

City of Kenmore, Washington
City Council Regular and Special Meeting Minutes
May 8, 2017

CALL SPECIAL MEETING TO ORDER — The Kenmore City Council meeting was called to order by Mayor Baker at 6:15 p.m.

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

Staff present: Rob Karlinsey, City Manager; Nancy Ousley, Assistant City Manager; Kris Overlesse, Public Works Director; Debbie Bent, Community Development Director; Brett Schock, Traffic Engineer; Dawn Reitan, Assistant City Attorney; Lauri Anderson, Senior Planner; Leslie Harris, Community Relations Manager and Kelly Chelin, City Clerk.

RECESS TO EXECUTIVE SESSION:

The meeting recessed to executive session at 6:15 p.m. to discuss potential litigation per RCW 42.30.110 (1)(i). for approximately 45 minutes.

RECONVENE TO REGULAR SESSION:

The meeting reconvened to regular session at 7:00 p.m.

FLAG SALUTE

The Council led the flag salute.

AGENDA APPROVAL

The Council approved the agenda as written.

PROCLAMATION

Evelyn and Harvey LaBorn, 75th Wedding Anniversary on May 22, 2017

Kenmore Safe Boating and Paddling Week - May 20-26, 2017

Mayor Baker read both proclamations.

PRESENTATION

Complete Streets Award - Kris Overleese, Public Works Director and Brett Schock, Traffic Engineer

In January 2017, the City was awarded the maximum Complete Streets program grant award of \$500,000 by the Washington State Transportation Improvement Board. The City was nominated by Washington State Department of Transportation and Washington State Department of Commerce for the award. Kenmore is the smallest of only 6 cities in Washington to receive the maximum award, recognizing the City's commitment to a Complete Streets ethic, considering all modes of travel and focusing on multi-modal networks. Kenmore's completed and planned projects to improve multi-modal transportation and Target Zero initiative were a factor in the City's selection for the maximum grant amount.

The award funds will be used for the required City match on the NE 202nd Street sidewalks grant-funded project.

Kenmore Waterfront Activity Center Report -

Paul Flynn, President

Debra Srebnik, Boardmember

Sheri Baker, Boardmember

Matt Lacey, Executive Director, George Pocock Rowing Foundation

Dr. Michelle Reid, Superintendent, Northshore School District

Lance Gatter, Athletic Director, Inglemoor High School

The Kenmore Waterfront Activity Center Board gave a presentation to the Council. The board reviewed the 2016 annual report and the priorities for 2017.

Communities United for Reliable Energy (CURE)

At the April 24, 2017 City Council meeting, representatives of Puget Sound Energy discussed the need for Energize Eastside, a proposed project to upgrade major electricity transmission lines to keep pace with growing demand in the east side of King County. If Energize Eastside does not move forward, east side cities such as Kenmore could experience rolling brownouts.

An advocacy group known as Communities United for Reliable Energy (CURE) promotes Energize Eastside. A representative from CURE will present to the City Council and likely request that the City of Kenmore endorse CURE and its efforts.

Council engaged in a discussion and the consensus of the Council was to support CURE's efforts.

MOTION: Councilmember Sperry made a motion to endorse and support CURE, Councilmember Curtis seconded the motion. The motion passed unanimously.

CITIZEN COMMENTS

There were no comments from the public.

CONSENT AGENDA

Councilmember Denuski moved to approve the consent agenda as submitted, Deputy Mayor Van Ness seconded the motion. The motion passed 7-0.

The consent agenda included the following:

Cancel May 15, 2017 Regular Council Meeting

City Council Meeting Minutes of April 4, 2017 and April 10, 2017

The Following Checks and Electronic Payments are Approved for Payment:

Total Check Numbers 36688 through 36783 in the Amount of \$497,891.02.

Total Payroll Electronic Deposits Dated 04/14/2017 in the Amount of \$78,564.00.

Receive and File March 2017 Financial Report for the City of Kenmore, Washington

Resolution 17-296 Providing for the Disposition of Certain Surplus Property - Rob Karlinsey, City Manager

Authorize the City Manager to Execute the Contract 17-C1684 with Anchor QEA for On-Call Environmental Technical Services

BUSINESS AGENDA

Authorize the City Manager to Execute Contract No. 17-C1689, Animal Services Interlocal Agreement 2018-2022 with King County - Leslie Harris, Community Relations Manager and Norm Alberg, Director, Records and Licensing Services Division, King County

Manager Harris explained that since incorporation, Kenmore has received animal control services through an interlocal agreement with King County. The proposed contract with King County for Regional Animal Services (RASKC) provides animal field services, licensing, and regional shelter services for five years January 1, 2018 through December 31, 2022 with an additional five-year automatic extension. A jurisdiction may opt out of automatic extension by providing notice by June 30, 2021. Kenmore is one of 23 cities that would continue to be part of the regional system under the proposed agreement; the City of Kirkland is not continuing in the system as they've opted to establish their own program.

The original Regional Animal Services Interlocal agreement was established in 2010. Prior to 2010, the County had separate agreements with cities to provide animal control, sheltering and licensing services using revenue from pet licenses to support the services. The County Executive pursued a regional model for animal control services on the rationale of economy of scale and ability to offer specialized services. Executive staff worked with representatives from cities to develop a framework for an agreement. An additional interlocal agreement was executed for 2013-2015 and extended two-years through 2017.

The cost allocation methodology will remain the same - 80% based on service usage (based on 3 year rolling average) and 20% based on jurisdiction population. The revenue generated by animal licenses helps offset costs of RASKC and PAWS. Kenmore, along with other North King County cities, also contract with PAWS for shelter services. Kenmore's costs for sheltering dogs and cats through PAWS are not included in this contract, and based on 2016 costs, the 2018 expenditure for PAWS is estimated at \$4,725. The City's agreement with PAWS expires at the end of 2017 and will be brought forward to City Council for discussion this fall. With King County's licensing support, Kenmore has exceeded its licensing sales goal in 2015 and 2016, which helped cover 100% of Kenmore's animal services costs. The spreadsheet in the packet shows that Kenmore will have a net positive of \$9,966 after license revenue is subtracted from the regional service costs in 2018.

A change from the 2016-2017 interlocal agreement is that jurisdiction revenue in excess of jurisdictions costs will be used to reduce regional model support expenses, (i.e. County General Fund expenses that are not charged to the model such as the vet physician and foster coordination), instead of offsetting costs of other participating jurisdictions.

Following discussion of a Draft Interlocal Agreement on March 27, 2017, the City Council approved sending a nonbinding statement of intent to participate in Regional Animal Services of King County, for the purpose of cost and service analysis. Formal adoption and execution of the proposed Interlocal Agreement is required by June 1, 2017.

MOTION: Councilmember Denuski made a motion to authorize the City Manager to Execute Contract No. 17-C1689, Animal Services Interlocal Agreement 2018-2022 with King County, Deputy Mayor Van Ness seconded the motion. The motion passed unanimously.

Authorize the City Manager to Execute Marketing Agreement Contract 17-C1680 with Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America and Provide Direction on Use of \$.50 Royalty Payments - Rob Karlinsey, City Manager

City Manager Karlinsey explained that the National League of Cities (NLC) has partnered with Utility Service Providers (USP) to make available a water/sewer service line warranty program for homeowners. This program is offered to residents at no cost to the City and could potentially save a resident the high cost of repairing broken or leaking water or sewer line. The City became aware of this program in 2013 but USP was unable to offer it in the State of Washington at that time. This has now been resolved and the program can be offered here in Washington. USP was selected by NLC based on the recommendations of an Evaluation Committee and review of financial strength, experience in the marketplace, business plan, and the regulatory environment.

More information about the organization can be found on the website at <http://www.utilitysp.net>.

Dawn Reitan of the City Attorney's office will complete a review of the agreement prior to execution.

This program is offered at no cost to the City. An agreement between the provider and the City of Kenmore provides for a royalty payment to the City of Fifty Cents (\$.50) per subscription in consideration of the use of the City's name and logo. The royalty payment can be applied as a reduction of the homeowners cost if the Council wishes to forgo the payment to the City.

MOTION: Deputy Mayor Van Ness made a motion to authorize the City Manager to Execute Marketing Agreement Contract 17-C1680 with Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America and Give the \$.50 Royalty Payments back to the Customer, Councilmember Curtis seconded the motion. The motion passed unanimously.

Land Use Streamlining Project - Debbie Bent, Community Development Director and Lauri Anderson, Senior Planner

Senior Planner Anderson explained that the goal of this meeting on the Land Use Streamlining project is to address any questions related to policy recommendations (Attachment 1 in the packet) and proposed code amendments (see Attachment 2 in the packet). The purpose of these amendments is to provide more flexibility in land use interpretations and to simplify the code for applicants and permit review staff.

At the last meeting on this topic (April 17), staff reviewed the process used to streamline the Zoning Code land use definitions--discussing the land use conversions, the use of footnotes, and some of the policy issues. The project goal is to consolidate more than 200 existing use definitions down to about 50 and to use these definitions consistently throughout the Code with as little change to the policy direction or intent of each zone as possible. Attachment 1 in the packet, includes a summary of the most significant policy recommendations resulting from the conversion.

The existing “use allowance charts” for the nine zoning districts affected by the amendments can be found in Attachment 3 in the packet. The new set of land use definitions being used for the project is provided in Attachment 4 in the packet.

Following completion of City Council consideration, a public hearing will be scheduled, prior to ordinance adoption. A public hearing has tentatively been identified for June 12th.

Resolution 17-295 Regarding the Public Agency and Utility Exception (PAUE) to the City's Critical Area Regulations - Debbie Bent, Community Development Director

Community Development Director Bent explained that on March 28, 2016, the City Council passed Ordinance 16-0418 amending the City's Public Agency and Utility Exception (PAUE) to the City's critical area regulations (KMC Chapter 18.55). A petition was filed with the Growth Management Hearings Board challenging this ordinance and, on November 28, 2016, the Board invalidated the ordinance and remanded it back to the City for action. The Board asked the City to consider best available science (BAS) in the adoption of the ordinance and provide a “reasoned justification” for any departure from BAS.

As the City anticipates a complete review of its critical areas regulations beginning in 2018, including a comprehensive assessment of BAS, staff recommends that further action on the PAUE be deferred to that project. This would allow for a more efficient and holistic consideration of critical areas amendments including the PAUE using updated BAS.

The City is required to enact legislation in response to the Board's remand prior to May 30, 2017. Accordingly, the resolution acknowledges that Ordinance 16-0418 is invalidated and clarifies that the pre-existing PAUE language in the City's critical areas regulations, prior to adoption of Ordinance 16-0418, remains in effect. Staff will work with Code Publishing to remove the code amendments adopted under Ordinance 16-0418, and reinstate the predecessor version of KMC 18.55.160 to ensure there is no confusion among the public as to what regulations apply under KMC 18.55.160.

MOTION: Councilmember Herbig made a motion to approve Resolution 17-295 Regarding the Public Agency and Utility Exception (PAUE) to the City's Critical Area Regulations, Councilmember Sperry seconded the motion. The motion passed unanimously.

STAFF REPORT

Affordable Housing Week

City Manager Karlinsey reported that the Affordable Housing Forum is scheduled for May 15 at 7:00 p.m. at Kenmore City Hall.

Mary's Place at Former Sheriff Precinct Building

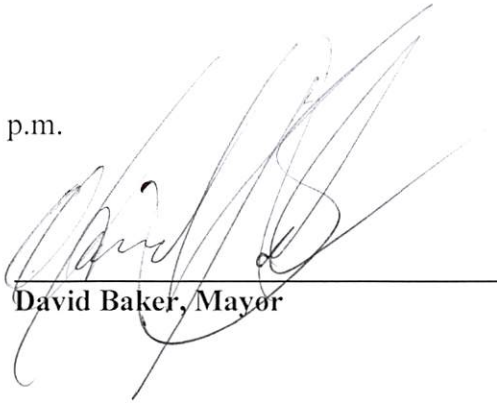
Assistant City Manager Ousley reported that the City continues to work with Mary's Place. There will be a community information meeting set up for a date in June. The board at Mary's Place will also come to a Council meeting to give a further briefing.

CITY COUNCILMEMBER REPORTS, COMMENTS & INITIATIVES

Mayor Baker gave updates to meetings he has recently attended. He also attended an economic development conference with Pierce, Kitsap and Snohomish counties.

ADJOURNMENT

Mayor Baker adjourned the meeting at 9:11 p.m.



David Baker, Mayor

ATTEST:



Kelly M. Chelin, City Clerk