Hangar requiring seven day a week service.

The contract for Janitorial Services for both City Hall and the Hangar building includes the routine janitorial service at City Hall five days a week and at the Hangar building seven days a week.

A Request for Proposals for a two-year contract was sent out to contractors on the Small Works Roster in February.

The annual cost for the basic routine janitorial services for City Hall and the Hangar will be \$68,400.00; leaving

an additional \$6,600 per year for discretionary requests for services above and beyond the scope of work included in the contract. The total cost not to exceed \$150,000 for the two-year contract.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Effective and efficient services.

City of Kenmore Contract No. 18-C1828

CONTRACT FOR SERVICES

This Agreement is entered into by and between the City of Kenmore, Washington, a noncharter optional municipal code city referred to as the "City," and SMS Cleaning, Inc. , hereinafter referred to as the "Contractor," whose principal office is located at 8033 Pacific Ave, Tacoma, WA 98408.

WHEREAS, the City has determined the need to have certain services performed for its citizens but does not have the manpower or expertise to perform such services, and

WHEREAS, the City desires to have the Contractor perform such services pursuant to certain terms and conditions, now, therefore,

IN CONSIDERATION OF the mutual benefits and conditions hereinafter contained, the parties hereto agree as follows:

1. Scope and Schedule of Services to be Performed by Contractor. The Contractor shall perform those services described on Exhibit "A," attached hereto and incorporated herein by this reference as if fully set forth. In performing such services, the Contractor shall at all times comply with all Federal, State, and local statutes, rules and ordinances applicable to the performance of such services and the handling of any funds used in connection therewith. The Contractor shall request and obtain prior written approval from the City if the scope or schedule is to be modified in any way.

2. Compensation and Method of Payment. The City shall pay the Contractor for services rendered according to the rate and method set forth on Exhibit "B," attached hereto and incorporated herein by this reference. The total amount to be paid shall not exceed \$150,000.

The Contractor 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 Contractor for services rendered within ten (10) days after City Council voucher approval.

3. Contractor Budget. The Contractor shall apply the funds received under this Agreement within the maximum limits set forth in this Agreement. The Contractor shall request prior approval from the City whenever the Contractor desires to amend its budget in any way.

4. Duration of Agreement. This Agreement shall be in full force and effect for a period commencing upon execution and ending, April 30, 2020 unless sooner terminated under the provisions hereinafter specified. The contract may be extended for a two year period, with mutual acceptance

5. Independent Contractor. Contractor and City agree that Contractor is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties hereto. Neither Contractor nor any employee of Contractor shall be entitled to any benefits accorded City employees by virtue of the services provided under this Agreement. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security or contributing to the State

Industrial Insurance Program, or otherwise assuming the duties of an employer with respect to the Contractor, or any employee of the Contractor.

6. Indemnification.

A. Contractor shall defend, indemnify and hold the City, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Contractor in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

B. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, and volunteers, the Contractor's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Contractor's negligence.

C. It is further specifically and expressly understood that the indemnification provided herein constitutes the Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties.

D. The provisions of this section shall survive the expiration or termination of this Agreement.

7. Insurance. The Contractor 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 Contractor, its agents, representatives, or employees.

A. Minimum Scope of Insurance. Contractor 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 contractors and personal injury and advertising injury. The City shall be named as an insured under the Contractor'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.
4. Professional Liability insurance appropriate to the Contractor's profession.

B. Minimum Amounts of Insurance. Contractor 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.
3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

C. Other Insurance Provision. The Contractor'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 Contractor'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 Contractor 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 Contractor before commencement of the work.

F. Notice of Cancellation. The Contractor 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 Contractor 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 Contractor 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 Contractor from the City.

H. No Limitation. Contractor's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Contractor 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 Contractor 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 in the performance of this Agreement and other such records as may be deemed necessary by the City to ensure the performance of this Agreement.

B. These records shall be maintained for a period of seven (7) years after termination hereof unless permission to destroy them is granted by the office of the archivist in accordance with RCW Chapter 40.14 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 law during the performance of this Agreement.

10. Termination. This Agreement may at any time be terminated by the City giving to the Contractor thirty (30) days written notice of the City's intention to terminate the same. Failure to provide products on schedule may result in contract termination. If the Contractor's insurance coverage is canceled for any reason, the City shall have the right to terminate this Agreement. 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. The Contractor reserves the right to terminate this Agreement with not less than thirty (30) days written notice, or in the event that outstanding invoices are not paid within sixty (60) days. 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 Contractor shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Contractor 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 Contractor shall not assign or subcontract any portion of the services contemplated by this Agreement without the written consent of the City.

13. 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.

14. Notices. Notices to the City of Kenmore shall be send to the following address:

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

Notices to the Contractor shall be sent to the address provided by the Contractor upon the signature line below.

15. Applicable Law; Venue; Attorney's 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 instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be properly laid in King County, Washington. The prevailing party in any such action shall be entitled to its attorney's fees and costs of suit.

16. 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 Contractor, 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.

DATED this _____ day of _____, _____.

CONTRACTOR:

BY: _____

Title: _____

Address: _____

Phone No.: _____

CITY OF KENMORE:

BY: _____

Rob Karlinsey

Title: City Manager _____

EXHIBIT A

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

Scope of Work

**Kenmore City Hall
18120 68th Ave NE, Kenmore, WA 98028**

Cleaning Schedule

Sunday thru Thursday 7:00 PM to 1:00 AM

Check in/Check out Procedure

1. Sign-in;
2. Check binder for any notes/communication;
3. Check in with Building Maintenance Technician;
4. Check City Hall Schedule, plan route accordingly;
5. Use checklist to check off duties as they are completed;
6. Record paper product and soap usage upon deployment;
7. Make notes for Building Maintenance Technician (lights out, broken items, excessive time spent on specific project or clean up, things out of the ordinary, etc.); and
8. Sign-out

Public Lobby Areas

Lobby, Reception/Permit Counter

- Daily
 1. Check all garbage and recycle containers, empty and replace liners as needed.
Wipe/wash containers as needed;
 2. Wipe/disinfect all counters;
 3. Clean glass entry doors;
 4. Dust-mop;
 5. Wipe down tables in seating area;
 6. Check for burnt out bulbs; and
 7. Vacuum walk-off mats.
- Weekly
 1. Empty garbage and recycle Sunday and Wednesday;
 2. Dust window sills; and
 3. Auto Scrub Lobby Floor Sunday and Wednesday.

Elevator

- Daily
 1. Vacuum floor;
 2. Wipe/ sanitize elevator hand rails;
 3. Wipe down/ sanitize stainless steel walls;
 4. Spot clean elevator floor;
 5. Check for burnt out bulbs; and
 6. Vacuum walk-off mats.

- Weekly
 1. Dust window sills on garage level;
 2. Mop elevator floor; and
 3. Dust wood tables.

Stairwell

- Daily
 1. Vacuum;
 2. Wipe/sanitize handrails;
 3. Wipe doors and handles; and
 4. Check for burnt out bulbs.
- Weekly
 1. Mop stairs and landings; and
 2. Dust all ledges, vents and beams.

Public Restrooms

- Daily
 1. Empty all garbage and recycle containers and replace liners. Wipe/wash containers as needed.
 2. Clean top to bottom; disinfect sinks, mirrors, toilets, urinals, walls, and stall doors.
 3. Refill paper/soap products.
 4. Mop floors
 5. Check for burnt out bulbs.
- Weekly
 1. Dust vents and light fixtures.
 2. Pour *16 oz. of enzyme cleaner* into all floor drains.

Drinking Fountains

- Daily
 1. Check for debris/remove as needed; and
 2. Sanitize drinking fountains.

Public/Office Meeting Areas

Council Chambers, Community Room and Conference Rooms (Conference Room 1 & 2, Executive Meeting Room)

- Daily
 1. Check calendar for events
 2. Empty all garbage and recycle containers, replace liners as needed, and Wipe/wash containers as needed;
 3. Spot Vacuum as needed;
 4. Wipe down/disinfect tables and surfaces (check chairs for spills);
 5. Clean whiteboards;
 6. Clean glass doors;
 7. Arrange/tidy furniture in all conference rooms; and
 8. Check for burnt out bulbs.
- Weekly

1. Dust monitors, window sills, surfaces and vents;
 2. Vacuum Monday and Thursday.
- Monthly
1. Dust wood panel walls (reaching height).

Executive Meeting Area Kitchen and Restroom (both kitchen and restroom do not see high traffic, however the two areas must be checked daily)

Executive Kitchen

- Daily
1. Check/empty garbage and recycle. Replace liners as needed and wash/wipe containers as needed;
 2. Wipe and disinfect kitchen counters (as needed);
 3. Clean and disinfect all appliances (as needed);
 4. Sweep floor; and
 5. Check for burnt out bulbs.
- Weekly
1. Pour 16 oz. enzyme cleaner into all floor drains;
 2. Mop floor; and
 3. Dust all surfaces and sills.

Executive Restroom

- Daily
1. Check/Empty garbage and recycle. Replace liners as needed and wipe/wash containers as needed;
 2. Clean top to bottom disinfect sinks, mirrors, toilets, urinals, walls, and stall doors;
 3. Refill paper/soap products;
 4. Mop floors; and
 5. Check for burnt out bulbs.
- Weekly
1. Dust vents and light fixtures; and
 2. Pour 16oz. enzyme cleaner into all floor drains.

Administrative/Office Areas (first and second floors)

Work Room and Copy Rooms

- Daily
1. Empty garbage and recycle. Replace liners as needed and wipe/wash containers as needed;
 2. Clean glass entry doors;
 3. Dust/wipe down machines; and
 4. Check for burnt out bulbs.
- Weekly
1. Vacuum Monday and Thursday
 2. Dust vents, window sills

Workstations/Offices

- Daily
 1. Spot clean floors;
 2. Spot clean interior glass; and
 3. Check for burnt out bulbs.
- Weekly
 1. Empty all garbage and recycle containers and replace liners (Monday and Thursday. Wipe/wash containers as needed;
 2. Mop floors;
 3. Vacuum accessible areas (Monday and Thursday); and
 4. Dust top of all partitions, ledges, and window sills.

Staff Restrooms

- Daily
 1. Empty all garbage and recycle containers and replace liners. Wipe/wash containers as needed;
 2. Clean top to bottom disinfect sinks, mirrors, toilets, urinals, walls, door handles, kick plates and doors;
 3. Refill paper/soap products;
 4. Mop floors; and
 5. Check for burnt out bulbs.
- Weekly
 1. Dust vents and light fixtures;
 2. Check shower and clean using *SE Washroom Cleaner* (weekly or as needed); and
 3. Pour *16 oz. enzyme cleaner* into all floor drains.

Break Room/Kitchens

- Daily
 1. Wipe and disinfect tables and kitchen counters;
 2. Clean and disinfect sink, surfaces and appliances;
 3. Vacuum/dust mop floors;
 4. Wet mop floors;
 5. Arrange/tidy furniture; and
 6. Check for burnt out bulbs.
- Weekly
 1. Pour *16 oz. enzyme cleaner* into all floor drains.
 2. Dust vents and light fixtures.
- Monthly
 1. High dust and wash walls

Garage

Elevator Lobby

- Daily
 1. Vacuum;
 2. Spot clean glass;
 3. Wipe/ sanitize elevator hand rails;
 4. Wipe down/ sanitize stainless steel walls; and

5. Check for burnt out bulbs.

Mud Room

- Daily
 1. Empty Trash;
 2. Sweep;
 3. Clean, sweep boot brush, exterior area of mud room;
 4. Rinse down/clean sink; and
 5. Refill paper/soap products.
- Weekly
 1. Pour *16 oz. enzyme cleaner* into all floor drains; and
 2. Dust vents and light fixtures.

Building Exterior

Garbage/Recycling

- Daily
 1. Check receptacles (located at both entrances);
 2. Empty all garbage and recycle containers and replace liners, wipe/wash containers as needed;
 3. Windows (lower) and glass doors
 4. Main City Hall entry doors/low glass, spot clean daily and wash weekly; and
 5. Dust window sills weekly.

**Town Square/Hangar Building
6728 NE 181st ST, Kenmore, WA 98028
Cleaning Schedule**

7 Days a week (between the hours of 8:00 PM and 5:00 AM)

Check in/Check out Procedure

2. Sign-in;
3. Check binder for any notes/communication;
4. Use checklist to check off duties as they are completed;
5. Record paper product and soap usage upon deployment;
6. Make notes for Building Maintenance Technician (lights out, broken items, excessive time spent on specific project or clean up, things out of the ordinary, etc.); and
7. Sign-out

Daily

1. Clean all tables and chairs;
2. Empty all garbage and recycling (public space and restrooms), clean containers (wiped down and clean inside as needed);
3. Check for burnt out bulbs;
4. Clean glass doors and spot clean windows;

5. Vacuum floor, walk off mats and furniture;
6. Arrange/tidy furniture;
7. iMop public space;
8. Clean Restrooms
 - a. Clean top to bottom: walls, mirrors, sinks, stall doors/partitions, fixtures, urinals, toilets;
 - b. Refill paper/soap products;
 - c. iMop restroom and hallway floor; and
 - d. Clean and sanitize drinking fountain.

Weekly

1. Dust vents and light fixtures; and
2. Pour 16 oz. enzyme cleaner into floor drains.

Discretionary Work Requests

A Discretionary Work Request (DWR), shall be used for any work to be completed above and beyond work included in the executed contract. Work shall be done on a time and materials basis. A DWR must be approved by the City before work may commence. Examples of work that may be done via a DWR could be, but not limited to, window washing, carpet shampooing, high dusting, etc.

EXHIBIT B

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

SMS Cleaning, Inc.

Annual Cost for City Hall	\$46,800.00
Annual Cost for Hangar	\$21,600.00
Grand Total Annual Cost	\$68,400.00
Discretionary Hourly Rate	\$40.00

EXHIBIT C

**CITY OF KENMORE
BILLING INVOICE**

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

Specific Project: _____

Contract No.: _____

Invoice Number: _____ Date of Invoice: _____

Contractor: _____

Mailing Address: _____

Telephone: () _____

Contract Period: _____ Reporting Period: _____

Amount requested this invoice: \$ _____

Attach itemized description of services provided.

Authorized signature

For Department Use Only

BUDGET SUMMARY

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

Approved for Payment by: _____ Date: _____

Form W-9 (Rev. December 2014) Department of the Treasury Internal Revenue Service	EXHIBIT D 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 <u>one</u> of the following seven boxes: ☐ Individual/sole proprietor or single-member LLC ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ ☐ Other (see instructions) ▶ _____ ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate 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.																																																			
	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) _____ (Applies to accounts maintained outside the U.S.)																																																			
	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) Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3. Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.																																																				
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Part II Certification Under penalties of perjury, I certify that: - The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and - I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and - I am a U.S. citizen or other U.S. person (defined below); and - The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct. Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.																																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Sign Here</td> <td style="width: 60%;"> Signature of U.S. person ▶ </td> <td style="width: 25%;"> Date ▶ </td> </tr> </table>			Sign Here	Signature of U.S. person ▶	Date ▶																																															
Sign Here	Signature of U.S. person ▶	Date ▶																																																		
General Instructions Section references are to the Internal Revenue Code unless otherwise noted. Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9 . Purpose of Form An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following: - Form 1099-INT (interest earned or paid) - Form 1099-DIV (dividends, including those from stocks or mutual funds) - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds) - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers) - Form 1099-S (proceeds from real estate transactions) - Form 1099-K (merchant card and third party network transactions) - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition) - Form 1099-C (canceled debt) - Form 1099-A (acquisition or abandonment of secured property) Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN. <i>If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.</i> By signing the filled-out form, you: - Certify that the TIN you are giving is correct (or you are waiting for a number to be issued), - Certify that you are not subject to backup withholding, or - Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and - Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See <i>What is FATCA reporting?</i> on page 2 for further information.																																																				

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States:

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

What is FATCA reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code* on page 3 and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account, list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note. ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C Corporation, or S Corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

Limited Liability Company (LLC). If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note. You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on this page), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code* earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
5. Sole proprietorship or disregarded entity owned by an individual	The owner ³
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor ⁴
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity ⁴
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

***Note.** Grantor also must provide a Form W-9 to trustee of trust.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit IRS.gov to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

EXHIBIT E**Nondiscrimination Agreement.**

During the performance of this contract, the contractor/consultant, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations

The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of United States Department of Transportation (USDOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination

The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment

In all solicitations, either by competitive bidding or negotiations, made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex, or national origin.

4. Information and Reports

The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the contracting agency or the appropriate federal agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to WSDOT or the USDOT as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance

In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the contracting agency shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to:

- Withholding of payments to the contractor under the contract until the contractor complies, and/or;
- Cancellation, termination, or suspension of the contract, in whole or in part

6. Incorporation of Provisions

The contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontractor or procurement as the contracting agency or USDOT may direct as a means of enforcing such provisions, including sanctions for noncompliance.

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such directions, the contractor may request WSDOT enter into such litigation to protect the interests of the State and, in addition, the contractor may request the USDOT enter into such litigation to protect the interests of the United States.



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

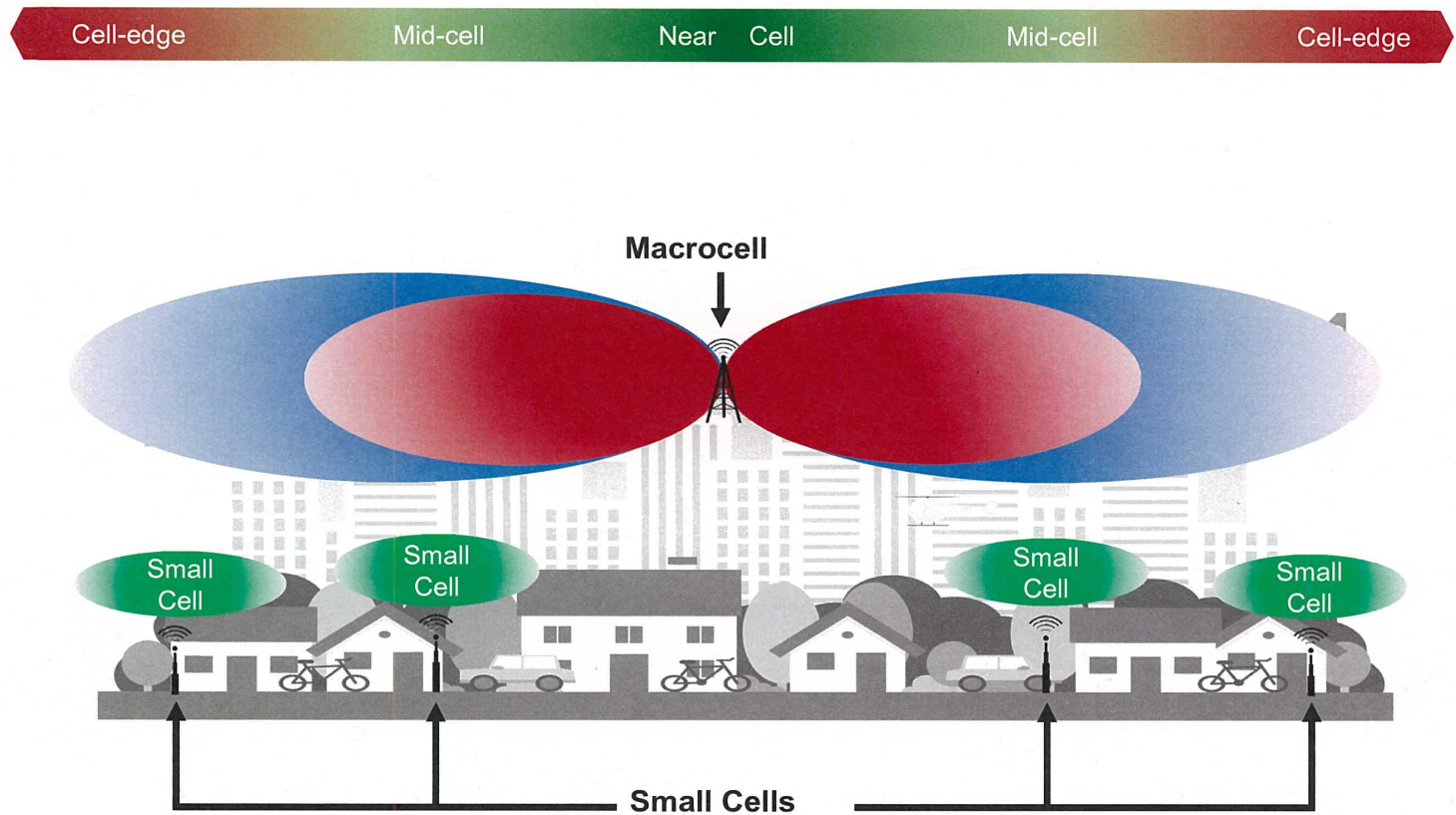
Subject/Topic: Seattle SMS Limited Partnership, a Delaware limited partnership D/B/A Verizon Wireless Franchise Agreement Presentation Proposed Council Action/Motion: No action proposed. Presentation by Verizon Wireless representative.	For Council Meeting Agenda of: April 16, 2018 Department: Public Works Prepared by: Jennifer Gordon, Public Works Operations Manager <i>JG</i> <u>Initial & Date</u> Approved by Department Head: <i>JG</i> Approved by City Attorney: <i>DR</i> via email 3/6/18 Approved by Finance Director: <i>JMG</i> 4/2/18 Approved by City Manager: <i>POK</i> Exhibits/Attachments: Draft Ordinance 18-0459 Presentation: Verizon Wireless Small Cell Program
<u>INFORMATION/BACKGROUND:</u> Brief presentation by Verizon Wireless and first reading of an ordinance granting Seattle SMSA Limited Partnership d/b/a Verizon Wireless, a Delaware Limited Partnership, a non-exclusive communications franchise agreement for the right, privilege, and authority to make use of the public right-of-way for the purpose of constructing, operating, and maintaining a telecommunication system.	
<u>FISCAL CONSIDERATION:</u> All costs of the build out will be covered by Seattle SMS, D/B/A Verizon Wireless. The City will receive revenue in the form of Franchise Utility Right-of Way application and inspection fees.	
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u> Vision Statement: Kenmore is a community that seeks to provide for the health, safety, and general welfare of all its citizens.	

Verizon Wireless Small Cell Program



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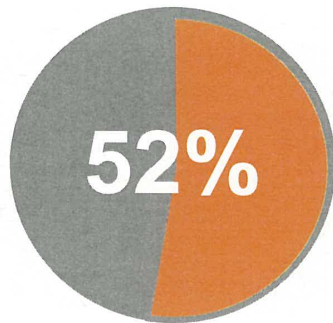
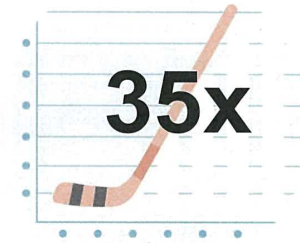
What is a Small Cell?



verizon

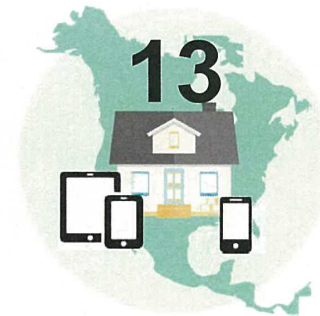
Why the Need?

From 2010 – 2016:
Mobile data use  35 times



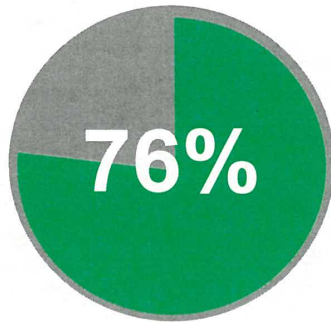
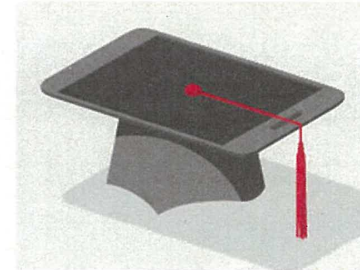
52%+ American Households
Wireless-only

Average American Household:
13 Connected Devices



Why the Need?

92% of millennials having a smartphone



76% of 911 calls originate from a cell phone.

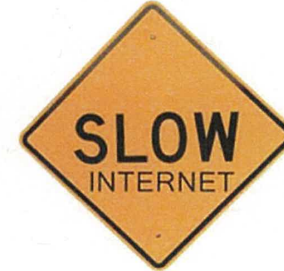
Machine to Machine connections projected to increase from 36M in 2013 to 263M in 2018



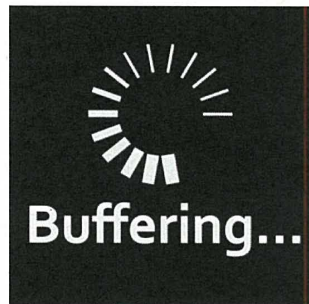
verizon✓

What is The Impact of Insufficient Capacity?

Slow Data Speeds



Increased Video Load Times



Disruption to Video Calls



Dropped or Incomplete Calls



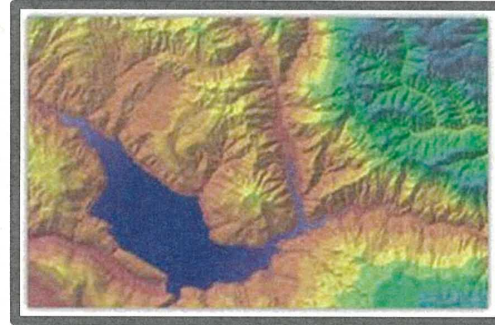
Connection Problems



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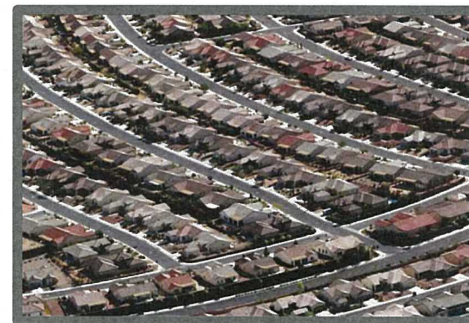
Why Deploy Small Cell? Gaps in Coverage

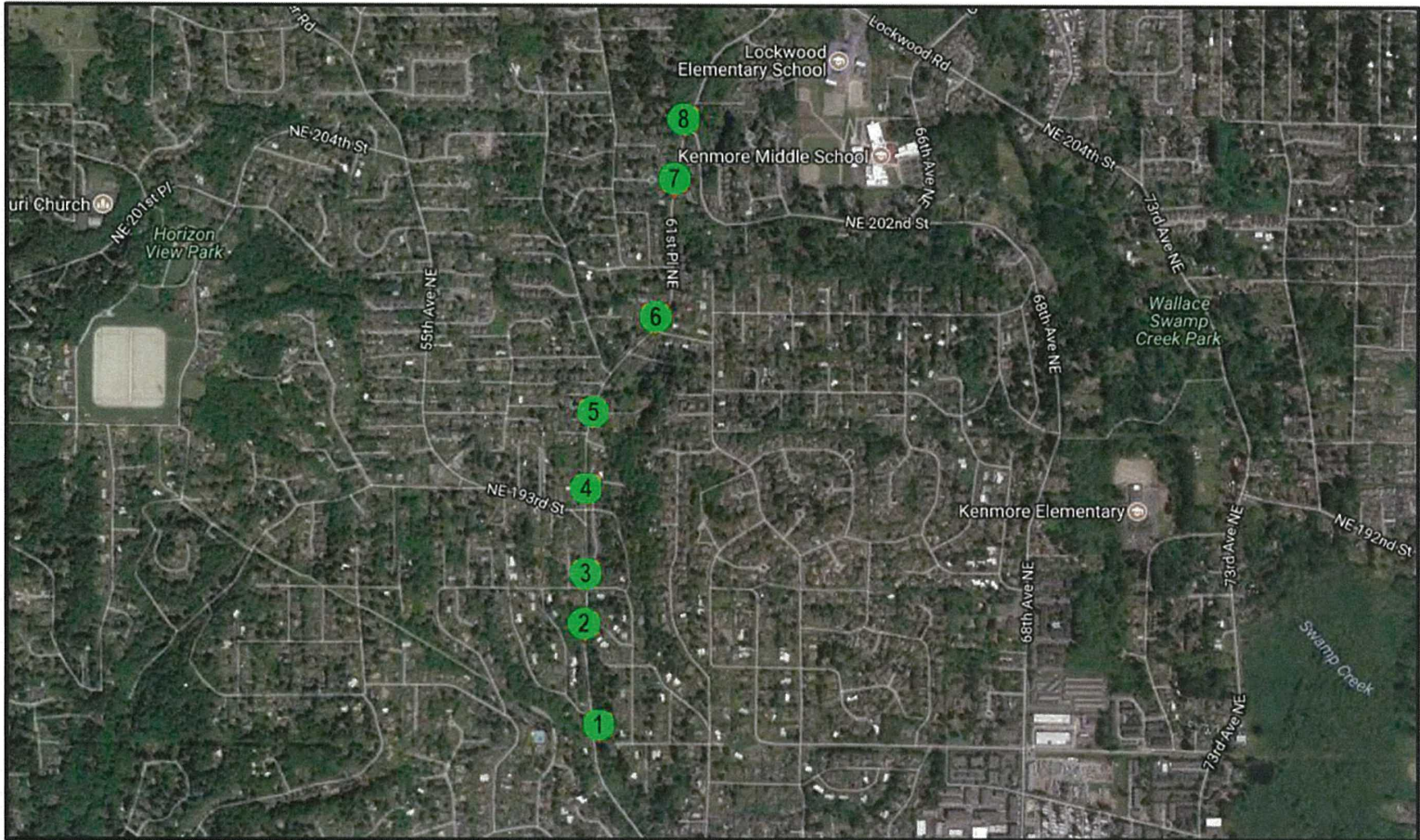
Terrain Challenges



Tall Buildings

Large Residential Areas



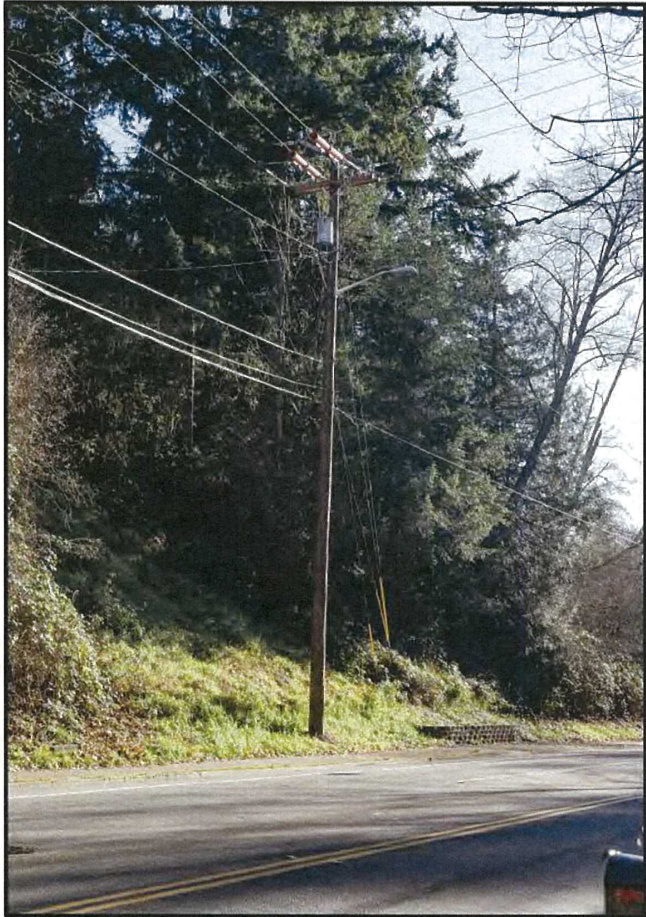


TIM BRADLEY IMAGING

PHOTO SIM LOCATION MAP

verizon✓

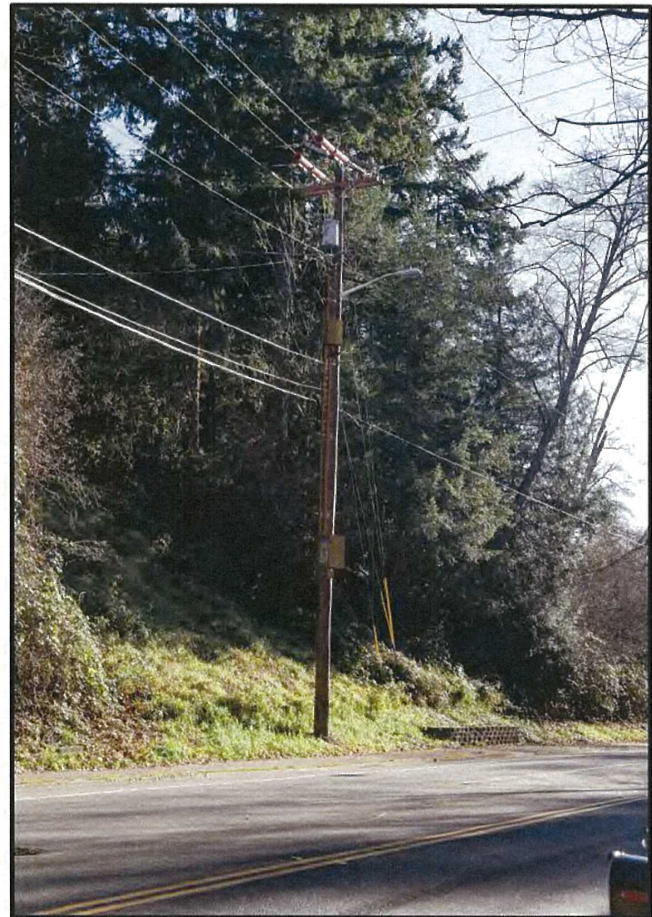
**SEA WHISKERS SMALL CELL
KENMORE, WA**



CURRENT

verizon[✓]

**NODE 1
VIEW 1**



PROPOSED

TIM BRADLEY IMAGING

**SEA WHISKERS SMALL CELL
KENMORE, WA**



CURRENT

verizon✓

NODE 1
VIEW 2



PROPOSED

TIM BRADLEY IMAGING

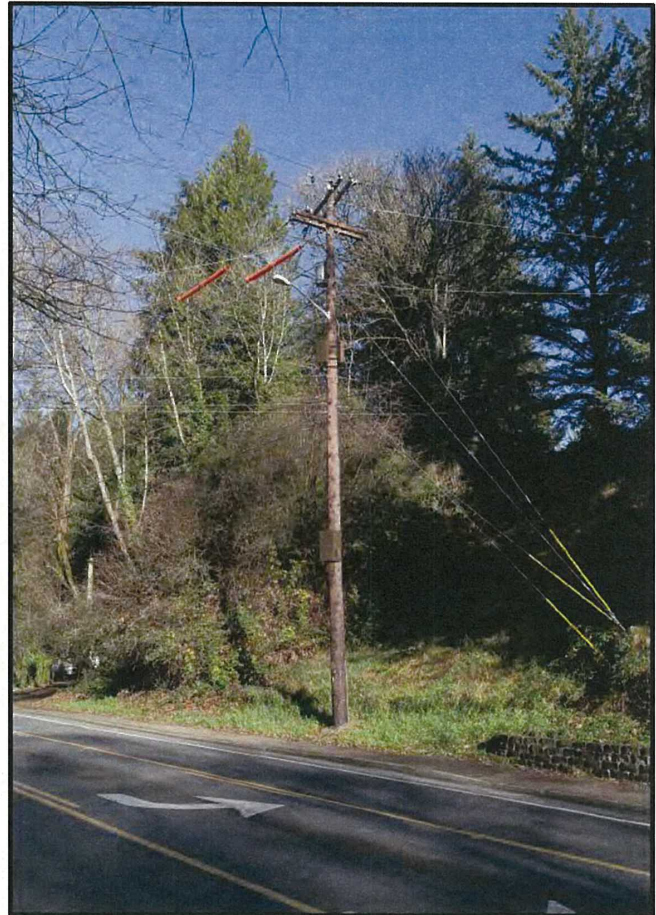
SEA WHISKERS SMALL CELL
KENMORE, WA



CURRENT

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NODE 1
VIEW 3



PROPOSED

TIM BRADLEY IMAGING

SEA WHISKERS SMALL CELL
KENMORE, WA



CURRENT

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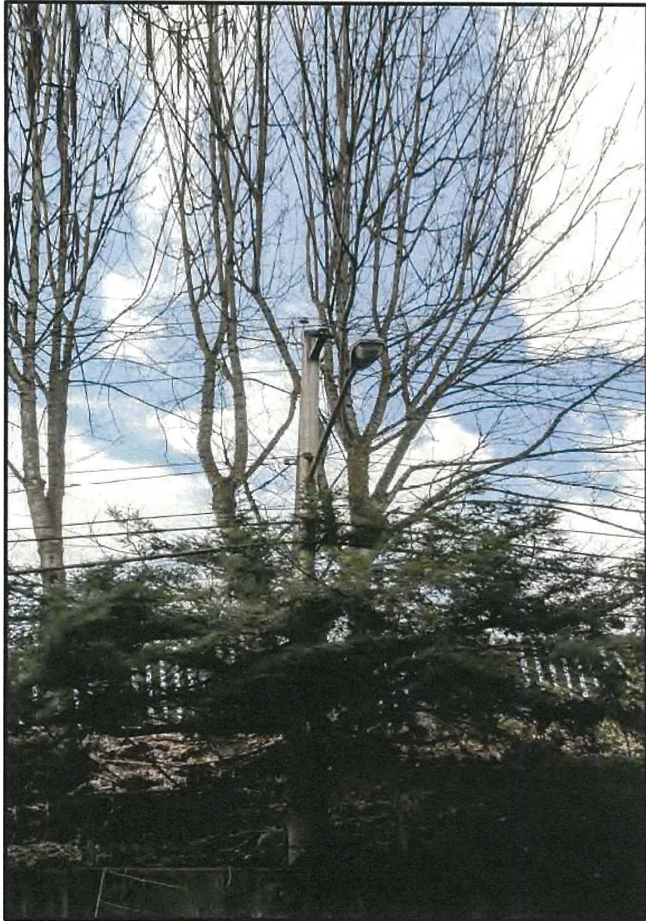
NODE 2
VIEW 1



PROPOSED

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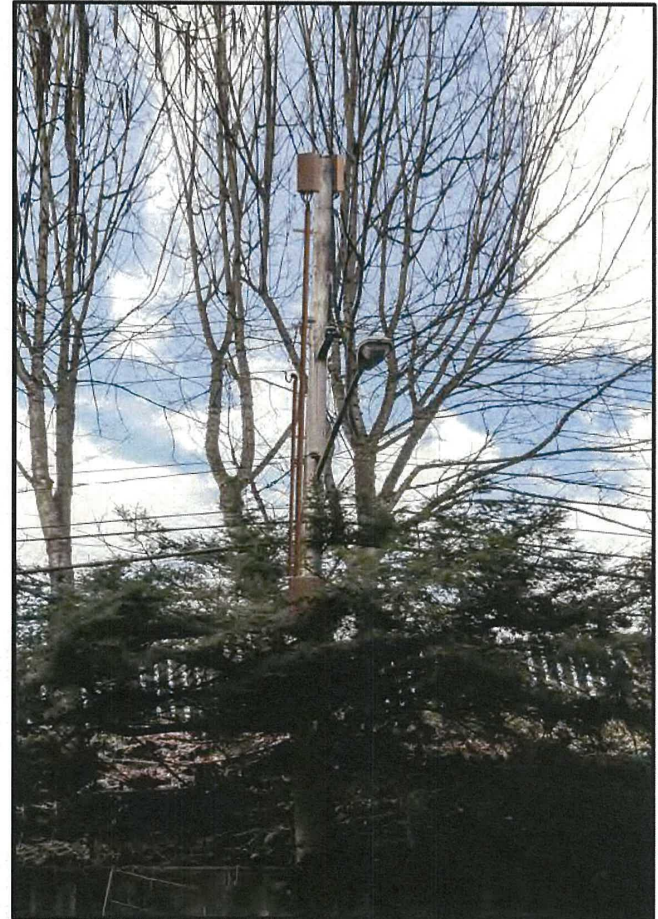
SEA WHISKERS SMALL CELL
KENMORE, WA



CURRENT

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**NODE 2
VIEW 2**



PROPOSED

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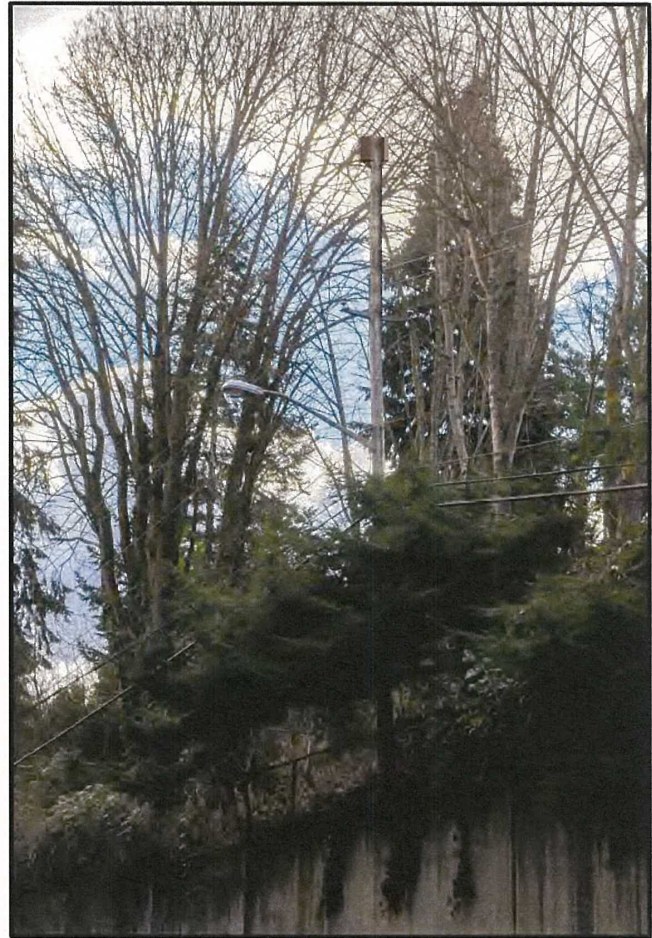
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KENMORE, WA**



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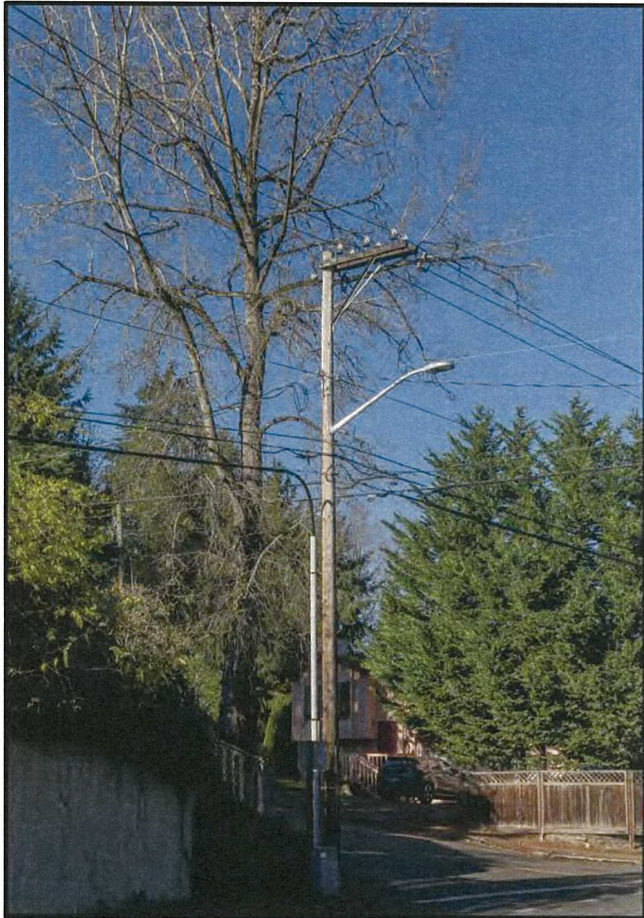
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VIEW 3**



PROPOSED

TIM BRADLEY IMAGING

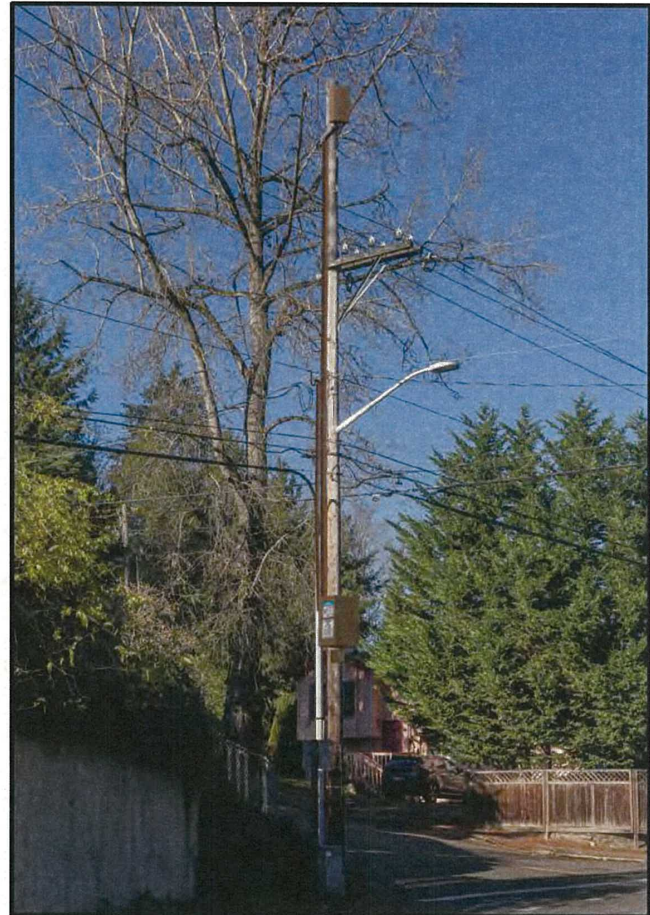
**SEA WHISKERS SMALL CELL
KENMORE, WA**



CURRENT

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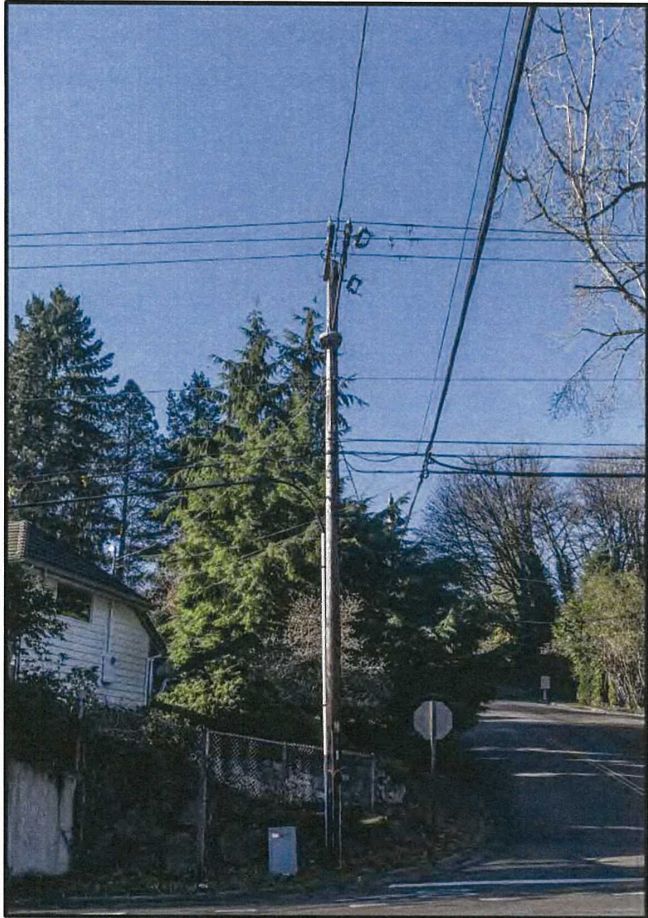
**NODE 3
VIEW 1**



PROPOSED

TIM BRADLEY IMAGING

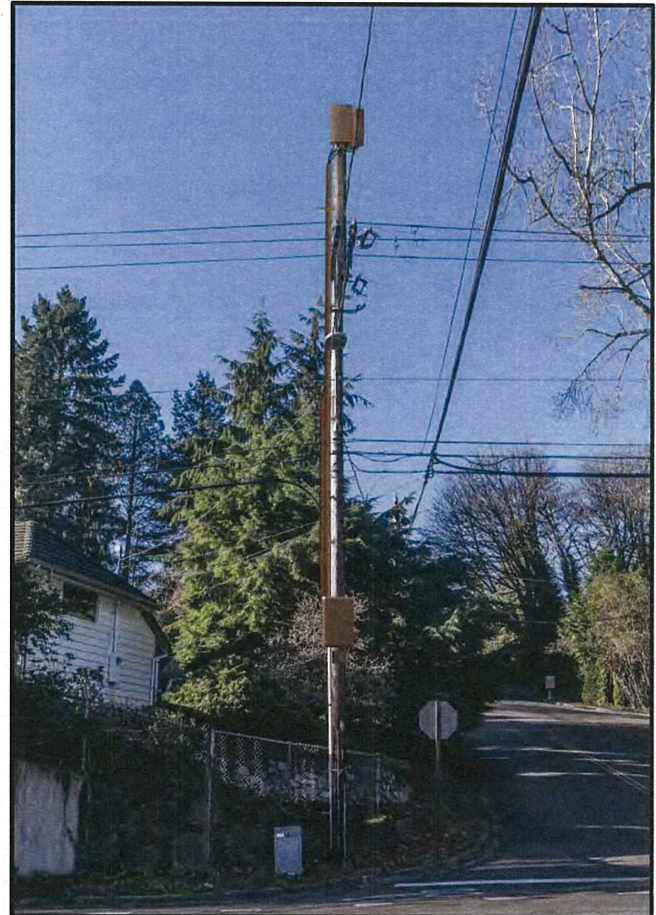
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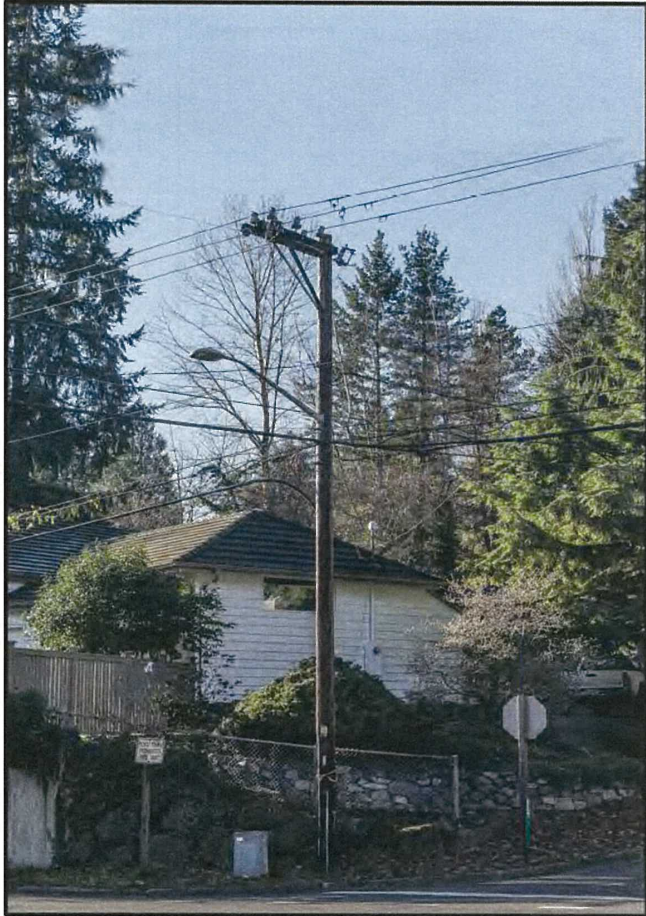
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PROPOSED

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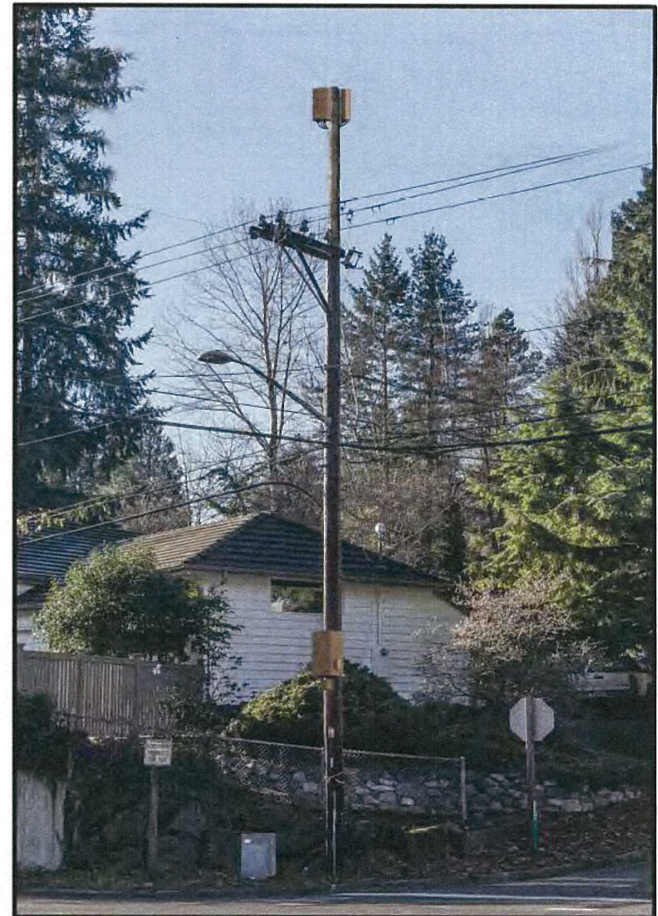
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**NODE 3
VIEW 3**



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TIM BRADLEY IMAGING

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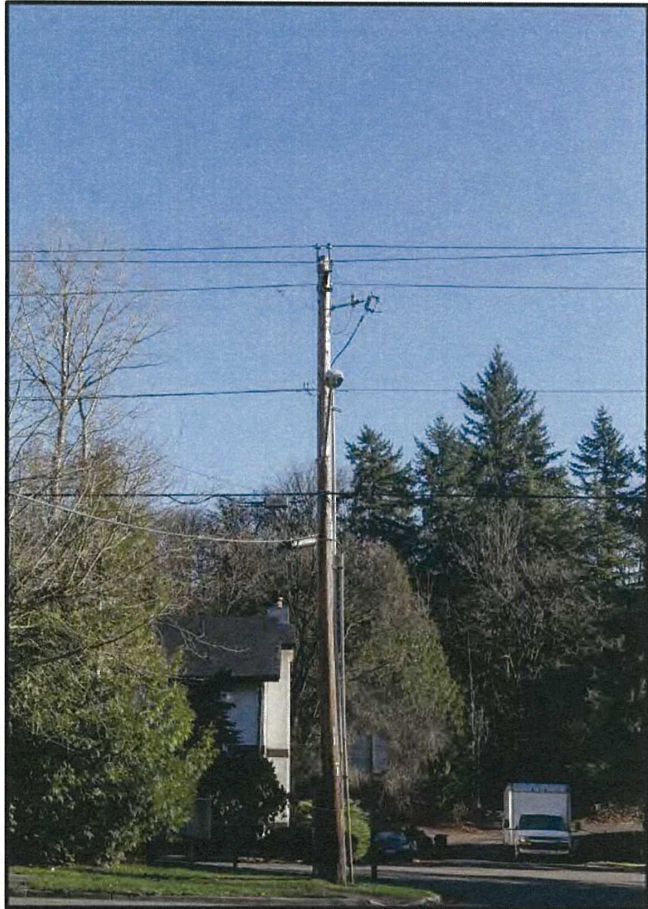
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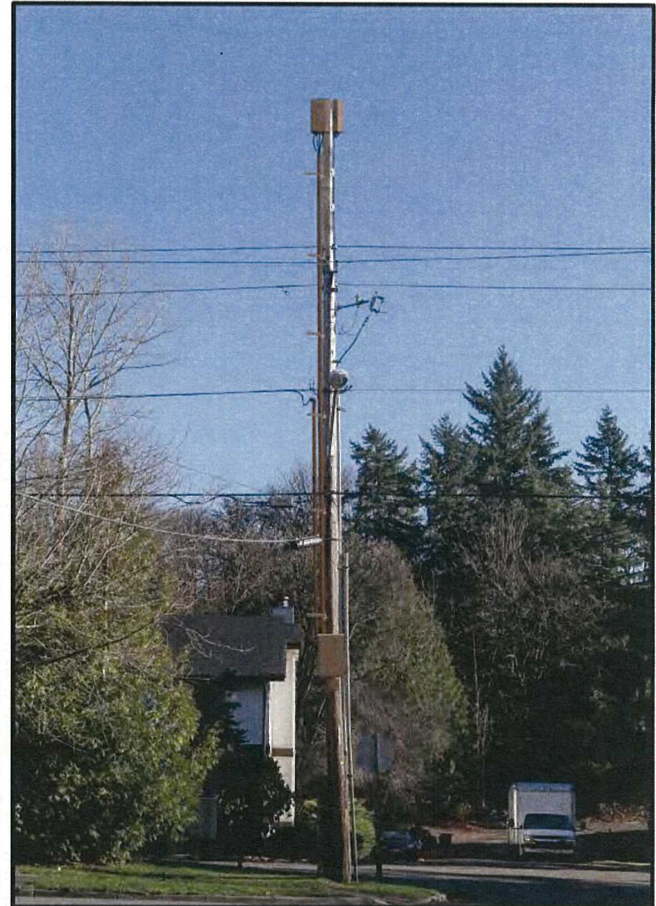
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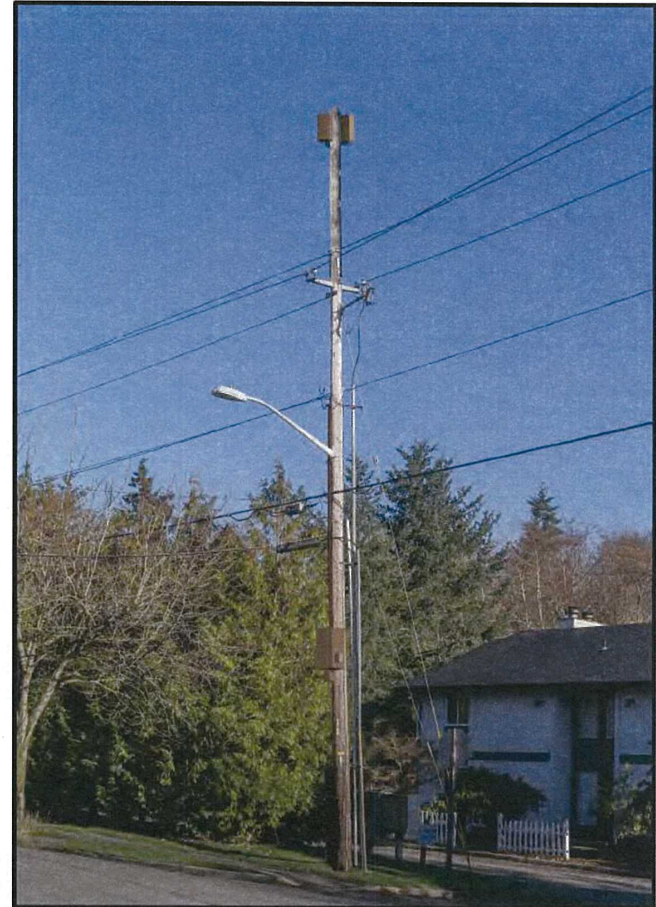
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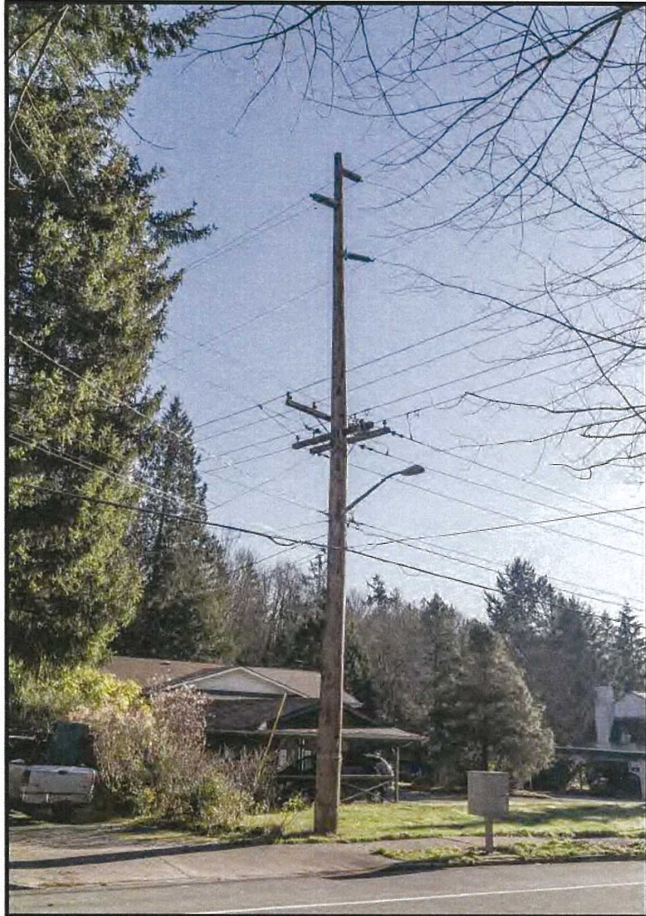
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PROPOSED

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KENMORE, WA**



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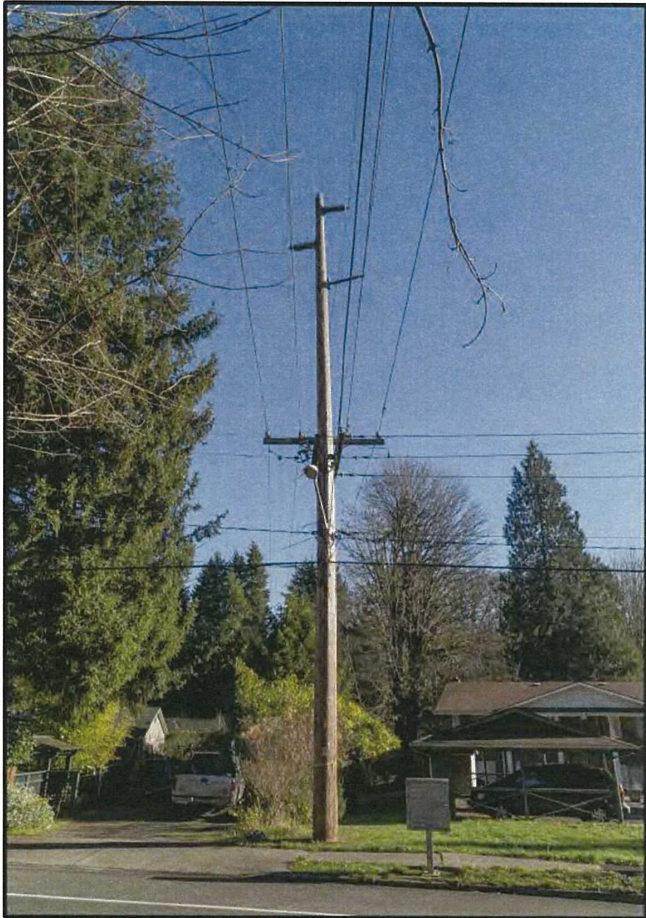
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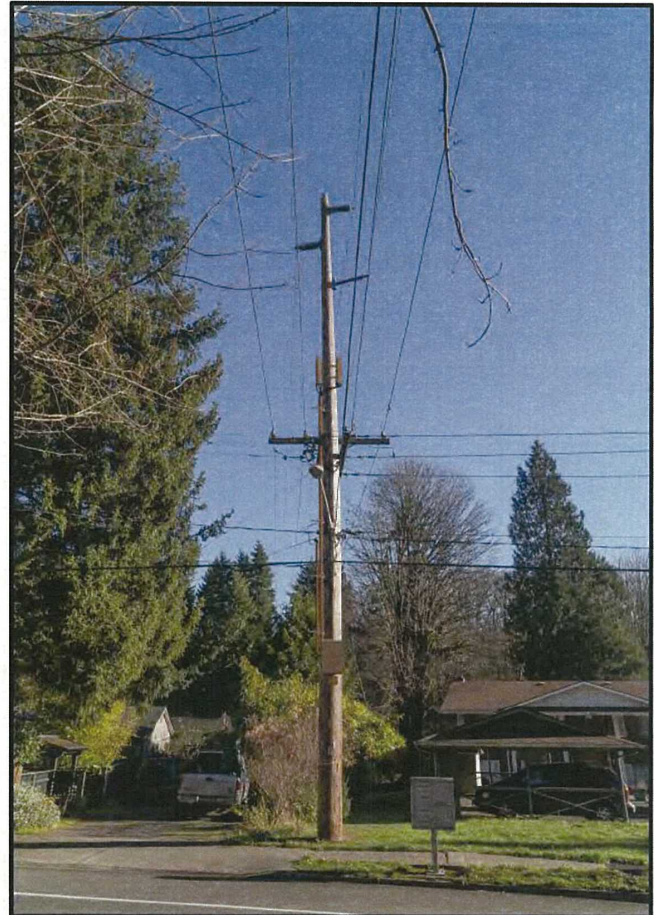
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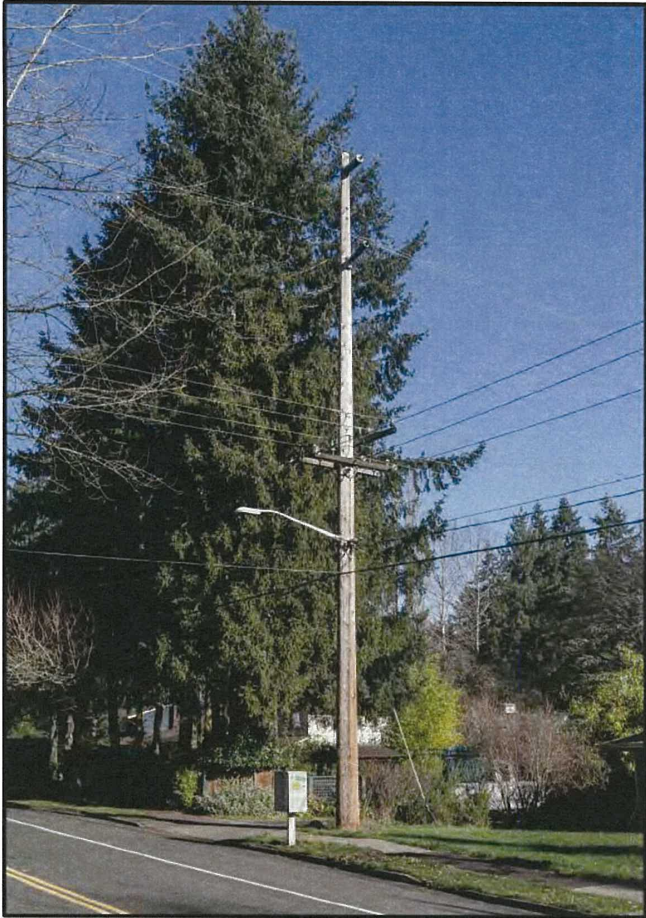
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PROPOSED

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KENMORE, WA**



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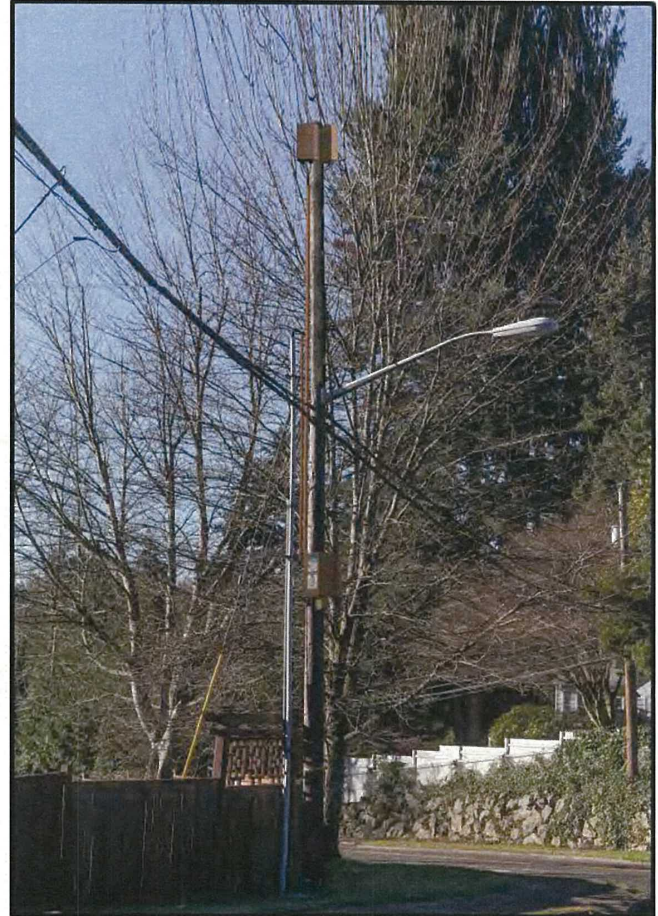
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**NODE 6
VIEW 1**



PROPOSED

TIM BRADLEY IMAGING

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KENMORE, WA**



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**NODE 6
VIEW 2**



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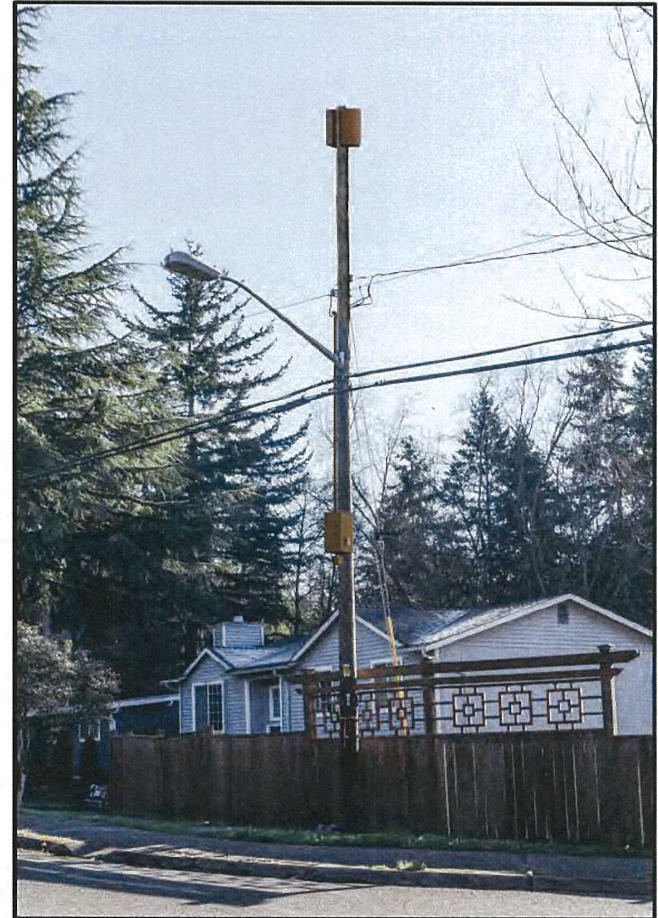
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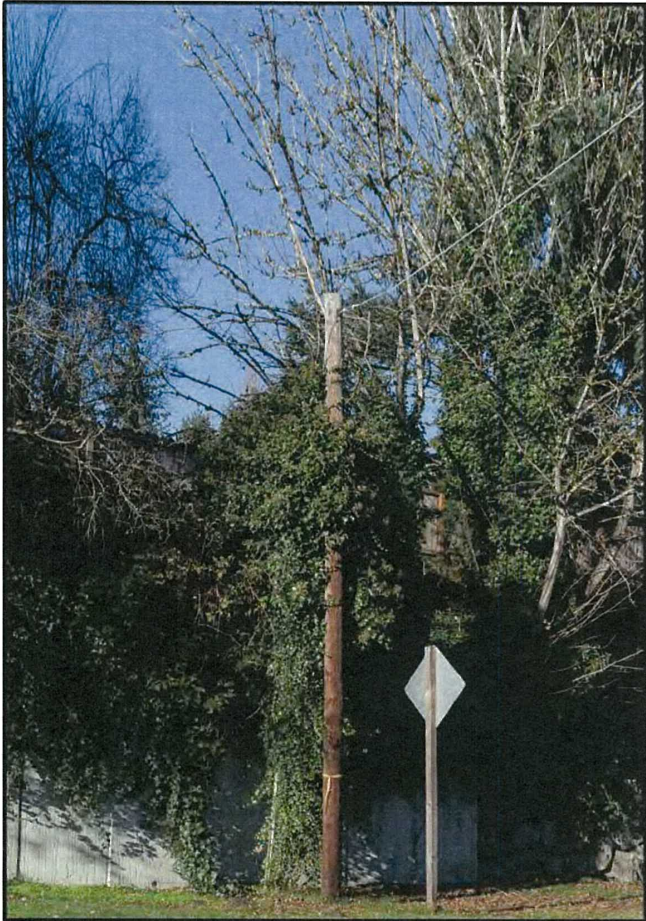
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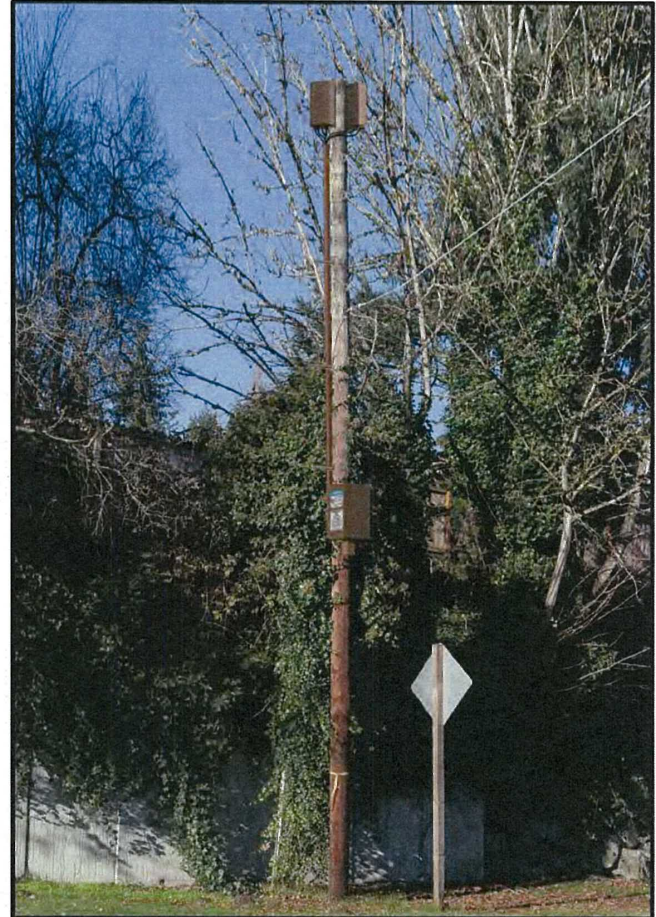
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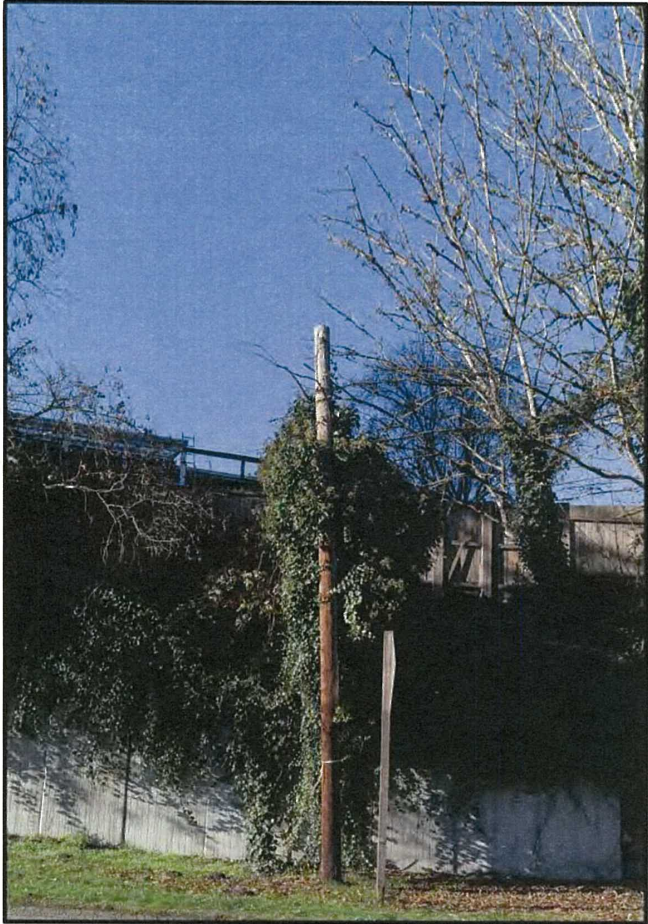
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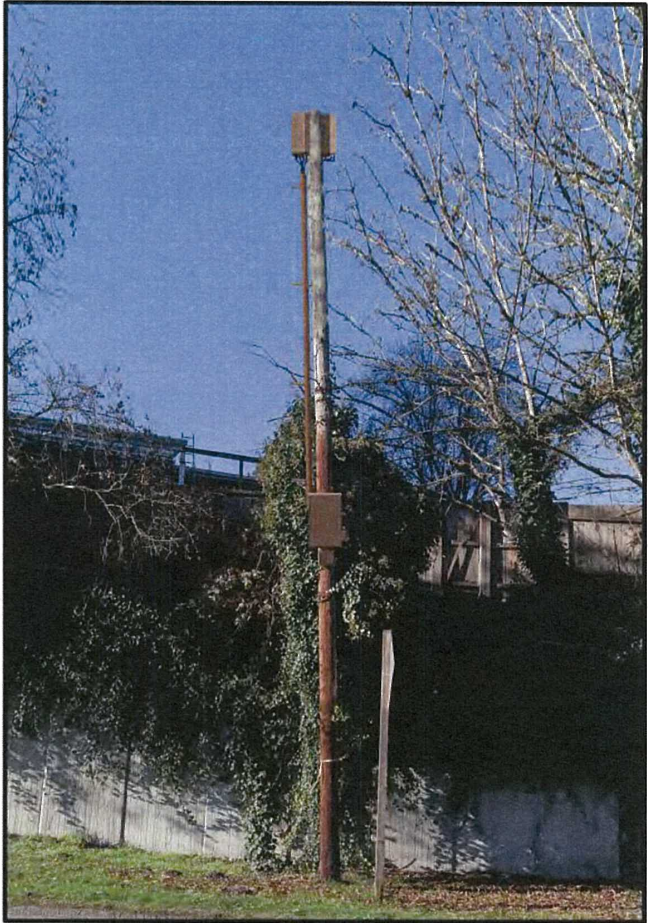
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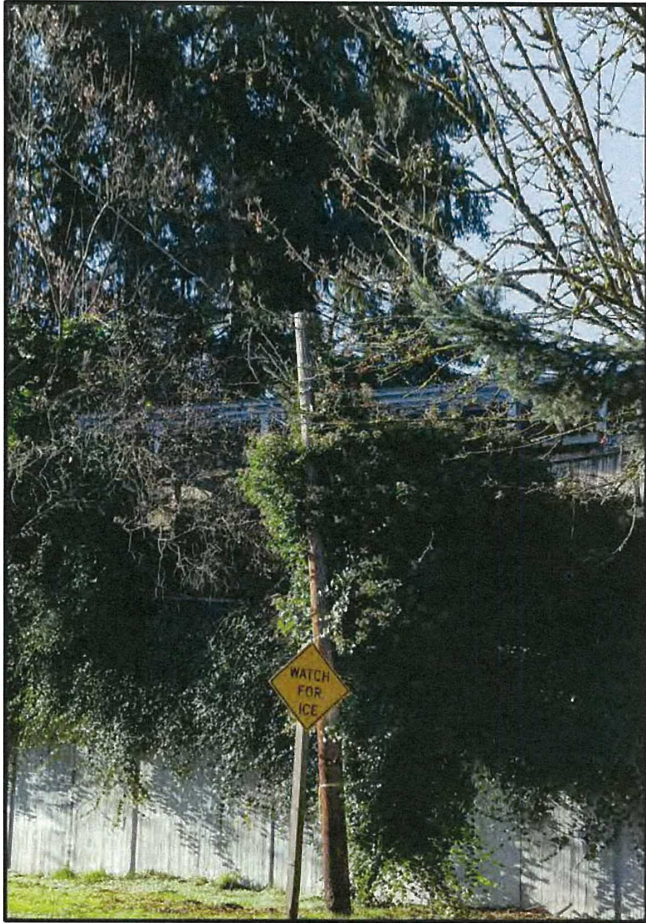
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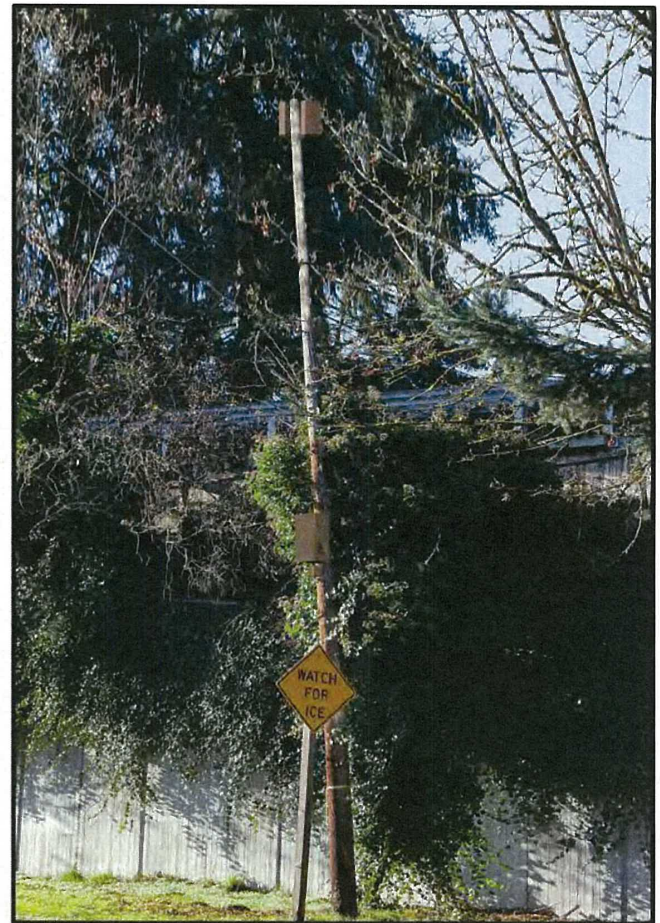
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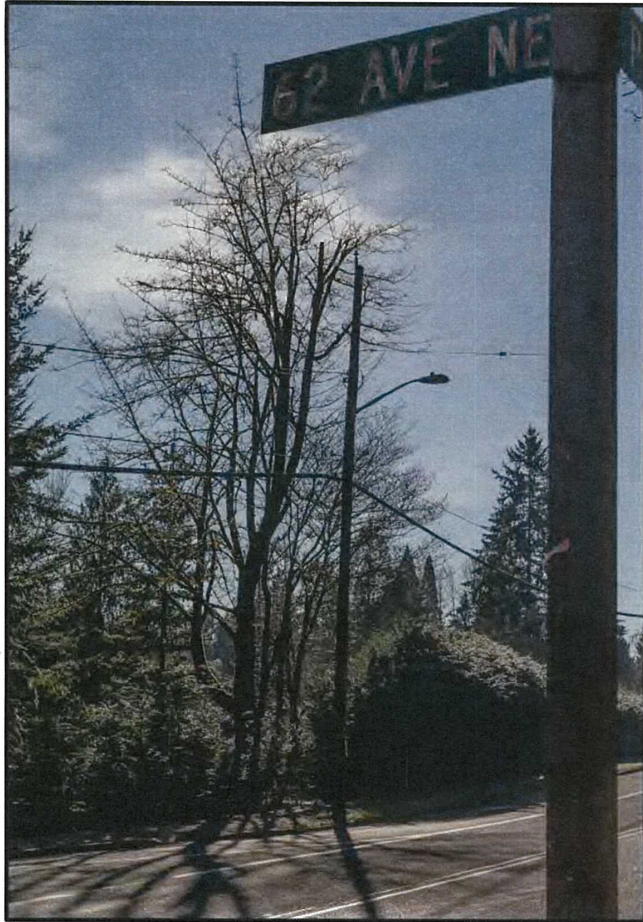
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KENMORE, WA**



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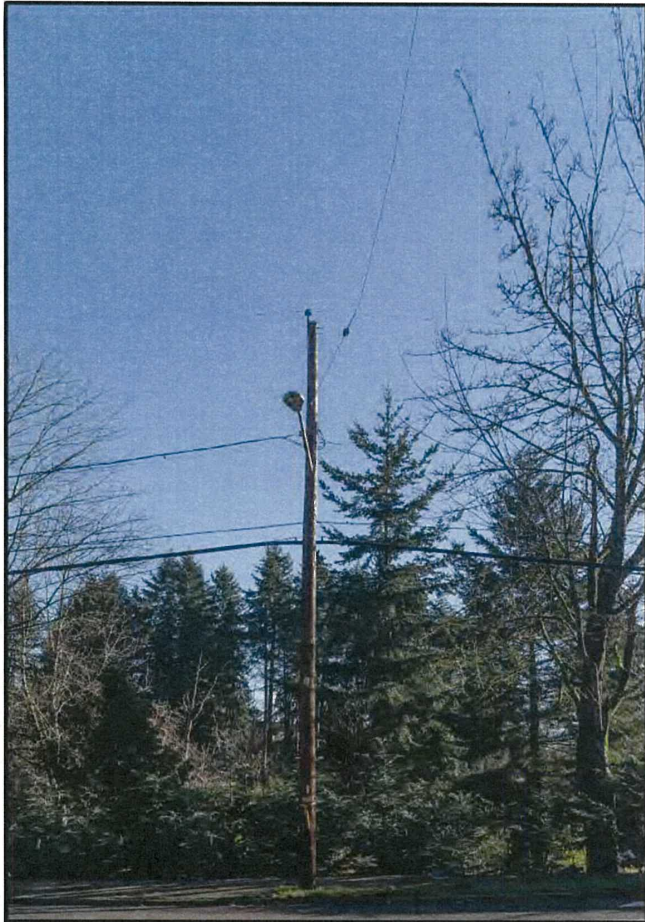
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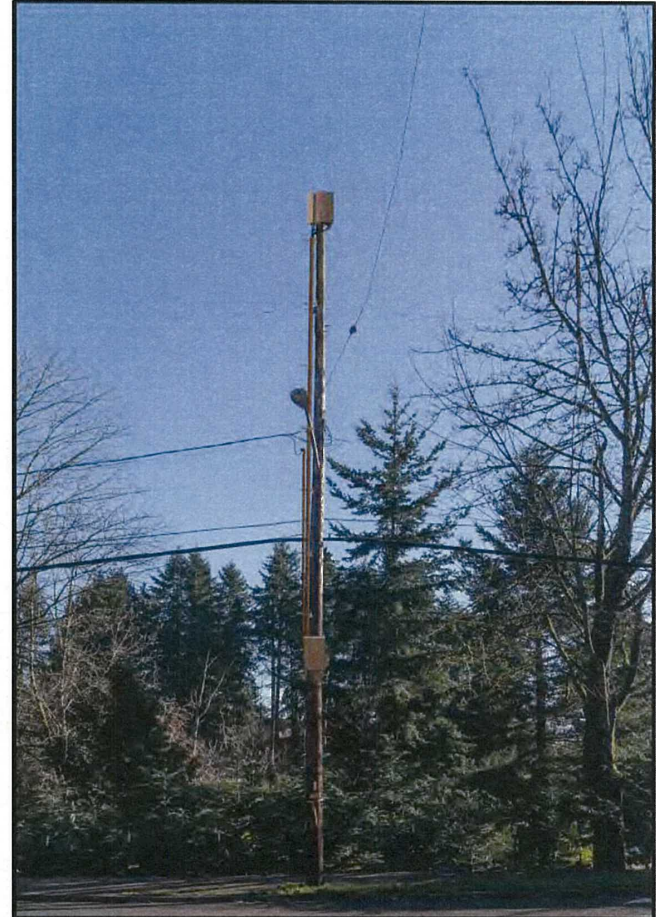
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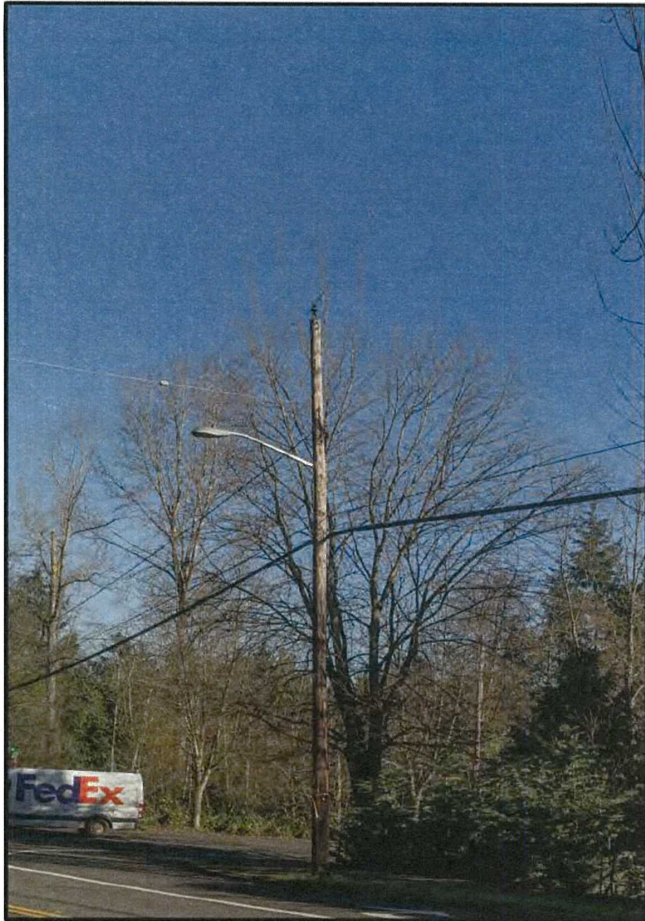
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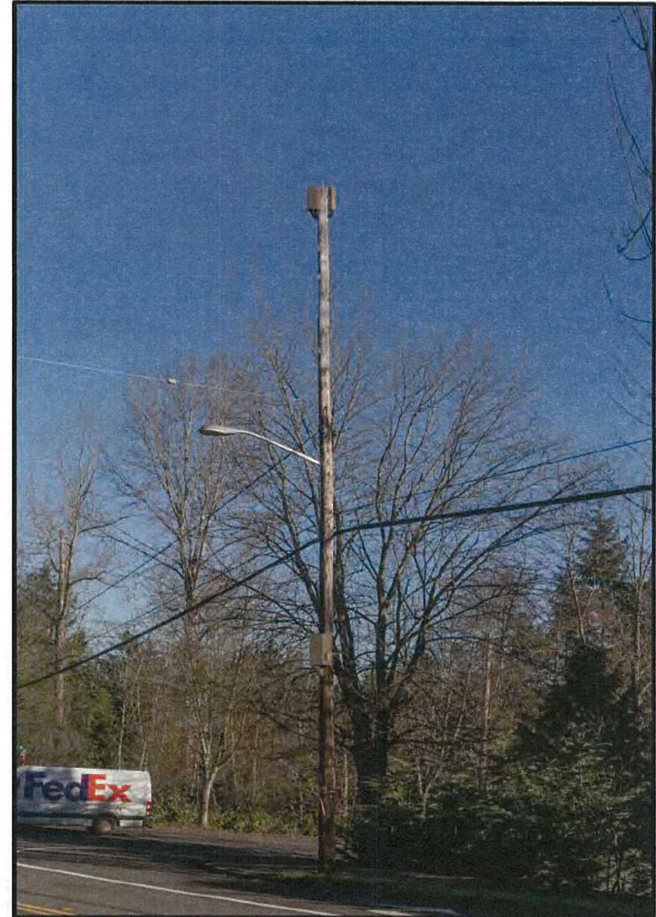
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**NODE 8
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TIM BRADLEY IMAGING

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KENMORE, WA**

Thank you.

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ORDINANCE 18-0459

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AUTHORIZING AND GRANTING SEATTLE SMSA LIMITED PARTNERSHIP A NON-EXCLUSIVE FRANCHISE FOR TEN YEARS TO CONSTRUCT, MAINTAIN, OPERATE, REPAIR AND REPLACE A WIRELESS TELECOMMUNICATIONS SYSTEM IN, UPON, ABOVE, ALONG, THROUGH, OVER AND UNDER THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF KENMORE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Seattle SMSA Limited Partnership, a Delaware limited partnership, d/b/a Verizon Wireless ("Franchisee") has requested that the City grant it the right to install, operate and maintain a wireless telecommunications system within the public rights-of-way of the City; and

WHEREAS, RCW 35A.11.020 grants the City broad authority to regulate the public rights-of-way; and

WHEREAS, RCW 35A.47.040 grants the City the broad authority to grant non-exclusive franchises; and

WHEREAS, in order to maintain control over the use of the public rights-of-way by utilities and wireless communication providers (as such term is defined in Chapter 12.58 of the KMC) operating within the City, it is appropriate for the City to enter into franchise agreements with such entities; and

WHEREAS, Franchisee is such a wireless communication provider, and the City Council finds it desirable for the welfare of the City and its residents that such a non-exclusive franchise be granted to Franchisee for the operation of a wireless telecommunications system within the City's rights-of-way;

WHEREAS, the City is willing to grant the rights requested by Franchisee subject to certain terms and conditions.

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

Section 1. Recitals Incorporated. The Recitals set forth above are herein incorporated by reference as if set forth in full.

Section 2. Finding of Public Interest. The City Council hereby finds that the Non-Exclusive Wireless Telecommunications Franchise with Seattle SMSA Limited Partnership, a Delaware limited partnership, d/b/a Verizon Wireless, attached hereto as Exhibit A, and herein incorporated by reference as if set forth in full, is in the public interest.

Section 3. Franchise Authorized. The City Council hereby approves and authorizes the City Manager to enter into the attached franchise agreement (the "Franchise") with Franchisee, Exhibit A, to construct, install, operate, repair, maintain, restore and remove a wireless telecommunications system in, across, under, upon, along and over public roads and rights-of-way of the City of Kenmore.

Section 4. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance or the Franchise, or its or their application to any person or circumstance, be declared

unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance or the Franchise be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or the Franchise, or its or their application to other persons or circumstances.

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

APPROVED by the City Council this ____ day of _____, 2018.

David Baker, Mayor

ATTEST/AUTHENTICATED:

Kelly Chelin, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY _____

Rod Kaseguma, City Attorney

FILED WITH THE CITY CLERK:

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NO. 18-0459

EXHIBIT A TO ORDINANCE 18-0459

**A NON-EXCLUSIVE WIRELESS TELECOMMUNICATIONS FRANCHISE AGREEMENT
BETWEEN THE CITY OF KENMORE WASHINGTON AND SEATTLE SMSA LIMITED
PARTNERSHIP**

Section 1. Recitals Incorporated. The recitals set forth in Ordinance No. 2018-0459 are incorporated herein as if set forth in full.

Section 2. Definitions.

A. "Affiliate" means an entity which owns or controls, is owned or controlled by, or is under common ownership with Franchisee.

B. "City" means the City of Kenmore, a municipal corporation of the State of Washington.

C. "Emergency Situation" means an emergency involving likely loss of life or substantial property damage as determined by City or Franchisee, as the case may be, in good faith.

D. "Facilities" means Franchisee's wireless telecommunications system constructed, installed, maintained, repaired, upgraded, removed, replaced, restored, and operated within the City's Rights-of-Way, and shall include all, cables, wires, conduits, ducts, pedestals, and any associated converters, equipment, or other facilities within the City's Rights-of-Way, designed and constructed for the purpose of providing Telecommunications Service. Facilities shall include any and all wireless communication facilities, as that term is defined in KMC 12.58.020.D.

E. "Franchise" means the initial authorization or renewal thereof, granted by the City, through Ordinance No. 2018-0459, or a subsequently adopted Ordinance, which authorizes construction, operation, maintenance, repair and replacement of Franchisee's Facilities for the purpose of offering Wireless Telecommunications Service.

F. "Franchisee" means Seattle SMSA Limited Partnership, a Delaware limited partnership, d/b/a Verizon Wireless.

G. "Franchise Area" and "Rights-of-Way" mean the surface and the space above and below public streets, roadways, highways, avenues, courts, lanes, alleys, sidewalks, rights-of-way that may hereafter be laid out, platted, dedicated or improved within the present limits of the City and as such limits may be hereafter extended; provided, the Franchise Area shall not include or convey any rights to Franchisee to install facilities on or to otherwise use City owned or leased properties outside the Franchise Area. In the event that any territory served by Franchisee is annexed to the City after the Effective Date of the Franchise, such territory shall be governed by the terms and conditions contained herein upon the effective date of such annexation.

H. "Person" means an individual, partnership, association, joint stock company, trust, corporation, limited liability company or governmental entity.

I. "Telecommunications Service" means any telecommunications service, telecommunications capacity, or wireless communications services, provided by the Franchisee using its Facilities, either directly or as a carrier for its Affiliates, or any other Person engaged in Telecommunications Services,

including, but not limited to, the transmission and reception of voice, data and other electronic information, internet access services, and other subsequently developed technology that carries a signal over fiber optic cable and/or transmits or receives radio frequencies by antennas. However, Telecommunications Service shall not include the provision of “cable services”, as defined by 47 U.S.C. §522, as amended, for which a separate franchise would be required.

J. “Ordinance” means Ordinance No. 2018-0459, which authorized and granted this Franchise.

Section 3. Franchise Granted.

A. Facilities within Franchise Area. Pursuant to RCW 35A.47.040, the City hereby grants to Franchisee, subject to the terms and conditions hereinafter set forth, the right, privilege, authority and franchise to construct, support, attach, connect and stretch Facilities between, maintain, repair, replace, enlarge, operate and use Facilities in, upon, over, under, along and across the Franchise Area for purposes of Telecommunications Service as defined herein, and in RCW 82.04.065, as such may be amended; provided that RCW 82.04.065 shall not serve to limit the definition of Telecommunications Service set forth in Section 2.

B. Permission Required to Enter Onto Other City Property. Nothing contained in this Ordinance is to be construed as granting permission to Franchisee to go upon any other public place other than the Franchise Area in this Ordinance. Permission to go upon any other property owned or controlled by the City must be sought on a case by case basis from the City. Nothing in this Franchise shall be deemed to grant, convey, create or vest a real property interest in land to or in Franchisee, including any fee or leasehold interest or easement rights.

C. Compliance with Applicable Laws. At all times during the term of the Franchise, Franchisee shall fully comply with all applicable laws, codes and regulations of the City, state and federal governments. If any federal, state, or local laws or regulations and any binding judicial interpretations thereof (collectively, “Laws”) that govern any aspect of the rights or obligations of the parties under this Franchise shall change after the Effective Date, and such change makes any aspect of such rights or obligations inconsistent with the then-effective Laws, then the parties agree to promptly amend the Franchise as reasonably required to accommodate or ensure compliance with any such legal or regulatory change.

Section 4. Construction and Maintenance of Facilities.

A. Franchisee's Facilities shall be located, relocated and maintained within the Rights-of-Way in accordance with the Kenmore Municipal Code (“KMC”) and so as not to unreasonably interfere with the free and safe passage of pedestrian, bicycle and vehicular traffic and ingress or egress to or from the abutting property and in accordance with the laws of the State of Washington, and the ordinances, resolutions, rules and regulations of the City.

B. Prior to commencing any work in the Rights-of-Way, Franchisee shall comply with all applicable City regulations, including but not limited to Chapter 12.35 KMC (Rights-of-way), Chapter 12.58 KMC (Wireless Communication Facilities within City Rights-of-Way), and Chapter 18.60 KMC (Wireless Communication Facilities) and apply for, pay applicable fees and obtain prior approval of all necessary City permits and authorizations to do such work. Franchisee shall comply with all requirements and conditions of this Franchise and such permits and authorizations, including but not limited to location restrictions, traffic control, and restoration, repair or other work to restore the surface of the Franchise Area, as nearly as practicable, to its condition prior to such work, or as otherwise required by the Public Works Department and/or Community Development Department as a condition of the permit(s).

C. If Franchisee should fail to leave any portion of the excavation in a condition that meets the City's specifications per this Franchise, KMC and/or the City's Public Works Policies and Standards, the City may, on five (5) business days' written notice to Franchisee, which notice shall not be required in case of an Emergency Situation, cause all work necessary to restore the Franchise Area to a safe condition. Franchisee shall pay to the City the reasonable actual cost of such work within thirty (30) days following receipt of the City's billing for such work; which shall include, among other things, the City's overhead in obtaining completion of said work (provided that in no event shall such overhead exceed 10% of the total costs, fees and expenses of third parties).

D. Franchisee agrees that if any of its actions under this Franchise cause any surface or subsurface failure, or damage to any City property, survey monument, or property owned by a third-party, Franchisee shall restore, at its own cost and expense, the damaged Rights-of-Way or property to the City's reasonable specifications, within thirty (30) days after the date of such damage, or upon ten (10) business days written notice from City to Franchisee, whichever is later. If Franchisee fails to repair the damage to the City's reasonable specifications within the time frame specified herein, the City may order and complete all work necessary to restore the damaged area to a safe and acceptable condition and Franchisee shall reimburse the City for the reasonable actual costs of such work, within thirty (30) days after receipt of the City's billing for such work, including City overhead (provided that in no event shall such overhead exceed 10% of the total costs, fees and expenses of third parties).

E. In the event of an Emergency Situation, Franchisee may commence such emergency and repair work as required under the circumstances, provided that Franchisee shall notify the City Public Works Director in writing as promptly as possible before such repair or emergency work commences, or as soon thereafter as possible, if advanced notice is not reasonably possible. The City may act, at any time, without prior written notice in the case of an Emergency Situation, but shall notify Franchisee in writing as promptly as possible under the circumstances.

F. Before undertaking any of the work or improvements authorized by this Franchise, Franchisee shall furnish a bond executed by Franchisee and a corporate surety authorized to do a surety business in the State of Washington, with an AM Best rating of A- XII in the amount set forth in Section 17 of this Franchise, to insure performance of the Franchisee's obligations under this franchise, conditioned that the Franchisee shall well and truly keep and observe all of the covenants, terms and conditions and faithfully perform all of the Franchisee's obligations under this Franchise.

G. After the work is completed, Franchisee shall provide to the City, upon request, a copy of all as-built plans, maps, and records of the Facilities. These plans and maps shall be provided at no cost to the City and shall include hard copies and/or digital copies in a format commonly used in the telecommunications industry.

Section 5. Location and Relocation of Facilities.

A. Franchisee shall place any new Facilities underground where existing telecommunications and cable facilities are located underground, excluding antennas, and only excluding equipment, cabinets, and associated cables when specifically authorized by the City. Franchisee may provide the City with information relating to the commercially reasonable standards for wireless communications, and information that undergrounding of equipment, cabinets, and associated cables is not feasible or safe, or would result in the degregation of signal or frustrate the purpose for which this Franchise is granted, and based on such information the City shall make its reasonable determination whether undergrounding of such equipment, cabinets, and associated cables is required. Any new Facilities to be located above-ground shall be placed on existing utility poles, street lights and other structures authorized by code. Except as

specifically authorized by the City, no new utility poles or similar structures shall be installed by Franchisee in connection with placement of new above-ground Facilities.

B. Franchisee recognizes the need for the City to maintain adequate width for installation and maintenance of sanitary sewer, water and storm drainage utilities owned by the City and other public utility providers. Thus, the City reserves the right to maintain clear zones within the public right-of-way for installation and maintenance of said utilities. The clear zones for each right-of-way segment shall be noted and conditioned with the issuance of each right-of-way permit. If adequate clear zones are unable to be achieved on a particular right-of-way, Franchisee shall locate in an alternate right-of-way, obtain easements from private property owners, or propose alternate construction methods which maintain and/or enhance the existing clear zones.

C. Except as otherwise provided by law, after ninety (90) days written days notice from the City, Franchisee agrees to relocate, remove or reroute its Facilities, as ordered and when reasonably required by the City for a City funded project, at no expense or liability to the City, except as may be required by Chapter 35.99 RCW. If Franchisee fails to timely relocate its Facilities as required herein, then the City may order and complete all work necessary to remove said Facilities to accommodate the City's project. Franchisee shall reimburse the City for the reasonable actual costs of said work, including City overhead (provided that in no event shall such overhead exceed 10% of the total costs, fees and expenses of third parties), within thirty (30) days receipt of the City's billing for such work. Pursuant to the provisions of Section 6, Franchisee agrees to protect and save harmless the City from any third-party claims for service interruption or other losses in connection with any such change or relocation, removal or rerouting of Franchisee's Facilities, other than City's negligence or willful misconduct.

D. Whenever the City undertakes (as a public works project or causes to be undertaken at City expense) the construction of any public works improvement within the Franchise Area and such public works improvement necessitates the relocation of Franchisee's then existing Facilities within the Franchise Area, the City shall:

1. Provide Franchisee written notice requesting such relocation no later than ninety (90) days after receiving notice from the City of the activities requiring such relocation; provided that in the event of an Emergency Situation the City shall give the Franchisee written notice as soon as practicable; and
2. Provide the Franchisee with copies of information for such improvement project and a proposed location for the Franchisee's Facilities so that Franchisee may relocate its Facilities in other Rights-of-Way in order to accommodate the project.

E. If required to relocate pursuant to this Section 5, the Franchisee shall complete relocation of its Facilities at no charge or expense to the City so as to accommodate the project at least ten (10) days prior to commencement of the project. Relocation shall be accomplished in such a manner as to accommodate the City's project. In the event of an Emergency Situation as described in this Section, Franchisee shall relocate its Facilities within the reasonable time period specified by the City.

F. The Franchisee may, after receipt of written notice requesting a relocation of its Facilities, submit to the City written alternatives to such relocation. The City shall evaluate such alternatives and advise the Franchisee in writing if one or more of the alternatives are suitable to accommodate the work, which would otherwise necessitate relocation of the Facilities. If so requested by the City, the Franchisee shall submit additional information to assist the City in making such evaluation. The City shall give each alternative proposed by the Franchisee full and fair consideration, within a reasonable time, so as to allow for the relocation work to be performed in a timely manner. In the event the City ultimately determines

that there is no other reasonable alternative, the Franchisee shall relocate its Facilities as otherwise provided in this Section. The provisions of this Section shall survive the expiration or termination of the Franchise, unless the Franchisee transfers ownership of abandoned Facilities to the City as set forth in Section 16.

G. The provisions of this Section shall in no manner preclude or restrict the Franchisee from making any arrangements it may deem appropriate when responding to a request for relocation of its Facilities by any Person or entity other than the City, where the facilities to be constructed by said Person or entity are not City-owned, operated or maintained facilities; provided, that such arrangements shall not unduly delay a City construction project.

H. The Franchisee shall indemnify, hold harmless and pay the costs of defending the City against any and all third party claims, suits, actions, damages, or liabilities for delays on City construction projects caused by or arising out of the failure of the Franchisee to relocate its Facilities in a timely manner; provided, that the Franchisee shall not be responsible for damages due to delays caused by the City or circumstances beyond the reasonable control of the Franchisee.

I. In the event that the City orders the Franchisee to relocate its Facilities for a project which is primarily for private benefit, the private party or parties causing the need for such project shall reimburse the Franchisee for the cost of relocation in the same proportion as their contribution to the total cost of the project.

J. In the event of an unforeseen Emergency Situation that creates a threat to public safety, health or welfare, the City may require the Franchisee to relocate its Facilities at its own expense, any other portion of this Section notwithstanding.

Section 6. Indemnification.

A. Franchisee hereby agrees to indemnify, defend and hold harmless the City, its elected and appointed officials, agents, officers, employees, volunteers and assigns (collectively referred to as the "City") from and against any third party claims, actions, injuries, demands, liabilities, losses, costs, damages, judgments, awards or expense of any nature whatsoever, including all costs and reasonable attorney's fees, made against them on account of injury, sickness, death or damage to persons or property which is caused by or arising out of, in whole or in part, the willful, tortious or negligent acts, failures and/or omissions of Franchisee or its agents, servants, employees, contractors or subcontractors in the construction, operation or maintenance of its Facilities and/or in the exercise or performance of the rights granted to Franchisee under this Franchise.

B. The provisions of this Section, however, are not to be construed to require the Franchisee to hold harmless, defend or indemnify the City as to any claims which arise out of the negligence, willful misconduct or criminal acts of the City. In the event that a court of competent jurisdiction determines that this Franchise is subject to the provisions of RCW 4.24.115, the parties agree that the indemnity provisions hereunder shall be deemed amended to conform to said statute and liability shall be allocated as provided therein.

C. Franchisee's indemnification obligations pursuant to this Section shall include assuming potential liability for actions brought by Franchisee's own employees and the employees of Franchisee's employees, agents, servants, officers, independent contractors, or subcontractors even though Franchisee might be immune under Title 51 RCW from direct suit brought by such an employee. It is expressly agreed and understood that this assumption of potential liability for actions brought by the aforementioned employees is limited solely to Claims against the City arising by virtue of Franchisee's negligent exercise of the rights set forth in this Franchise. The obligations of Franchisee under this Subsection C have been

mutually negotiated by the parties hereto, and Franchisee acknowledges that the City would not enter into this Franchise without Franchisee's waiver thereof. To the extent required to provide this indemnification and this indemnification only, Franchisee waives its immunity under Title 51 RCW as provided in RCW 4.24.115.

D. In the event any such claim or demand be presented to or filed with the City, the City shall promptly notify Franchisee thereof in writing (and in any event prior to the date that Franchisee's rights to defend such claim or demand would be prejudiced), and Franchisee shall have the right, at its election and at its sole cost and expense, to settle and compromise such claim or demand, provided further, that in the event any suit or action be begun against the City based upon any such claim or demand, it shall likewise promptly notify Franchisee thereof, and Franchisee shall have the right, at its election and its sole cost and expense, to settle and compromise such suit or action, or defend the same at its sole cost and expense, by attorneys of its own election. The indemnification obligations set forth herein shall extend to claims which are not reduced to a suit and any claims which may be compromised, with Franchisee's written consent, prior to the culmination of any litigation or the institution of any litigation. The City has the right to defend or participate in the defense of any such claim at its own cost and expense, provided that Franchisee shall not be liable for such settlement or other compromise unless it has consented thereto in writing.

E. Inspection or acceptance by the City of any work performed by Franchisee at the time of completion of construction shall not be grounds for avoidance of any of these covenants of indemnification.

F. The provisions of this Section shall survive the expiration and termination of this Franchise for a period of two (2) years.

Section 7. Default.

A. If Franchisee shall fail to comply with any of the provisions of the Franchise, unless otherwise provided in the Franchise, the City will serve upon Franchisee a written order to comply, which order shall describe with reasonable particularity the nature of any alleged noncompliance, within thirty (30) days from the date such order is received by Franchisee. If Franchisee is not in compliance with the Franchise after expiration of the thirty (30) day period, the City may act to remedy the violation and may charge the reasonable actual costs and expenses of such action to Franchisee. The City may act without the thirty (30) day notice in case of an Emergency Situation. If any failure to comply with the Franchise by Franchisee cannot be corrected with due diligence within said thirty (30) day period, then the time within which Franchisee may so comply shall be extended for such time as may be reasonably necessary and so long as Franchisee works promptly and diligently to effect such compliance. During such a period, if Franchisee is not in compliance with the Franchise, and is not proceeding with due diligence in accordance with this section to correct such failure to comply, then the City may in addition, by ordinance and following not less than ten (10) days' written notice to Franchisee, declare an immediate forfeiture of the Franchise and all of Franchisee's rights and obligations thereunder.

B. In addition to other remedies provided in this Franchise or otherwise available at law, if Franchisee is not in compliance with requirements of the Franchise, and if a good faith dispute does not exist concerning such compliance, the parties agree that the City may place a hold on the issuance of pending Franchisee Right-of-Way use permits and/or permits required under Title 18 KMC until compliance with this Franchise is achieved. The City may also achieve compliance by enforcing the security provisions set forth in Section 17.

C. If City shall fail to comply with a material provision of this Franchise within thirty (30) days of receipt of written notice of default from Franchisee, Franchisee may seek all remedies available to it at law and in equity, including but not limited to injunctive relief.

Section 8. Nonexclusive Franchise. The Franchise granted by this Ordinance is not and shall not be deemed to be an exclusive franchise. The Franchise granted by this Ordinance shall not in any manner prohibit the City from granting other and further franchises over, upon, and along the Franchise Area. The Franchise granted by this Ordinance shall not prohibit or prevent the City from using the Franchise Area or affect the jurisdiction of the City over the same or any part thereof.

Section 9. Franchise Term.

A. The Franchise is and shall remain in full force and effect for a period of ten (10) years from and after the effective date of this Franchise (as set out in Section 21), provided that the term may be extended for an additional five (5) years upon the written agreement of Franchisee and the City; and provided further, however, Franchisee shall have no rights under the Franchise nor shall Franchisee be bound by the terms and conditions of the Franchise unless Franchisee shall, within thirty (30) days after the effective date of the Ordinance, file with the City its written acceptance of the Franchise, in a form acceptable to the City Attorney.

B. If the City and Franchisee fail to formally renew the Franchise prior to the expiration of its term or any extension thereof, the Franchise shall automatically continue in full force and effect until renewed or until either party gives written notice at least one hundred eighty (180) days in advance of intent not to renew the Franchise.

Section 10. Reservation of Rights.

A. The City reserves unto itself the right and power at all times to exercise its police powers as specifically pertains to the time, manner, and placement of Franchisee's Facilities . The City shall administer this Franchise and exercise its police powers in a reasonable and lawful manner.

B. Pursuant to RCW 35.21.860, the City acknowledges that it is precluded from imposing a franchise fee on a telephone business as defined in RCW 82.16.010, or service provider for use of the right-of-way, except for actual administrative expenses incurred by the City directly related to receiving and approving a permit, license, and franchise to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW. This Franchise is premised upon the City and Franchisee's understanding that the activities proposed by the Franchisee constitute a "telephone business or a "service provider." Except as otherwise set forth herein, the rights granted under this Franchise are not conditioned upon payment of compensation in addition to reimbursement of actual administrative expenses as set forth in Section 18. Provided, however, Franchisee acknowledges and agrees that if any Facilities meet the conditions set forth in RCW 35.21.860(1)(e)(i) – (iii), as may be amended, then Franchisee shall pay the required site-specific charges set forth in Chapter 12.58 KMC. Other than described herein, the City will not impose a franchise fee under the terms of this Ordinance.

C. The City hereby reserves its right to impose a franchise fee, tax or charge on Franchisee, to the extent authorized by law, for purposes other than to recover its administrative expenses, if Franchisee's operations are not those of a telephone business as defined in RCW 82.16.010, or of a service provider pursuant to RCW 35.21.860, if a court of competent jurisdiction determines that such fees are permissible, or if statutory and regulatory prohibitions on the imposition of such fees are removed. The City also reserves its right to require that Franchisee obtain a separate franchise for a change in use, which franchise may include provisions intended to regulate Franchisee's operations, as allowed under applicable law.

Section 11. Undergrounding. New Facilities, excluding antennas, , and only excluding equipment cabinets, and associated cables that are approved by the City to be installed underground, shall be installed

underground pursuant to Section 5 of the Franchise. Franchisee acknowledges the City's policy of undergrounding of Facilities within the Franchise Area. Franchisee will cooperate with the City in the undergrounding of Franchisee's Facilities, excluding antennas, equipment cabinets, and associated cables approved by the City, within the Franchise Area. If during the term of the Franchise, the City shall direct Franchisee to underground Facilities within any Franchise Area, such undergrounding shall be at no cost to the City except as may be provided in Chapter 35.99 RCW. Franchisee shall comply with all federal, state, and City regulations on undergrounding. If the City undertakes any public works improvement which would otherwise require relocation of Franchisee's above-ground Facilities, the City may, by written notice to Franchisee, direct that Franchisee convert any such Facilities, excluding antennas, to underground Facilities, consistent with Section 5 of this Franchise.

Section 12. Record of Installations and Service. A. With respect to excavations by Franchisee and the City within the Franchise Area, Franchisee and the City shall each comply with its respective obligations pursuant to Chapter 19.122 RCW and any other applicable state and federal laws.

Section 13. Shared Use of Excavations and Trenches.

A. If either the City or Franchisee shall at any time after installation of the Facilities plan to make excavations in the area covered by the Franchise and as described in this Section, the party planning such excavation shall afford the other, upon receipt of written request to do so, an opportunity to share such an excavation, *provided that*: (1) such joint use shall not unreasonably delay the work of the party causing the excavation to be made or unreasonably increase its costs; (2) such joint use shall be arranged and accomplished on terms and conditions satisfactory to both parties. In addition, pursuant to RCW 35.99.070, the City may request that Franchisee install additional conduit, ducts and related access structures for the City pursuant to contract, under which Franchisee shall recover its incremental costs of providing such facilities to the City.

B. The City reserves the right to not allow open trenching for five years following a street overlay or improvement project. Franchisee shall be given written notice at least ninety (90) days prior to the commencement of the project. Required trenching due to an emergency will not be subject to five (5) year street trenching moratoriums. In the event Franchisee cannot open trench because City is exercising its rights specified in this Section, Franchisee may request to accomplish its work through boring or other methods to meet its requirement. The City shall review, and its discretion, approve or reject the request for boring or other methods, which will be determined by the City as part of permitting.

C. The City reserves the right to require Franchisee to joint trench with other franchisees if both entities are anticipating trenching within the same franchise area and provided that the terms of this Section are met.

Section 14. Insurance.

A. Franchisee shall procure and maintain for the duration of the Franchise, or ensure that its agents and representatives procure and maintain while working hereunder, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of work under the Franchise in the amounts and types set forth below:

1. Commercial General Liability insurance with limits of \$3,000,000 per occurrence for bodily injury (including death) and property damage and \$5,000,000 general aggregate, including premises operation, products and completed operations and explosion, collapse and underground coverage extensions;

2. Automobile liability for owned, non-owned and hired vehicles with a combined single limit of \$3,000,000 for each accident for bodily injury and property damage; and

3. Worker's compensation within statutory limits and employer's liability insurance with limits of \$1,000,000 for each accident/disease/policy limit or as required by law.

B. Franchisee's insurance coverage shall be primary insurance as respects the City. Any insurance, self-insurance or insurance pool coverage maintained by the City shall be in excess of Franchisee's insurance and shall not contribute with it.

C. Franchisee shall furnish the City with certificates of the foregoing insurance coverage and the blanket additional insured endorsement. Franchisee shall provide the City with said endorsement upon acceptance and execution of this Franchise.

D. Franchisee shall have the right to self-insure any or all of the above-required insurance.

E. Franchisee's maintenance of insurance as required by the Franchise shall not be construed to limit the liability of Franchisee to the coverage provided by such insurance, or otherwise limit City's recourse to any remedy to which the City is otherwise entitled at law or in equity.

F. Franchisee shall require all subcontractors to obtain and maintain the same insurance coverage with substantially the same limits as required of Franchisee. Franchisee shall provide the City with proof of such insurance prior to working in the Franchise Area.

Section 15. Assignment.

A. All of the provisions, conditions, and requirements herein contained shall be binding upon Franchisee, and no right, privilege, license or authorization granted to Franchisee hereunder may be assigned or otherwise transferred without the prior written authorization and approval of the City, which the City may not unreasonably withhold. Notwithstanding the foregoing, Franchisee, without the consent of, but upon notice to the City, may assign this agreement in whole or in part to: (a) an Affiliate (as defined in this Franchise); or (b) a lender for security purposes only.

B. Franchisee may lease the Facilities or any portion thereof to another or provide capacity or bandwidth in its Facilities to another, *provided that*: Franchisee at all times retains exclusive control over such Facilities and remains responsible for locating, servicing, repairing, relocating or removing its Facilities pursuant to the terms and conditions of the Franchise.

Section 16. Abandonment and Removal of Facilities. Upon the expiration, termination, or revocation of the rights granted under the Franchise, the Franchisee shall remove all of its Facilities from the Rights-of-Way of the City within ninety (90) days of receiving notice from the City's Public Works Director; *provided however*, that upon receipt of Franchisee's written request, the City may permit all or a portion of the Franchisee's Facilities to be abandoned in place in such a manner as the City may prescribe. Upon permanent abandonment, and Franchisee's agreement to transfer ownership of such Facilities to the City, the Franchisee shall submit to the City a proposal and instruments for transferring ownership to the City. Any such Facilities which are not permitted to be abandoned in place which are not removed within ninety (90) days of receipt of said notice shall automatically become the property of the City; *provided however*, that nothing contained within this Section shall prevent the City from compelling the Franchisee to remove any such Facilities through judicial action when the City has not permitted the Franchisee to abandon said Facilities in place, and Franchisee shall pay all costs associated with the removal of said Facilities, including but not limited to reasonable attorneys' fees.

Section 17. Security Device to Insure Performance.

A. Pursuant to RCW 35A.47.040, Franchisee shall, within ten (10) days after its acceptance of this Franchise, file with the City and at all times thereafter maintain in full force and effect a security device (such as a bond, letter of credit, or other security) in a manner and form acceptable to the City, effective for a two (2) year period, with automatic renewals, throughout the term of this Franchise.

B. The security device shall be submitted to the City prior to issuance of any right-of-way permits relating to the Facilities, and shall be a condition of such permit approval.

C. In the event Franchisee shall fail to substantially comply with any one or more of the provisions of this Franchise, then there shall be recovered jointly and severally from the principal and surety of such security device any damages suffered by the City as a result thereof, including the full amount of any compensation, indemnification, or cost of removal or abandonment of facilities hereinabove described, up to the full amount of the said security device, said condition to be a continuing obligation for the duration of this Franchise and thereafter until Franchisee has discharged all of its obligations within the City which may have arisen from the acceptance of such Franchise by Franchisee or from its exercise of any such privilege herein granted.

D. The security device filed in accordance with the requirement of this section shall be in the amount of Fifty Thousand and 00/100 Dollars (\$50,000.00). In the event of substantial change in volume of street space occupied by Franchisee's Facilities, the City may require a corresponding change in the amount of such security device. If the amount of the security device is depleted below \$50,000 for any reason, then Franchisee shall restore it to the full amount required herein within thirty (30) days of such depletion.

Section 18. Reimbursement of Costs. Pursuant to RCW 35.21.860, Franchisee shall reimburse and pay to the City the amount of reasonable actual administrative expenses incurred by the City which are directly related to receiving and approving, all permit(s), license(s), and this Franchise, to inspecting plans and construction, or to the preparation of documents and statements prepared pursuant to Chapter 43.21C of the RCW, including but not limited to such expenses incurred by City's consultants, City's Staff and City's Attorney's Office. As such expenses are incurred by the City, the City shall submit to Franchisee statements/billings for such expenses. Franchisee shall make payment to the City in reimbursement of such undisputed expenses within thirty (30) days of the receipt of such statements/billings. If Franchisee in good faith disputes any portion of the administrative expenses, Franchisee shall pay the undisputed portion, if any, and provide written notice of the dispute within thirty (30) days of the receipt of the statement/billings from the City. Unless the City agrees to a modification of the statement/billings based on Franchisee's dispute notice, Franchisee and the City shall negotiate any dispute in good faith, and if they cannot reach a resolution to such a dispute, both the City and Franchisee may invoke any other remedies available to them at law and in equity. In the event of non-payment thereafter, Franchisee shall pay the City's reasonable attorneys' fees and other costs incurred in collecting such amount.

Section 19. Miscellaneous.

A. Severance. If any term, provision, condition or portion of this Franchise shall be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Franchise which shall continue in full force and effect. The headings of sections and paragraphs of this Franchise are for convenience of reference only and are not intended to restrict, affect, or be of any weight in the interpretation or construction of the provisions of such sections or paragraphs.

B. Non-Waiver. Failure of either Franchisee or the City to declare any breach or default under this Franchise or any delay in taking action shall not waive such breach or default, but the non-defaulting party shall have the right to declare any such breach or default at any time. Failure of the Franchisee or the City to declare one breach or default does not act as a waiver of such party's right to declare another breach or default.

C. Compliance with law. Notwithstanding anything to the contrary herein, any determination by the City with respect to matters contained in this Franchise and matters related to the Ordinance shall be made in accordance with applicable federal law, including without limitation any applicable rules and regulations promulgated by the Federal Communications Commission, and applicable state law, and in a reasonable and non-discriminatory manner.

D. Attorney fees. In the event that either party commences litigation or arbitration proceedings against the other party relating to the performance or alleged breach of this Franchise, the prevailing party shall be entitled to all costs, including reasonable attorneys' fees incurred, relating to such litigation, including those incurred in the event of any appeal.

E. Forum. Any litigation filed by either party arising out of or relating to this Franchise shall be filed in King County Superior Court.

Section 20. Notice. Any notice or information required or permitted to be given to the parties under this Franchise may be sent to the following addresses unless otherwise specified:

City:

City of Kenmore
City Manager
18120 68th Ave NE
PO Box 82607
Kenmore, WA 98028

Franchisee:

SEATTLE SMSA LIMITED PARTNERSHIP
d/b/a Verizon Wireless
Attn: Network Real Estate
180 Washington Valley Road
Bedminster, New Jersey 07921

With a copy to:

SEATTLE SMSA LIMITED PARTNERSHIP
d/b/a Verizon Wireless
Attn: West Area General Counsel
15505 Sand Canyon Avenue
Irvine, CA 92618

Notice shall be deemed given upon receipt in the case of personal delivery, three (3) days after deposit in the United States Mail in the case of regular mail, or the next day in the case of overnight delivery.

Section 21. Effective date. This Ordinance, being in compliance with RCW 35A.47.040, shall be in force and effect five (5) days from and after its passage by the Kenmore City Council and publication pursuant to Section 1.01.010 of the Kenmore Municipal Code and by this reference approved by the City Council; provided it has been duly accepted by Franchisee as evidenced by Franchisee's submittal to City of the signed Statement of Acceptance in form substantially similar to that attached hereto and incorporated herein by this reference.

CITY OF KENMORE

By: _____

Its: _____

Dated: _____

Seattle SMSA Limited Partnership,
a Delaware limited partnership,
d/b/a Verizon Wireless

By: _____

Its: _____

Dated: _____

STATEMENT OF ACCEPTANCE

Seattle SMSA Limited Partnership, a Delaware limited partnership, d/b/a Verizon Wireless, for itself, its successors and assigns, hereby accepts and agrees to be bound by all lawful terms, conditions and provisions of the Franchise attached to Ordinance No. 2018-0459, and hereby incorporated by reference.

By: _____

Its: _____

Title: _____

Dated: _____

STATE OF WASHINGTON)
)ss.
COUNTY OF KING)

On this _____ day of _____, 2018, before me the undersigned, a Notary of Public in and for the State of _____, duly commissioned and sworn, personally appeared, _____ of Celco Partnership, General Partner of Seattle SMSA Limited Partnership, the company that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my official seal on the date hereinabove set forth.

DATED: _____

(Signature)

NAME: _____

(Print Name)

Notary Public in and for the State of _____

Commission Expires: _____



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

Subject/Topic: Report on the 2018 State Legislative Session	For Council Meeting Agenda of: 16 April 2018
	Department: Executive
	Prepared by: Nancy Ousley, Assistant City Manager
	<u>Initial & Date</u>
	Approved by Department Head: <u>NKO 12 APR 2018</u>
	Approved by City Attorney: <u>[Signature]</u>
	Approved by Finance Director: <u>[Signature]</u>
	Approved by City Manager: <u>NKO FW RK 12 APR 2018</u>
Proposed Council Action/Motion:	
Presentation and Discussion	Exhibits/Attachments: 1. City of Kenmore 2018 Legislative Agenda 2. Gordon Thomas Honeywell Report on the 2018 Legislative Session and 2017-2019 Budget 3. Summary of Bills with City of Kenmore Position
<u>INFORMATION/BACKGROUND:</u>	
Briahna Taylor and Shelly Helder of Gordon Thomas Honeywell will present information to the City Council on actions taken by the State Legislature in the 2018 session, which concluded in March. Thanks to the leadership of the 46th District Delegation, a number of priorities identified in the City's 2018 Legislative Agenda were funded, including \$500,000 for preliminary project development of a grade-separated crossing (undercrossing or elevated) of SR 522 to connect Kenmore's downtown to the lakefront. Funding for a boat storage structure at Rhododendron Park and improvements to Moorlands Park were among other City priority projects that were included in the final budget. Various policy bills of interest to the City were also passed by the Legislature in 2018.	
Please Note: A Post Legislative Session Community Meeting with the Legislative Delegation, co hosted by the City of Kenmore and City of Lake Forest Park is scheduled for April 16 from 6:30-7:20 PM at Kenmore City Hall, prior to the start of the City Council meeting. Senator David Frockt, Representative Gerry Pollet and Representative Javier Valdez will report on the 2018 Session.	
<u>FISCAL CONSIDERATION:</u>	
State funding is instrumental and essential to infrastructure improvements in the City of Kenmore.	
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u>	
The actions of the State Legislature in enacting policies and adopting Operating, Transportation and Capital budgets support every Council goal. (See next page)	



*City of Kenmore
Washington*

**2018 - 2019
City Council Goals**

1. To focus and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle, and other means of travel.
 - Implement the Sidewalk Plan
2. To implement the Walkways and Waterways projects.
3. To continue to seek opportunities to complete a successful Lakepointe project.
4. To actively ensure the implementation of Sound Transit 3 Projects for SR 522.
5. To update and continue to implement the Economic Development Plan, with an emphasis on the following key points:
 - Advance public access to water
 - Create a vibrant, walkable downtown
 - Attract new businesses and support existing businesses
 - Promote the image of Kenmore
6. To continue to implement a Parks Improvement Plan.
7. To increase the affordable housing stock.
8. To protect and enhance the water, air and forest environment.
9. To build community and create fun.
10. To continue to seek funds to mitigate State impacts on the City's transportation System.



City Of Kenmore, Washington

City of Kenmore 2017-19 State Legislative Agenda *Amended for the 2018 Session*

Reconnecting Kenmore's Downtown to Lake Washington

Kenmore requests that the State alleviate the impacts of the state transportation system on the local community by reconnecting the city's downtown with the Lake Washington waterfront. Despite recent improvements to State Route 522 to increase transit and vehicle capacity and improve pedestrian safety, congestion on State Route 522 continues to worsen, making it increasingly difficult for city residents to access local businesses, and generally move within the city. Regional decisions regarding the State's transportation system, including imposing tolls on SR 520, and the failure of the state system to handle daily commuter traffic, has resulted in more drivers opting to travel on State Route 522 through Kenmore. State Route 522 divides Kenmore's downtown from its waterfront. The City asks that the State invest **\$1 million** for preliminary project development of a multimodal grade-separated route, above or below SR 522, to allow Kenmore residents to more easily move within the city and to connect the city's downtown to the Lake Washington waterfront. The total anticipated project cost is \$25-\$30 million.

Propel Lakepointe Development

Lakepointe is the last remaining undeveloped property of its size on Lake Washington - a 47-acre site poised to become a dynamic mixed-used transit-oriented development with housing, office and retail space, hotel, marina and nearly a mile of public shoreline public access. A longstanding barrier to redeveloping the Lakepointe property stems from site conditions that are the result of a State transportation project - when Interstate-5 was built in Seattle, WSDOT used the Lakepointe site as a landfill for construction and demolition debris. As a result, deep foundation systems featuring several thousand pilings are required for the property to be developed, adding substantial costs of potentially over **\$105 million** to any redevelopment project. To alleviate these extraordinary costs related to the site's prior use by the State, the City of Kenmore requests that the State provide the economic development tools and incentives necessary to allow this property to overcome this hurdle and be developed. Without these incentives, the steep infrastructure and other project costs will continue to cause this vital waterfront site to languish and not redevelop. Even with the proposed incentives, the redevelopment of this site has the potential to offer a significant financial return on investment at both the state and local levels.

Pass a 2017-19 Capital Budget that includes the following projects which were included in the version that was released on July 20, 2017:

Boathouse on Sammamish River/Lake Washington - \$250,000

The boathouse will be constructed in partnership with the Northshore School District and will result in youth recreation programming, public high school rowing programs and other waterfront opportunities for the public.

Moorlands Park Improvements - \$250,000

Improvements at Moorlands Park include a new ballfield, a new play structure, trails, restrooms, and picnic facilities.

Public Works Assistance Account - \$1.5 million

The City supports passage of a capital budget that allocates \$97 million toward the PWAA current loan list which includes a \$1.5 million loan for culvert replacement & embankment repair at 61st Ave NE and NE 190th Street.

Saint Edward State Park Investments

- \$500,000 for Saint Edward Park Ballfield Improvements from WWRP and \$250,000 from Youth Athletic Facilities
- \$75,000 for a strategic plan to develop an Environmental Learning Center at St. Edward State Park

Local Control on Asphalt Plant Regulations

An asphalt plant is located in the City of Kenmore, near downtown, SR 522 and residential areas. The asphalt plant has been operating for decades and is a legal nonconforming use. The City asks that the State give local cities additional, local option regulatory authority over asphalt plants to ensure that the plant operates in a manner that is mindful of the surrounding urban neighborhoods.

18120 68th Ave NE · PO Box 82607 · Kenmore, WA 98028

Office: (425) 398-8900 · Fax: (425) 481-3236 · cityhall@kenmorewa.gov · www.kenmorewa.gov



**City of Kenmore
Government Relations Report
2018 Legislative Session**

Dear Kenmore City Council & City Staff,

It was a pleasure to once again represent the City of Kenmore in Olympia for the 2018 legislative session. While the 2018 session was a short, 60-day session, the City was successful in advancing its legislative priorities, securing \$500,000 towards the preliminary design of a multimodal crossing over/under State Route 522 and \$400,000 through ALEA for the Rhododendron Park Float & Boardwalk. These successes would not have been possible without an active and supportive legislative delegation – Senator David Frockt, Representative Gerry Pollet, and Representative Javier Valdez. We encourage the City to express great thanks to the delegation.

In addition to the city's legislative priorities, the Legislature tackled a number of challenging issues. The Legislature adopted supplemental Operating, Capital, and Transportation Budget.

Now that session is has ended, attention has turned to the November 2018 elections. Every member of the House of Representatives and half of the members of the Senate are up for re-election in November 2018. The House is currently 50-48; and the Senate is 26-24. With these narrow majorities, the outcome of the November 2018 elections could change which party controls one or both of the legislative chambers.

The ever-changing political climate requires adaptive and consistent advocacy. We look forward to working with the City of Kenmore throughout the interim months to continue advancing the city's priorities and preparing for the 2019-21 legislative biennium.

Thank you,

Briahna Murray & Shelly Helder

1201 Pacific Ave, Suite 2100
Tacoma, WA 98401
Phone: (253) 620-6500
Fax: (253) 620-6565

www.gth-gov.com

203 Maryland Ave., NE
Washington, DC 20002
Phone: (202) 544-2681
Fax: (202) 544-5763

City of Kenmore Legislative Priorities

Every two years, the City Council adopts a biennial legislative agenda that directs GTHGA and city staff's lobbying efforts. In even numbered years the City amends its biennial legislative agenda to reflect items that were accomplished in the first half of the biennium. Oftentimes, it takes many years of work to accomplish a legislative priority. This year, the legislative agenda included the following legislative priorities: (1) Reconnecting Kenmore's Downtown to Lake Washington; (2) Propel Lakepointe Development; (3) Pass a 2017-19 Capital Budget that includes specific City priorities; (4) Local Control on Asphalt Plan Regulations. For many of these legislative priorities, we anticipate it will take many sessions before we are successful in final legislative action.

Reconnecting Kenmore's Downtown to Lake Washington

With the increased congestion on State Route 522, the city asked the state to invest \$1 million for preliminary project development of a multimodal grade-separated route. The route would be above or below SR 522, and would allow Kenmore residents to more easily move within the city and connect the city's downtown to the Lake Washington waterfront. Since this was a supplemental budget year, this year's transportation budget had very little funding available for new projects. Despite this, we worked with the City's legislative delegation to submit a funding request to transportation budget leadership in the House and Senate.

About a month into the legislative session, the City's delegation reached out to determine if the City was interested in pursuing a joint feasibility study with the City of Lake Forest Park. The City of Lake Forest Park was considering requesting funding from the state at some point in the future for a multimodal grade separated pedestrian crossing of State Route 522. The delegation felt that both cities' projects could be more competitive if packaged as a joint feasibility study for 522 Crossings. Both Cities agreed to join forces in requesting \$1 million toward the joint feasibility study of 522 Crossings. In the end, a \$1 million request in a supplemental budget year was not achievable. However, when the Senate released its proposed transportation budget it included \$500,000 toward preliminary project development for a 522 crossing in Kenmore. The House's initial transportation budget proposal did not include similar funding but we worked with the members of the delegation to request that the \$500,000 be included in the final budget – which it was. The final 2018 supplemental transportation budget includes \$500,000 toward preliminary project development of a multi-modal grade separated crossing of 522 in Kenmore.

Propel Lakepointe Development

Lakepointe is the last remaining undeveloped property of its size on Lake Washington. A longstanding barrier to redeveloping the Lakepointe property stems from it being the dumping ground for demolition debris during the construction of Interstate 5 in Seattle. As a result, deep foundational systems requiring several thousand pilings are needed in order for the property to be developed. To alleviate the extraordinary costs related to development at Lakepointe, the City would like the state's partnership by providing economic development tools and incentives. The City is currently working with the developer of the property to determine more specific costs and project details so an economic development tool can be identified accordingly. With that being said, we continued to educate the legislative delegation on the economic development opportunities

available on the site, and stand ready to advance legislation or funding requests if/when the timing is appropriate.

Pass a 2017-19 Capital Budget that includes:

Boathouse on Sammamish River/ Lake Washington

Beginning in 2015, the City began advocating for state funding of a public boathouse to support the community's interest in recreational water activities on Lake Washington. In years past we worked with community partners, including The George Pocock Rowing Foundation, to draft letters of support and communicate the value of such an investment. Last year, the Northshore School District pledged \$250,000 which helped demonstrate the community's commitment to this project. As a result of the years of advocacy for this project, the City's legislative delegation was successful in having \$250,000 toward the design and construction of the boathouse included in the 2015-17 capital budget. Unfortunately, the delay of the biennial budget prevented the City from receiving those funds last year. However, in the early weeks of the 2018 session, the Legislature passed the 2017-19 Capital Budget and it included \$250,000 toward the Public Boathouse on Sammamish River/ Lake Washington.

Moorlands Park Improvements

During the 2017 Legislative Session an opportunity arose as a result of Sen. David Frockt's role as the Senate Democrat's lead negotiator on the Capital Budget. In response, the City requested \$400,000 toward improvements at Moorlands Park. The improvements include renovating the new ballfield and play structure and adding new amenities such as trails, restroom, and picnic facilities. At the end of the 2017 session, the negotiated 2017-19 capital budget included \$250,000 toward the Moorlands Park improvements. With the passage of the biennial capital budget in January of 2018, the City received \$250,000 towards Moorland Park Improvements. This is a noteworthy achievement considering the length of time it usually takes to succeed in securing funding from the Capital budget and the fact the City also received funds for the Boathouse.

Public Works Assistance Account

The negotiated 2017-19 Capital budget included \$97 million towards the Public Works Assistance Account loan list which included a \$1.5 million loan to the City of Kenmore. The loan is for culvert replacement and embankment repair at 61st Ave NE and NE 190th Street. With the passage of the biennial budget, the funding became available through the Department of Commerce.

Saint Edward State Park Investments

The negotiated 2017-19 Capital budget included several investments for improvements at Saint Edward State Park. The first two investments were the result of City staff's diligence in applying for competitive grants through the state's Recreation and Conservation Office (RCO). The City was well ranked for grants from the Washing Wildlife and Recreation Program (WWRP) as well as the Youth Athletic Facilities (YAF). Due to the level of funding for both of those programs, the City received \$500,000 from WWRP and \$250,000 from YAF. Lastly, the biennial budget included \$75,000 for the State Parks and Recreation Commission to develop a strategic plan for an environmental learning center at Saint Edward State Park.

Local Control on Asphalt Plant Regulations

Gordon Thomas Honeywell Governmental Affairs
City of Kenmore Legislative Update

During the 2017 legislative session there was an effort to pass legislation directing the Puget Sound Clean Air Agency (PSCAA) to hire an independent third party to develop best management practices regarding nuisance odor for asphalt plants within the Puget Sound Clean Air Agency's jurisdiction. [House Bill 1028](#), sponsored by Rep. Gerry Pollet (D-Seattle), did not advance during the 2017 or 2018 session and an alternative to legislation, we worked with Rep. Pollet and the delegation to request that language directing the PSCAA to conduct a study on asphalt plants be included in the operating budget. Unfortunately, the proviso was not included in the final 2017-19 operating budget but PSCAA began conducting the study without legislative direction in the late fall of 2017. The study is expected to wrap up in the spring of 2018.

Overview of the 2018 Legislative Session

The 2018 legislative session was the second year of the two-year legislative biennium, and scheduled to last 60 days. In the November 2017 election prior to the beginning of session, Democrat candidate Manka Dhingra won the open 45th Legislative District Senate seat previously held by a Republican, giving Democrats a narrow majority in both the House (50D-48R) and the Senate (25D-24R) for the first time since 2013. As the majority party, the Democrats set an agenda focused on governing effectively (i.e. completing session on time), addressing homelessness, funding affordable housing, increasing voter participation, passing equal pay measures, lowering property taxes, and more.

Capital Budget & Hirst

The early weeks of the legislative session were also focused on finishing uncompleted tasks from the 2017 legislative session, most significantly, adopting a 2017-19 Capital Budget and passing legislation responding to the *Hirst* Supreme Court decision related to water rights. The Legislature reached an agreement on both of these issues during the first month of the Legislative session. The Legislature adopted a 2017-19 Capital Budget (FY June 30, 2017-July 1, 2019) that enacted the project funding lists that had been agreed to at the end of the 2017 legislative session, with some minor modifications. Just over \$200 million in remaining bond capacity was left for the Legislature to develop and adopt a 2018 Supplemental Capital Budget later in the session.

In response to the *Hirst* Supreme Court Decision, the Legislature passed [Senate Bill 6091](#) that developed new rules for drilling permit exempt wells throughout the state. The bill enables landowners to develop properties that have been stagnant since the Supreme Court decision and puts in motion a process that will establish permanent guidelines within a few years. Generally, the bill allows limited drilling of new wells, while local working groups develop plans to govern future water usage. Local working groups have a three-year window to develop plans to guide water usage over the next 20 years. The plans must account for stream flow impacts from new wells and the need for overall watershed health improvements. In addition, the state will provide \$300 million over 15 years for mitigation and related efforts to restore and enhance stream flows and aquatic habitat across the state. If the groups cannot find consensus on plans, it is up to the Department of Ecology to set the rules. Water withdrawal from the new wells is limited to 3,000 gallons per day per well in sparsely populated watersheds and 950 gallons per day in densely populated watersheds.

McCleary

Over the legislative interim, the Washington State Supreme Court ruled that the *McCleary* funding proposal enacted in 2017 did not fully comply of the Court's Order to fully fund k-12 education by 2018, thrusting funding for K-12 education back into the forefront of legislative consideration. The Court's primary reasoning was that the Legislature's property tax levy swap proposal did not fully fund education until 2019, rather than 2018. In order to fully comply with the Court's Order, the Legislature would need to identify an additional \$1 billion in the 17-19 Operating Budget for K-12 education. In addition to the Supreme Court's ruling, legislators heard from constituents throughout the legislative interim, expressing strong concern and opposition to higher property taxes, and increased motor vehicle excise taxes in Sound Transit's region. This motivated many legislators to provide "tax relief" as part of the budget discussions.

Revenue & Budgets

Prior to the release of the House and Senate budget proposals, the February economic revenue forecast further shaped budget discussions. The forecast indicated that the general fund revenue for the 2017-19 biennium is forecasted to be \$647 million higher than anticipated, and \$671 million higher for 2019-21. This provided over \$1.2 billion of additional funds for the four-year budget outlook. Many legislators, on both sides of the aisle, argued that with this increase in revenue, the Legislature would not need to raise taxes.

The House Operating Budget proposal allocated \$711 million of the \$1.2 billion in increased revenue into the Budget Stabilization Account (BSA), and \$105.2 million to K-12 public schools; the amount of the accrued *McCleary* fines deposited into this account from the state general fund. Additionally, the House proposed budget lowers property taxes beginning in 2019 and offsetting the resulting reduction in revenue with a \$995.8 million transfer from the Budget stabilization account. [House Bill 2993](#), sponsored by Rep. Pat Sullivan (D-Covington), reduces the state property tax levy rate from \$2.70 per \$1,000 of assessed value (AV) to \$2.365 per \$1,000 AV for taxes levied for collection in 2019 and then to \$2.30 per \$1,000 AV for taxes levied for collection in 2020. The House budget proposal also assumed passage of a capital gains tax proposal. [House Bill 2967](#), sponsored by Rep. Kristine Lytton (D-Anacortes), imposes a 7% tax on long-term capital gains. The bill provides a mechanism to reduce the state property tax levy and fund the senior citizen, disabled persons, and qualifying veterans' property tax exemption with revenues from the tax on long-term capital gains.

The Senate Operating Budget Proposal allocated much of the \$1.2 billion in additional forecasted revenue toward education. Similar to the House proposal, \$105.2 million is allocated to K-12 public schools; the amount of the accrued *McCleary* fines deposited into this account from the state general fund. An additional \$972 million is directed towards teacher salaries to satisfy *McCleary*. The Senate Operating Budget proposal also includes allocating \$403 million from the Budget Stabilization Account to lower state property taxes by 31 cents per \$1,000 assessed valuation in 2019, and \$22 million for forest fire related costs.

Unrelated to the budget proposal, the Senate advanced the Governor's proposed carbon tax bill, [Senate Bill 6203](#). The bill was advanced out of Senate Ways & Means, not as a measure to increase revenue, but a mechanism to improve the environment. The proposal did the following:

- Imposes a carbon pollution tax equal to \$12 per metric ton of carbon dioxide on the sale or use of fossil fuel within the state of Washington and the sale or use of electricity in Washington generated using fossil fuels, beginning July 1, 2019.
- Increases the tax rate by \$1.80 per metric ton (MT), beginning July 1, 2021, until reaching \$30 per metric ton of carbon dioxide.

Gordon Thomas Honeywell Governmental Affairs
City of Kenmore Legislative Update

- Directs the carbon tax revenues to be distributed into four accounts for activities that reduce greenhouse gas (GHG) emissions connected to energy use and other activity in Washington; provides assistance to vulnerable communities and workers in fossil fuel industries; increase climate resilience; and support rural economic development.
- Establishes a Clean Energy Investment Program for both investor-owned utilities (IOUs) and consumer-owned utilities (COUs) to allow an electric or gas utility to claim a credit of up to 100 percent against the carbon tax for approved investment in projects that reduce or offset carbon emissions from the utility.

Capital Budget

After the passage of the 17-19 Capital Budget early in the 2017 legislative session, just over \$200 million in bond capacity was left for the development of a 2018 Supplemental Capital Budget. The Senate 2018 Supplemental Capital Budget proposal made \$186 million in new bond appropriations, with 55 community-based projects funded in addition to investments in public schools, higher education, and behavioral health facilities. The House 2018 Supplemental Capital Budget proposal appropriated \$207.7 million from bonds, with \$47.4 million for a variety of projects and programs including \$21 million in bonds for 53 local and community projects and \$4 million in bonds for four housing projects.

Transportation Budget

The Senate and House proposed 17-19 Supplemental Transportation Budgets both continued to implement the Connecting Washington package. Forecasted revenue for the ten-year period is \$33.8 billion, an increase of \$313 million over what was forecasted in November. Both proposals appropriate a total of \$9.3 billion for the 17-19 budget. The vast majority of the appropriations are re-appropriations for projects that are already mid-construction.

2018 Legislative Issues

The Legislature considered a record high number of bills during the 2018 legislative session. As the second year of the two-year biennium, bills from the 2017 legislative session carried over for consideration during the 2018 session. The Legislature considered a total of 2,064 house bills, and 1,674 senate bills. Of those, 310 passed into law in 2018. Outlined below are those bills considered in 2018 that impact local governments. The Legislature passed those items italicized into law.

Affordable Housing & Human Services

One of the majority party's top legislative priorities this session was to make investments in affordable housing and homelessness. The discussion around affordable housing and homelessness focused both on increasing housing supply, and on funding housing services.

Housing Trust Fund funding: *The 2018 Supplemental Capital Budget allocates an additional \$4 million to the [Housing Trust Fund](#) program for a total of \$110.8 million. The Housing Trust Fund is a competitive grant program for affordable housing. Projects selected can serve people with incomes up to 80% of area median income, but most projects funded to date serve households with special needs or incomes below 30% of area median income, including homeless families, seniors, farmworker, and people with developmental disabilities.*

Document recording fee: *The homeless housing and assistance surcharge, commonly referred to as the “document recording fee,” is collected when documents are recorded with the county auditor. Documents recording birth, marriage, divorce, death, or government liens are exempt from the fee. Last session, the current \$40 document recording fee was scheduled to sunset; the 2017 Legislature extended that sunset to 2023. In 2018, the Legislature passed [House Bill 1570](#), sponsored by Rep. Nicole Macri (D-Seattle), into law. The new law increases the \$40 document recording fee to \$62, and makes the fee permanent. Ten dollars of the fee is distributed to counties and the remainder is distributed through a statewide formula already in statute. The statutory formula allocates approximately 60% to counties to local homeless housing programs, and approximately 40% to the state for the Home Security Fund, the administration of a statewide homeless plan, and private rental housing vouchers. For reference, previous versions of this legislation that were considered throughout the session would have made the \$40 fee permanent, and gave counties the option to charge an additional fee of up to \$50. This county option component was not included in the final version of the legislation that passed into law. As this bill was being considered throughout the legislative session, GTHGA weighed in on behalf of the City to support the legislation.*

Source of income: [House Bill 2578](#), sponsored by Rep. Marcus Riccelli (D-Spokane), prohibits landlords from preventing a tenant from renting his or her property based on source of income, if the tenant is otherwise eligible. The bill also creates a landlord mitigation program to incentivize landlords to accept low-income individuals as tenants by allowing remittance for building repairs.

Housing and Essential Needs (HEN) funding: [House Bill 2667](#), sponsored by Rep. Nicole Macri (D-Seattle) (companion: Senate Bill 6502, sponsored by Sen. Manka Dhingra), expands the eligibility for referrals to the House and Essential Needs (HEN) referral program to include recipients of the aged, blind, or disabled cash assistance program. The Legislature passed this proposal.

Impact fee deferrals for low-income housing: [House Bill 2538](#), sponsored by Rep. Joan McBride (D-Kirkland), clarifies that homeless shelters do not trigger requirements for impact fees by changing the definition of “development activity” to not include buildings or structures constructed as shelters that provide emergency housing for people experiencing homelessness, or emergency shelters for victims of domestic violence. When the bill was originally introduced it also included a provision that would have increased the allowable percentage of exemptions from impact fees for low-income housing development from 80% to 100%. This provision was strongly opposed by the building industry and was removed from the final bill that passed into law. GTHGA expressed the City’s support of this bill through public sign in during committee hearings.

Credit against state sales tax for supportive housing: [House Bill 2437](#), sponsored by Rep. June Robinson (D-Everett), died in the final step of the legislative process. This legislation would have authorized counties to impose a sales and use tax credit of no greater than 0.03 percent (or, in later versions of the bill, 0.01 percent) to be used for affordable housing investments. The amount collected is deducted from the state’s portion of the sales tax so there is no net increase to sales tax. Counties would have been required to provide a 15% match. The City supported this legislation through public sign in.

Mobile home park assistance funding: [House Bill 1884](#), sponsored by Rep. Cindy Ryu (D – Shoreline), died in the final step of the legislative process. This legislation authorizes mobile home park tenants seeking relocation assistance from the Mobile and Manufactured Home Relocation Assistance Program to receive

other funding for relocation purposes without reducing their eligibility for relocation assistance funds. It also authorizes qualifying mobile home park tenants to use Relocation Assistance Program funds to secure housing that is not a manufactured home. The City supported this legislation through public sign in.

Local option revenue for affordable housing: [House Bill 1797](#), sponsored by Rep. Joan McBride (D-Kirkland), was a bill introduced in 2017. While there was a great deal of discussion about the bill in the 2018 legislative session, it did not advance any further in the process. The bill includes three provisions. First, the bill allows King County to councilmatically impose a .01 of one percent sales tax to fund affordable housing and behavioral health services. Second, it authorizes cities to apply for a one-time sales and use tax credit of 4.37 percent for public purchases for affordable housing or infrastructure to support such development. Third, it allows local real estate excise tax revenues to be used for affordable housing through 2022, as long as other capital projects have adequate funding. The City supported this legislation through public sign in.

Affordable housing on property owned by a religious organization: [House Bill 1987](#), sponsored by Rep. Joan McBride (D-Kirkland), died in the final step of the legislative process. The final version of the legislation required a city or county to allow for an increased density bonus *consistent with local needs* for any affordable housing development of any single-family or multiple-family residence located on real property owned or controlled by a religious organization. The language *consistent with local needs* was added to address concerns raised by cities; with that language, a city would be able to easily reject a request for increased density.

Habitat for Humanity tax exemptions: [House Bill 2875](#), sponsored by Rep. Joan McBride (D-Kirkland) and [Senate Bill 6557](#), sponsored by Sen. Mark Mullet (D-Issaquah), would have created a sales and use tax exemption and a real estate excise tax exemption for “self-help housing”, or organizations like Habitat for Humanity. Neither bill passed out of their chamber of origin.

Fire code requirements on housing within religious organizations: [Senate Bill 6555](#), sponsored by Sen. Mike Padden (R-Spokane Valley), would have prohibited a city or county from requiring installation of fire sprinklers or any structural modification to windows and doors to comply with fire codes when providing housing to homeless individuals. Cities and fire chiefs raised concerns with the potential fire hazard that could result if this bill passed. Current law already allowed code enforcement officers to create exemptions to current codes, if the facility is otherwise safe. A specific situation in Spokane motivated this bill being brought forward. The bill did not advance out of committee, and the fire marshal in Spokane agreed to work with the specific religious organization to resolve the issue.

Community & Economic Development

Tools to address abandoned, nuisance homes that are mid-foreclosure: *Nearly a year and a half of stakeholder work culminated in the passage of [House Bill 2057](#), sponsored by Rep. Tina Orwall (D-Des Moines). This legislation is an omnibus bill that makes amendments to the Foreclosure Fairness Act and provides cities, towns, and counties with more tools to address abandoned and foreclosed homes that constitute a nuisance. The bill is the outcome of tens of hours of stakeholder meetings between cities, financial institutions, and homeowner advocates, led by Rep. Tina Orwall. The resulting legislation is not a silver bullet solution to resolving abandoned and foreclosed homes, but an incremental step forward. Generally speaking, the “wins” for cities in this bill are increased cost recovery for nuisance abatements on homes that are mid-foreclosure or*

Gordon Thomas Honeywell Governmental Affairs
City of Kenmore Legislative Update

bank-owned, and a mechanism for financial institutions to access and secure homes that are mid-foreclosure and a nuisance. Additionally, there are provisions in the bill to allow foreclosures on homes owned by deceased borrowers to occur more quickly, which should reduce the number of extraordinarily long foreclosures.

More specifically, the bill allows a city to determine that a home is 1) abandoned, 2) mid-foreclosure, 3) and a nuisance. If a city makes this determination, the financial institution foreclosing on the property may access the home to abate the nuisance and secure the property (currently, financial institutions are not able to access homes mid-foreclosure due to the Jordan v. Nationstar Supreme Court decision; this legislation responds to that court decision). If the financial institution does not access the home and abate the nuisance after being notified by the city, then the city can conduct a nuisance abatement action under its current authority. In this situation, the city is allowed to recover its costs by placing an unlimited, first-priority lien on the property (current law caps city lien authority at \$2,000). This unlimited lien authority should better allow the city to recover costs of conducting nuisance abatements.

If a financial institution is foreclosing on a home that it believes to be abandoned and a nuisance, the financial institution may contact the city and ask that the city look at the property and make a determination. The city may determine that (1) the home does not rise to the level of being abandoned and a nuisance, (2) that the home is indeed abandoned and a nuisance and the financial institution may access the home as described above, or (3) that the city is unable to make a determination due to time or resource limitations.

For homes where the financial institution completed the foreclosure on the home, and under the ownership of the financial institution the home is now causing a nuisance, the city may conduct a nuisance abatement action and recover its costs by placing an unlimited first-priority lien on the property.

Discriminatory covenants: [House Bill 2514](#), sponsored by Rep. Christine Kilduff (D-University Place), addresses old, discriminatory covenants placed on certain properties. Although the covenants are unenforceable, this bill allows the property owner to submit a modification to the county auditor for the covenant's removal.

Tourism marketing authority: [Senate Bill 5251](#), sponsored by Sen. Dean Takko (D – Longview), establishes the Washington Tourism Marketing Authority and a dedicated account to manage a statewide tourism program. The bill directs up to \$1.5 million in 2019, and \$3 million/biennium thereafter, generated by a 0.2% state sales tax credit on lodging, car rentals. The funding would be used for the newly established Washington Tourism Marketing Authority to contract for a statewide tourism marketing plan, and then implement the developed plan.

Local revitalization financing: [House Bill 2858](#), sponsored by Rep. Norm Johnson, allows a local government that was awarded Local Infrastructure Financing Tool (LIFT) funds to carry local match funds forward for to use in later years. For example, if a city makes a local match of \$10 million one year, the excess of that \$10 million could rollover and serve as a local match in later years.

State infrastructure bank: Building on the interim study regarding a state bank, [Senate Bill 6375](#), sponsored by Sen. Bob Hasegawa (D-Beacon Hill), would have required that the Department of Commerce collaborate with

other financial institutions and offices at the state agency level to examine the state's public infrastructure needs and establish a financial and governance framework to establish a state infrastructure bank, including examination of all legal, constitutional, and regulatory limitations. The framework and report must also take into account any impact on operating, capital, and transportation budgets. The model and a final report is due to the legislature by December 1, 2018.

The bill did not pass out of the Senate Ways & Means Committee. However, the 2018 Operating Budget contains the following language: *\$480,000 is provided to the Office of Financial Management to contract with an entity or entities with expertise in public finance, commercial, and public banking to:*

- (a) Evaluate the benefits and risks of establishing and operating a state-chartered, public cooperative bank in the state of Washington, specifically including the business and operational issues raised by the 2017 infrastructure and public depository task force; and*
- (b) Develop a business plan for a public cooperative bank based on the federal home loan bank model whose members may only be the state and/or political subdivisions. The purpose of this bank is to assist the potential members of the bank to manage cash and investments more efficiently to increase yield while maintaining liquidity, and to establish a sustainable funding source of ready capital for infrastructure and economic development in the state of Washington. The business plan shall include, but is not limited to:*
 - a. Identification of potential members of the bank;*
 - b. The capital structure that would be necessary;*
 - c. Potential products the bank might offer;*
 - d. Projections of earnings;*
 - e. Recommendation on corporate governance, accountability, and assurances;*
 - f. Legal, constitutional, and regulatory issues;*
 - g. If needed, how to obtain a federal master account and join the federal reserve;*
 - h. Information technology security and cybersecurity;*
 - i. Opportunities for collaborating with other financial institutions;*
 - j. Impacts on the state's debt limit;*
 - k. In the event of failure, the risk of taxpayers, including any impact on Washington's bond rating and reputation;*
 - l. Potential effects on the budgets and existing state agencies programs; and*
 - m. Other items necessary to establish a state-chartered, public cooperative bank modeled after the federal home loan bank or other similar institution.*

The office of financial management shall facilitate the timely transmission of information and documents from all appropriate state departments and state agencies to the entity hired to carry out its contract. A status report must be provided to the governor and appropriate committees of the legislature by December 1, 2018, and final report and business plan provided to the appropriate committees of the legislature by June 30, 2019.

Condo liability: [House Bill 2831](#), sponsored by Rep. Tana Senn (D-Mercer Island), requires that a board of directors for a condominium or a homeowners' association to mail or deliver written notice of complaint or summons to a construction professional if an individual has filed a claim against that construction professional. This bill is designed to reduce condominium liability laws, and align them with apartment construction. The bill did not meet the house of origin cutoff. The City supported this legislation through public sign in.

Multifamily housing property tax exemption expanded to unincorporated areas on transit corridors: [House Bill 2607](#), sponsored by Rep. Morgan Irwin (R-Enumclaw), would have allowed counties to utilize the multifamily tax property tax exemption to promote transit-supportive densities in unincorporated areas on transit corridors. This extends a financing tool that was purposefully only offered to cities to foster greater growth in incorporated areas. While the House Environment Committee amended the bill to limit the exemption to only be offered in areas to be within .75 miles of a bus service corridor with specific requirements for frequent service, that was not sufficient to address legislators' concerns in the House. The bill died in the House Finance Committee.

Multifamily housing property tax exemption expanded to smaller jurisdictions: [Senate Bill 6347](#), sponsored by Sen. Keith Wagoner (R-Sedro Wooley), expands the eligibility for the multifamily housing property tax exemption program to cities and towns with a population less than 15,000. The bill passed the Senate, but died in the House fiscal committee.

Building business ecosystems: [Senate Bill 6499](#), sponsored by Sen. Sharon Brown (R-Kennewick), presents a new idea to provide an economic development tool to local governments that closely mirrors the existing local revitalization financing and local infrastructure financing tool programs. Under the bill, local governments would be authorized to create business ecosystem areas for targeting public improvements. A city, town or county, would create a business ecosystem area, from which annual increases in revenues from local sales and use taxes and local property taxes are measured. State funding is allocated to a participating city, town, or county as a credit against the state sales tax, up to \$500,000/year.

Main Street program proposal: [House Bill 2462](#), proposed changes to the eligibility of the state's Main Street program. The bill would make eligible a nonprofit organization whose mission center around economic development, located in a rural county, and may not have had a main street program designated within the same county. Currently, only nonprofits with a mission solely dedicated to downtown or neighborhood revitalization. If this bill had passed, there would have been increased competition for limited main street funds. The bill did not advance out of the policy committee.

Water Resources

***Hirst:** [Senate Bill 6091](#) that developed new rules for drilling permit exempt wells throughout the state. The bill enables landowners to develop properties that have been stagnant since the Supreme Court decision and puts in motion a process that will establish permanent guidelines within a few years. Generally, the bill allows limited drilling of new wells, while local working groups develop plans to govern future water usage. Local working groups have a three-year window to develop plans to guide water usage over the next 20 years. The plans must account for stream flow impacts from new wells and the need for overall watershed health improvements. In addition, the state will provide \$300 million over 15 years for mitigation and related efforts to restore and enhance stream flows and aquatic habitat across the state. If the groups cannot find consensus on plans, it is up to the Department of Ecology to set the rules. Water withdrawal from the new wells is limited to 3,000 gallons per day per well in sparsely populated watersheds and 950 gallons per day in densely populated watersheds.*

Reclaimed water: Current reclaimed water statutes are decades old and have not been updated. Cascade Water Alliance, a Puget Sound water purveyor, led an effort to draft legislation to update those statutes. [Senate Bill 6390](#), sponsored by Sen. Lisa Wellman (D-Mercer Island), and [House Bill 2743](#), sponsored Rep. Larry Springer (D-Kirkland), would have required reclaimed water developments to be integrated with regional and local watershed and water system plans through agreements between water supply utilities and reclaimed water providers. The bill would have ensured that as reclaimed water is integrated as a new water supply source, it also honors existing infrastructure investments that have been made by cities and water districts. King County opposed the legislation, and neither version of the bill advanced beyond its chamber of origin. Rep. Larry Springer has committed to working over the legislative interim to resolve King County's concerns and find agreement on legislation prior to the 2019 legislative session.

Fish barrier funding: [House Bill 2902](#), sponsored by Rep. JT Wilcox (R-Yelm), directs \$50 million from the state's general fund to the Department of Fish and Wildlife for fish barrier removal. The bill died with the second cutoff of session but the concept of increasing funding for fish barrier removal was still being discussed. The Council took a position of support for this legislation. When the House operating budget was released it did not include increased funding for fish passage. When the budget was debated on the House floor, Rep. Wilcox offered an amendment that would have directed \$50 million from the state's general fund to DFW for fish barrier removal. The amendment was not adopted.

Paint stewardship: [House Bill 1376](#), sponsored by Rep. Strom Peterson (D – Edmonds), requires producers of architectural paint to participate in a stewardship program for managing disposal of leftover paint, which will be directed and approved by the Department of Ecology. The bill also prohibits retailers from selling architectural paint from producers that have not completed this stewardship program. The bill died in the House Rules Committee last session. It was referred to House Appropriations this session but did not advance.

Land Use

Extending and amending transit-oriented SEPA tool: [House Bill 1740](#), sponsored by Rep. Joan McBride (D-Kirkland), would remove the sunset on a tool that allows cities to provide a safe harbor from State Environmental Policy Act (SEPA) appeals for projects that are consistent with an adopted subarea plan. This tool is in current law, but is scheduled to sunset. The bill passed out of committee, but did not pass out of the House.

Utility service annexation covenants prohibited: [House Bill 2788](#), sponsored by Rep. Vicki Kraft (R-Vancouver), preempts city control over utility service annexation, by prohibiting a city from requiring an owner of a property that is located outside of its city limits to enter in to a utility service annexation covenant to extend utilities to said property. Cities expressed strong opposition to this proposal. The bill did not advance out of committee.

Minimum density standard of no less than six dwelling units: [Senate Bill 6077](#), sponsored by Sen. Guy Palumbo (D-Maltby), requires a minimum residential density of six units per acre in all urban growth areas. The bill did not advance out of committee.

Annexation of unincorporated islands: [House Bill 2665](#), sponsored by Rep. Nicole Macri (D-Seattle), removes the referendum clause on annexations of “islands” (areas surrounded 80% or more by a city) in unincorporated territory. The bill did not pass out of the House before the house of origin cutoff.

Marijuana

US Attorney General decision: *At the beginning of the legislative session, the US Attorney General Jeff Sessions issued a memo rescinding all guidance to federal prosecutors that minimized the priority of enforcement actions against states with legalized marijuana – either medical or recreational. The former guidance provided states with a framework to create a tightly regulated system for the production, distribution, and sale of legalized marijuana. States that chose to create these markets, like Washington, has assurance that federal enforcement would not be a priority. The US Attorney General’s memo removes that assurance. Governor Inslee and many other state leaders announced that despite this memo, the state would continue to support voter-approved legalization efforts in Washington.*

Marijuana revenue: *The 2018 Operating Budget increased marijuana revenue to cities and counties that have allowed marijuana retail establishments. During the 2017 legislative session, such cities and counties were allocated \$12 million, \$6 million per year 2018-19. The 2017 budget also would have provided additional funding of \$18 million for 2017-19, if forecasted marijuana revenues exceed estimates by \$18 million between June 2017 and February 2018. The 2018 budget instead funded cities and counties at \$30 million for 2017-19, and \$15 million/fiscal year in subsequent biennia.*

Preemption of local authority: [House Bill 2336](#), sponsored by Rep. David Sawyer (D – Parkland), would have required jurisdictions to conduct a public vote prior to banning marijuana retail stores and proposed a significant preemption of local control. The bill advanced out of the policy and fiscal committees, but did not pass the House.

Preemption of local authority regarding medical marijuana: [House Bill 2471](#), sponsored by Rep. Steve Kirby (D-Tacoma), prohibits cities, towns, and counties from enacting regulations pertaining to medical marijuana co-ops without a grant of authority from the state. This preempts local control from zoning provisions, should a local government attempt to prohibit a medical marijuana co-op. The bill passed out of committee, but did not pass the House.

Marijuana stores must comply with local ordinances: [House Bill 2630](#), sponsored Rep. Dan Griffey (R-Allyn), would have ensured that state marijuana licenses are only issued to businesses that comply with local ordinances. The license applicant would need to provide written proof of local compliance.

Home grow of recreational marijuana: [House Bill 2559](#), sponsored by Rep. Brian Blake (D-Aberdeen), which would have allowed each housing unit to grow up to six marijuana plants and harvest up to 24 ounces of useable marijuana. The bill passed out of the policy committee, but died in the fiscal committee.

Home delivery for medical marijuana: [House Bill 2574](#), sponsored Rep. Shelby Kloba (D-Kirkland), would have established a medical marijuana delivery endorsement to a marijuana retailer’s license that authorizes the

retailer to make deliveries to a qualifying medical marijuana patient. The bill passed out of the policy committee, but did not pass the House.

Technology

Small cell network facility deployment: The Legislature considered two different approaches to the deployment of small cell network facilities, and inevitably chose not to pass any legislation. In the Senate, [Senate Bill 5935](#), sponsored by Sen. Tim Sheldon (D-Potlatch) and Sen. Reuven Carlyle (D-Seattle), included provisions regarding the deployment of small cell network facilities, and investments in rural broadband. The version of the bill that passed the Senate would have required cities with a population over 5,000 to adopt an ordinance or policy regarding the deployment of small cell network facilities. The ordinance would require cities to exempt the siting of small cell network facilities from conditional use permit, unless 1) a new pole is required; 2) the pole height would need to be increased more than 15 feet; and 3) the facilities does not comply with the city's adopted design standards. In the House, the bill was amended to remove all provisions related to small cell network facilities, leaving the bill exclusively focused on rural broadband investments.

Alternatively, the House considered [House Bill 2592](#), sponsored by Rep. Jeff Morris (D-Friday Harbor), which set forward a voluntary "gold standard" that cities could choose to comply with in order to designated "investment ready" by the Department of Commerce. In order to receive the designation, cities would need to comply with nine different criteria. Cities worked to develop amendments to the bill to ensure that this designation would be achievable. However, the House chose not to advance the bill forward.

General Government

Voting Rights Act: [Senate Bill 6002](#), sponsored by Sen. Rebecca Saldana (D -Seattle), establishes the state "Voting Rights Act" to protect the equal opportunity for minority groups to participate in local elections. To enforce the Act, a new state cause of action is created and courts are authorized to order changes in local voting system, including requiring redistricting. Any voter who resides in a county, city, school district, fire district, port district, or public utility district, may notify the political subdivision of their intent to challenge the local election system. The notice must describe the alleged violation and a possible remedy. The political subdivision may take corrective action to remedy a potential violation of the Voting Rights Act. The remedy may include a district-based system, with districts that are reasonably equal in population, compact, and geographically contiguous, must coincide with natural boundaries, and must preserve communities of related and mutual interest as much as possible. The subdivision must obtain a court order certifying that the remedy complies with the Act and was prompted by a plausible violation of the Act. A political subdivision must provide data and analysis used in developing its proposed remedy submitted for court approval. Courts must apply a rebuttable presumption for declining a subdivision's proposed remedy, and all facts and reasonable inferences must be viewed in favor of those opposing the proposed remedy. If no remedy is adopted, any voter who resides in the political subdivision may file a lawsuit alleging a violation of the Act within that subdivision.

Unit priced contracting: [Senate Bill 6143](#), sponsored by Sen. Dean Takko (D-Longview) authorizes cities to use unit priced contracting (i.e. bid for a contractor once, and then maintain that contractor for a set fee structure).

Public Records Reform: The Governor vetoed [Senate Bill 6617](#), which would have exempted the Legislature from the Public Records Act. Over 19,000 calls were made to the Governor's Office indicating opposition to the bill, and a coalition of legislators in the Senate Democrat, House Republican, and Senate Democrat caucuses sent a letter to the Governor requesting a veto. As part of the Governor's veto, the plaintiffs in the case that resulted in the Supreme Court ruling that the Legislature is subject to the Public Records Act agreed to a "stay," and to establish an interim work group to determine appropriate public record disclosure rules for the Legislature in an open and transparent process.

Restrictive Covenants: [Senate Bill 6379](#), sponsored by Sen. Joe Fain (R-Covington), and [House Bill 2674](#), sponsored by Rep. Mia Gregerson (D-SeaTac), is a technical fix to statutory language regarding local governments removing restrictive covenants. Current law allows for removal of restrictive covenants upon holding a public hearing and completing other necessary notifications. This bill clarifies that the covenants referred to in this section are only restrictive covenants that have been recorded. The House version of the bill did not meet the house of origin cutoff deadline, and the Senate bill did not meet the opposite chamber cutoff deadline.

Human Resources/Insurance

The Legislature considered a number of bills this session in the human resources/insurance arena that increased liability for local governments. Through a significant lobbying effort, many of these bills did not pass the Legislature.

Ban the Box: [House Bill 1298](#), sponsored by Rep. Lillian Ortiz-Self (D-Edmonds), would prohibit cities, or any employers, from seeking a job applicant's criminal records until after the employer has determined that the applicant is otherwise qualified for the position; prohibits an employer from advertising a job in a manner that excludes people with criminal records from applying; prohibits any employer from implementing a policy that would automatically or categorically exclude individuals with criminal records.

Gender Pay Equity: [House Bill 1506](#), sponsored by Rep. Tana Senn (D-Mercer Island), modifies the Equal Pay Act by defining "similarly employed" to refer to gender, modifying defenses, and provides administrative remedies in the case of violation. In addition, the bill prohibits discrimination in providing raises and promotions based on gender, and prohibits retaliation for workplace discussions about wages and other compensation. This was one the majority party's top priority bills.

Insurance Coverage for PTSD Claims: [Senate Bill 6214](#), sponsored by Sen. Steve Conway, (D-Tacoma), expands insurance coverage for occupational diseases for post-traumatic stress disorders (PTSD) of law enforcement and firefighters. Under the state's industrial insurance law, a worker who, in the course of employment, is injured or suffers disability from an occupational disease is entitled to benefits. An occupational disease is one that arises naturally and proximately out of employment. Currently, PTSD is not presumed to be an occupational disease. The bill changes that to a rebuttable presumption for law enforcement, fire fighter, and EMTs; however, as a condition to this, individuals hired after the effective date of the bill must submit to a psychological exam, and the claim does not apply to PTSD directly related to disciplinary action, work evaluation, job transfer, layoff, demotion, or termination taken in good faith by an employer. The PTSD must develop after the individual has served at least ten years with the employer.

PERS/TRS 1 COLA Increase

[Senate Bill 6340](#), sponsored by Sen. Steve Conway (D-Tacoma), provides a one-time increase of 1.5% to retirees of the Public Employees' Retirement System Plan 1 and Teachers' Retirement System Plan 1 member monthly benefits, up to a maximum increase of \$62.50 on July 1, 2018.

Occupational Disease Presumptions: [Senate Bill 6213](#), sponsored by Sen. Kevin Ranker (D-Friday Harbor), expands the type of occupational diseases that are presumed to be caused by employment, and thereby allowing a worker to receive benefits. To prove an occupational disease the worker must show that the disease arose "naturally and proximately" out of employment. However, there are some diseases where it is presumed that the disease arose from the employment. The bill adds certain cancers and MRSA to the list for firefighters and fire investigators, and heart problems and strokes for law enforcement officers if the heart problem or stroke occurs during the line of duty. The bill failed to meet the opposite chamber cutoff deadline and did not pass.

Wrongful Death: [Senate Bill 6015](#), sponsored by Sen. Bob Hasegawa (D-Seattle), would have removed the requirement that parents and siblings reside in the U.S. at the time of a decedent's death in order to recover in a wrongful death or survival action. The bill also proposed to remove the requirement that these family members be dependent on the decedent for financial support to recover in such action. Additionally, the bill would extend recovery to noneconomic damages such as damages for the decedent's pain and suffering, anxiety, emotional distress, or humiliation. The House companion was [House Bill 2262](#), sponsored by Rep. Sharon Tomiko-Santos (D-Seattle). Neither bill was passed out of the House.

Responding to Opioid Epidemic

The Legislature prioritized addressing the opioid epidemic that has impacted many communities throughout the state. The budget also invests significant funding to respond to the growing problem.

State investments to respond to opioid epidemic: \$6.12 million is allocated to provide an increase in the rate for Medication-Assisted Treatment to match the Medicare rate to encourage more providers to treat patients with opioid use disorder. \$90,000 is allocated to the Department of Corrections for the administration of Medication-Assisted Treatment to offenders with opioid use disorder being released from prison.

\$4.6 million is allocated to fund four different "hub and spoke network," which is a specific treatment network model used to provide care for individuals with opioid use disorder.

The Department of Health is allocated nearly \$1 million for data tracking around the opioid epidemic, including (1) establishing a statewide emergency medical services data system for licensed ambulances and services to report and furnish patient encounter data; (2) perform knowledge-based identify verification for the prescription monitoring program.

Additionally, \$864,000 is allocated through the Department of Social and Human Services to increase access to Naloxone (opioid overdose reversal medication).

Statewide drug takeback: [House Bill 1047](#), sponsored by Rep. Strom Peterson (D-Edmonds), establishes a statewide drug takeback program to collect and dispose of prescription and over-the-counter drugs from

Gordon Thomas Honeywell Governmental Affairs
City of Kenmore Legislative Update

16

residential sources. Local drug take back programs are preempted after the statewide program has been in place for twelve months. The City supported this legislation through public sign in.

Medicaid Fraud Control Unit: [Senate Bill 6051](#), sponsored by Sen. Manka Dhingra (D-Kirkland) establishes the Medicaid fraud control unit (MFCU). The MFCU will have the authority and criminal jurisdiction to investigate and prosecute Medicaid provider fraud, abuse and neglect matters.

Opioid Response: [House Bill 2489](#), sponsored by Rep. Eileen Cody (D- West Seattle), and [Senate Bill 6150](#), sponsored by Sen. Annette Cleveland (D-Vancouver), are companion bills that were requested by Governor Inslee. [House Bill 2489](#), sponsored by Rep. Eileen Cody (D- West Seattle), declares opioid use disorder a public health crisis and requires state agencies to increase access to treatment services, promote coordination within treatment and recovery support systems, strengthen partnerships between opioid use disorder treatment providers and their community partners, expands the use of the state's prescription drug monitoring program and support substance use prevention services. The bill died in one of the final stages of the legislative process.

Finance

In previous legislative sessions, the Legislature has balanced the state budget by reducing local government revenues. Fortunately, that did not occur this session. However, the Legislature did consider a number of bills that would have passed along unfunded mandates, some of which, passed into law.

Streamlined sales tax mitigation revenues: During the 2017 legislative session, the Legislature proposed to phase out SST Mitigation payments to jurisdictions. Jurisdictions that receive payments are intended to be "made whole" through the passage of a statewide Marketplace Fairness Act, which collects sales tax from online sales. To ensure that cities were made whole by this change in revenue streams, the 2017-19 budget adopted last session included a proviso directing the Department of Revenue to study the phase out of SST Mitigation and more critically look at impacts to all cities, especially those that were projected to receive less in remote sales tax in the short-term.

Additionally, the Department of Revenue estimated that \$22.338 million was necessary to allow this phase out of SST funds to occur this biennium. The Operating Budget inadvertently provided \$20.012 million, creating a shortfall of \$2.326 million. The 2018 Supplemental Operating Budget allocated an additional \$2.326 million over FY 2018, 2019-21 to address this shortfall.

Legal financial obligations: [House Bill 1783](#), sponsored by Rep. Jeff Holy (R-Cheney), eliminates the interest accrual on the nonrestitution portion of legal financial obligations. When a defendant is convicted of a crime, the court may import legal financial obligations as part of the judgement and sentence, which include victim restitution, crime victims' compensation fees, costs associated with the offender's prosecution and sentence, fines, penalties, and assessments. This bill eliminates the interest accrual on the nonrestitution portion of these financial obligations. A court may not impose costs on an offender who is indigent at the time of sentencing (a person is determined to be "indigent" if they are receiving public assistance, have been involuntarily committed to a public mental health facility, or receiving an annual income of 125% of federal poverty level). The bill requires payment of LFO's to be obligated in a particular manner, requires payment plans, and allows offenders to convert unpaid legal financial services to community restitution. Recognizing

Gordon Thomas Honeywell Governmental Affairs
City of Kenmore Legislative Update

17

that this bill will cause counties greater financial burden, the 2018 Operating Budget includes \$1.9 million for grants to counties and cities. This funding will be divided equally between counties and cities and distributed as grants to mitigate demonstrated costs and revenue losses from the legislation. It is the Legislature's intent that grants will continue only through the 2019-21 fiscal biennium in the following manner: (a) Funding in fiscal year 2020 must be distributed in the same proportion and basis as fiscal year 2019; and (b) funding for fiscal year 2021 must be divided 85% to counties and 15% to cities and distributed based on demonstrated revenue losses from the legislation.

Emergency medical services levies: [House Bill 2627](#), sponsored by Rep. Larry Springer (D-Kirkland), changes the threshold for a countywide EMS levy proposal to be placed on a ballot. Currently, all jurisdictions with a population over 50,000 must approve of a levy proposal before it can be placed on the ballot. This bill, instead, states that 75% of all jurisdictions within King County that have a population over 50,000 must approve of an EMS levy proposal in order for it to be placed on the ballot. The bill also allows the initial imposition of a 6-year or 10-year EMS levy by a regional fire protection service authority to be approved with a simple majority vote, if the entire region comprising the newly formed authority was subject to an EMS immediately prior to the creation of the authority.

Indigent defense: There were multiple efforts to increase indigent defense funding. However, none of them were successful. First, [House Bill 2687](#), sponsored by Rep. Noel Frame (D-Seattle), would have increased the state contribution to indigent defense services to counties and cities by 10% per year until 2028 when the state's contribution reaches 100%. While the bill died in House Appropriations, WSAC, AWC, and GTHGA coordinated a budget proviso requesting \$100,000 for MRSC to study felony and misdemeanor indigent defense costs and revenues and make recommendations to the Legislature on potential cost savings mechanisms. This budget proviso was not included in any of the proposed budgets. Additionally, Rep. Manweller introduced a floor amendment to increase indigent defense grant funding for cities and counties by \$25 million. This final effort to increase funding for indigent defense was also unsuccessful. In the Senate, [Senate Bill 6420](#), sponsored by Sen. John Braun (R-Centralia), increased funding to indigent defense and decriminalized driving while license is suspended 3rd degree (DWLS3); summarized under public safety below. The City supported both of these bills through public sign in.

Revenue flexibility: [House Bill 2006](#), sponsored by Rep. John Koster (R-Arlington), would have given cities and counties increased flexibility with existing revenues and allowed all county authorities to seek voter approval for the criminal justice regular levy. It removes non-supplant language on the locally imposed 0.1% sales and use tax dedicated to mental health and substance abuse. The amended bill includes all the provisions of the underlying bill and establishes the Veteran's Assistance Levy and the County Mental Health Levy as separate property tax levies, outside of the county general levy. Unfortunately, the bill died in the final few weeks of the legislative session.

Study to analyze local government revenues: [House Bill 2737](#), sponsored by Rep. Sherry Appleton (D-Poulsbo), requires the Department of Commerce to conduct a study to analyze current revenue streams for local governments and the capacity such revenues have to fund current statutory obligations. Funding from the liquor revolving fund is appropriated to the Department of Commerce to pay for the study. An amendment was offered by Rep. Mia Gregerson (D-SeaTac), which would have reduced the scope of the

study, reduced the \$250,000 appropriation to \$100,000, and required Commerce to submit an interim report by December 31st, 2018 to the legislature. Despite that reduction in cost, the bill died in the fiscal committee.

Public Safety

Basic law enforcement academy funding: *The 2018 Operating Budget allocates funding for six additional Basic Law Enforcement Academy classes in Fiscal Year 2018 and seven classes in Fiscal Year 2019.*

Police use of force

Earlier this session, I-940, an Initiative to the Legislature, collected the adequate signatures and was filed. I-940 contained several provisions pertaining to law enforcement training, rendering of first aid, criminal liability standards for using deadly force, and investigations.

Under the state constitution the Legislature could 1) enact the initiative; 2) do nothing, which forwards the initiative on to the ballot for voters to consider; or 3) amend the initiative which puts both the amended version and the original version on the ballot for voters to consider. The Legislature chose to enact the initiative, and then immediately amend it. In fact, the Legislature passed the bill that amended the initiative prior to passing the initiative itself.

The end result was the enacting of [House Bill 3003](#), sponsored by Rep. Roger Goodman (D-Kirkland). Under the provisions of that bill, I-940 is modified. The final version does the following:

- *Training: The Criminal Justice Training Commission (CJTC) must require annual de-escalation and mental health trainings.*
- *Rendering of aid: The CJTC is required to develop guidelines for law enforcement personnel to provide or facilitate first aid such that it is rendered at the earliest safe opportunity to injured persons at the scene.*
- *Police use of force: In order to be protected from criminal liability, the use of deadly force by an officer must be in "good faith" – an objective standard that considers all the facts, circumstances, and information known to the officer at the time to determine whether a similarly situated reasonable officer would have believed that the use of deadly force was necessary to prevent death or serious physical harm to the officer or another individual. Finally, an independent investigation must be completed to inform the determination of whether the use of deadly force met the objective good faith standard and satisfied other applicable laws and policies.*

This negotiated bill was supported by the Washington Association of Sheriffs and Police Chiefs, De-Escalate Washington, and tribal governments.

Concealed Pistol License: [House Bill 2519](#), sponsored by Rep. John Lovick (D-Mill Creek), provides that a law enforcement agency may not return a concealed pistol license (CPL) that has been surrendered to or impounded by the agency until the agency determines the licensee meets CPL eligibility requirements.

Body worn cameras: [Senate Bill 6408](#), sponsored by Sen. Mike Padden (R-Spokane Valley) advances the recommendations of the Joint Legislative Task Force on the use of body worn cameras, which was initiated by legislation that passed in 2016. Jurisdictions that deployed body worn cameras prior to June 9, 2016 were considered "covered jurisdictions" under the statute and subject to special rules related to disclosure, privacy,

Gordon Thomas Honeywell Governmental Affairs
City of Kenmore Legislative Update

and records retention while the task force was underway. The bill removes the reference to covered jurisdictions; thereby making all jurisdictions subject to body worn camera standards. The bill clarifies that records retention is only necessary for 60 days unless otherwise appropriate, which allows jurisdictions to delete noncontroversial footage. To address privacy concerns, a definition of intimate image was added to the statute for purposes of inspection and copying exemptions in the Public Records Act. Finally, the sunset of the law was removed allow the rest of the body camera law to remain in effect beyond 2019.

Bump Stock Ban: In the wake of several recent mass shootings, several proposals to address gun reform were introduced this session. [Senate Bill 5992](#), sponsored by Sen. Kevin Van de Wege (D-Sequim), prohibits any individual from manufacturing, purchasing, owning, transferring, transporting or selling a firearm containing a bump-fire stock after July 1, 2019. A bump-fire stock weapon is a semi-automatic firearm which simulates the ability of a fully automatic firearm. In addition, the bill requires that any of the before acts related to bump-fire stock firearms is considered a felony and establishes criminal penalties and sentencing provisions in the case of the above circumstances. The bill was amended to clarify that the manufacture, sale, purchase or possession of a bump-fire stock is a Class C felony. The bill also establishes a bump-fire stock buy-back program to allow a person possessing a bump-fire stock to relinquish the device in exchange for \$150.

Mental health field response team: [House Bill 2892](#), sponsored by Rep. John Lovick (D-Mill Creek), creates a mental health field response grant program, and requires the Washington State Institute for Public Policy to conduct a study on whether the program improves outcomes of interactions with persons experiencing behavioral health crises. If the program is allocated funding, the grants are awarded to local law enforcement agencies based on locally developed proposals. Two or more agencies may submit a joint proposal.

Law enforcement officer misconduct: [Senate Bill 6188](#), sponsored by Sen. Manka Dhingra (D-Redmond), states that a law enforcement agency may not take disciplinary action or any other adverse personnel action against a peace officer solely because the officer's name is on a list maintained by a prosecuting attorney's office of recurring witness for whom there is known potential impeachment information; or the officer's name may otherwise be subject to disclosure pursuant to the holding in Brady v. Maryland.

Driving while license is suspended 3rd degree (DWLS3): DWLS3 is the least serious of three levels of driving with a suspended license and typically occurs when an individual owes money to the state, such as traffic fines or child support. Under current law, DWLS3 is a criminal offense and is one of Washington's most commonly charged crimes. [Senate Bill 6189](#), sponsored by Sen. Joe Fain (R-Auburn), and [House Bill 2481](#), sponsored by Rep. Paul Graves (R-Fall City), decriminalize DWLS3 and establish it as a traffic infraction. This change would have resulted in decreased costs for the county court, jail, and public defense services.

Prevent Human Trafficking: [House Bill 2466](#), sponsored by Rep. Tina Orwall (D-Des Moines), authorizes law enforcement to arrest persons in violation of certain no contact orders involving victims of trafficking and promoting prostitution practices. The bill passed the House 98-0 but died in the Senate Rules committee. The City supported this legislation through public sign in each time it was heard in committee.

University Police Force Collective Bargaining: [House Bill 1559](#), sponsored by Rep. Roger Goodman (D-Kirkland), grants the right to pursue collective bargaining to police officers employed as part of a police force established by state and regional universities, and the Evergreen State college.

Transportation

Transportation Revenue Study: *The adopted 2018 Supplemental Transportation Budget includes \$350,000 funding for a study to examine city transportation needs. The budget directs the Joint Transportation Committee to hire a consultant to study the current state of city transportation funding, identify emerging issues, and then recommend funding sources to meet current and future needs. This work dovetails with work that the state is currently doing to identify future state transportation revenue sources considering declining gas tax revenues.*

State routes through cities: *Under current law, the state is responsible for maintaining State Routes that go through cities/towns with a population of 25,000 or less. [House Bill 2948](#), sponsored by Rep. Paul Graves (R-Fall City), as originally drafted raised the threshold to 35,000. It was amended on the House floor to instead change the population threshold to 27,500 this year and increase the threshold by 2,500 every 5 years until 2033 when the threshold reaches 35,000. When the bill was heard in committee, Mayor David Baker traveled to Olympia to testify in support of the legislation. He also testified in support of [Senate Bill 6576](#), sponsored by Sen. Mark Mullet (D-Issaquah), the companion legislation.*

Autonomous vehicle workgroup: [House Bill 2970](#), sponsored by Rep. Zack Hudgins (D-Seattle), requires the Transportation Commission to convene a work group to develop policy recommendations related to autonomous vehicles. The work group is charged with bringing forward a final report by November 15th of each year.

Abandoned recreational vehicles: [Senate Bill 6437](#), sponsored by Sen. Curtis King (R-Yakima), establishes a program within the Department of Licensing for reimbursing costs associated with disposing of abandoned recreational vehicles. A \$6 fee is assessed on each recreational vehicle application. The funds from this fee are deposited into the Abandoned Recreational Vehicle Disposal Account, and can be used to reimburse a tow-truck company, vehicle wrecker, scrap metal business, or scrap processor for the costs of transporting, storing, dismantling, and disposing of abandoned recreational vehicles on public property.

Transportation grant funding: [House Bill 2896](#), sponsored by Rep. Sharon Wylie (D-Vancouver), and [Senate Bill 6530](#), sponsored by Sen. Rebecca Saldana (D-Seattle), would have directed gas tax revenues to be distributed to the Transportation Improvement Board, the County Road Administration Board, the Freight Mobility Strategic Investment Board, the Complete Streets Grant Program, and the Bicycle and Pedestrian Grant Account. These distributions would ensure that the funding allocated to these programs as part of the 16-year transportation package adopted in 2015 cannot be swept in future years. Unfortunately, the bill did not pass. However, the adopted 2018 Supplemental Transportation Budget fully funds the grant programs as envisioned in the 16-year transportation package.

Sound Transit motor vehicle excise tax: [Senate Bill 5955](#), sponsored by Sen. Patty Kuderer (Bellevue), requires that Sound Transit reduce the motor vehicle excise tax. In the version that passed the Senate, the current valuation formula to calculate the motor vehicle excise tax would switch from being the one Sound Transit adopted in the 1990s, to the one Sound Transit developed in 2006. If enacted, this would reduce the revenue

Sound Transit receives for ST3 projects by \$780 million. To offset this reduction, the bill transfers approximate \$500 million from the Puget Sound Taxpayer Accountability Account (sales tax on ST3 projects currently directed towards schools) to Sound Transit for ST3 projects. Additionally, the bill included language that requires cities and counties to streamline permitting on ST3 projects. Some – but not all – local governments expressed concern with this permitting language because it is statewide preemption. After the bill passed the Senate, it was referred to the House Transportation Committee. The Committee heard and passed out a further amended version of the bill that removed the permitting language, and transfer of funds from the Puget Sound Taxpayer Accountability Account. The bill that passed out of committee is very similar to [House Bill 2201](#), sponsored by Rep. Pellicciotti, which the House has previously passed twice. Due to the ongoing negotiations on the controversial provisions in the bill, it was considered until the final day of session and ultimately did not pass.

Numerous other proposals related to reducing the motor vehicle excise tax were introduced, but did not advance. The above-described two bills framed the debate for the 2018 Legislature.

Regulation of transportation network companies: Two competing proposals were introduced to regulate transportation network companies. [Senate Bill 6043](#), sponsored by Sen. Steve Hobbs (D-Lake Stevens) and [House Bill 2716](#), sponsored by Rep. Gael Tarleton (D-Seattle), are the industry-developed proposals to regulate transportation network companies, including requiring licensing through the Department of Licensing and allowing background checks to be conducted by a third-party vendor. The transportation network companies would be responsible for vehicle inspections and assessing a \$.10 surcharge on all TNC trips that would go to Department of Licensing for administering the program. Any leftover funds would be distributed to local governments, proportionally based on the number of rides within each jurisdiction, to cover the costs of local governments.

Alternatives to these proposals were, [Senate Bill 6500](#), sponsored by Sen. Rebecca Saldana (D-Seattle), and [House Bill 2945](#), sponsored by Rep. Jake Fey (D-Tacoma), which provided for statewide regulation, but allowed cities to retain business licensing requirements, and required FBI background checks that include fingerprinting. Transportation Network Companies would be required to provide a weekly driver list to the Department of Licensing, conduct annual safety inspections, provide an electronic receipt to riders within one hour of trip completion, display a photograph of the TNC driver, and implement a zero alcohol and drug policy. The bill also specified fee and surcharge requirements and allowed for occasional auditing of drivers by local governments. Neither of the competing proposals advanced.

The transportation budget did include the following proviso language:

\$255,000 is for the joint transportation committee to conduct a study regarding the regulation of transportation network companies within the state of Washington. In conducting the study, the joint transportation committee must consult with relevant representatives of the department of licensing, the utilities and transportation commission, the Washington state patrol, local governments involved in the regulation of transportation network companies, entities providing transportation network services, and other relevant stakeholders. The study must include a review of the regulatory framework used by local jurisdictions within Washington state and in other states, an evaluation of the most effective public safety aspects of a regulatory framework, including among other aspects, the type of required background checks, and an assessment of the most effective and efficient state and local regulatory

Gordon Thomas Honeywell Governmental Affairs
City of Kenmore Legislative Update

22

structure for regulation of transportation network companies. The joint transportation committee must issue a report of its findings and recommendations to the house and senate transportation committees by January 14, 2019.

\$300,000 is for the joint transportation committee to conduct a study regarding the regulation of taxi and for hire services regulated by state, local governments, and port districts. The study must compare state and local regulations in the state of Washington that govern these private passenger transportation services and may include recommendations for improving the consistency or overall effectiveness and competitive fairness of the current regulatory frameworks. In conducting the study, the joint transportation committee shall consult with the department of licensing, the utilities and transportation commission, the Washington state patrol, appropriate local entities engaged in the regulation of commercial passenger transportation services, and other relevant stakeholders. The joint transportation committee must issue a report of its findings and recommendations to the house and senate transportation committees by January 14, 2019.

ADA on-street parking plans: [House Bill 2729](#), sponsored by Rep. Joan McBride (D-Kirkland), would have required cities to phase-in retrofitting streets with accessible on-street parking spaces for individuals with a physical disability. The bill is a response to a 2013 US 9th Circuit Court of Appeals case, *Fortyune v. City of Lomita*, requiring cities to provide accessible public on-street parking to individuals with disabilities. However, the decision did not clarify standards or what the parking should look like. The standards are set by the United State Access Board, but, unfortunately, to date, no standards have been adopted for on-street parking. This bill would have provided those standards. However, cities expressed strong concerns regarding cities' ability to comply with the standards. It is likely that this issue will be discussed over the legislative interim.

Sale of off-street parking: [House Bill 2292](#), sponsored by Rep. Monica Stonier, would allow a city legislative authority to sell, transfer, exchange, lease, or otherwise dispose of real property obtained for off-street parking under three different scenarios: 1) the city adopts an ordinance that such property is no longer necessary for off-street parking purposes; 2) all bonds issued for the acquisition and construction of off-street parking have been paid in full; or 3) the properties within any local improvement district created for the acquisition or construction of off-street parking facilities are no longer subject to any assessment for such purpose. The bill did not advance out of the House.

Transportation projects of statewide significance: [Senate Bill 6195](#), sponsored by Sen. Annette Cleveland (D-Vancouver), would have established criteria for transportation projects of statewide significance. The bill required WSDOT to develop an application process for the designation of a transportation project of statewide significance. It also directs WSDOT to assign a project coordinator and assemble a team of state and local government and private officials to help meet the project planning and permitting needs to expedite their actions. The bill did not advance out of the House

City of Kenmore Positions Taken: 2017-19 Legislative Biennium

Gen. Gov/ Finance

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Priority	Position
SHB 1113	Excess liquor revenue dist.	Concerning gradually increasing the local government share of excess liquor revenues until the percentage-based method for distributions is restored.	H Approps	Hayes		Support
HB 1527 (SSB 5502)	Motion picture tax credit	Modifying Washington state's motion picture and film industries tax credit.	H Finance	Riccelli		Support
HB 2687	Public defense funding	Increasing appropriated funding for public defense services.	H Approps	Frame		Support
SSB 5502 (HB 1527)	Motion picture tax credit	Modifying Washington state's motion picture and film industries tax credit.	S Ways & Means	Becker		Support

High Priority

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Priority	Position
HB 1028	Asphalt prod./air pollution	Reducing air pollution associated with asphalt production in urban areas.	H Environment	Pollet		Support

Housing

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Priority	Position
E2SHB 1570	Homeless housing & assist.	Concerning access to homeless housing and assistance.	C 85 L 18	Macri		Support
SHB 1797	Affordable housing/taxes	Encouraging affordable housing development and preservation by providing cities limited sales tax remittance for qualifying investments, providing cities and counties authority to use real estate excise taxes to support affordable housing, and providing cities and counties with councilmanic authority to impose the affordable housing sales tax.	H 2nd Reading	McBride		Support
ESHB 1884 (SB 5678)	Mobile home park tenants	Concerning relocation assistance for mobile home park tenants. (REVISED FOR ENGROSSED: Concerning relocation assistance for manufactured/mobile home park tenants.)	H Rules 3C	Ryu		Support

ESHB 2437	Affordable housing/sales tax	Encouraging investments in affordable and supportive housing.	H Rules 3C	Robinson		Support
SHB 2538	Low-income dev. impact fees	Exempting impact fees for low-income housing development.	C 133 L 18	McBride		Support
SHB 2790	HOA dispute resolution prog.	Concerning the condominium and homeowners' association dispute resolution program.	H Approps	Kraft		Support
SHB 2831	Construction defect actions	Concerning construction defect actions.	H Rules C	Senn		Support
SB 5678 (ESHB 1884)	Mobile home park tenants	Modifying who is eligible for relocation assistance for tenants of closed or converted mobile home parks.	S Fin Inst/Ins	Miloscia		Support

Human Services

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Priority	Position
ESHB 1047	Medication disposal system	Protecting the public's health by creating a system for safe and secure collection and disposal of unwanted medications.	C 196 L 18	Peterson		Support

Marijuana

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Priority	Position
SHB 1099	Marijuana/local moratoria	Addressing local governments' unofficial moratoria on state-licensed marijuana retail outlets.	H Approps	Sawyer		Oppose

Parks

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Priority	Position
SHB 1456 (SSB 5138)	Metropolitan park districts	Concerning metropolitan park districts.	H Local Govt	Kloba		Support
SSB 5138 (SHB 1456)	Metropolitan park districts	Concerning metropolitan park districts.	C 215 L 17	Palumbo		Support

Police/ Fire/ Corrections

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Priority	Position
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SHB 1184 (SSB 5184)	Patronizing a prostitute	Modifying patronizing a prostitute provisions.	C 232 L 17	Orwall		Support
SHB 2466	No-contact orders/arrest	Authorizing law enforcement to arrest persons in violation of certain no-contact orders involving victims of trafficking and promoting prostitution offenses.	H Rules 3C	Orwall		Support
HB 2893 (SB 6408)	Body worn cameras	Regulating body worn cameras.	H Judiciary	Hansen		Support
SSB 5184 (SHB 1184)	Patronizing a prostitute	Modifying patronizing a prostitute provisions.	S Rules X	Padden		Support
SB 6408 (HB 2893)	Body worn cameras	Regulating body worn cameras.	Del to Gov	Padden		Support

Public Records

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Priority	Position
ESHB 1594	Public records admin.	Improving public records administration.	C 303 L 17	McBride		Support
EHB 1595	Public records request costs	Concerning costs associated with responding to public records requests.	C 304 L 17	Nealey		Support

Public Works

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Priority	Position
EHB 2948 (SSB 6576)	State routes in cities	Concerning the responsibilities for state routes in cities or towns.	C 100 L 18	Graves		Support
E2SSB 5935	Broadband & telecomm service	Enhancing consumer access, affordability, and quality of broadband and advanced telecommunications services.	S Rules 3	Sheldon		Support
SSB 6576 (EHB 2948)	State routes in cities	Concerning the responsibilities of state routes in cities or towns.	S Rules X	Mullet		Support