



City of Kenmore - 18120 68th Avenue NE - Kenmore, WA 98028
Phone: 425-398-8900 - E-mail: cityhall@kenmorewa.gov

City Council Regular Meeting

ON-SITE

TUESDAY, MAY 27, 2025 - 7:00 PM

In addition, we try to provide access to the meeting virtually:

ZOOM LINK: <https://kenmorewa-gov.zoom.us/j/87966018279>

ZOOM PASSWORD: 052725

Or One tap Mobile: US: +12532158782,,87966018279#

Or Telephone Dial US: +1 253 205 0468

Webinar ID: 879 6601 8279

ZOOM PASSWORD: 052725

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

Technical Difficulties? Contact the Deputy City Clerk at mkang@kenmorewa.gov.

Listen to the Clerks' Podcast Episode: [What to Expect at City Council Meetings](#)

Land Acknowledgement to Honor First Peoples

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

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

II. ROLL CALL

III. LAND ACKNOWLEDGEMENT

IV. FLAG SALUTE

V. AGENDA APPROVAL

VI. PROCLAMATIONS

- A. Pride Month - June 2025, to be accepted by Susan Vossler, Eastside Pride Board Member

[Pride Month - June 2025](#)

- B. National Gun Violence Awareness Month - June 2025

[National Gun Violence Awareness Month - June 2025](#)

VII. WHERE'S THE FUN?

VIII. PUBLIC COMMENTS

Welcome to the Council's meeting. Please address your comments to the Mayor and Council. You'll have three minutes to speak. If there are more than 20 speakers, time will be reduced to two minutes per speaker. The Clerk will call your name when it's your turn. The Presiding Officer may choose to alternate between in-person and online comments. Please state your name and city of residence and keep within the allotted time. To make every person feel welcome and safe here, please refrain from booing, clapping, heckling, yelling, or other interruptions. The meeting is recorded for transparency. Thank you for being here, and for sharing your input respectfully.

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

IX. CONSENT AGENDA

- A. Approve City Council Special and Regular Meeting Minutes of Monday, April 21, 2025.
[City Council Special and Regular Council Meeting of Monday, April 21, 2025 \(added 5/23\)](#)
- B. Approve the City Council Regular Meeting Minutes of Monday, April 28, 2025.
[City Council Regular Meeting Minutes of Monday, April 28, 2025 \(added 5/23\)](#)
- C. Approve the City Council Special Meeting Minutes of Monday, May 5, 2025.
[City Council Regular Meeting Minutes of Monday, May 5, 2025 \(added 5/23\)](#)
- D. Approve Total Check #s 56255 through 56321 totaling \$458,358.11, Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 05/02/2025 in the amount totaling \$301,370.58, and Total EFT Payments #s 1835 through 1837 totaling \$50,127.12, and Total Wire Transfers totaling \$2,017,228.34.
[Voucher Certification & Approval 04/26/2025 - 05/09/2025](#)

X. PRESENTATIONS

- A. New Staff Introductions
 - Alison Jenkins, Events & Volunteer Coordinator
 - Brad Burlison, Maintenance Worker
- B. Connections Health Crisis Center Update, presented by Medical

Director Dr. Kyle Jasper

[Presentation - Kirkland Crisis Response Center Connections \(added 5/27\)](#)

- C. EvergreenHealth 2025 State of Healthcare, presented by Chief Executive Officer Dr. Ettore Palazzo
[Presentation - 2025 EvergreenHealth State of Healthcare Update \(added 5/23\)](#)

XI. BUSINESS AGENDA

- A. Ordinance No. 25-0628, Updating Title 12 and Title 18 of the Kenmore Municipal Code (KMC), presented by Engineering Director John Vicente, *for adoption*
[Agenda Bill - Title 12 and Title 18 Amendments](#)
[Attachment A - Ordinance No. 25-0628](#)
[Attachment B - Title 12 Amendments, redlined \(updated 5/21\)](#)
[Attachment C - Title 18 Amendments, redlined](#)
[Attachment D - Title 12 Amendments, clean version \(updated 5/21\)](#)
[Presentation - KMC Title 12 and Title 18 Amendments](#)

XII. STAFF REPORTS

XIII. COUNCILMEMBER REPORTS & COMMENTS

XIV. ADJOURNMENT

UPCOMING MEETINGS

- A. Monday, June 2, 2025 7:00 PM - City Council Special Meeting
Monday, June 9, 2025 7:00 PM - City Council Regular Meeting
Monday, June 16, 2025 7:00 PM - City Council Regular Meeting
Monday, June 23, 2025 7:00 PM - City Council Regular Meeting

NOTICE OF POTENTIAL QUORUMS

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

City of Kenmore, Washington Proclamation

WHEREAS, the City and the Kenmore City Council acknowledge and celebrate our diverse population, understanding that the unique tapestry woven by our varied cultures, traditions, beliefs, and experiences is one of our most significant strengths. This diversity and intersectionality of our people enrich our community, fostering an environment of understanding, growth, and unity; and

WHEREAS, we assert and uphold the principle that every individual, regardless of their identity or background, deserves to live in an atmosphere of dignity, respect, and justice. We categorically condemn and will not tolerate any form of discrimination, violence, or hate, holding these acts as affronts to the values we cherish as a community; and

WHEREAS, we acknowledge and appreciate the significant strides made by the LGBTQIA+ community in advocating for their rights and freedoms. The legalization of marriage equality, the affirmation of identity, and the freedom to love without restriction represent landmark victories not just for the LGBTQIA+ community, but for the broader cause of human rights; and

WHEREAS, we recognize with deep concern that the LGBTQIA+ community continues to face challenges such as harassment, intimidation, discrimination, and violence. We stand in solidarity with them and vow to fight these injustices, especially in these uncertain and trying times; and

WHEREAS, earlier this year, the City of Kenmore reaffirmed that the City is a safe, inclusive, and welcoming city for all people. We continue to commit to creating and maintaining an environment that is safe, inclusive, and welcoming for all individuals, regardless of their sexual orientation, gender identity, or any other characteristics. We pledge to continuously strive towards enhancing the inclusivity and acceptance within our City; and

WHEREAS, Pride Month is a celebration of the progress, achievements, and resilience of the LGBTQIA+ community. This is a time to highlight and appreciate the numerous contributions made by this community, and to unequivocally assert that LGBTQIA+ rights are human rights.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **JUNE 2025** as **PRIDE MONTH** throughout the City of Kenmore.

IN WITNESS WHEREOF, signed this 27th day of May 2025.

Signed: _____ Attested: _____
Nigel Herbig, Mayor Anastasiya Warhol, City Clerk

City of Kenmore, Washington Proclamation

WHEREAS, public safety is one of the City's core values and greatest responsibilities to its community; and

WHEREAS, gun violence continues to be a public health crisis in communities across the United States, taking tens of thousands of lives each year and leaving countless others injured, traumatized, and forever changed; and

WHEREAS, it is imperative that we work together as a community to promote responsible gun ownership, enact sensible gun laws, and implement comprehensive strategies to prevent gun violence; and

WHEREAS, every person has the right to live free from the threat of gun violence in their schools, neighborhoods, places of worship, homes, and communities; and

WHEREAS, Gun Violence Awareness Month was established to honor the lives lost, support survivors, and bring communities together to work toward meaningful solutions, including prevention, education, and responsible policies; and

WHEREAS, gun violence prevention advocates and organizations nationwide wear the color orange to honor survivors and victims, and to amplify gun violence awareness. The first Friday in June is recognized nationally as National Gun Violence Awareness Day, known by many as "Wear Orange Day", symbolizing the value of human life and the movement to end gun violence; and

WHEREAS, the Kenmore City Council is committed to reducing gun violence, fostering a safe community for all.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **JUNE 2025** as **NATIONAL GUN VIOLENCE AWARENESS MONTH** throughout the City of Kenmore.

IN WITNESS WHEREOF, signed this 27th day of May 2025.

Signed: _____ Attested: _____
Nigel Herbig, Mayor Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
Monday, April 21, 2025**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig
Deputy Mayor Melanie O’Cain
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Valerie Sasson
Councilmember Jon Culver
Councilmember Nathan Loutsis

Staff: Interim City Manager Stephanie Lucash
Interim Deputy City Manager Tambi Cork
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Assistant City Manager/Community Development Director Debbie Bent
Senior Planner Brittany Chue
Engineering Director John Vicente
Principal Planner Todd Hall
Finance & Administration Director Melinda Merrell

Speaking Guests: Katherine Hollis, Proclamation Recipient
Jack Jensen, Proclamation Recipient
Tracy Banaszynski, Planning Commission Chair
Dwight Thompson, Planning Commission Vice Chair
Mike Vanderlinde, Planning Commissioner
Edouard Lassalle, Planning Commissioner
Chris Olson, Planning Commissioner
Kara Macias, Planning Commissioner
David Dorrian, Planning Commissioner (*arrived at 9:06 PM*)

Public Comments Speaking Guests:
Edouard Lassalle, Kenmore Resident

Patrick O'Brien, Kenmore Resident
Stacey Valenzuela, Kenmore Resident (virtual)
Elizabeth Mooney, Kenmore Resident (virtual)

Public Hearing Speaking Guests:

Patrick O'Brien, Kenmore Resident
Stacey Valenzuela, Kenmore Resident (virtual)

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the special meeting to order at 6:30 PM.

EXECUTIVE SESSION

Pursuant to RCW 42.30.110(1)(i), the City Council entered an executive session to discuss potential litigation. This executive session was slated to last approximately 30 minutes until 7:00 PM. The Council exited the executive session at approximately 6:55 PM.

POSSIBLE ACTION RELATING TO EXECUTIVE SESSION

MOTION: Authorize the City Manager and City Attorney and their delegates to enforce the Street Improvement Delay Agreement relating to the Wyler short plat (PRJ2004034) and Shatto short plat (PRJ2004035) and to take all steps necessary to enforce the agreement, including but not limited to filing an action in court.

Moved by Loutsis; seconded by O'Cain.

VOTE: 6 Yes – Loutsis, Sasson, Marshall, Srebnik, O'Cain, Herbig; 1 No – Culver; 0 Abstain.

MOTION PASSES.

ADJOURN SPECIAL MEETING

Mayor Herbig adjourned the special meeting at approximately 7:01 PM.

CALL REGULAR MEETING TO ORDER

Mayor Herbig called the regular meeting to order at 7:01 PM.

LAND ACKNOWLEDGEMENT

Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE

Mayor Herbig led the Council in the Pledge of Allegiance.

AGENDA APPROVAL

The agenda was approved as presented.

PROCLAMATIONS

April 22, 2025 was proclaimed as Earth Day throughout the City of Kenmore. Climate Action Advisory Committee member Katherine Hollis accepted the proclamation.

[Earth Day - April 22, 2025](#)

April 25, 2025 was proclaimed as Arbor Day throughout the City of Kenmore. Climate Action Advisory Committee member Jack Jensen accepted the proclamation.

[Arbor Day - April 25, 2025](#)

WHERE'S THE FUN?

Interim City Manager Stephanie Lucash highlighted the Kenmore Hydro Cup that took place on April 12.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here:

<https://www.youtube.com/live/3iDkLUIINue8?si=ALz-BBGiL1f41LCr&t=2624>

CONSENT AGENDA

A. Approve the City Council Special Meeting Minutes of Thursday, April 10, 2025.

[City Council Special Meeting Minutes of Thursday, April 10, 2025](#)

B. Authorize the City Manager to execute an Interlocal Agreement with King County to accept a Conservation Futures grant award of \$7,946,700 to acquire two properties.

[Agenda Bill - King County Conservation Futures Grant Award](#)

[Attachment 1 - Lakepointe Shoreline Property Location Map](#)

[Attachment 2 - Tributary 0057 Property Location Map](#)

C. Authorize the City Manager to execute the Interlocal Agreement with King County to accept a Cooperative Watershed Management Award Program grant of \$450,000 to conduct an environmental evaluation of the Lakepointe shoreline.

[Agenda Bill - King County Cooperative Watershed Management Award Program Grant](#)

Councilmember Culver removed Items B and C from the Consent Agenda.

MOTION: Approve the consent agenda outlined above minus item B, and C.

Moved by Culver; seconded by Loutsis.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

Consent Item B

MOTION: Authorize the City Manager to execute an Interlocal Agreement with King County to accept a Conservation Futures grant award of \$7,946,700 to acquire two properties.

Moved by Loutsis; seconded by Srebnik.

VOTE: 6 Yes – Loutsis, Marshall, Sasson, Srebnik, O’Cain, Herbig; 1 No – Culver; 0 Abstain.

MOTION PASSES.

Consent Item C

MOTION: Authorize the City Manager to execute the Interlocal Agreement with King County to accept a Cooperative Watershed Management Award Program grant of \$450,000 to conduct an environmental evaluation of the Lakepointe shoreline.

Moved by O’Cain seconded by Srebnik.

VOTE: 6 Yes – Sasson, Srebnik, Marshall, Loutsis, O’Cain, Herbig; 1 No – Culver; 0 Abstain.

MOTION PASSES.

PRESENTATION

Assistant City Manager/Community Development Director Debbie Bent introduced new staff member: Community Development Senior Planner Brittany Chue.

PUBLIC HEARING

Proposed Ordinance No. 25-0628, Kenmore Municipal Code (KMC) Title 12 and Title 18 Amendments: Chapters 12.05, 12.70, and 18.35, presented by Engineering Director John Vicente, *for introduction and public hearing*

[Agenda Bill - KMC Title 12 and Title 18 Amendments](#)

[Attachment 1 - Proposed Ordinance No. 25-0628](#)

[Attachment 2 - Title 12 Amendment](#)

[Attachment 3 - Title 18 Amendment](#)

[Presentation - KMC Title 12 and 18 Amendments \(added 4/18\)](#)

Engineering Director John Vicente presented the following proposed updates to the Council to Chapters 12.05, 12.70 and 18.35.

Chapter 12.05 – General Provisions

- Added definition for “traveled way”
- Clarified definition for “engineering permit” to include work in the right of way
- Clarified definition for “Right of way” to specify Kenmore
- Added definition for “person” to mean “all persons, groups firms, partnerships, corporations, clubs, and all associations or combination of persons whenever action for themselves or as an agent, servant, or employee”

Chapter 12.70 – Sidewalk, Planting Strip, and Street Trees

- General organization
- Clarification of language
- Moved items from Chapter 18.35
- Added language about trash collection
- Clarified dead trees are hazardous trees
- Clarified plan submittal requirements per road standards
- Clarified abutting property owner responsibility
- Clarified exemption for dual frontages
- Added a new section about garbage, trash, and yard waste (Section 12.70.085)

Chapter 18.35 – Landscaping

- Title 12 address all right of way landscaping requirements
- Removed all references to right of way landscaping requirements
- Pertinent information moved to Title 12

Mayor Herbig opened the Public Hearing at approximately 7:41 PM.
The City Council received testimony from the public.

Timestamped link here:

<https://www.youtube.com/live/3iDkLUINue8?si=5R7Z30m45JII5D0Z&t=4349>

Mayor Herbig closed the Public Hearing at approximately 7:47 PM.

BUSINESS AGENDA

- A. Proposed Ordinance No. 25-0628, Kenmore Municipal Code (KMC) Title 12 and Title 18 Amendments: Chapters 12.05, 12.70, and 18.35, presented by Engineering Director John Vicente, *for discussion*

[Agenda Bill - KMC Title 12 and Title 18 Amendments](#)

[Attachment 1 - Proposed Ordinance No. 25-0628](#)

[Attachment 2 - Title 12 Amendment](#)

[Attachment 3 - Title 18 Amendment](#)

The Council provided direction to Staff on additional changes to be made to the Title 12 and Title 18 amendments to be brought back at a future Council meeting.

- B. Planning Commission's Recommendations on Draft Middle Housing, Accessory Dwelling Unit (ADU) and Affordable Housing (Inclusionary Zoning) Code Amendments, presented by Assistant City Manager/Community Development Director Debbie Bent, Principal Planner Todd Hall, and Planning Commissioners, *for introduction and discussion*

[Agenda Bill - Planning Commission Recommendation \(updated 4/18\)](#)

[Attachment 1 - Summary of Proposed Code Amendments \(added 4/17\)](#)

[Attachment 2 - Draft Middle Housing & Accessory Dwelling Unit \(ADU\) Amendments \(updated 4/18\)](#)

[Attachment 3 - Summary of Proposed Inclusionary Affordable Housing Code Amendments \(added 4/17\)](#)

[Attachment 4 - Draft Affordable Housing \(Inclusionary Zoning\) Amendments \(updated 4/18\)](#)

[Attachment 5 - Middle Housing Development Scenario Graphics \(added 4/17\)](#)

[Attachment 6 - Staff Slide Presentation \(updated 4/18\)](#)

[Attachment 7 - Planning Commission Slide Presentation \(added 4/18\)](#)

[Attachment 8 - Minority Report \(added 4/18\)](#)

Staff, the Planning Commission, and Consultants have been working for months on the on draft Middle Housing, Accessory Dwelling Unit (ADU) and Affordable Housing (Inclusionary Zoning) code amendments.

Tonight, Assistant City Manager/Community Development Director Debbie Bent and Principal Planner Todd Hall presented an overview of House Bill 1110 (Middle Housing), House Bill 1137 (Accessory Dwelling Units), and the project timeline for the code amendments including next steps. The legislation requires cities with populations of over 25,000 to adopt housing policies and implement regulations to allow more middle housing in residential areas. Kenmore is currently just under the 25,000 threshold and will likely reach the population in the near future. If the City does not implement its own policies by the state-imposed June 30 deadline, the state regulations will go into effect. The Planning Commission presented its recommendations to the Council, highlighting some specifics within the recommendations, such as cottage housing, parking, and affordability. Three commissioners also presented a Minority Report.

Councilmembers, Staff, and Commissioners participated in a discussion, and Staff will return at a future Council meeting for further discussion with the Council.

- C. New State Regulations for Co-Living and Residential Parking, presented by Principal Planner Todd Hall and Senior Planner Brittany Chue, *for introduction and discussion*
[Agenda Bill - Co-Living and Residential Parking](#)
[Attachment 1 - Staff Memo](#)
[Presentation - Co-Living and Residential Parking \(updated 4/21\)](#)

Principal Planner Todd Hall and Senior Planner Brittany Chue presented to the Council state regulations that passed in the last year which require the City to amend its code regarding co-living and residential parking. Brittany Chue provided background information and regulations regarding co-living. Senate Bill 6015 passed in 2024 established new requirements for residential parking in the Growth Management Act (GMA), including minimum parking space dimensions and more. The Council provided direction to Staff to use the term “single room occupancy (SRO)” in the code when referring to co-living.

- D. City of Kenmore 4th Quarter 2024 Financial Reports, presented by Finance & Administration Director Melinda Merrell, *to receive and file*
[Agenda Bill - 4th Quarter 2024 Financial Reports](#)
[Attachment 1 - 4th Quarter 2024 Financial Reports](#)
[Presentation \(added 4/18\)](#)

Finance & Administration Director Melinda Merrell presented to the Council the final report for 2024 on the General and Other Revenue Funds. In the general fund, the amended 2023-2024 revenues budget was set at \$32,967,258. The actual 2023-2024 revenues ended at \$35,394,250. In expenditures, the amended 2023-2024 budget was set at \$33,386,301. The actual 2023-2024 expenditures were \$29,363,347. Additional information was provided during this presentation showing both budgeted amounts and actual amounts.

The 2023-2024 Biennium Summary, as provided in the presentation:

- General Fund revenues are above budget at 107.4%
- General Fund expenditures are below budget at 88.0%
- Interest revenue brought in almost \$692,000 for the General Fund
- Development fees & permits revenue came in at 165.0% of budget
- Public Safety costs are low due to use of ARPA funds in 2023
- New debt issued for the Public Works Operations Center in late 2023, \$12.7 million
- Other funds tracked as expected

STAFF REPORTS

There were no staff reports this evening.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 10:04 PM.

Nigel Herbig, Mayor

Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Meeting
Regular Meeting Minutes
Monday, April 28, 2025**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig
Deputy Mayor Melanie O’Cain
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Valerie Sasson
Councilmember Jon Culver - *excused*
Councilmember Nathan Loutsis

Staff: Interim City Manager Stephanie Lucash
Interim Deputy City Manager Tambi Cork
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Kenmore Police Chief Brandon Moen

Speaking Guests: Troy Drawz, Proclamation Recipient
Judge Karama Hawkins
Judge Raul Martinez
Kimberly Howells, King County District Court (KCDC) Court
Operations Director - Cities
Marina Konstantinova, KCDC Court Manager – Shoreline
Courthouse
Whitney Eischen, KCDC Court Coordinator – Shoreline Courthouse
Prosecutor Sarah Roberts
Public Defender Jeff MacNichols
Regional Crisis Response (RCR) Agency Executive Director Brook
Buettner

Public Comments Speaking Guests:
Patrick O’Brien, Kenmore Resident
Steve Yoder, Kenmore Resident
Stacey Valenzuela, Kenmore Resident

David Dorrian, Kenmore Resident

CALL REGULAR MEETING TO ORDER

Mayor Herbig called the regular meeting to order at 7:00 PM.

LAND ACKNOWLEDGEMENT

Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE

Mayor Herbig led the Council in the Pledge of Allegiance.

AGENDA APPROVAL

The agenda was approved as presented.

PROCLAMATIONS

A. The Kenmore City Council proclaimed May 2025 as Affordable Housing Month throughout the City of Kenmore. Imagine Housing Vice President of Real Estate Development Troy Drawz accepted this year's proclamation.

[Affordable Housing Month - May 2025](#)

B. The Kenmore City Council proclaimed May 2025 as Pedestrian and Bicycle Safety Month throughout the City of Kenmore.

[Pedestrian and Bicycle Safety Month - May 2025](#)

C. The Kenmore City Council proclaimed May 2025 as Asian American, Native Hawaiian, and Pacific Islander Heritage Month throughout the City of Kenmore.

[Asian American, Native Hawaiian, and Pacific Islander Heritage Month - May 2025](#)

WHERE'S THE FUN?

Interim City Manager Stephanie Lucash highlighted the City's Earth Day celebration event that took place this past Saturday.

PUBLIC COMMENTS

The City Council received comments from the public.

Timestamped link here:

<https://www.youtube.com/live/1mmXgo1200w?si=jqqHsJrERXSDIMWs&t=682>.

CONSENT AGENDA

A. Approve Total Check #s 56073 through 56177 totaling \$1,364,134.87, Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic

Deposits Dated 04/04/2025 in the amount totaling \$349,898.78, and Total EFT Payments #s 1817 through 11819 totaling \$21,786.85.

[Voucher Certification & Approval 3/29/2025 - 04/11/2025](#)

- B. Authorize the Interim City Manager to execute Contract No. 24-C3087 with A-1 Landscaping and Construction Inc. for an amount up to \$4,013,300 (including 10% contingency) to complete the 61st Avenue NE Sidewalk Replacement project construction.

[Agenda Bill - Bid No. 24-C3087](#)

[Attachment 1 - Bid Tabulations](#)

- C. Authorize the Interim City Manager to execute Interlocal Agreement No. 25-C3135 with King County to accept grant funds totaling \$33,750 to install fleet charging ports in the City Hall garage.

[Agenda Bill - Contract No. 25-C3135](#)

MOTION: Approve the consent agenda outlined above.

Moved by Marshall; seconded by Loutsis.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT.

PUBLIC SAFETY STUDY SESSION AGENDA

- King County District Court - State of the Court 2025, presented by
 - Judge Karama Hawkins
 - Judge Raul Martinez
 - Kimberly Howells, King County District Court (KCDC) Court Operations Director - Cities
 - Marina Konstantinova, KCDC Court Manager – Shoreline Courthouse
 - Whitney Eischen, KCDC Court Coordinator – Shoreline Courthouse
 - Karra Wilson, KCDC Community Court Coordinator – Shoreline/Kenmore Community Court
 - Brittany Morak, KCDC Community Court Case Manager – Shoreline/Kenmore Community Court
- Kenmore Prosecutor Update, presented by Prosecutor Sarah Roberts
- Kenmore Public Defender Update, presented by Public Defender Jeff MacNichols
- Regional Crisis Response (RCR) Agency Update, presented by Executive Director Brook Buettner

[Presentation - Public Safety Study Session](#)

- Police Services Report 2024, presented by Kenmore Police Chief Brandon Moen

[Presentation](#)

[2024 Police Service Report](#)

Kenmore City Council received updates from King County District Court Judges Karama Hawkins and Raul Martinez, City Prosecutor Sarah Roberts, Public Defender Jeff MacNichols, and Brook Buettner from the Regional Crisis Response Agency. The court presentation focused on how misdemeanor and gross misdemeanor cases are processed, with Prosecutor Roberts highlighting efforts to prioritize justice over punishment and the use of alternatives to jail such as Community Court, Mental Health Court, and Veterans Court. MacNichols emphasized the Public Defender's role in connecting clients with essential support services like housing, treatment, and immigration help, while also noting ongoing staffing challenges. Buettner shared that the Regional Crisis Response Agency assisted 88 individuals through 212 encounters in Kenmore in 2024, helping reduce law enforcement involvement in behavioral health crises by providing de-escalation, referrals, and follow-up care.

Police Chief Brandon Moen presented the 2024 Police Services Report. The Kenmore Police Department currently includes 1 chief, 12 patrol officers (with 2 vacancies), and 1 detective, with 24/7 patrol coverage supported through a shared supervision agreement with Shoreline PD. Kenmore maintains one of the lowest officer-to-resident ratios in King County and Washington State (0.62 officers per 1,000 residents), yet was ranked the 5th safest city in Washington by Safewise in 2024. The department responded to 3,032 calls for service, 5,754 officer-initiated actions, and reviewed over 27,000 automated enforcement violations. Community engagement initiatives included the Safe Place program, traffic safety emphasis efforts, and free resources like gun locks and prescription drop boxes. The department also continued its implementation of body-worn cameras, with plans to equip vehicles with in-car video systems by the end of 2025. Crime trends in 2024 showed a decline in property crimes, burglaries, and collisions, but a rise in crimes against persons and motor vehicle theft. Two use-of-force incidents were reviewed and found to be within policy.

Councilmembers expressed appreciation for the safety and justice work provided by these partners.

STAFF REPORTS

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 10:31 PM.

Nigel Herbig, Mayor

Anastasiya Warhol, City Clerk

DRAFT

**City of Kenmore
City Council Meeting
Special Meeting Minutes
Monday, May 5, 2025**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig
Deputy Mayor Melanie O’Cain
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Valerie Sasson
Councilmember Jon Culver
Councilmember Nathan Loutsis

Staff: Interim City Manager Stephanie Lucash
Interim Deputy City Manager Tambi Cork
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
City Clerk Anastasiya Warhol
Environmental Services Director Richard Sawyer
Climate Action Plan Program Manager Nina Rasmussen
Assistant City Manager/Community Development Director Debbie Bent
Principal Planner Todd Hall

Speaking Guests: Kim Frappier, Facet Consultant
Deb Powers, Facet Consultant
Nick Chen, Kimley-Horn
Clay White, Kimley-Horn
Mike Stanger, Senior Planner, ARCH

Public Comment Speakers:
Caitlin Sullivan, Kenmore Resident

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the regular meeting to order at 6:00 PM.

LAND ACKNOWLEDGEMENT

Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE

Mayor Herbig led the Council in the Pledge of Allegiance.

WHERE'S THE FUN

Interim City Manager highlighted the recent Internal Day of Service, where the employees volunteered to beautify the City Hall and surrounding area.

PUBLIC COMMENT

The Council took comments from the public. Link provided here:

<https://www.youtube.com/live/i0VEbl6zoFE?si=Y5MrNfrcrv2BcQlx&t=324>

STUDY SESSION AGENDA

- A. Draft Urban Forest Management Plan, presented by Environmental Services Director Richard Sawyer, Climate Action Plan Program Manager Nina Rasmussen, and Facet Consultants Kim Frappier and Deb Powers
- [Agenda Bill - Urban Forest Management Plan](#)
[Attachment 1 - Draft Urban Forest Management Plan](#)
[Presentation - Urban Forest Management Plan - May 5, 2025, Study Session \(added 5/2\)](#)

Environmental Services Director Richard Sawyer and Climate Action Program Manager Nina Rasmussen, alongside consultants Kim Frappier and Deb Powers from Facet, presented the draft Urban Forest Management Plan (UFMP) which aims to guide the long-term stewardship of Kenmore's urban forests, emphasizing benefits such as stormwater mitigation, improved air quality, and climate resilience. The plan does not provide specific code changes. The UFMP aligns with the Climate Action Plan and Comprehensive Plan policies, focusing on increasing tree canopy in heat-vulnerable areas and supporting biodiversity. The UFMP main goals are as follows:

1. Maintain and enhance citywide tree canopy cover.
2. Strive for clear and effective City codes, standards, and policies to support long-term urban forest health and maximum benefits.
3. Use data and best management practices to inform public tree management decisions and work plan development.

4. Continue to foster collaborations with a diverse community of stakeholders and organizations involved in urban forest and environmental stewardship

Councilmembers had a range of questions and suggestions to help strengthen the Urban Forest Plan. There was interest in seeing how Kenmore compares to cities like Issaquah and Edmonds in terms of tree canopy, with a suggestion to add them to the graphs. Some members pushed for stronger rules around limiting parking lots and other impervious surfaces. Others wanted clearer data on things like canopy trends, how much growth is possible, and how CIP-related tree planting fits into future budgets. A few questions came up about how tree canopy is measured—like how blackberries are distinguished from actual trees—and whether drone surveys are done in-house. Overall, the feedback points to some small edits and additions that could make the plan clearer and more complete. Specifically, the Council agreed that they would like to target the goal of 50% canopy cover over 20 years (reaching goal at 2045). In addition, they requested to see 5-year check-ins on progress.

- B. Climate Action Plan Workplan Progress Update, presented by Environmental Services Director Richard Sawyer and Climate Action Plan Program Manager Nina Rasmussen

[Agenda Bill - Climate Action Plan Workplan](#)

[Attachment 1 - Climate Action Plan Implementation Summary](#)

Richard Sawyer and Nina Rasmussen provided an updated document on the implementation of Kenmore's 2022 Climate Action Plan, which targets a 50% reduction in greenhouse gas emissions by 2030 and net-zero emissions by 2050.

Councilmembers suggested adding progress on projects such as the aquatic weed management and LED lights into the document. In addition, more newsletter communications on environmental stewardship were encouraged.

- C. Draft Middle Housing, Accessory Dwelling Unit (ADU), and Affordable Housing (Inclusionary Zoning) Code Amendments, presented by Assistant City Manager/Community Development Director Debbie Bent, Principal Planner Todd Hall, Kimley-Horn Consultants Nick Chen and Clay White, and A Regional Coalition for Housing (ARCH) Senior Planner Mike Stanger

[Agenda Bill - Draft Code Amendments](#)

[Attachment 1 - Staff Memo - Responses to City Council Questions](#)

[Attachment 2 - Summary of Proposed Middle Housing and ADU Code Amendments \(KMC Update Reference Table\)](#)

[Attachment 3 - Draft Middle Housing & ADU Amendments](#)

[Attachment 4 - Summary of Proposed Inclusionary Affordable Housing Code Amendments](#)

[Attachment 5 - Draft Affordable Housing \(Inclusionary Zoning\) Amendments](#)

[Attachment 6 - Middle Housing Development Scenario Graphics](#)
[Presentation - ARCH \(added 5/5\)](#)
[Presentation - Middle Housing and Accessory Dwelling Units Code Amendments](#)
[\(added 5/5\)](#)

Assistant City Manager and Community Development Director Debbie Bent, Principal Planner Todd Hall, and representatives from Kimley-Horn and ARCH presented proposed zoning code amendments in response to state legislation (HB 1110 and HB 1337). These amendments mandate the inclusion of middle housing and two accessory dwelling units (ADUs) on residential lots. The presentation covered planning timelines, community engagement efforts, and recommended code changes, including density standards, affordability requirements, unit definitions, and incentive-based development standards. The amendments aim to support housing diversity, promote affordability, and meet the state's June 30, 2025, compliance deadline.

ARCH presented recommendations for Kenmore's middle housing inclusionary zoning policy, which would apply in R-4 and R-6 zones and require 10% of units to be affordable—80% AMI for ownership and 60% AMI for rentals. Projects with 1–3 units would be exempt, while 4–9 unit projects could pay a fee in lieu. Financial modeling showed that some housing types, like cottage housing, are feasible under the policy, while others, like stacked flats, may not be. Exemptions for small units and comparisons to Sammamish and Redmond were also included.

The Council agreed to continue to discuss middle housing, and inclusionary zoning at the next meeting.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 9:36 PM.

Nigel Herbig, Mayor

Anastasiya Warhol, City Clerk



Voucher Certification & Approval

City of Kenmore

DATE RANGE: 4/26/2025 through 5/09/2025

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

Total EFT Payments: #1835 through 1837	\$ 50,127.12
Total Checks: #56255 through 56321	\$ 458,358.11
Total Payroll EFT & Bank Drafts: Payroll/Taxes/Health Insurance/ FSA/HSA/Retirement/Life Ins.; Dated 5/02/2025	\$ 301,370.58
Total Wire Transfers:	\$ 2,017,228.34

Stephanie Lucas

May 14, 2025

Interim City Manager / Date

Melinda Merrell

May 14, 2025

Finance Director / Date

Vendor Name	Payment Number	Payment Date	Description	Amount
AMERICAN TRAFFIC SOLUTIONS INC	1835	05/09/2025	Apr 2025 KAPE Program	47,174.00
COMMANDLINK	1836	05/09/2025	May 2025 City Hall Phone Service	2,786.52
ELECTRONIC BUSINESS MACHINES	1837	05/09/2025	Apr 2025 Color/BW Copies 2nd flr copier	166.60
DEPARTMENT OF LABOR AND INDUSTRI	56255	4/28/2025	void	-
DEPARTMENT OF LABOR AND INDUSTRI	56256	04/28/2025	2025 Q1 L&I Volunteer Hours	12.21
AMERICAN GENERAL LIFE GPO/400S	56257	05/02/2025	Life Insurance	220.33
RAMEZ DEBBAS	56258	05/01/2025	Refund Permit Fees (replaces check #55348)	12,511.86
WESTERN DISPLAY FIREWORKS, LTD.	56259	05/09/2025	2025 4th of July Fireworks Display Pmt #2	8,000.00
ADVANCE TESTING & SERVICE INC	56260	05/09/2025	Backflow Testing-ROW, Parks, Facilities & Hangar	2,090.00
AGORA REFRESHMENTS	56261	05/09/2025	Apr & May 2025 Filtered Water - City Hall, PW Shop	396.38
ALPHAGRAPHICS	56262	05/09/2025	Business Card order for 13 employees	381.92
AM TEST, INC	56263	05/09/2025	Swamp Creek TMDL	300.00
AMERICALL	56264	05/09/2025	Apr 2025 After Hours Call Out Service	176.66
ANCHOR QEA, LLC	56265	05/09/2025	Nov 2024 Lakepointe Technical Support	5,807.50
ARMSTRONG SERVICES	56266	05/09/2025	May 2025 Janitorial Services - Hangar, City Hall, PW Office	9,919.17
ARTS OF KENMORE	56267	05/09/2025	Mar/Apr 2025 Gaan/Christensen show setup	990.00
CASCADE PEST CONTROL	56268	05/09/2025	Apr 2025 Rhododendron Park Pest Control	167.50
CENTRICITY GIS, LLC	56269	05/09/2025	Apr 2025 Cityworks Consulting	1,750.00
CHICAGO TITLE	56270	05/09/2025	Mailing Labels for PRJ23-0013, PRJ23-0034, PRJ23-0053	10.50
COSTAR REALTY INFORMATION INC	56271	05/09/2025	May 2025 E.D. Database Subscription	947.72
DAILY JOURNAL OF COMMERCE	56272	05/09/2025	Legal Notice Bid #25-C3136	779.10
DEPARTMENT OF COMMERCE	56273	05/09/2025	Annual PW Trust Fund Loan Repayment	115,295.96

IX. D. Approve Total Check #s 56255 through 56321 totaling \$458,358.11, ...

Vendor Name	Payment Number	Payment Date	Description	Page 23 of 93	Amount
DTG RECYCLE	56274	05/09/2025	Log Boom Park Volunteer Event Material Disposal		190.73
GAYLYNN BRIEN	56275	05/09/2025	Apr 2025 Sales Tax Data Conversion Svcs		60.00
GCP WW HOLDCO, LLC	56276	05/09/2025	Uniform boots/pants B Dykoff		551.39
GMP CONSULTANTS LLC	56277	05/09/2025	Apr 2025 City Manager Search Services		3,030.65
H.D. FOWLER COMPANY	56278	05/09/2025	Parts for Surface Water Work Orders & Moorlands Irrigation		1,248.66
HEIDELBERG MATERIALS	56279	05/09/2025	Asphalt for Catch Basin Repair		170.19
HERRERA ENVIRONMENTAL CONSULTAI	56280	05/09/2025	Mar 2025 Consulting Services		527.63
HORIZON DISTRIBUTORS INC	56281	05/09/2025	Irrigation Parts for Parks & ROW		885.23
KING COUNTY FINANCE	56282	05/09/2025	Apr 2025 Indigent Small Cities Public Defense Screening		76.00
KING COUNTY FINANCE	56283	05/09/2025	Jul-Dec 2024 SWM Fee Administration		7,956.05
KPFF CONSULTING ENGINEERS	56284	05/09/2025	Mar 2025 Engineering Consulting		97,165.22
MINUTEMAN PRESS	56285	05/09/2025	EDDM Postcard & Mailing, replaces lost chk 54009		5,304.40
MSR TRI AT INGLEWOOD LLC	56286	05/09/2025	Bond Deposit Refund PRJ2018-0135		7,500.00
NARWHAL MET, LLC	56287	05/09/2025	May 2025 Weather Monitoring Services		425.00
NAVIA FSA	56288	05/09/2025	Apr 2025 FSA Fees		100.00
NAVIA HSA	56289	05/09/2025	Apr 2025 HSA Fees		100.00
NORTH PACIFIC HOMES LLC	56290	05/09/2025	Refund PRJ19-0035 ROW Agreement to Work		29,369.40
NORTHSHORE UTILITY DIST	56291	05/09/2025	NUD Fleet Fuel & Maintenance		9,780.09
OFFICE DEPOT	56292	05/09/2025	Office Depot Misc. Shared Office Supplies		29.00
OFFICE DEPOT	56293	05/09/2025	void		-
OUTCOMES BY LEVY, LLC	56294	05/09/2025	Apr 2025 General Consulting		1,600.00
PACIFIC TOPSOILS	56295	05/09/2025	Vegetation Disposal and Material Purchase		813.40
PARAMETRIX INC	56296	05/09/2025	3/1-4/4/25 Arrowhead Dr SW & Traffic Calming Proj. & NE192nd Surface Water & Culvert Replacement		70,997.51
PARDALIS GROUP III LLC	56297	05/09/2025	Temp. Construction Easement & Qual. Review Exp.		3,500.00
PARKROSE/McLENDONS HARDWARE	56298	05/09/2025	PW Operations Supplies		60.56
PENDLETON CONSULTING LLC	56299	05/09/2025	Council Retreat Facilitator Services		3,671.80
PSR MECHANICAL, LLC	56300	05/09/2025	Qrtly Senior Center HVAC Maintenance Program		962.05
PUGET SOUND ENERGY	56301	05/09/2025	City Hall Electricity; Streetlights on 61st		4,236.82
REGIONAL ANIMAL SERVICES OF KC	56302	05/09/2025	Apr 2025 Pet Licenses		90.00
REPUBLIC SERVICES #172	56303	05/09/2025	Apr 25 Rhododendron Park Solid Waste & City Hall & PW Shop Solid Waste		2,389.30
ROMAN YEROKHIN	56304	05/09/2025	Partial Refund Plumbing Permit		3,416.80
SEATTLE PUMP & EQUIPMENT CO	56305	05/09/2025	Power Washer Nozzle for Parks		33.01
SHRED IT, C/O STERICYCLE, INC>	56306	05/09/2025	Apr 2025 City Hall Shred Pickup Services		119.60
SISKUN POWER EQUIPMENT	56307	05/09/2025	Streets Small Tool Repair/Maintenance		1,136.00
STAPLES	56308	05/09/2025	Facility Maintenance Supplies		724.17
STEWART MACNICHOLS HARMELL, INC.	56309	05/09/2025	Mar 2025 Public Defense Services		5,000.00
TOTAL LANDSCAPE CORP	56310	05/09/2025	Landscape Maintenance - Parks		3,388.65
UTILITIES UNDERGROUND LOCATION CT	56311	05/09/2025	Apr 2025 Utility Location Services		275.40
V2WORKS	56312	05/09/2025	FindKenmore Shopmore Branding Component		1,237.50
VERIZON WIRELESS	56313	05/09/2025	3/27-4/26/25 M2M Data Plan		50.04
WA STATE DEPT OF TRANSPORTATION	56314	05/09/2025	Mar 2025 Traffic Signal Maintenance		466.55
WASHINGTON STATE TREASURER	56315	05/09/2025	Summer 2025 Concert Series St, Park Permit		3,051.76
WESTLAKE HARDWARE WA-153	56316	05/09/2025	PW Supplies & Materials		301.87
WM CORPORATE SERVICES INC.	56317	05/09/2025	4/23/25 Sweeper Dump Fees		2,628.34

IX. D. Approve Total Check #s 56255 through 56321 totaling \$458,358.11, ...

Vendor Name	Payment Number	Payment Date	Description	Page 24 of 93	Amount
WSDOT/LTAP CENTER	56318	05/09/2025	Training: Regional Road Maint. Program- B Burlison, P Halalilo, C Walker		525.00
YOU LEE KIM	56319	05/09/2025	Hangar Event 4/26/25 Deposit Refund		150.00
ZIPLY FIBER	56320	05/09/2025	4/19-5/18/25 PW Office Internet		163.53
ROADWAY MANAGEMENT TECHNOLOGI	56321	05/09/2025	4/21/25-4/20/26 Pavement Preservation Program		23,142.00
MISSION SQUARE / 109964	DFT0002656-2659	05/02/2025	City of Kenmore 401a & 401a Loan		30,619.59
DRS 457	DFT0002660-2661	05/02/2025	DRS 457 Deferred Comp		831.50
MISSION SQUARE 457 / 304745	DFT0002662-2664	05/02/2025	Mission Square 457 Deferred Comp		6,929.77
NAVIA HSA	DFT0002665	05/02/2025	Employee Health Savings Contribution		200.76
PERS DEPT OF RETIREMENT SYSTEMS	DFT0002666-2672	05/02/2025	Public Employees Retirement		40,009.51
NAVIA FSA	DFT0002673	05/02/2025	Employee Flexible Spending Account		1,087.67
BANNER BANK 941 DEPOSIT	DFT0002674	05/02/2025	Federal Taxes		33,582.06
PAYROLL	Electronic Deposit	05/02/2025	Direct Deposit		188,109.72
TOTAL					809,855.81

IX. D. Approve Total Check #s 56255 through 56321 totaling \$458,358.11, ...



City of Kenmore, WA

Vendor Purchasing Report

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For Date Range 01/01/2025 - 05/09/2025

Name	Total
2S DESIGN BUILD LLC	143,408.50
4IMPRINT	193.89
4LEAF INC	517.50
ACORN CONSULTING LLC	16,500.00
ADVANCE TESTING & SERVICE INC	2,090.00
AFLAC	131.56
AGORA REFRESHMENTS	1,057.02
ALL CLIMATE HEATING AND AIR	335.27
ALLAN FRANCA VIDEOGRAPHER	350.00
ALPHAGRAPHICS	381.92
AM TEST, INC	1,320.00
AMERICALL	844.30
AMERICAN GENERAL LIFE GPO/400S	1,101.65
AMERICAN PUBLIC WORKS ASSOCIATION	2,015.00
AMERICAN TRAFFIC SOLUTIONS INC	169,936.00
ANCHOR QEA, LLC	1,294.72
ANSER ADVISORY CONSULTING, LLC	31,103.50
APWA/WA CHAPTER	1,650.00
ARMSTRONG SERVICES	49,595.85
ARTS OF KENMORE	990.00
ASSOCIATION OF WA CITIES	23,715.88
ATHINA ABRAHAM	150.00
AURORA RENTS	1,352.58
AWC EMPLOYEE BENEFIT TRUST/VIMLY	417,749.32
AZTECA SYSTEMS, LLC	46,065.54
BANNER BANK 941 DEPOSIT	308,010.00
BASTYR UNIVERSITY	50,250.00
BCN TELECOM, INC.	4,100.81
BECKWITH CONSULTING GROUP	1,800.00
BERNICE CARBAUGH	9,642.80
BIZDIVERSITY	500.00
BOTHELL KENMORE CHAMBER OF COMMERCE	6,500.00
BRIGHT SPARK EARLY LEARNING SERVICES	300.00
Bud Clary Dodge/Chevrolet	51,863.98
CALPORTLAND COMPANY	356.19
CANON FINANCIAL SERVICES, INC.	1,065.28
CAPITAL ONE TRADE CREDIT/MCLENDON	89.22
CASCADE PEST CONTROL	670.00
CENTER FOR HUMAN SERVICES	23,253.00
CENTRICITY GIS, LLC	18,625.00
CHICAGO TITLE	25.10
CITY OF BELLEVUE	5,860.40
CITY OF KENT	575.00
CITY OF LAKE FOREST PARK	83,861.00
CITY OF MAPLE VALLEY	1,779.02
CITY WIDE FENCE COMPANY, INC	4,374.94
CIVICPLUS LLC	10,433.67
CLEARVIEW NURSERY, INC.	738.04
CODE PUBLISHING COMPANY	3,722.42
COMCAST	8,761.86
COMCAST BUSINESS	972.20
COMMANDLINK	13,851.35
CONFLUENCE ENVIRONMENTAL COMPANY	10,280.27
CONSOLIDATED PRESS	5,762.60

IX. D. Approve Total Check #s 56255 through 56321 totaling \$458,358.11, ...

Name	Total	Page 26 of 93
CONVERGINT TECHNOLOGIES	1,369.79	
COSTAR REALTY INFORMATION INC	4,738.60	
CREATION ORGANICS, LLC	2,301.19	
CREATIVE HOUSE BRANDING	679.00	
CUSTOMINK LLC	2,613.72	
D.P. NICOLI, INC.	616.78	
DAILY JOURNAL OF COMMERCE	2,220.70	
DAMODAR NAGANDLA	1,447.73	
DAVID ORR	2,143.40	
DAVID TALLENT	40.00	
DEERE & COMPANY	8,115.62	
DEPARTMENT OF COMMERCE	115,295.96	
DEPARTMENT OF LABOR AND INDUSTRIES	21,561.27	
DRS 457	7,283.50	
DTG RECYCLE	41,564.66	
EBIX, INC.	177.86	
ELECTRONIC BUSINESS MACHINES	788.80	
ELYON MAINTENANCE, INC.	23,174.55	
ENVIRONMENTAL SYSTEMS RESEARCH INST	21,309.37	
ERIC LONG	130.40	
ESD - LTC	9,009.57	
ESD - PFML	19,577.95	
ESD - UI TAX ADMINISTRATION	40.26	
EVERMARK, LLC	307.70	
FACET NW, INC.	39,999.59	
FERGUSON WATERWORKS #3156	1,089.54	
FIRE PROTECTION, INC	5,537.81	
FLEMINGS HOLIDAY LIGHTING LLC	1,139.60	
FLYNN BEC LP	4,204.13	
FOURTEN CREATIVE	70.80	
FUELCARE	3,300.32	
GAYLYNN BRIEN	240.00	
GCP WW HOLDCO, LLC	1,877.60	
GMP CONSULTANTS LLC	10,030.65	
GORDON THOMAS HONEYWELL	13,950.00	
GOVERNMENT FINANCE OFFICERS ASSOC	225.00	
GRAINGER	113.17	
GREAT FLOORS LLC	2,534.60	
GYANCARLO GARCIA	848.97	
H.D. FOWLER COMPANY	3,301.15	
HDR ENGINEERING, INC	349.83	
HEALTH MANAGEMENT ASSOCIATES INC	9,135.00	
HEIDELBERG MATERIALS	1,269.06	
HERRERA ENVIRONMENTAL CONSULTANTS	16,680.95	
HESTON PHOTOGRAPHY	725.12	
HHX, LLC	1,811.51	
HILLIS CLARK MARTIN & PETERSON P.S.	6,735.92	
HIMA NURSERY, INC.	6,491.38	
HOLMBERG COMPANY	2,113.24	
HOME DEPOT CREDIT SERVICES	2,470.92	
HONEY BUCKET	671.00	
HORIZON DISTRIBUTORS INC	2,570.94	
HRA VEBA TRUST	23,605.31	
HUNTINGTON TECHNOLOGY FINANCE	23,690.22	
ICLEI	1,200.00	
INSLEE, BEST, DOEZIE & RYDER, P.S.	156,283.20	
INTEGRA REALTY RESOURCES - SEATTLE	4,500.00	
INTERNATIONAL INST OF MUNI CLERKS	235.00	
IRUM YASIR BUTT	250.00	
ISABELLE MAADI	490.92	

IX. D. Approve Total Check #s 56255 through 56321 totaling \$458,358.11, ...

Name	Total	Page 27 of 93
IVONNE CASTRO	150.00	
iWORQ SYSTEMS	2,800.00	
JACOBS ENGINEERING GROUP	177,388.45	
JANET SHAW	103.00	
JASON RICHARD SPERLING	250.00	
JET CITY PRINTING	149.87	
KBA INC.	2,102.20	
KELLEY PORTER	248.00	
KENDALL FORD OF MARYSVILLE	52,050.68	
KENMORE ELEMENTARY PTA	1,250.00	
KENMORE HERITAGE SOCIETY	2,500.00	
KENMORE LINK LLC	7,500.00	
KENMORE MIDDLE SCHOOL	2,500.00	
KENMORE SENIOR CENTER	7,812.50	
KEY CODE MEDIA, INC.	1,025.47	
KIMLEY HORN AND ASSOCIATES, INC.	22,864.00	
KING COUNTY BAR ASSOCIATION	200.00	
KING COUNTY FINANCE	149,544.68	
KING COUNTY FINANCE	1,692.11	
KING COUNTY MUNICIPAL CLERKS ASSOC	60.00	
KING COUNTY POLICE CHIEFS ASSOCIATION	50.00	
KING COUNTY REGIONAL HOMELESSNESS AUTHORITY	47,666.00	
KING COUNTY SHERIFF	1,217,890.00	
KING COUNTY TREASURY	88,131.56	
KITTRICH CORP	863.97	
KPFF CONSULTING ENGINEERS	151,763.79	
LAKE CITY PARTNERS ENDING HOMELESSNESS	50,000.00	
LANGUAGE LINE SERVICES, INC.	9.80	
LIGHTHOUSE CONSULTING INC	58,624.66	
LINCOLN NATIONAL LIFE INSURANCE	9,635.47	
LOUDEDGE, INC.	95.00	
MARY MILLER STEPHENS	3,750.00	
McGRATH HUMAN RESOURCES GROUP	4,000.00	
MELANIE O'CAIN	657.00	
MINAL GUHE	400.00	
MINUTEMAN PRESS	20,410.20	
MISSION SQUARE / 109964	266,788.47	
MISSION SQUARE 457 / 304745	73,158.62	
MORGAN STANLEY GLOBAL BANKING OPERATIONS	5,000.00	
MSR KENMORE CREEK HOMES	7,500.00	
MSR TRI AT INGLEWOOD LLC	7,500.00	
NAMI EASTSIDE	937.50	
NARWHAL MET, LLC	1,700.00	
NATIONAL LIFE INSURANCE CO.	150.00	
NATIONAL SCLERODERMA FOUNDATION	150.00	
NAVIA FSA	10,189.03	
NAVIA HSA	10,956.84	
NELSON ELECTRIC, INC.	4,649.12	
NIGEL HERBIG	1,458.91	
NIKHIL PATNE	250.00	
NORTH PACIFIC HOMES LLC	29,369.40	
NORTHSHORE PARK & REC SERVICE AREA	2,720.00	
NORTHSHORE SCHOOL DISTRICT	225,430.95	
NORTHSHORE SCHOOLS FOUNDATION	750.00	
NORTHSHORE SENIOR CENTER	1,562.50	
NORTHSHORE UTILITY DIST	42,957.68	
NORTHSHORE YOUTH SOCCER ASSOC.	55.00	
NORTHWEST ARBORICULTURE LLC	5,441.78	
NORTHWEST TROPHY	96.43	
NUHSA	1,871.00	

IX. D. Approve Total Check #s 56255 through 56321 totaling \$458,358.11, ...

Name	Total	Page 28 of 93
OFFICE DEPOT	1,868.40	
OLBRECHTS & ASSOCIATES, PLLC	234.00	
OLSON BROTHERS PRO VAC LLC	31,288.85	
OLYMPIC ENVIRONMENTAL RESOURCES INC	7,378.70	
OLYMPIC NURSERY INC	4,405.25	
O'REILLY/FIRST CALL	342.22	
OSBORN CONSULTING INC.	41,478.05	
OUTCOMES BY LEVY, LLC	9,300.00	
PACE ENGINEERS, INC.	59,014.50	
PACIFIC AIR CONTROL, INC.	13,978.86	
PACIFIC TOPSOILS	2,194.55	
PANE'N THE GLASS WINDOW CLEANING LLC	1,100.00	
PARAMETRIX INC	198,411.17	
PARDALIS GROUP III LLC	3,500.00	
PARKROSE/McLENDONS HARDWARE	60.56	
PARMA POST & POLE, INC.	1,027.06	
PAWS	2,757.00	
PENDLETON CONSULTING LLC	5,678.60	
PERS DEPT OF RETIREMENT SYSTEMS	352,550.05	
PETTY CASH CUSTODIAN	35.26	
PLYWOOD SUPPLY	170.32	
PROCOM LLC	122.00	
PSR MECHANICAL, LLC	3,599.16	
PUGET SOUND CLEAN AIR AGENCY	5,845.75	
PUGET SOUND EMERGENCY RADIO NETWORK OPERATOR	2,246.40	
PUGET SOUND ENERGY	137,214.82	
PUGET SOUND FINANCE OFFICERS ASSOC	80.00	
PUGET SOUND PLANTS	1,787.31	
PULTEGROUP	7,500.00	
QUADIENT FINANCE USA INC	1,241.94	
QUADIENT LEASING USA, INC.	645.77	
RAKESH CHAKARI MALLAREPPA	250.00	
RAMEZ DEBBAS	12,511.86	
REGIONAL ANIMAL SERVICES OF KC	555.00	
REGIONAL CRISIS RESPONSE AGENCY	52,033.25	
REPUBLIC SERVICES #172	8,663.18	
ROADWAY MANAGEMENT TECHNOLOGIES LLC	23,142.00	
ROMAN YEROKHIN	6,051.20	
ROOPCHAND NARKEDAMILLI	125.00	
ROSS MAYER	109.66	
SAGACITY MEDIA, INC.	1,200.00	
SAMANTHA LOYUK	143.00	
SAMUEL RODRIGUEZ	100.00	
SARAH ROBERTS	13,072.47	
SCHINDLER ELEVATOR CORPORATION	1,147.35	
SCORE	43,696.99	
SEATTLE PUMP & EQUIPMENT CO	742.19	
SEATTLE TIMES	3,454.55	
SELENA FITCH	885.05	
SELLEN CONSTRUCTION COMPANY, INC.	8,649.60	
SENTINEL OFFENDER SERVICES, LLC	378.50	
SHANNON & WILSON, INC.	1,800.00	
SHI INTERNATIONAL CORP.	45,460.77	
SHORELINE FIRE DEPT	300.00	
SHRED IT, C/O STERICYCLE, INC>	523.35	
SISKUN POWER EQUIPMENT	1,798.21	
SITESCAPES, INC.	2,790.00	
SNOHOMISH COUNTY	6,522.00	
SOFTWAREONE, INC.	663.29	
SPECIALTY DOOR SERVICE, INC.	394.52	

IX. D. Approve Total Check #s 56255 through 56321 totaling \$458,358.11, ...

Name	Total	Page 29 of 93
STAPLES	8,537.95	
STATE AUDITOR'S OFFICE	14,535.95	
STATE OF WA DEPT. OF LICENSING	1.60	
STEPHANIE LUCASH	322.00	
STEVE GOEWY	752.89	
STEWART MACNICHOLS HARMELL, INC.	20,000.00	
SUNBELT RENTALS	184.51	
T MOBILE USA, INC.	7,523.27	
THE LODGE AT ST. EDWARD PARK	5,081.82	
THOMCO CONSTRUCTION, INC.	50,000.00	
TOTAL LANDSCAPE CORP	85,976.38	
TOURNESOL SITEWORKS, LLC	2,589.70	
Town and Country Fence Inc.	20,740.84	
TRUGREEN	2,132.00	
TYLER TECHNOLOGIES, INC.	(147.35)	
U.S. BANK N.A. / CUSTODY	188.00	
U.S. BANK PURCHASE CARDS	104,410.68	
ULINE	1,628.13	
UPS STORE KENMORE	364.95	
URBAN ACCESSORIES, INC.	3,960.59	
US POSTAL SERVICE	2,343.93	
UTILITIES UNDERGROUND LOCATION CTR	825.18	
V2WORKS	1,237.50	
VAUGHAN, KENT	1,382.24	
VECA ELECTRIC & TECHNOLOGIES, LLC	43,021.00	
VERIZON WIRELESS	200.18	
VINIT KELKAR	250.00	
WA ASSOC OF BUILDING OFFICIALS	290.00	
WA CITIES INSURANCE AUTHORITY	907,745.00	
WA STATE DEPT OF LABOR & INDUSTRIES	114.10	
WA STATE DEPT OF TRANSPORTATION	972.12	
WAGNER ARCHITECTS	173,027.23	
WALTER E. NELSON CO.	1,492.37	
WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS	1,759.31	
WASHINGTON AUDIOLOGY SERVICES, INC.	1,163.40	
WASHINGTON CITY/COUNTY MGMT ASSOC	1,235.00	
WASHINGTON STATE OFFICE CASH MGMT	195.50	
WASHINGTON STATE TREASURER	3,051.76	
WEST COAST PLUMBING AND HEATING, INC.	823.20	
WESTERN DISPLAY FIREWORKS, LTD.	16,000.00	
WESTERN ENTRANCE TECHNOLOGY, LLC	606.10	
WESTLAKE HARDWARE WA-153	1,366.15	
WM CORPORATE SERVICES INC.	25,102.93	
WONDERLAND CHILD & FAMILY SERVICES	500.00	
WOODINVILLE FARMERS MARKET	5,000.00	
WSDOT/LTAP CENTER	525.00	
XEROX CORPORATION	2,115.84	
XYLEM LLC	5,643.91	
YOU LEE KIM	150.00	
ZIPLY FIBER	3,576.47	
ZONAR SYSTEMS	544.56	
ZUMAR	311.63	

IX. D. Approve Total Check #s 56255 through 56321 totaling \$458,358.11, ...

2025-05-09 Voucher List

Final Audit Report

2025-05-15

Created:	2025-05-14
By:	Brenda Chamness (bchamness@kenmorewa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA6beA9xynObJA5FHLbzTDsQSEnSabaXkM

"2025-05-09 Voucher List" History

-  Document created by Brenda Chamness (bchamness@kenmorewa.gov)
2025-05-14 - 11:39:19 PM GMT
-  Document emailed to Melinda Merrell (mmerrell@kenmorewa.gov) for signature
2025-05-14 - 11:40:22 PM GMT
-  Email viewed by Melinda Merrell (mmerrell@kenmorewa.gov)
2025-05-14 - 11:43:26 PM GMT
-  Document e-signed by Melinda Merrell (mmerrell@kenmorewa.gov)
Signature Date: 2025-05-14 - 11:44:39 PM GMT - Time Source: server
-  Document emailed to Stephanie Lucash (slucash@kenmorewa.gov) for signature
2025-05-14 - 11:44:42 PM GMT
-  Email viewed by Stephanie Lucash (slucash@kenmorewa.gov)
2025-05-15 - 2:01:54 AM GMT
-  Document e-signed by Stephanie Lucash (slucash@kenmorewa.gov)
Signature Date: 2025-05-15 - 2:02:04 AM GMT - Time Source: server
-  Agreement completed.
2025-05-15 - 2:02:04 AM GMT

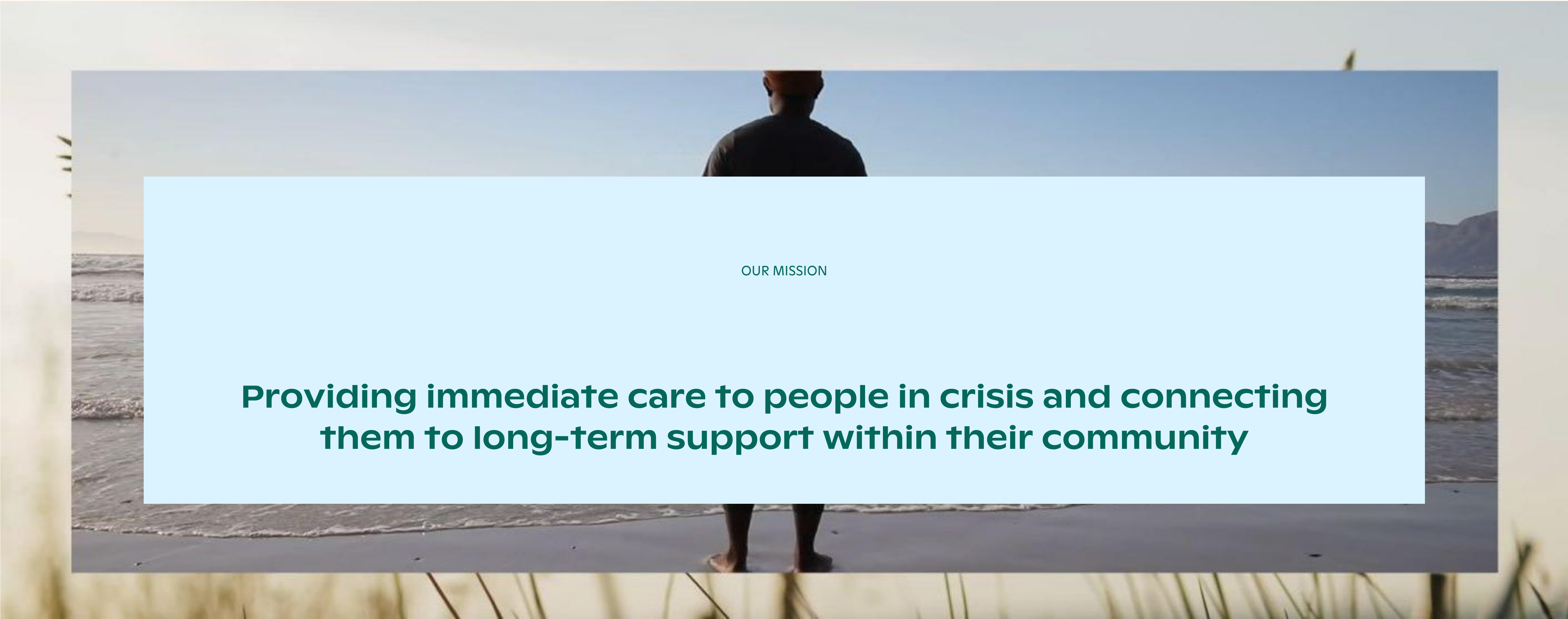
2025

Kirkland Crisis Response Center

connections

Mission

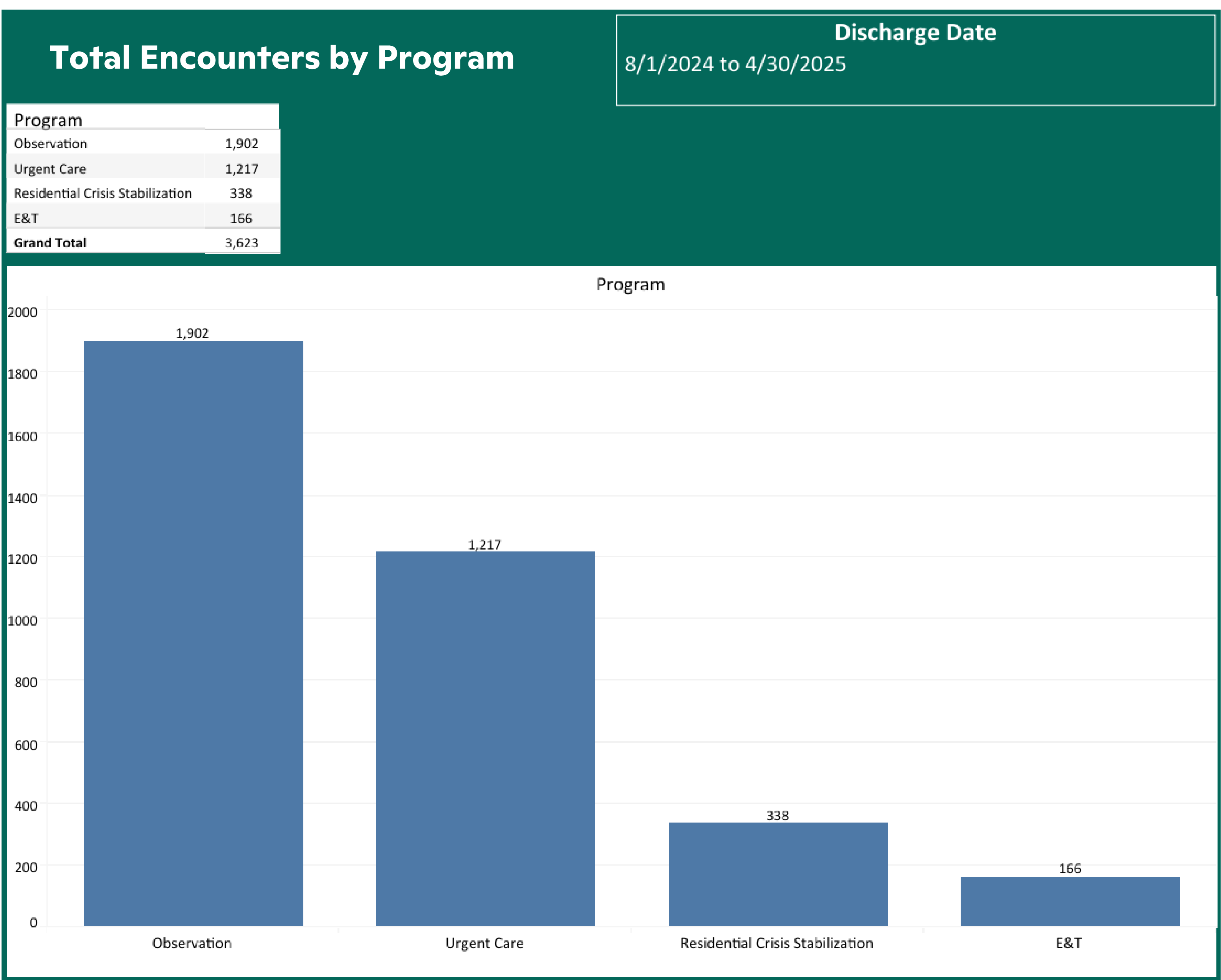
Connections isn't just a name – it's who we are and why we do what we do.



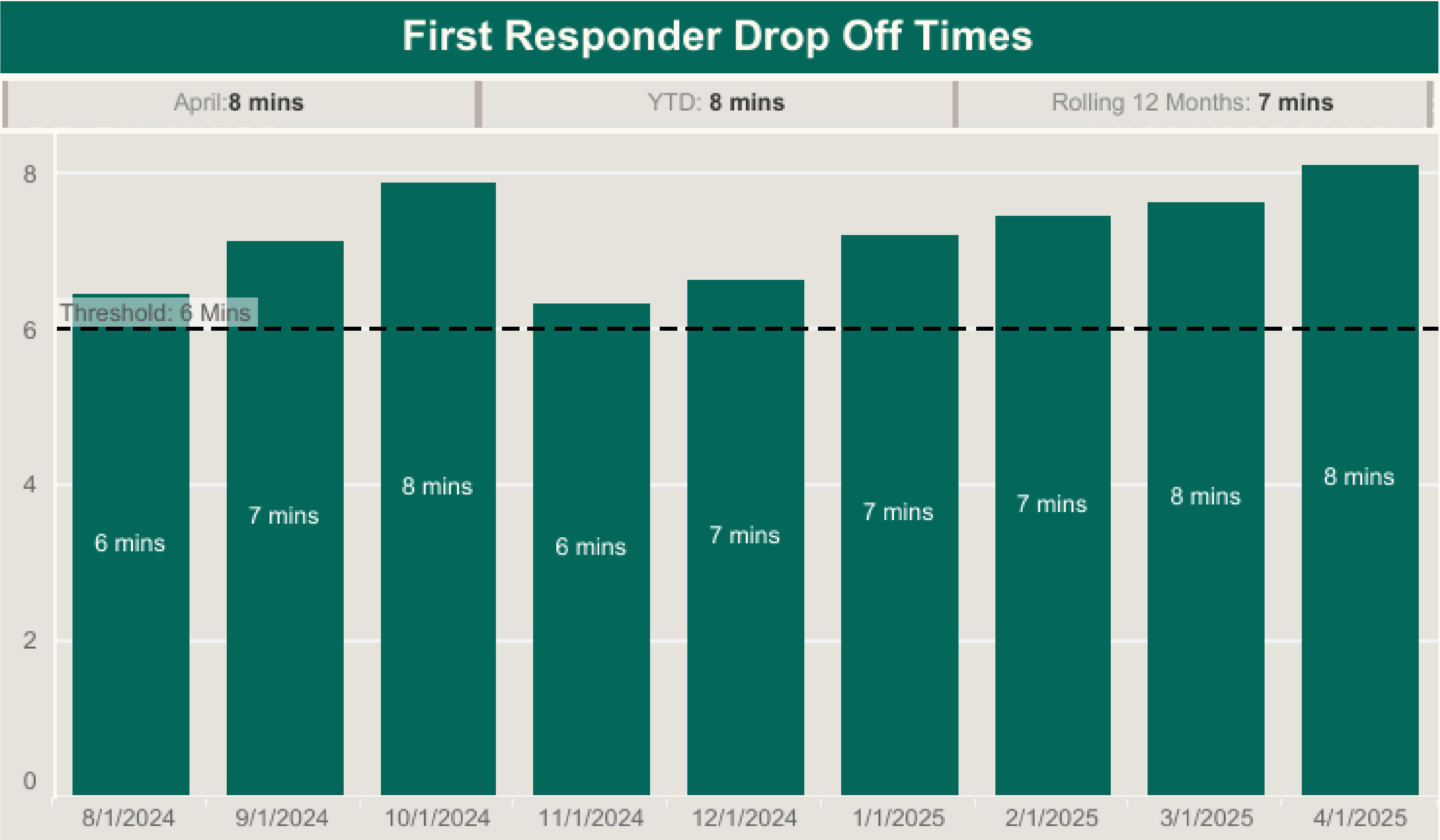
OUR MISSION

Providing immediate care to people in crisis and connecting them to long-term support within their community

Kirkland, Total Encounters by Program



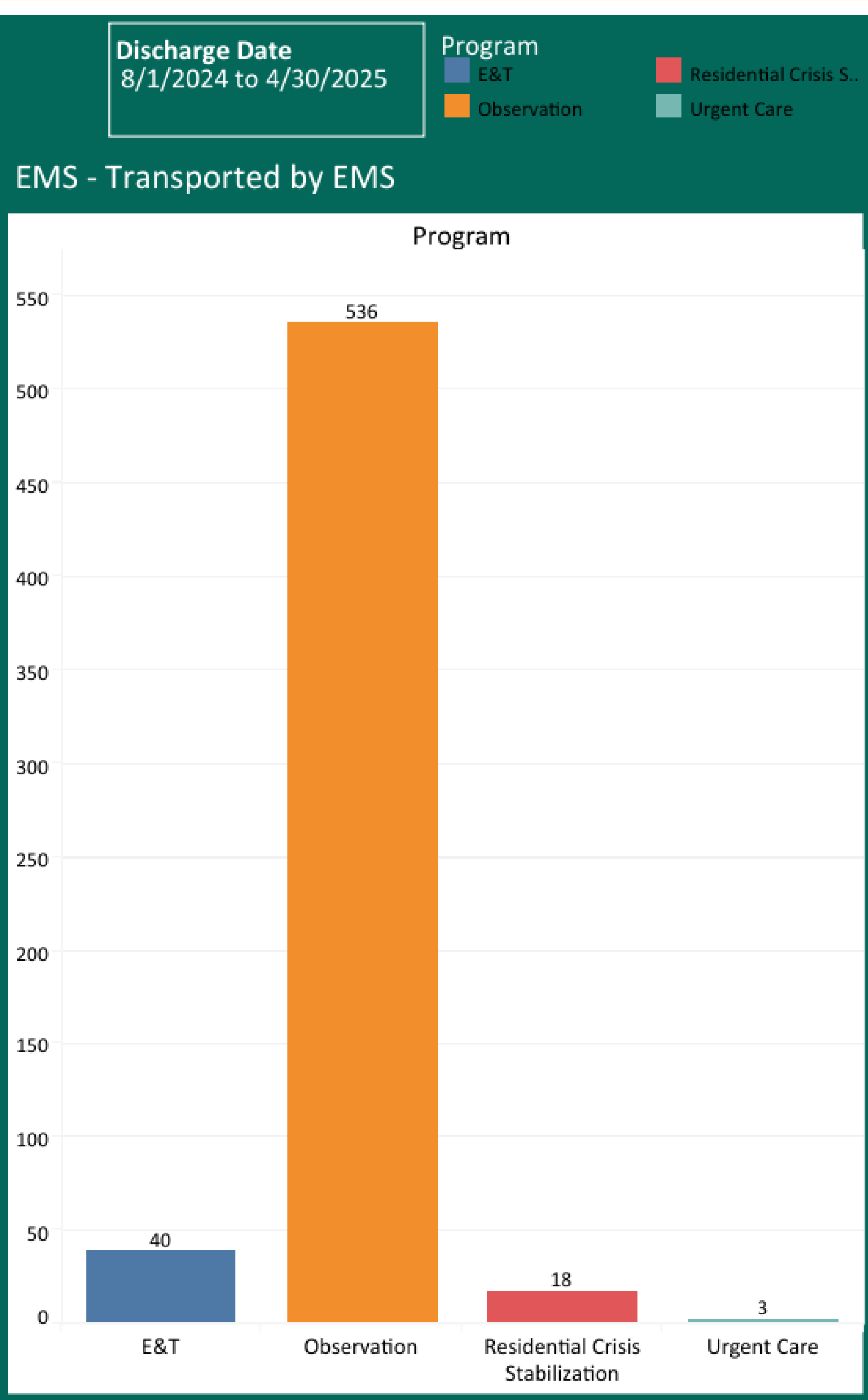
*This data reflects a snapshot in time, referral and tracking process under review and being refined



Metric Definition: *Time First Responders ring Facility Doorbell to the time we take custody of the patient*

*This data reflects a snapshot in time, referral and tracking process under review and being refined

Kirkland, EMS – Total Patients + Law Enforcement Drop-offs



Court/ Law Enforcement	Drop-offs
Kirkland PD	169
Bellevue PD	60
Redmond PD	35
ZZ - Other (Not Listed)	25
Bothell City PD	19
Seattle PD	14
King County Sheriff	10
Lake Forest Park PD	4
Renton PD	4
Burien PD	3
King County Courthouse	3
Kent PD	2
Auburn PD	1
Clyde Hill PD	1
Kenmore PD	1
Medina PD	1
Woodinville PD	1
Total	353

*This data reflects a snapshot in time, referral and tracking process under review and being refined

Thank you

Core to Connections’ values is system collaboration, we would welcome any follow-up questions or feedback.

Celeste Lippy
Sr. VP, Clinical Services
celeste.lippy@connectionshs.com

Kyle Jasper
Medical Director
kyle.jasper@connectionshs.com

connections



2025 State of Healthcare Update from EvergreenHealth

City of Kenmore
May 27, 2025

Ettore Palazzo, MD, FACP
Chief Executive Officer



Mission

To advance the health of the community through high -quality, safe, compassionate, and cost-effective health care.

Vision

To create an inclusive community health system that is the most trusted source for health care solutions.

Values

Compassion
Respect
Excellence
Collaboration
Accountability



Board of Commissioners



Virgil Snyder
Board Chair
 Commissioner Position #7
 At-Large Representative
 Board member since 2016



Jeff Cashman
Board Secretary
 Commissioner Position #6
 At-Large Representative
 Board member since 2023



Nancy Stewart
 Commissioner Position #1
 Represents Bothell/Duvall/Woodinville
 Board member since 2023



Suzanne Greathouse
 Commissioner Position #2
 Represents Kirkland/Kenmore
 Board member since 2024



Norman Seabrooks
 Commissioner Position #3
 Represents Redmond/Sammamish
 Board member since 2024

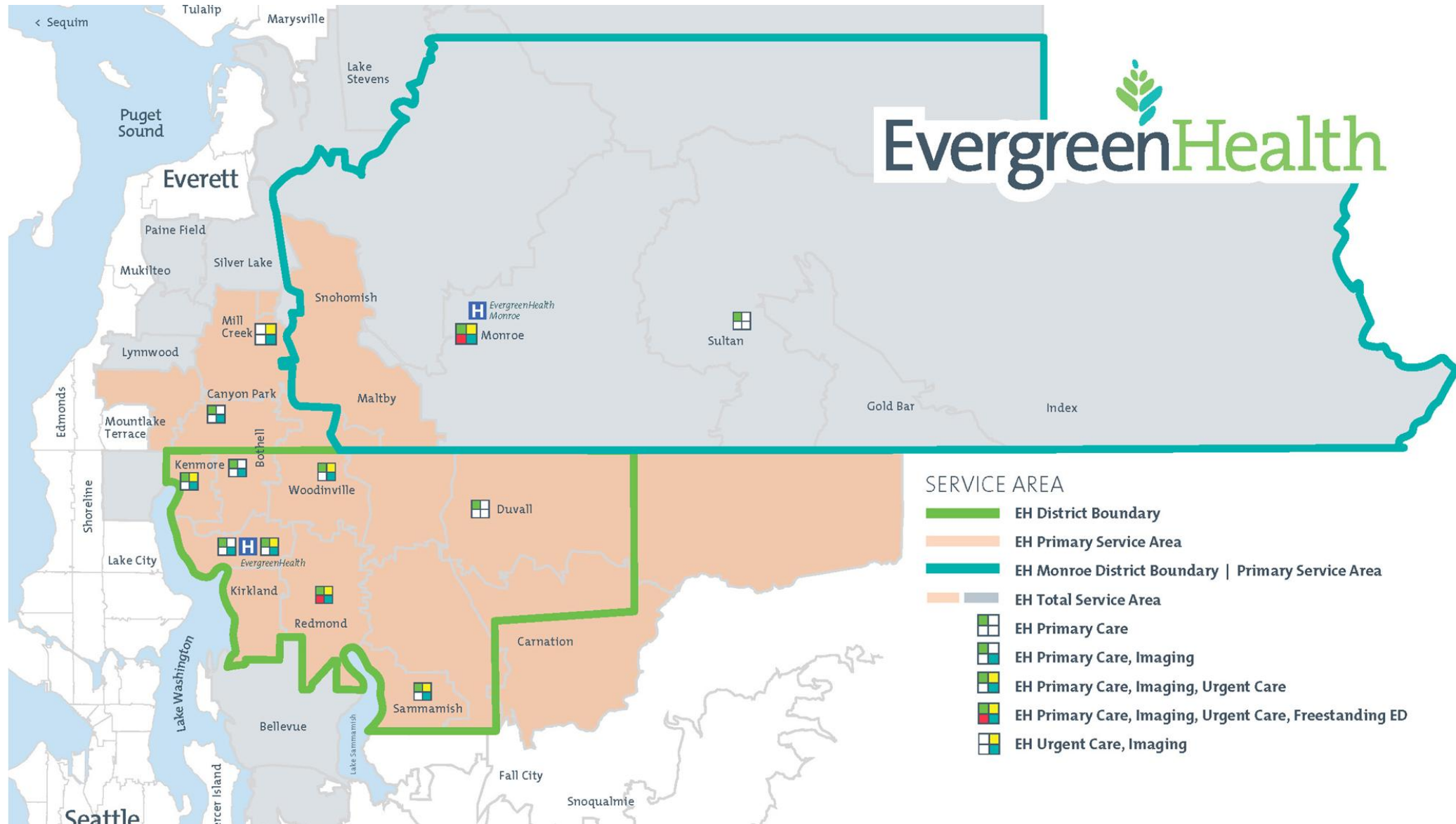


Charles Pilcher, MD
 Commissioner Position #4
 At-Large Representative
 Board member since 2010



Robin Campbell, Ph.D.
 Commissioner Position #5
 At-Large Representative
 Board member since 2024

Convenient Locations Across Our Communities



EvergreenHealth Exists to Serve Our Community

EvergreenHealth is a public hospital district – similar to a school district and a fire district – serving the health, wellness, and emergency medical needs of over 1 million Eastside residents.



HOSPITAL



FIRE STATION



SCHOOL

A portion of district residents' property tax dollars fund
EvergreenHealth.

Here for Your Health & Wellness Needs

354-bed acute care hospital serving Kirkland, Redmond, Duvall, Woodinville, Sammamish, Bothell and Kenmore.



Post Acute Care – Largest Home Health / Hospice Care in Puget Sound Region
Home Care Services include Hospice, Home Health, Behavioral Health



EvergreenHealth in Kenmore

- Primary Care, Mammography, Rehab Services, and Urgent Care clinics all conveniently located in Kenmore.
- Premier sponsor of Kenmore Farmers Market.
- Bothell Kenmore Chamber member.



Bothell Kenmore
CHAMBER

Investing in Our Community

EvergreenHealth's Levy Funded programs provided **\$6.2 million** in 2024 to support critical needs identified by our community.

Supporting Youth Mental Health through funding for Northshore School District's mental health therapists, providing speakers for our STEM Global Health Education partnership and the Youth Mental Health Taskforce.

Caring for Seniors through our Geriatric Care Clinic and funding for Senior Center programs.

Addressing Social Determinants of Health for patients via the Community Healthcare Access Team (CHAT) who assess and assist patients in accessing financial assistance, long term care, and insurance enrollment.

End of Life Care via our Palliative Medicine and Hospice Care center. Our multidisciplinary teams specialize in supporting patients and families during this vulnerable time.

Recognition of Our Care

National recipient of



'America's 50 Best Hospitals' Award™
for 5 Years in a Row



Where every person
and outcome matters.

Cardiac Care Distinction  	Critical Care Distinction  
Gastrointestinal Care Distinction         	
Neurosciences Care Distinction    	
Orthopedics Care Distinction  	Pulmonary Care Distinction  

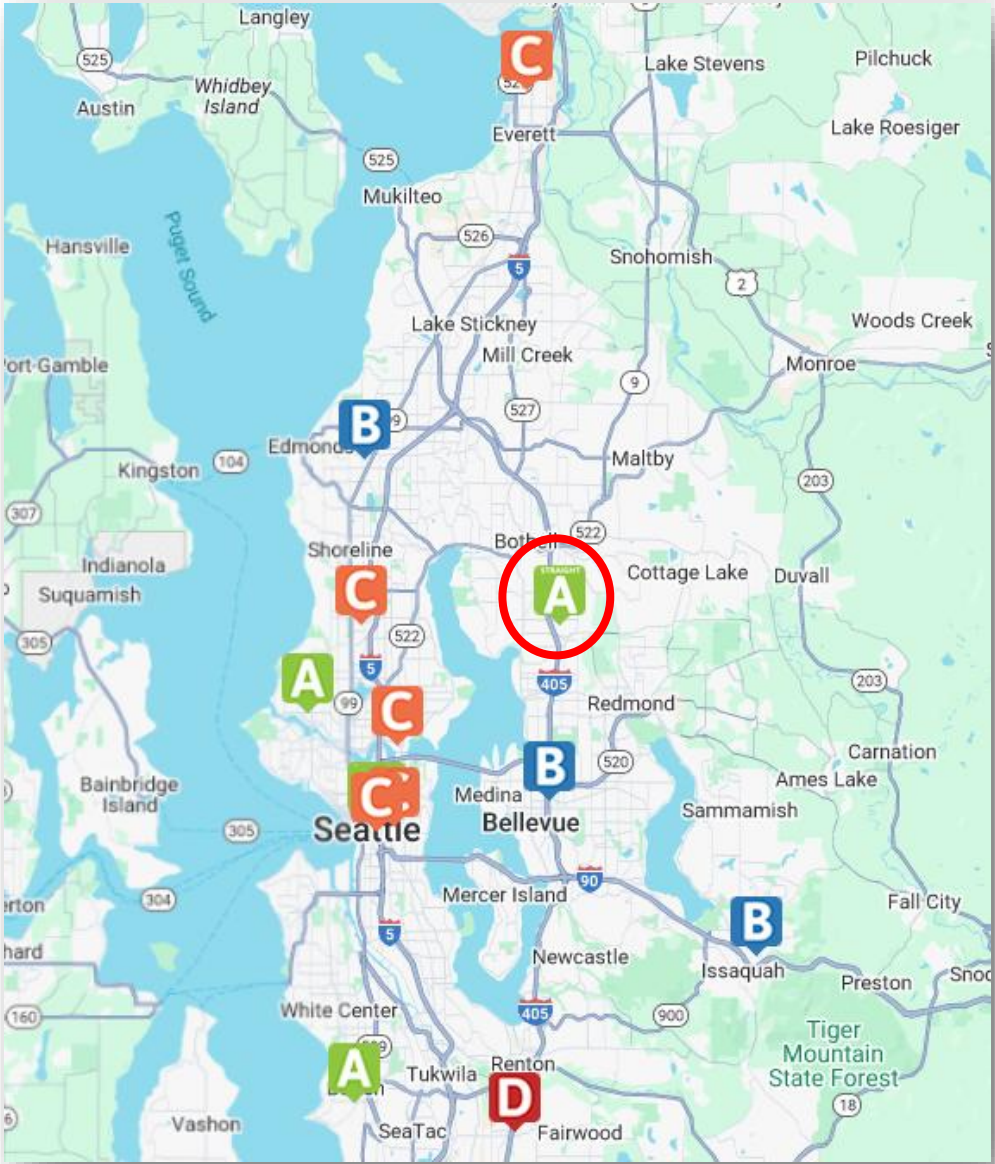
Monroe



Kirkland



Excellence in Quality and Patient Safety



[Home](#) | [Hospital Safety Grade](#)

Excellence in Quality and Patient Safety



5 Straight Years



6 Straight Years



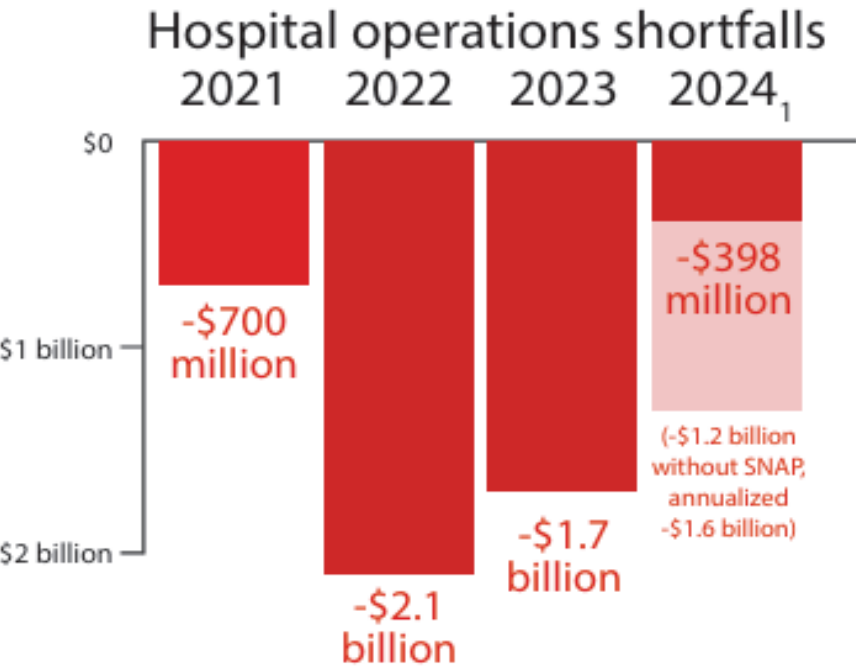
9 Straight Years

1. **EvergreenHealth, WA**
2. Houston Methodist, TX
3. Inova Loudon, VA
4. Lancaster General, PA
5. Lee Memorial, FL
6. Mayo Clinic Mankato, MN
7. Mayo Clinic, AZ
8. Mayo Clinic, FL
9. Ronald Regan UCLA Medical Center, CA
10. Scripps Memorial Hospital, CA
11. St. Luke's Hospital-Bethlehem Campus, PA
12. Stanford, CA

Ongoing Financial Challenges for Hospitals in Washington State



Hospital Finances: Losses from 2021-2024



Source: WSHA Hospital/Health System Financial Surveys, 2021-2024, representing 94% of licensed beds.
1: 2024 data is from January-September.

Growth in expenses: 2021-2023



Growth in length of stay: 2019-2023



Source: : WA Discharge dataset aka CHARS for all acute care hospitals, excluding psychiatric, long-term care and swing bed claims.
2: Complex patients stay in hospitals longer than 31 days, many without a medical need.

Washington State
Hospital Association

About Us ▾

Home / News & Events / Newsletters / Weekly Report / Health care faces deep cuts in state House, Senate budgets

Health care faces deep cuts in state House, Senate budgets

THE WALL STREET JOURNAL.

EXCLUSIVEHEALTHCARE

U.S. Delays Hospital Payments as Medicaid Scrutiny Intensifies

Hospitals across the country are laying off staff and pausing payments to medical suppliers as they wait for millions in funding

By [Dominique Mosbergen](#) [Follow](#)

May 2, 2025 5:30 am ET

The Seattle Times

Health

Newsletters | My Account ▾ | 🔍

LOCAL BIZ NATION SPORTS ENTERTAINMENT LIFE HOMES OPINION | THE TICKET JOBS EXPLORE ▾ All Sections

Politics Law & Justice Watchdog Mental Health Education Lab Project Homeless Traffic Lab Eastside Climate Lab Obituaries

Health | Local Business | Local News | Northwest | Puget Sound

Seattle-area hospital to close 5 clinics, and some inpatient care

May 14, 2025 at 10:00 am | Updated May 14, 2025 at 10:00 am

BECKER'S
HOSPITAL REVIEW

Leadership ▾ Finance ▾ Health IT ▾ Clinical Care ▾ Specialties ▾

Financial Management

Washington hospital slashes more services after Medicaid cut layoffs

By: [Madeline Ashley](#) Monday, May 12th, 2025



Medicaid cut threatens \$700M loss for Washington state

President Donald Trump's proposed spending cuts to Medicaid could cost Washington state an estimated \$700 million annually.

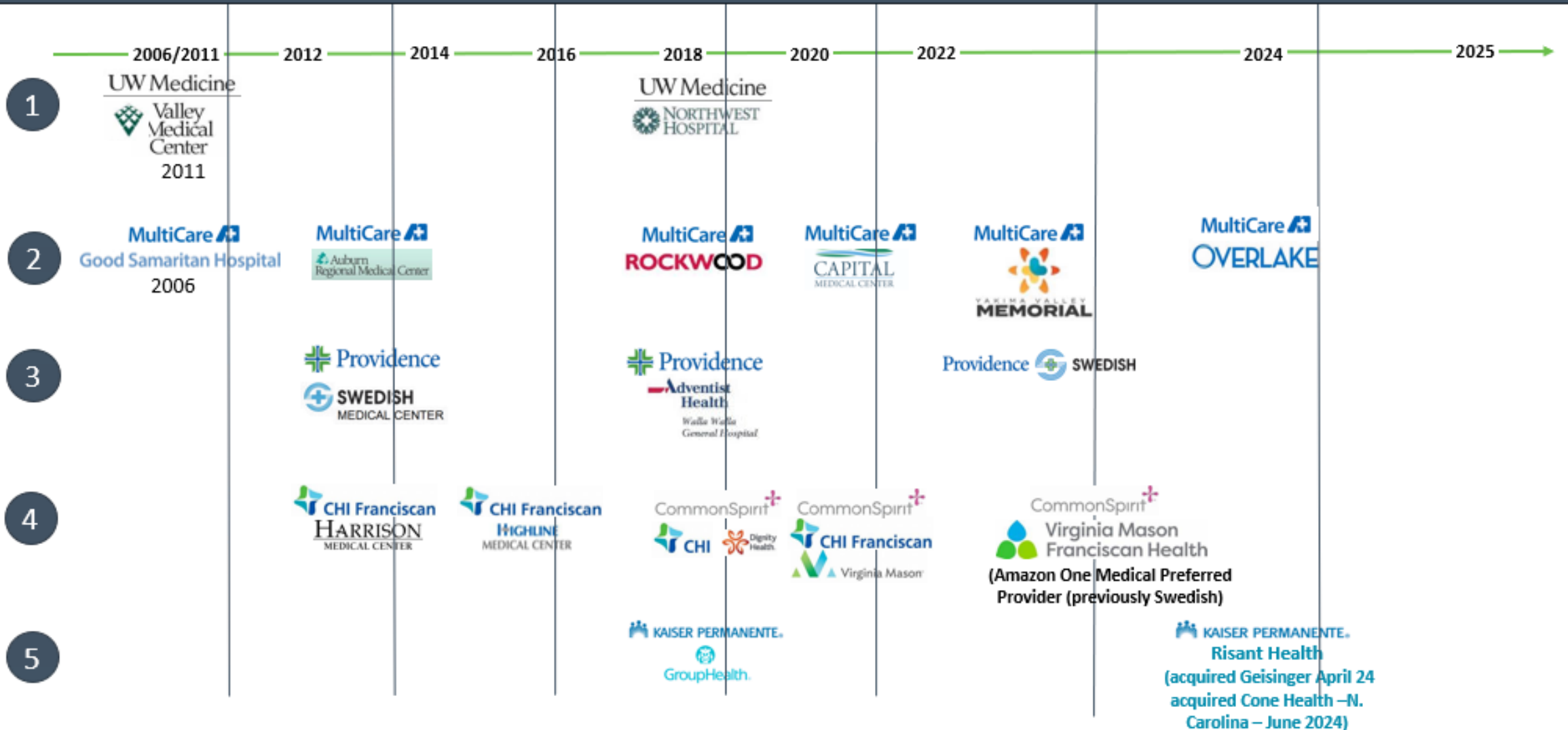


Author: Dalton Day
Published: 4:39 PM PDT May 15, 2025
Updated: 11:11 AM PDT May 16, 2025

Puget Sound Landscape

Significant Consolidation of Local Health Systems

Our market has consolidated into 5 main systems, including a public academic (UW Medicine), a secular non-profit (MultiCare), two faith-based systems (Prov, VM Franciscan), and a managed care model (Kaiser)





Levy Lid Lift

Your Care, Your Community



Vote August 5th

Scan to learn more

| evergreenhealth.com

EvergreenHealth *then vs now*

1972



- EvergreenHealth would open as Evergreen General Hospital
- The hospital held just 76 beds
- The area's population totaled roughly 22,000 residents
- **Levy \$0.75/\$1000 assessed property value**

Today

- 354 Bed acute care hospital serving PHD #2
- 12 Primary Care Practices, 40+ Specialty Practices, Home Care, NICU/Ped, 8 Urgent Care clinics & Emergency Services in Kirkland and Redmond
- Our district population has grown to more than 330,000 residents!
- **Levy \$0.14/\$1000 assessed property value (2023)**

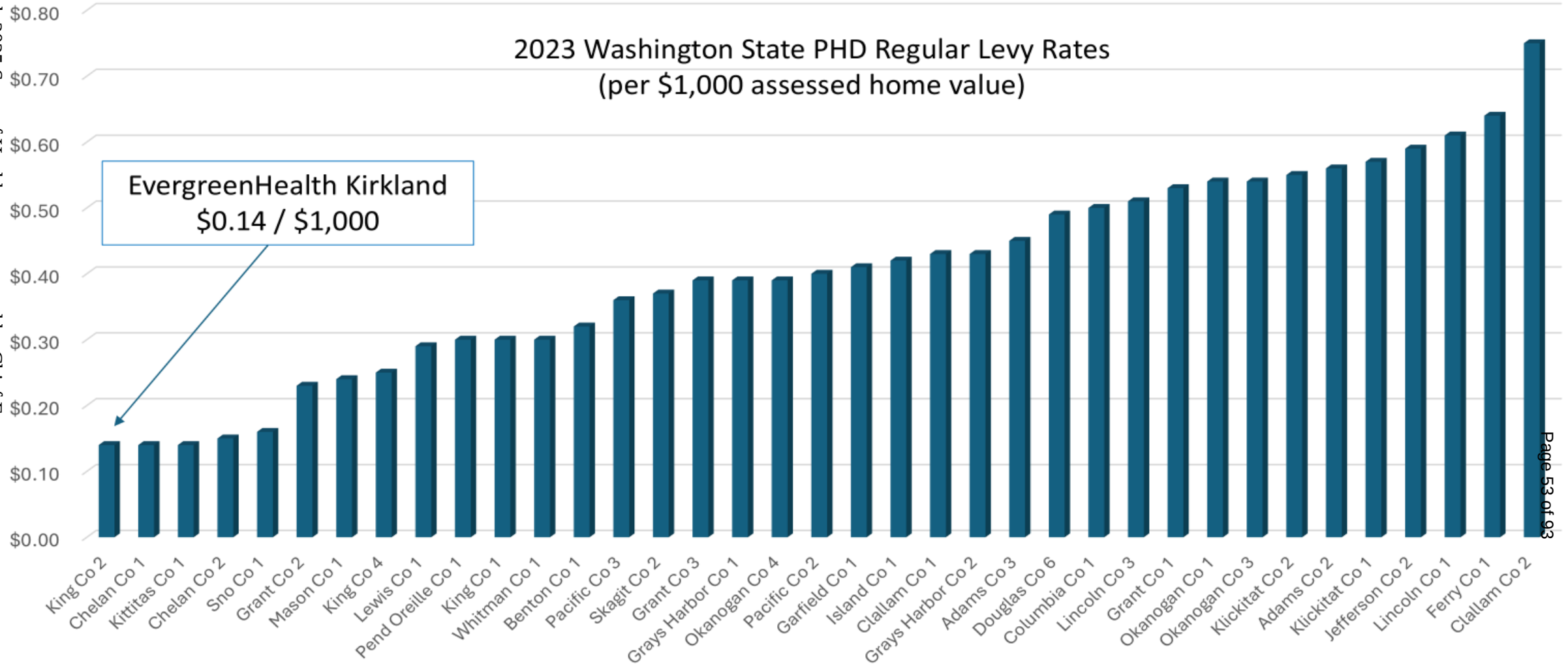




Association of Washington Public Hospital Districts

57 PHDs (Public Hospital Districts)
38 PHDs associated with hospitals
37 PHD hospitals with regular levy

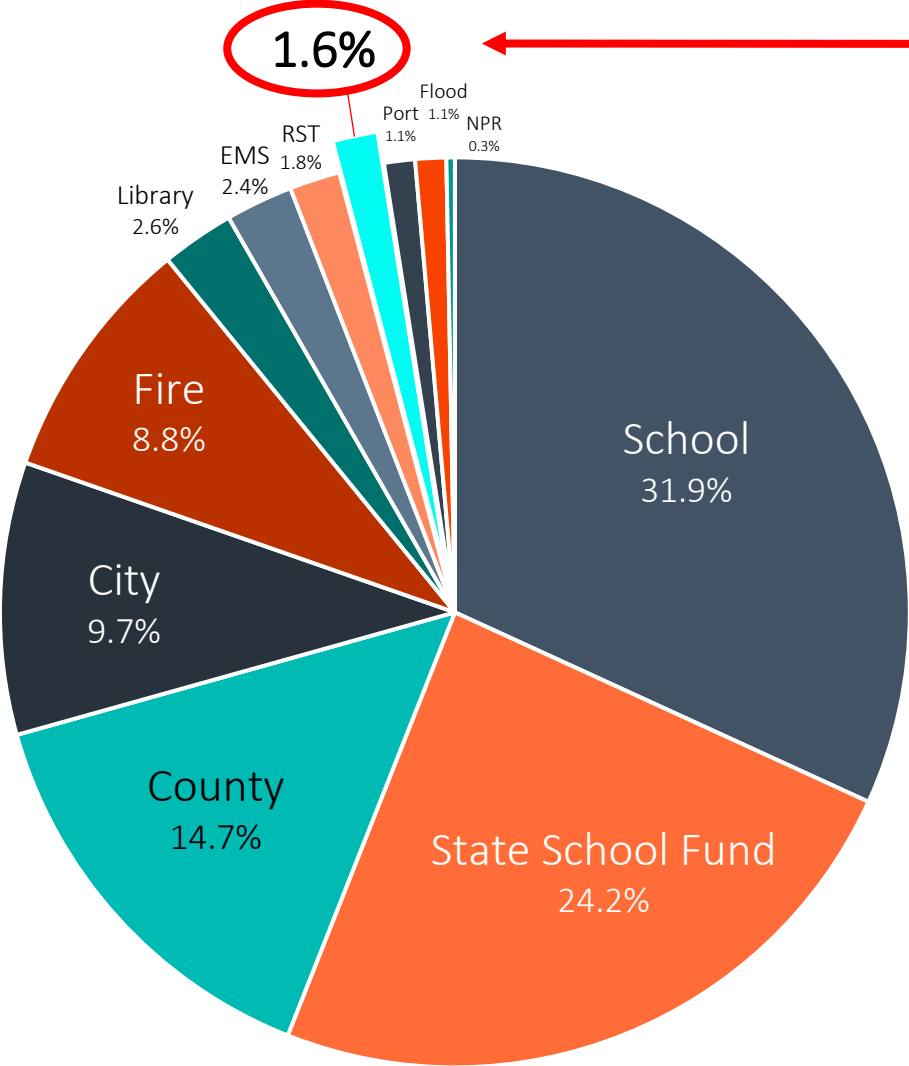
2023 Washington State PHD Regular Levy Rates
(per \$1,000 assessed home value)



District Resident Contribution to EvergreenHealth

- EvergreenHealth receives a small portion of property tax compared to other services.

Property Tax Breakdown



**EvergreenHealth
Public Hospital
District Levy**

**\$0.14/\$1000
assessed property
value**

Currently, district residents pay \$0.14 per \$1,000 of assessed home value toward the EvergreenHealth levy.

If approved, the Levy Lid Lift would add 36 cents, bringing the total to 50 cents per \$1,000 of assessed value.



EvergreenHealth
Your Community-Owned Hospital

| Levy Lid Lift – On the Ballot August 5

Your Care, Your Community

Planning for Future Health Care Needs

If approved by voters, Proposition 1 would allow EvergreenHealth to:

- Support access to care in high-demand areas such as primary, urgent and specialty services
- Fund upgrades to outpatient behavioral health, advanced diagnostics and infrastructure
- Expand space and staffing to meet projected growth in the Eastside community

Vote August 5



Learn more at
evergreenhealth.com





City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 5/27/2025

Subject/Topic:	Proposed Council Action/Motion:
KMC Title 12 and Title 18 Amendments Department: Engineering Prepared by: John Vicente Engineering Director Attachments: Attachment A: Ordinance 25-0628 Attachment B: Title 12 Proposed Changes - Redlined Attachment C: Title 18 Proposed Changes - Redlined Attachment D: Title 12 Proposed Changes – Clean	☐ Information Only ☐ Receive and File ☒ Discuss ☐ Provide Direction ☐ Public Hearing ☒ Adopt/Approve ☐ Authorize ☐ Other: Adopt Ordinance 25-0628 and update Title 12 and Title 18 of the Kenmore Municipal Code

Approvals:

Department

Head JV, 5/6/2025

City DR, 3/24/2025

Attorney (Ord only)

Finance

Director N/A

City

Manager SLL, 5/14/25

DS

Director N/A

Summary/Background:

Staff is seeking council approval of Ordinance 25-0628 and approving the changes to Title 12 and 18 of the Kenmore Municipal Code. A public hearing on these changes was held on April 21, 2025.

To summarize what was discussed at the April 21, 2025 council meeting:

The following chapters in Title 12 and Title 18 have proposed amendments:

- 12.05 – General Provisions
- 12.70 – Sidewalk, Planting Strips, and Street Trees
- 18.35 – Development Standards, Landscaping

The purpose of the amendments is to update the City requirements for right of way maintenance, provide clarification on some items, consolidate landscape requirements to Title 12, and remove redundancies/conflicts. See Attachment B and C for the changes proposed (Attachment D provides a clean version of Title 12 with redlines shown as approved).

Landscape maintenance requirements for private property owners was evaluated for possible exemptions. After review by staff, it is recommended that no changes be made to the current language, which already provides the City Manager with the authority to waive maintenance requirements under

KMC 12.70.050 and 12.70.080. Staff will include within its internal right of way code compliance policies language to address the issues raised by Council. The current language in the code is as follows:

- Section 12.70.050 H – Right-of-way vegetation maintenance: “Certain planting strips, sidewalks, unimproved right-of-way, and other right-of-way areas may be maintained by the City at the city manager’s discretion.”
- Section 12.70.080 – Exemptions from KMC 12.70.030 and 12.70.050 permitted when: “Other exemptions based upon standards which shall be established by the department.”

Previous Council Action(s):

The proposed changes were presented to council on April 21, 2025. At this meeting, council requested additional language be added to Section 12.70.050 and/or Section 12.70.080 to include examples of when an exemption might be permitted regarding maintenance of the public right of way.

Fiscal Consideration:

None. Staff and legal review time were spent to work on this update

City Council Priorities or Budget Objective Being Addressed:

Core mission – City governance, ensure public safety, and maintain the City’s infrastructure

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 25-0628**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
AMENDING CHAPTERS 12.05, 12.70, AND 18.35 OF THE
KENMORE MUNICIPAL CODE TO UPDATE RIGHT OF WAY
LANDSCAPING REQUIREMENTS; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, Title 12 of the Kenmore Municipal Code (KMC) establishes regulations for use of the public right-of-way; and

WHEREAS, Title 18 of the Kenmore Municipal Code (KMC) establishes regulations for private development; and

WHEREAS, City staff has proposed the adoption of new and updated changes to Title 12 KMC and Title 18 KMC ("Proposed Amendments"); and

WHEREAS, the City's Responsible Official under the State Environmental Policy Act issued a determination of non-significance for the Proposed Amendments; and

WHEREAS, the City submitted the Proposed Amendments to the Washington Department of Commerce in compliance with RCW 36.70A.106; and

WHEREAS, on April 21, 2025, the City Council held a public hearing and considered the Proposed Amendments; and

WHEREAS, the City Council finds the Proposed Amendments meet the decision criteria of KMC 19.20.090.A and .C, and desires to adopt the same;

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

Section 1. Amendment. The City Council amends Chapters 12.05 - General Provisions and 12.70 - Sidewalk, Planting Strips, and Street Trees of the Kenmore Municipal Code as set forth in Attachment A, attached hereto and incorporated herein by reference.

Section 2. Amendment. The City Council amends Chapter 18.35 – Development Standards - Landscaping of the Kenmore Municipal Code as set forth in Attachment B, attached hereto and incorporated herein by reference.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, phrase or word thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words be declared unconstitutional.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ___TH DAY OF _____, 2025.

CITY OF KENMORE

Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

Michelle Kang, Deputy City Clerk

Approved as to form:

Dawn Reitan, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.:
Date of Publication:
Effective Date:

Attachment A to Ord. 25-428

Chapter 12.05 of the Kenmore Municipal Code is amended as follows:

Chapter 12.05

GENERAL PROVISIONS

Sections:

12.05.010 *Repealed.*

12.05.015 Intent.

12.05.020 Financial guarantees authorized.

12.05.030 Definitions.

12.05.040 Removal of facilities and personal property in City rights-of-way.

12.05.050 Violation – Enforcement – Penalty.

12.05.010 Relationship to comprehensive plan and Growth Management Act.

Repealed by Ord. 11-0330. [Ord. 03-0180 §§ 1, 2; Ord. 02-0141 § 1; Ord. 98-0024 §§ 1, 2 (KCC 14.02.010).]

12.05.015 Intent.

A. This code is enacted to protect and preserve the public health, safety and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes. It is also the purpose of this code to regulate activities within the *rights-of-way* in the interest of public health, safety and welfare; and to provide for the fees, charges, enforcement, and procedures required to administer such regulations.

B. It is expressly the purpose of this code and any procedures adopted hereunder to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code or any procedures adopted hereunder.

C. It is the specific intent of this code and any procedures adopted hereunder to place the obligation of complying with the requirements of this code upon the persons, organizations, *utility*, or *permittees* adjacent to or seeking to use the rights-of-way, and no provision is intended to impose any duty upon the City of Kenmore, or any of its officers, employees or agents. Nothing contained in this code or any procedures adopted hereunder is intended to be or shall be construed to create or form the basis for liability on the part of the City of Kenmore, or its officers, employees or agents, for any injury or damage resulting from the failure of the persons, organizations, *utility*, or *permittees* to comply with the provisions hereof, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this code or any procedures adopted hereunder by the City of Kenmore, its officers, employees or agents.

D. All *work* performed or contracted by the *City* within the *right-of-way* is exempt from the permitting requirements outlined in this title. [Ord. 23-0578 § 2 (Exh. 1).]

12.05.020 Financial guarantees authorized.

The *city manager* is authorized to require all *applicants* issued permits or approvals under the provisions of this title to post financial guarantees consistent with the provisions of KMC Title 21. [Ord. 23-0578 § 2 (Exh. 1).]

12.05.030 Definitions.

This section contains definitions of terms used throughout this title.

- A. “Abutting property” means real property having a frontage upon or common boundary with the sides or margins of any road or right-of-way.
- B. “Applicant” means a property owner(s), person(s), company, public agency, or public or private utility, or authorized agent of the applicant who files an application for a permit under this title requesting approval to access/use publicly owned land or right-of-way.
- C. “Application” means an application form supplied by the City and completed by the *applicant*, payment for the required application fee(s), and related property site, driveway, roadway, traffic information, and any other documentation as determined necessary by the City in the evaluation of the application.
- D. “City” means the City of Kenmore.
- E. “City manager” means the City of Kenmore city manager or his or her designee(s).
- F. “City engineer” means the city engineer herein authorized with the same powers specified in RCW 36.75.050 and Chapter 36.80 RCW, or his/her authorized representatives. Whereas “County” shall be replaced with “City” throughout.
- G. “City project” means any work performed by the City (either with City personnel or by way of contract) including but not limited to capital projects, *maintenance*, or repair/*restoration* activities.
- H. “City property” means all City real property, including but not limited to recreational trails, critical areas, roads, parks and dedicated open space, that is owned by the City.
- I. “Contractor” means any person, firm, corporation, or other entity who or which, in the pursuit of an independent business undertakes to, or offers to undertake, or submits a bid to, construct, alter, repair, add to, subtract from, improve, develop, move, wreck, demolish, or excavate for any structure, road, sidewalk or other infrastructure below ground, at ground or above ground.
- J. “Curb” means a cement, concrete or asphalt raised structure designed to delineate the edge of the travel way or pavement, to separate the vehicular portion from that provided for pedestrians or bicyclists, and for surface water drainage control.
- K. “Department” means the City department or outside agency assigned by the city manager to administer a portion of the municipal code.
- L. “Development” means any activity that requires a permit or approval, including, but not limited to, a right-of-way use permit (limited, access, and encroachment), *special use permit*, utility permit, right of use agreement, connection permit, or right-of-way vacation.
- M. “Encroachment” means any structure, object, or obstruction, including, but not limited to, building extension, marquee, fence, stairway, railing, retaining wall, artwork, private landscaping, barriers, or any other building or structure constructed, erected or maintained in, over or under any public place, right-of-way, easement, roadway, parking strip and/or sidewalk, including the airspace above them.
- N. “Engineering permit” means a *permit* authorizing the use or improvement of privately owned property. Permitted activities include clearing, grading, roads, drainage facilities, utilities. Permit may also include work in the right-of-way.
- O. “Facility” or “facilities” means any pole, pipe, line, pipeline, cable, vault, antenna, appurtenances, fixtures, conduit, guys, anchors, vaults, attachments, fencing, or other equipment or structure owned and/or operated by a utility company or public/private agency necessary for a fully functional system.
- P. “Franchise” means an agreement granting the nonexclusive right, privilege, and authority to occupy the right-of-way.
- Q. “Highway” means the same as “road.”

R. “Maintenance” means the routine upkeep of the right-of-way or property, equipment, materials, etc., to retain its original function and/or to allow for access or safety.

S. “Permit” means any activity requiring written approval issued by the *City*, subject to conditions stated therein, authorizing the use, construction, alteration, reconstruction, relocation, *maintenance*, or development within the right-of-way or publicly owned real property. This includes, but not limited to, reclassification of a road, street vacation, and traffic control devices.

T. “Permittee” means the same as “applicant.”

U. “Person” means all persons, groups, firms, partnerships, corporations, clubs, and all associations or combination of persons whenever acting for themselves or as an agent, servant, or employee;

V. “Professional engineer” means a civil engineer with an active status license in the state of Washington registered in accordance with Chapter 18.43 RCW.

~~W.~~ “Property owner” means a person(s) or entity with ownership of real (fee title and/or mortgages) or personal property.

~~W.X.~~ “Restoration” means activities necessary to replace, repair or otherwise restore the *right-of-way* and adjacent private property and all features contained within to the same or better condition as existed prior to any construction and in compliance with the Road Standards.

~~Y.~~ “Right-of-way” means land and the space above and below, property or property interest, such as a right-of-way use easement, as well as bridges, trestles, or other structures, dedicated to, or otherwise acquired by the City of Kenmore and located within the jurisdictional limits of the City of Kenmore for public motor vehicle, pedestrian, bicycle, or other nonmotorized transportation purposes, including, but not limited to, roads and trails, whether or not opened, improved or maintained for public transportation purposes.

~~Y.Z.~~ “Right-of-way use agreement” is an agreement with the City through which is granted a site-specific and revocable privilege to use City right-of-way at a location identified in the agreement for *facilities* and *wireless communication facilities*, and through which are set forth the terms and conditions for exercising the granted privilege to use the City right-of-way. The *city manager* shall have the discretion to use right-of-way use agreements for other purposes as needed.

~~Z.A.A.~~ “Right-of-way use permit, limited” means a *permit* authorizing a person to enter, use and/or improve City right-of-way.

~~A.A.B.B.~~ “Right-of-way use permit, access” means a *permit* authorizing to enter and use unopened City right-of-way for a subdivision or property access.

~~B.B.C.C.~~ “Right-of-way use permit, encroachment” means a *permit* authorizing the use of the City right-of-way for an *encroachment*.

~~C.C.D.D.~~ “Right-of-way utility permit” means a document issued under the authority of the city manager which provides specific authorization, requirements, and conditions for specific utility work at specific locations.

~~D.D.E.E.~~ “Road” means the improvements contained within the full width of the right-of-way boundary lines including permanent right-of-way easements obtained for use of the public for purposes of vehicle, pedestrian, and bicycle travel and storm drainage (same as highway as defined by RCW 46.04.197 and city street as defined in RCW 46.04.120).

~~E.E.F.F.~~ “Road Standards” means the City of Kenmore Road Standards adopted under Chapter 12.50 KMC.

~~F.F.G.G.~~ “Sidewalk” means that space between the *curb* line or the edge of paved travel lane and the *abutting property*, set aside and intended for the use of pedestrians, improved by paving with cement concrete or asphaltic concrete.

~~GGHH~~. “Special use permit” means a *permit* for the use of *City property* issued pursuant to this title.

~~HHII~~. “Street” means the same as “road.”

~~JJ~~. “Traveled way” means the marked or designated travel portion of the *road* that is designated for vehicular, bicycle, pedestrian and any other alternative form of transportation. For pedestrian, the traveled way is defined by the marked space (through signage, striping, symbols, or a combination thereof) or the full width of sidewalk. For bicycle and other alternative forms of transportation, the traveled way is defined by pavement markings, signage, or symbols or a combination thereof. For vehicular traveled way, see KMC 10.20.015.

~~KKK~~. “Unimproved *right-of-way*” means any *right-of-way* or portion thereof that has not been improved by the *City* for the use of public transportation. Unimproved *right-of-way* may contain *facilities*.

~~LL~~. “Utility” means private and public providers/owners of utility infrastructure, including water, wastewater, electric, telephone, telegraph, telecommunications, fiber optic, wireless services, cable television, natural gas lines, and solid waste.

~~KKMM~~. “Wireless” means transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, microwave, or satellite.

~~LLNN~~. “Wireless communication facility” generally means an unmanned *facility* for the transmission and/or reception of radio frequency (RF) signals or other *wireless* communications, typically consisting of one or more antennas, a transmission or alternative transmission support structure, cables and other transmission equipment, and an equipment enclosure or cabinets. “*Wireless* communication facility” shall not include equipment intended solely for internal household or business use such as *wireless* modems, cellular signal boosters, or personal cellular cellspots.

~~MMOO~~. “Wireless communication provider” means every person that owns, controls, operates or manages a wireless communication facility within the *right-of-way* for the purpose of offering wireless communications services (i.e., transmission for hire of information in electronic or optical form, including, but not limited to, voice, video, or data).

~~NNPP~~. “Work” means any construction or alteration of existing infrastructure, maintenance, or other improvements or actions whether identified under an approved *permit* or not.

~~OOQQ~~. “WSDOT” means the Washington State Department of Transportation. [Ord. 23-0578 § 2 (Exh. 1).]

12.05.040 Removal of facilities and personal property in City rights-of-way.

Except as may be required by Chapter 35.99 RCW, any *utility*, company or person (hereby referred to as *owner*) that locates any *facilities* or personal property in the *right-of-way* shall relocate, remove or reroute said *facilities* or personal property, as ordered and in the time frame required by the *City* per this title, at no expense or liability to the *City*. If an *owner* fails to timely perform such *relocation*, *removal*, or *reroute*, then the *city manager* may, but is not required to, order and complete all actions necessary to remove the *facilities* or personal property from the *right-of-way*. The *city manager* may require the *owner* to reimburse the *City* for the reasonable actual costs of removal, including *City* overhead (provided, that in no event shall such overhead exceed 10 percent of the total costs, fees and expenses of third parties), within 30 days of the *City*’s invoice. In addition, the *owner* shall indemnify, protect and hold harmless the *City* from any third-party claims for service interruptions or other losses in connection with any such change or removal of the *facilities* or personal property, other than the *City*’s negligence or willful misconduct. [Ord. 23-0578 § 2 (Exh. 1).]

12.05.050 Violation – Enforcement – Penalty.

A. The violation of or failure to comply with any provision of this title is declared to be unlawful. The *city manager* shall have the authority to enforce this title and to adopt procedures for the purpose of implementing or carrying out other responsibilities required by this title.

B. Any violation or failure to comply with any provision of this title is a civil violation as provided for in Chapter 1.20 KMC, for which a monetary penalty may be assessed and abatement may be required as provided herein.

Unless otherwise noted elsewhere within this title, the *city manager* may, but is not required to, seek voluntary correction pursuant to KMC 1.20.070, prior to the assessment of monetary penalties for violation of this title. [Ord. 23-0578 § 2 (Exh. 1).]

Attachment A to Ord. 25-428

Chapter 12.70 of the Kenmore Municipal Code is amended as follows:

Chapter 12.70

SIDEWALKS, PLANTING STRIPS AND STREET TREES

Sections:

- 12.70.010 Definitions.
- 12.70.020 Abutting property owner to maintain sidewalk in safe condition.
- 12.70.030 Abutting property owner shall be responsible for expense of maintenance and repair.
- 12.70.040 Procedure for sidewalk construction or repair.
- 12.70.050 Right-of-way vegetation maintenance.
- 12.70.060 Sidewalk – Snow, ice and trash removal required when.
- 12.70.070 Sidewalk – Violation of KMC 12.70.050 deemed misdemeanor.
- 12.70.085 Garbage, trash, recycling, and yard waste
- 12.70.080 Exemption from KMC 12.70.030 and 12.70.050 permitted when.
- 12.70.090 Right-of-way vegetation – Trimming limitations – Removal prohibited.
- 12.70.100 Right-of-way maintenance – Enforcement.

12.70.010 Definitions.

In addition to the definitions in Chapter 12.05 KMC, the following definitions shall apply to this chapter:

A. “Hazardous tree” means any dead tree or a tree with any structural defect, disease, damage, or combinations of these which make it subject to a high probability of failure which might cause damage to persons or property. A “hazard tree” includes, but is not limited to, any isolated tree(s) that have a high probability of failure due to low wind-firmness in post-construction conditions as determined by a qualified tree protection professional.

B. “Planting strip” means that portion of the *right-of-way* which lies:

1. Between the *curb* line and the *sidewalk*; ~~and/or~~
2. Between the *sidewalk* and the *right-of-way* line; or
3. Between the edge of pavement and the *right-of-way* line where *sidewalk* and/or *curb* are not present; or
4. Between the *curb* line and the *right-of-way* line where *sidewalk* is not present;

and may include, but is not limited to, trees, shrubs, groundcover, fences, *facilities*, signs, hydrants, gravel, drainage infrastructure. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.020 Abutting property owner to maintain sidewalk in safe condition.

It shall be the responsibility of the *owner* of property abutting upon a public *sidewalk* to maintain the *sidewalk* at all times in a safe condition, free of any and all obstructions ~~or defects~~; see KMC 12.70.050. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.030 Abutting property owner shall be responsible for expense of maintenance and repair.

The burden and expense of maintaining *sidewalks* along the side of any *street* or other public place shall be borne by and the responsibility of the *owner* of the property directly abutting thereon. The *abutting property owner* shall also be responsible for performing and paying for *sidewalk* repairs to the extent the need for repairs is caused by the actions or omissions of the *abutting property owner*. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.040 Procedure for sidewalk ~~construction~~reconstruction or repair.

A. If ~~in~~ the judgment of the ~~city engineer or another department of public works official~~, public convenience or safety requires that a *sidewalk* be ~~constructed~~reconstructed or repaired along either side of any *street*, pursuant to KMC 12.70.030, such fact shall be reported to the city council.

B. If, upon receiving a report from the proper official, the city council deems the ~~construction~~reconstruction of the proposed *sidewalk* or repair of such *sidewalk* necessary or convenient for the public health, safety or welfare, the city council may then order such work to be done pursuant to the procedures established in Chapter 35.68, 35.69 or 35.70 RCW. The cost of such proposed *sidewalk* ~~construction~~reconstruction or *sidewalk* repair shall be borne by the *abutting property owner* in accordance with Chapter 35.68, 35.69 or 35.70 RCW.

C. Permit Required. Before commencing reconstruction or repair of a *sidewalk*, the *owner* must submit an application for a *right-of-way use permit, limited* (Type A)-) pursuant to Chapter 12.35 KMC. The application must include the plans for the reconstruction or repair in accordance with the Road Standards, together with an estimate of the cost of the reconstruction or repair. The *city engineer* shall evaluate the cost of the reconstruction/repair. The *city engineer* may require the *owner* to provide additional information to evaluate the cost. If the *city engineer* determines that the cost of the reconstruction or repair will exceed 50 percent of the *abutting property* valuation, exclusive of improvements, the *owner* must modify the plans for the reconstruction or repair so that the cost does not exceed 50 percent of such valuation. The *owner* will not commence the reconstruction or repair until the *city engineer* has approved the modified plans. The *abutting property* valuation shall be the current valuation as determined by the King County assessor's office website for said property. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.050 Right-of-way vegetation maintenance.

A. ~~Maintenance of~~The *abutting property owner* is responsible for and shall *maintain* planting strips, sidewalks, and unimproved right-of-way, including ~~hazardous~~:

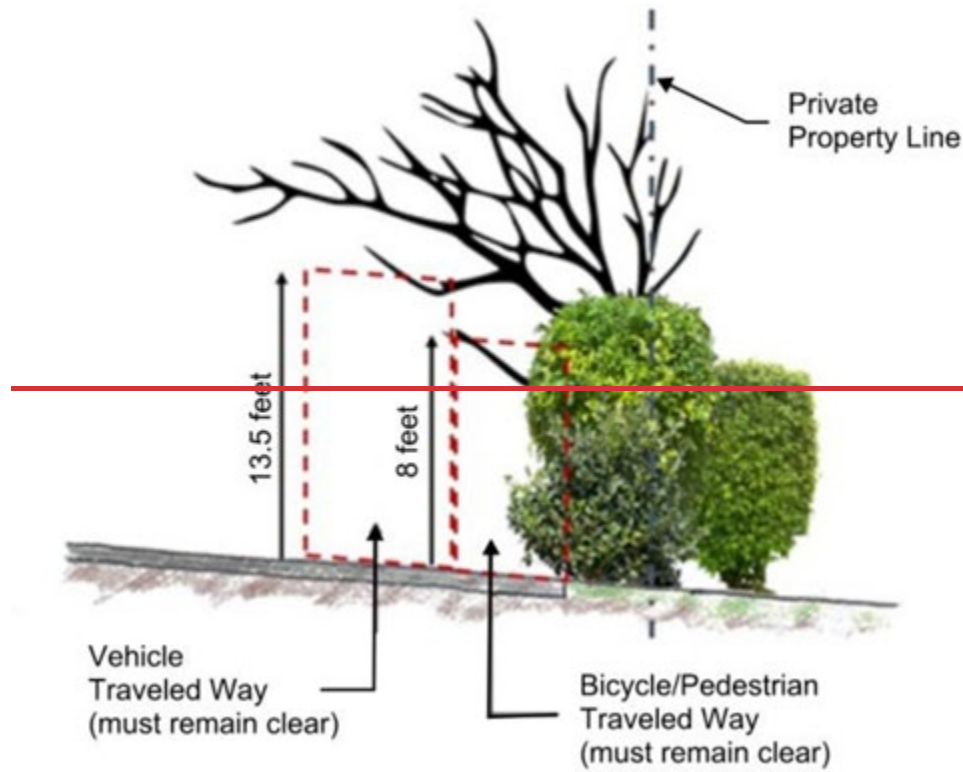
1. Hazardous trees, ~~tree~~
2. Tree limbs and shrubbery that obstructs the road and/or sidewalk ~~or~~traveled way, blocks sight distance or signage, ~~soil~~or presents a safety hazard to the public, and
3. Soil, gravel, weeds, grass, or other ground cover, ~~will be the responsibility of encroaching within~~ the traveled way

B. The *abutting property owner*. ~~Vegetation is responsible for maintaining vegetation in planting strips ~~will~~as follows:~~

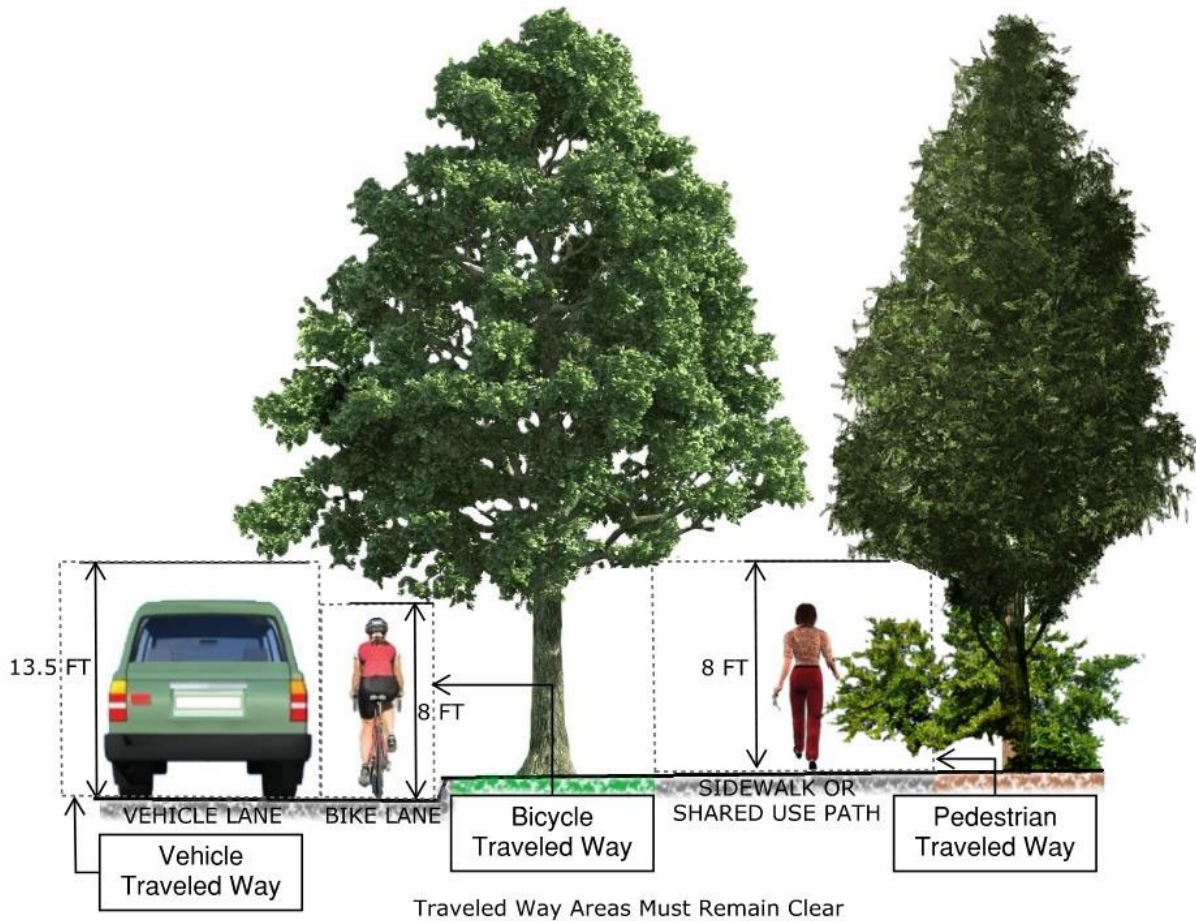
1. Will be maintained in a condition that does not impair the use of the *right-of-way* by the *City* or the traveling public. ~~The use of the right of way includes, but is not limited to:~~
2. Shall be free from weeds and grass in excess of 12 inches.
3. Free from noxious weeds contained in the current King County Noxious Weeds list or contained in the current chapter 16-750 WAC. Noxious Weed List Classes A, B, and C shall be prohibited.
4. Vegetation shall be removed and replaced as required by Section 12.70.050G.
5. The use of the right-of-way includes, but is not limited to:
 - a. Motor vehicles on paved roadways;
 - b. ~~2-~~Bicycles on paved surfaces or designated trails;
 - c. ~~3-~~Pedestrians on *sidewalks*, designated paved walkways, gravel shoulders, or other pedestrian paths as determined by the *city manager*; and
 - d. ~~4-~~City maintenance and operations.

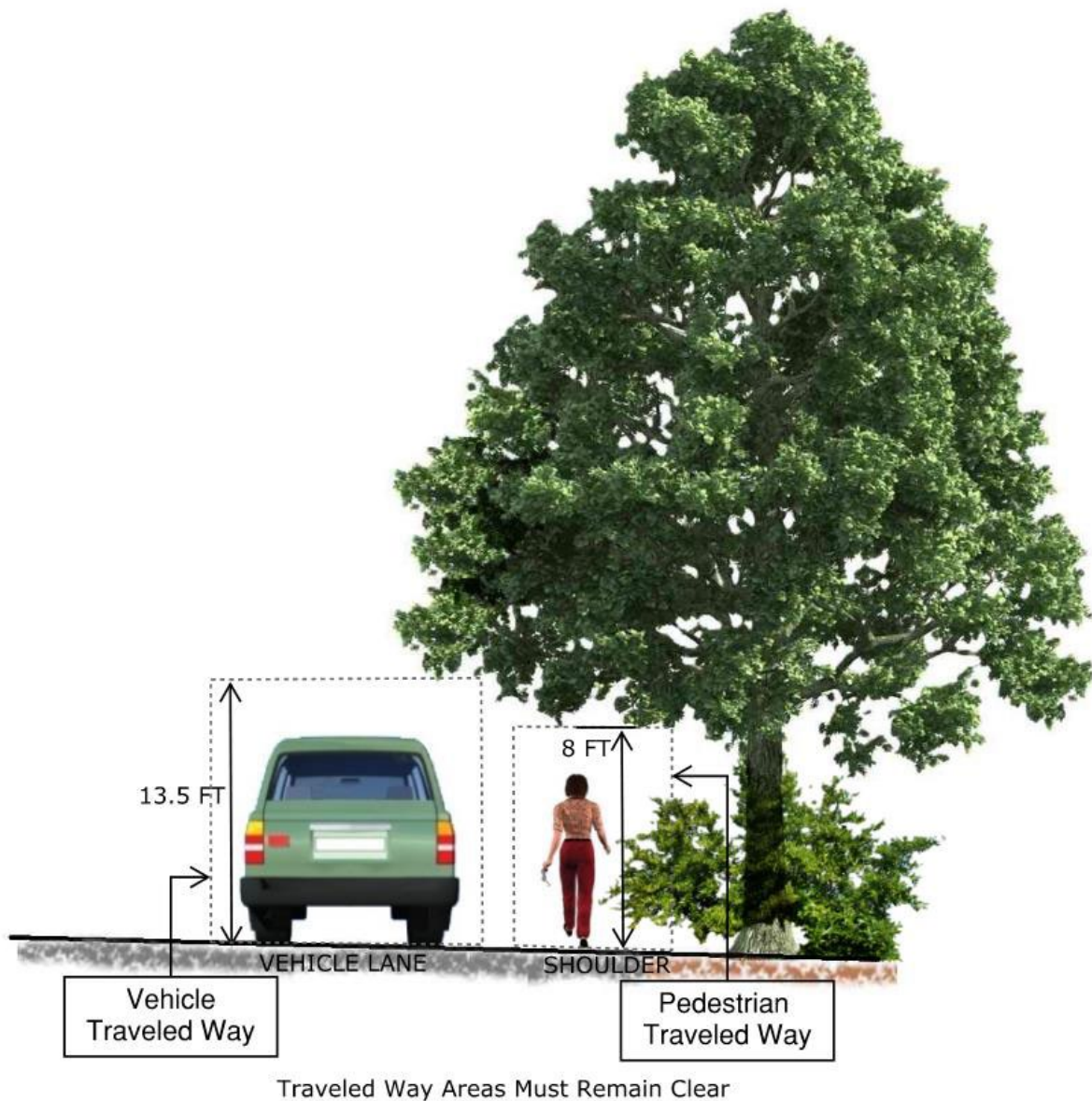
~~BC.~~ Vegetation shall not overhang *sidewalks*, walkways or bike lanes within eight feet, measured vertically from any point on the traveled way. Vegetation shall not overhang vehicle lanes within 13.5 feet, measured vertically from any point on the traveled way. Vegetation shall ~~be trimmed~~not intrude into pedestrian, bicycle, or vehicle traveled way. The abutting property owner shall maintain vegetation as needed to prevent blockage of sight distance and the traveled way per the *Road Standards* or blockage of any roadway sign. ~~The~~In addition to the definition established for traveled way in Section 12.05 KMC, the traveled way is further defined as:

1. The traveled way for pedestrians shall be *sidewalks*, paved walkways separated by a *curb* from the vehicle traveled way, ~~or~~ paved walkways signed for pedestrians, or paved/gravel shoulders as determined by the city manager. Other pedestrian paths, as determined by the *city manager*, may also be defined as a pedestrian traveled way.
2. The traveled way for bicycles shall be defined by signage and pavement markings and shall be a paved area separated by pavement markings from the vehicle traveled way or a paved path as determined by the *city manager*.
3. The traveled way for vehicles will be defined by the edge stripe or edge of pavement where no stripe is present.

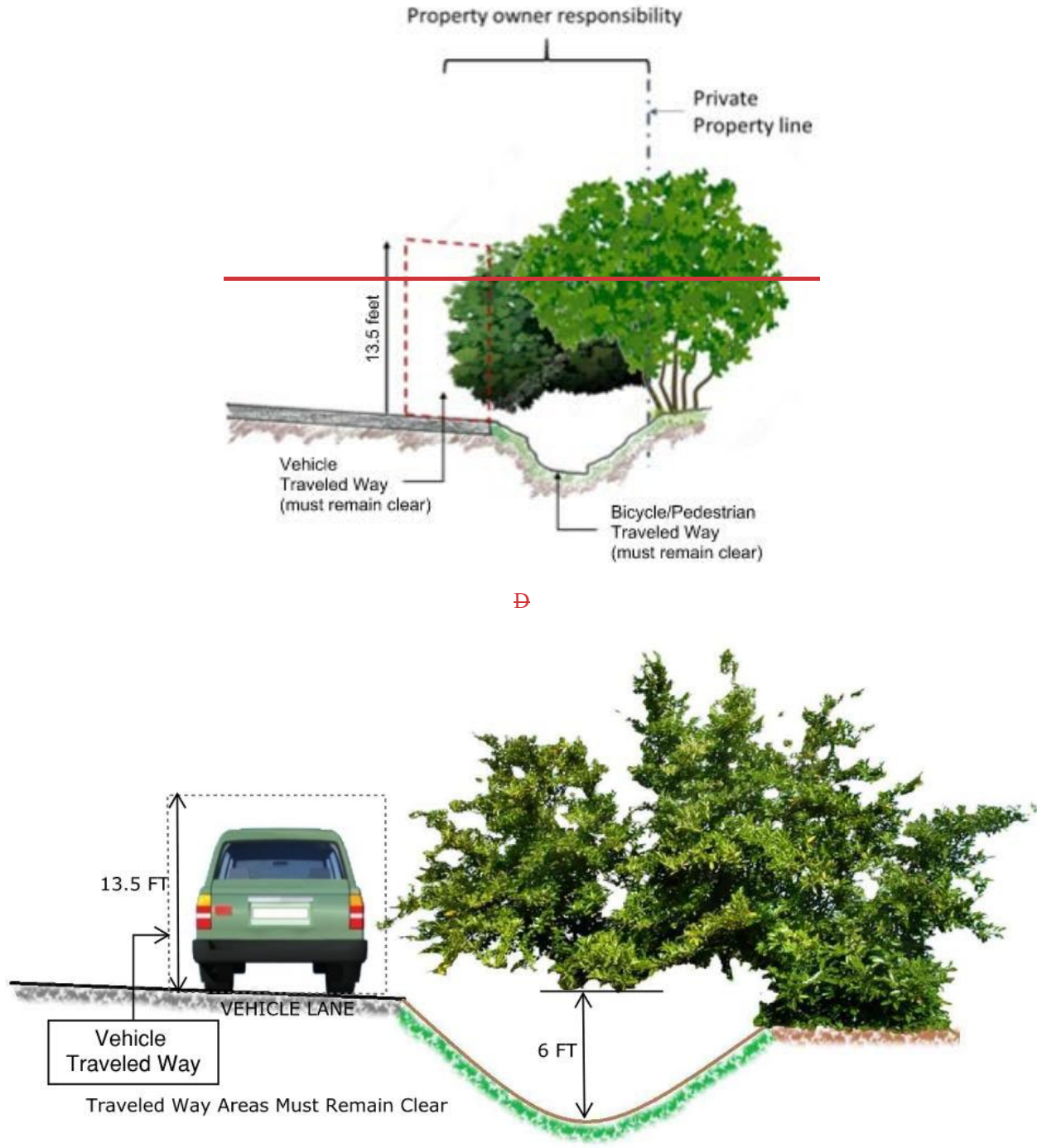


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D. Drainage ditches shall be kept free of debris and maintained in a condition that allows the free flow of water and provides for adequate access for *City maintenance* and inspections. Ditches shall be mowed regularly. Aesthetic maintenance of drainage ditch vegetation, assuming adequate access and free flow of water is maintained, is the responsibility and at the discretion of the *abutting property owner*.



E. Within *unimproved right-of-way*, *abutting property owners* shall be responsible for trimming vegetation that overhangs onto their respective property and for removing *hazardous trees*. The *abutting property owner's* responsibility shall extend to the center of the *unimproved right-of-way*.

EF. All slopes adjacent to *abutting properties* shall be maintained by the *owner*. *Maintenance* shall be consistent with the requirements for *planting strips* and shall include erosion control and vegetation stabilization.

FG. *Hazardous trees, diseased or dead shrubs, or vegetation not maintained pursuant to this Chapter shall be removed from the right of way and replaced with a suitable species per the Road Standards. Replacement tree shall be a minimum 2 inches diameter measured 5 feet up from the root ball.*

H. Certain *planting strips, sidewalks, unimproved right-of-way*, and other *right-of-way* areas may be maintained by the City at the city manager's discretion.

[Ord. 23-0578 § 2 (Exh. 1).]

12.70.060 Sidewalk – Snow, ice and trash removal required when.

It is unlawful for any ~~person, firm or corporation~~ owning *abutting property* within the City to permit the accumulation of snow, ice, vegetative debris, trash or any other material on an existing *sidewalk* which impedes the normal flow of pedestrian traffic. In the event the property is owned by a *person* not a resident of the City, a reasonable period of time shall be provided for the *owner* or the *owner's* agent to remove the material. If such removal is not accomplished within a reasonable period of time, the *city manager* may have the *sidewalk* cleaned and the cost thereof shall be billed to the *property owner*. The determination of reasonable period of time shall be at the sole discretion of the *city manager*. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.070 Sidewalk – Violation of KMC 12.70.050 deemed misdemeanor.

Each day any *sidewalk*, or driveway portion thereof, is permitted to remain in a hazardous condition as specified in KMC 12.70.050 shall be considered and shall constitute a separate violation. Violation of KMC 12.70.050 shall constitute a misdemeanor and shall be punishable as provided by law. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.080 Exemption from KMC 12.70.030 and 12.70.050 permitted when.

The city manager may approve exemptions to KMC 12.70.030 and 12.70.050 for the following reasons:

1. Property that abuts the *right-of-way* which ~~is substantially higher or lower in elevation than the road, which~~ does not have reasonable access through the property to that section of the *right-of-way*; and where that portion of *right-of-way* is not ~~continuous-connected~~ to ~~abutted other~~ *right-of-way* ~~abutting the property that is accessible may apply for an exemption from the provisions of KMC 12.70.030 and 12.70.050.~~
~~Exemptions may be granted by the city engineer based upon standards which shall be established by the department.~~ [Ord. 23-0578 § 2 (Exh. 1).]
2. For properties with single detached dwelling units as defined by Section 18.20.840 KMC, duplexes, or triplexes, hazardous trees in excess of 15 feet in height and 8 inches in diameter at breast height as defined pursuant to KMC 18.20.752, the City may assist in providing traffic control services. The city manager shall make the final determination of what assistance may be provided by the City, or
- 2.3. Other exemptions based upon standards which shall be established by the *department*. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.085 Garbage, trash, recycling, and yard waste

Any property accumulating garbage, trash, recyclables, and yard waste shall place their materials in approved carts or contained in a manner to prevent scattering. Garbage, trash, recyclables, and yard waste for collection in the right of way shall be placed no earlier than twenty-four hours prior to the day of collection. All carts must be removed from the right of way within twenty-four hours of being collected. All carts and other containers shall be placed by the occupant for pick up in a convenient, accessible location where such placement does not block the traveled way unless otherwise allowed below. Carts, other containers, and bulk trash shall be placed in the following manner:

- A. For properties with level planting strips between a curb and sidewalk, place in either the planting strip or driveway within one foot of the curb; or
- B. For properties with sidewalks but no planting strips, place within one foot of the front of the curb; or

- C. For properties with no sidewalk, curb, or gutter, within existing shoulder or, if no shoulder, at edge of pavement; or
- D. When the foregoing locations slope at a grade making placement of a cart difficult, a level area that is nearest to either of the previous locations; or
- E. If the foregoing locations are not available due to extraordinary circumstances, then placement shall be at a location suitable to the occupant and approved by the hauler that does not interfere with the *traveled way*;
- F. Cart spacing shall be placed as per the respective hauler.

12.70.090 Right-of-way vegetation – Trimming limitations – Removal prohibited.

A. Notwithstanding any provision of *franchise* agreements or Section 12.70.050, vegetation within the public *right-of-way* shall not be removed or cut back so as to generally damage the aesthetic quality or survivability of the vegetation. Such trimming, when required by *utility* companies to safeguard their *facilities* or as required pursuant to Section 12.70.050, shall be done in a manner that preserves the general appearance of the vegetation. The same provisions shall be applicable to others in that trees, shrubs and other plantings shall not be removed or otherwise trimmed so as to damage the general appearance of the planting areas.

B. Judicious trimming is permitted in such areas that will provide proper sight distance for intersections and driveways and such traffic warning or regulatory signs that are in place. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.100 Right-of-way maintenance – Enforcement.

A. Should the *city engineer* find that such *right-of-way* is not being properly maintained consistent with KMC 12.70.050 through 12.70.090, the *city engineer* may, but is not required to, notify the *abutting property* owner to comply with the provisions of this chapter. The notice will be prepared per KMC 1.20.070 as amended below and include:

1. All references to “code enforcement officer” shall mean *city manager*;
2. Instruction to the *abutting property* owner to trim or remove the vegetation and specify a reasonable time for the trimming or removal of said vegetation.
3. A statement that if the *property* owner fails to trim or remove the vegetation within the time frame provided, the *City* will begin enforcement proceedings per Chapter 1.20 KMC or if determined by the *city engineer* to be a public safety hazard, interferes with Americans with Disabilities Act (ADA) accessibility, an environmental hazard, or impedes *City maintenance* and operations, that the *City* will perform the *maintenance* pursuant to subsection B of this section; and
4. A statement that in the case of a public safety hazard, interference with ADA accessibility, an environmental hazard, or impeding *City maintenance* and operations, that any cost incurred by the *City* may be assessed against the *property owner* for failure to comply with this provision.

B. If, by determination of the *city engineer*, the vegetation is a public safety hazard, environmental hazard, or impedes *City maintenance* and operations and the *abutting property* owner fails to complete the required *maintenance* within the time period stated in the notice, the *City* will perform the required *maintenance* and the cost may, at the discretion of the *city engineer*, be assessed against the *abutting property* owner. After completion, the *city engineer* will determine the cost to be charged to the *property* owner and the time and manner of payment thereof; provided, that the cost will not exceed 50 percent of the valuation of the *abutting property*, exclusive of improvements. The cost will include all direct invoiced costs for materials and equipment as well as \$75.00 per hour per person of labor performed by the *City* in completing the *maintenance* requirements. If contracting services are necessary to complete the *maintenance*, the full cost of the contract services shall be included in the cost charged to the *property owner*. The *abutting property* valuation shall be as determined by the most current assessment of King County assessor’s office for said property. The *city engineer* will give notice of the cost to the *owner*. The notice shall:

1. State the cost to be charged to the *owner* and the time and manner of payment thereof;

2. Include documentation to support the charges;
3. Advise the *owner* that the cost cannot exceed 50 percent of the valuation of the property, exclusive of improvements;
4. State that the *city engineer* will hear protests to the determination of cost, time, and manner of payment if received within 30 calendar days of date of delivery of the notice.

C. In the event payment is not received by the *City* within the time frame stated in the notice, the *city engineer* may place a lien upon the property or submit the charges to a licensed collection agency. Any lien will be collected in the manner as provided by law for collection of local improvements assessments.

D. The *owner* may appeal the *city engineer's* determination of cost, time, and manner of payment for KMC 12.70.050 through 12.70.090 by filing a notice of appeal with the *city manager* within 14 calendar days after delivery of the *city engineer's* determination. The *city manager* will give notice of receipt of the appeal and a deadline for response. After the protest consideration, the *city manager* will issue a decision, which will be the *City's* final decision on the *owner's* responsibility for *maintenance*. Additional time to submit an appeal may be granted at the *city engineer's* discretion.

E. All notices will be mailed to the owner of the *abutting property*, to the property tax address on file on the King County tax assessor's website, if the *City* determines that the *abutting property* is not *owner-occupied*, or to any address noted on any communication from the *abutting property owner*. [Ord. 23-0578 § 2 (Exh. 1).]

Attachment C to Ord. 25-0628

Chapter 18.35 of the Kenmore Municipal Code is amended as follows:

* * *

18.35.020 Application.

Except for *wireless communication facilities* regulated pursuant to Chapter 18.60 KMC and City right-of-way activities regulated pursuant to Title 12 KMC, all new *development* shall be subject to the *landscaping* provisions of this chapter; provided, that specific *landscaping* and *tree* retention provisions for *uses* established through a *conditional use permit* or *special use permit* shall be determined during the applicable review process. [Ord. 16-0426 § 7 (Att. E); Ord. 11-0329 § 3 (Exh. 1).]

* * *

18.35.050 Landscaping – Street trees for single-family subdivisions.

For single family subdivisions:

A. Trees shall be planted at the rate of one tree for every 40 feet of frontage along a neighborhood collector street or arterial street. Native vegetation cultivars are preferred;

B. TheStreet trees shall be:

1. Located within the street right of way if permitted by the City;
2. No more than 20 feet from the street right of way line if located within a lot;
3. Maintained by the adjacent landowner unless part of a City maintenance program; and
4. A species approved by the City if located within the street right of way and compatible with overhead utility lines;

C. The trees may be spaced at irregular intervals planted pursuant to accommodate sight distance requirements for driveways and intersections. Chapter 12.50 KMC. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

* * *

18.35.090 Landscaping – Additional standards for required landscape areas.

In addition to the general standards of KMC 18.35.080, landscape areas required pursuant to KMC 18.35.045 through 18.35.070 shall conform to the following standards:

A. All plants shall conform to American Association of Nurserymen (AAN) grades and standards as published in the “American Standard for Nursery Stock” manual; provided, that existing healthy *vegetation* used to augment new plantings shall not be required to meet the standards of this manual;

B. Single-stemmed *trees* required pursuant to this chapter shall at the time of planting conform to the following standards:

1. In parking area *landscaping* ~~and in street rights-of-way~~:

- a. *Deciduous trees* shall have a minimum *caliper* of one and three-quarters inches and a height of 10 feet in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street between 65th Avenue NE extended and 73rd Avenue NE, which shall have a minimum *caliper* of three inches, and
- b. Coniferous and *broadleaf evergreen trees* shall be at least five feet in height;

2. In all other required landscape areas:

a. *Deciduous trees* shall have a minimum *caliper* of one and one-half inches and a height of 10 feet in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th

Street between 65th Avenue NE extended and 73rd Avenue NE, which shall have a minimum *caliper* of three inches, and

b. Coniferous and *broadleaf evergreen trees* shall be at least five feet in height except in the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street between 65th Avenue NE extended and 73rd Avenue NE, where they shall be at least 10 feet in height;

C. Multiple-stemmed *trees* shall be permitted as an option to single-stemmed *trees* in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street between 65th Avenue NE extended and 73rd Avenue NE; provided, that such multiple-stemmed *trees* are:

~~1. At least six feet in height, and~~

~~2. Not allowed within street rights-of-way;~~

D. When the width of any landscape strip is 20 feet or greater, the required *trees* shall be staggered in two or more rows;

E. Shrubs shall be:

1. At least an AAN container class No. 2 (two-gallon) size at time of planting in Types II, III and parking area *landscaping*,

2. At least 24 inches in height at the time of planting for Type I *landscaping*, and

3. Maintained at a height not exceeding 42 inches when located in Type III or parking area *landscaping* except in the DC and DR zones where they shall not exceed a maximum height of 48 inches;

F. Ground covers shall be planted and spaced to result in total coverage of the majority of the required landscape area within three years;

G. All *fences* shall be placed on the inward side of any required perimeter *landscaping* along the *street frontage*;

~~H. Required street landscaping may be placed within City street rights-of-way subject to the City street design standards, provided adequate space is maintained along the street line to replant the required landscaping should subsequent street improvements require the removal of landscaping within the rights-of-way;~~

~~I. Required street landscaping may be placed within Washington State rights-of-way subject to permission of the Washington State Department of Transportation; and~~

~~J. New landscape material provided within areas of undisturbed vegetation or within the protected area of significant trees shall give preference to utilizing indigenous plant species. [Ord. 11-0329 § 3 (Exh. 1).]~~

* * *

Chapter 12.05

GENERAL PROVISIONS

Sections:

- 12.05.010 *Repealed.*
- 12.05.015 Intent.
- 12.05.020 Financial guarantees authorized.
- 12.05.030 Definitions.
- 12.05.040 Removal of facilities and personal property in City rights-of-way.
- 12.05.050 Violation – Enforcement – Penalty.

12.05.010 Relationship to comprehensive plan and Growth Management Act.

Repealed by Ord. 11-0330. [Ord. 03-0180 §§ 1, 2; Ord. 02-0141 § 1; Ord. 98-0024 §§ 1, 2 (KCC 14.02.010).]

12.05.015 Intent.

A. This code is enacted to protect and preserve the public health, safety and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes. It is also the purpose of this code to regulate activities within the *rights-of-way* in the interest of public health, safety and welfare; and to provide for the fees, charges, enforcement, and procedures required to administer such regulations.

B. It is expressly the purpose of this code and any procedures adopted hereunder to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code or any procedures adopted hereunder.

C. It is the specific intent of this code and any procedures adopted hereunder to place the obligation of complying with the requirements of this code upon the persons, organizations, *utility*, or *permittees* adjacent to or seeking to use the rights-of-way, and no provision is intended to impose any duty upon the City of Kenmore, or any of its officers, employees or agents. Nothing contained in this code or any procedures adopted hereunder is intended to be or shall be construed to create or form the basis for liability on the part of the City of Kenmore, or its officers, employees or agents, for any injury or damage resulting from the failure of the persons, organizations, *utility*, or *permittees* to comply with the provisions hereof, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this code or any procedures adopted hereunder by the City of Kenmore, its officers, employees or agents.

D. All *work* performed or contracted by the *City* within the *right-of-way* is exempt from the permitting requirements outlined in this title. [Ord. 23-0578 § 2 (Exh. 1).]

12.05.020 Financial guarantees authorized.

The *city manager* is authorized to require all *applicants* issued permits or approvals under the provisions of this title to post financial guarantees consistent with the provisions of KMC Title 21. [Ord. 23-0578 § 2 (Exh. 1).]

12.05.030 Definitions.

This section contains definitions of terms used throughout this title.

A. “Abutting property” means real property having a frontage upon or common boundary with the sides or margins of any road or right-of-way.

B. “Applicant” means a property owner(s), person(s), company, public agency, or public or private utility, or authorized agent of the applicant who files an application for a permit under this title requesting approval to access/use publicly owned land or right-of-way.

C. “Application” means an application form supplied by the City and completed by the *applicant*, payment for the required application fee(s), and related property site, driveway, roadway, traffic information, and any other documentation as determined necessary by the City in the evaluation of the application.

D. “City” means the City of Kenmore.

E. “City manager” means the City of Kenmore city manager or his or her designee(s).

F. “City engineer” means the city engineer herein authorized with the same powers specified in RCW 36.75.050 and Chapter 36.80 RCW, or his/her authorized representatives. Whereas “County” shall be replaced with “City” throughout.

G. “City project” means any work performed by the City (either with City personnel or by way of contract) including but not limited to capital projects, *maintenance*, or repair/*restoration* activities.

H. “City property” means all City real property, including but not limited to recreational trails, critical areas, roads, parks and dedicated open space, that is owned by the City.

I. “Contractor” means any person, firm, corporation, or other entity who or which, in the pursuit of an independent business undertakes to, or offers to undertake, or submits a bid to, construct, alter, repair, add to, subtract from, improve, develop, move, wreck, demolish, or excavate for any structure, road, sidewalk or other infrastructure below ground, at ground or above ground.

J. “Curb” means a cement, concrete or asphalt raised structure designed to delineate the edge of the travel way or pavement, to separate the vehicular portion from that provided for pedestrians or bicyclists, and for surface water drainage control.

K. “Department” means the City department or outside agency assigned by the city manager to administer a portion of the municipal code.

L. “Development” means any activity that requires a permit or approval, including, but not limited to, a right-of-way use permit (limited, access, and encroachment), *special use permit*, utility permit, right of use agreement, connection permit, or right-of-way vacation.

M. “Encroachment” means any structure, object, or obstruction, including, but not limited to, building extension, marquee, fence, stairway, railing, retaining wall, artwork, private landscaping, barriers, or any other building or structure constructed, erected or maintained in, over or under any public place, right-of-way, easement, roadway, parking strip and/or sidewalk, including the airspace above them.

N. “Engineering permit” means a *permit* authorizing the use or improvement of privately owned property. Permitted activities include clearing, grading, roads, drainage facilities, utilities. Permit may also include work in the right-of-way.

O. “Facility” or “facilities” means any pole, pipe, line, pipeline, cable, vault, antenna, appurtenances, fixtures, conduit, guys, anchors, vaults, attachments, fencing, or other equipment or structure owned and/or operated by a utility company or public/private agency necessary for a fully functional system.

P. “Franchise” means an agreement granting the nonexclusive right, privilege, and authority to occupy the right-of-way.

Q. “Highway” means the same as “road.”

R. “Maintenance” means the routine upkeep of the right-of-way or property, equipment, materials, etc., to retain its original function and/or to allow for access or safety.

S. “Permit” means any activity requiring written approval issued by the *City*, subject to conditions stated therein, authorizing the use, construction, alteration, reconstruction, relocation, *maintenance*, or development within the right-of-way or publicly owned real property. This includes, but not limited to, reclassification of a road, street vacation, and traffic control devices.

T. “Permittee” means the same as “applicant.”

U. “Person” means all persons, groups, firms, partnerships, corporations, clubs, and all associations or combination of persons whenever acting for themselves or as an agent, servant, or employee;

V. “Professional engineer” means a civil engineer with an active status license in the state of Washington registered in accordance with Chapter 18.43 RCW.

W. “Property owner” means a person(s) or entity with ownership of real (fee title and/or mortgages) or personal property.

X. “Restoration” means activities necessary to replace, repair or otherwise restore the *right-of-way* and adjacent private property and all features contained within to the same or better condition as existed prior to any construction and in compliance with the Road Standards.

Y. “Right-of-way” means land and the space above and below, property or property interest, such as a right-of-way use easement, as well as bridges, trestles, or other structures, dedicated to, or otherwise acquired by the City of Kenmore and located within the jurisdictional limits of the City of Kenmore for public motor vehicle, pedestrian, bicycle, or other nonmotorized transportation purposes, including, but not limited to, roads and trails, whether or not opened, improved or maintained for public transportation purposes.

Z. “Right-of-way use agreement” is an agreement with the City through which is granted a site-specific and revocable privilege to use City right-of-way at a location identified in the agreement for *facilities* and *wireless communication facilities*, and through which are set forth the terms and conditions for exercising the granted privilege to use the City right-of-way. The *city manager* shall have the discretion to use right-of-way use agreements for other purposes as needed.

AA. “Right-of-way use permit, limited” means a *permit* authorizing a person to enter, use and/or improve City right-of-way.

BB. “Right-of-way use permit, access” means a *permit* authorizing to enter and use unopened City right-of-way for a subdivision or property access.

CC. “Right-of-way use permit, encroachment” means a *permit* authorizing the use of the City right-of-way for an *encroachment*.

DD. “Right-of-way utility permit” means a document issued under the authority of the city manager which provides specific authorization, requirements, and conditions for specific utility work at specific locations.

EE. “Road” means the improvements contained within the full width of the right-of-way boundary lines including permanent right-of-way easements obtained for use of the public for purposes of vehicle, pedestrian, and bicycle travel and storm drainage (same as highway as defined by RCW 46.04.197 and city street as defined in RCW 46.04.120).

FF. “Road Standards” means the City of Kenmore Road Standards adopted under Chapter 12.50 KMC.

GG. “Sidewalk” means that space between the *curb* line or the edge of paved travel lane and the *abutting property*, set aside and intended for the use of pedestrians, improved by paving with cement concrete or asphaltic concrete.

HH. “Special use permit” means a *permit* for the use of *City property* issued pursuant to this title.

II. “Street” means the same as “road.”

JJ. “Traveled way” means the marked or designated travel portion of the *road* that is designated for vehicular, bicycle, pedestrian and any other alternative form of transportation. For pedestrian, the traveled way is defined by the marked space (through signage, striping, symbols, or a combination thereof) or the full width of sidewalk. For bicycle and other alternative forms of transportation, the traveled way is defined by pavement markings, signage, or symbols or a combination thereof. For vehicular traveled way, see KMC 10.20.015.

KK. “Unimproved *right-of-way*” means any *right-of-way* or portion thereof that has not been improved by the *City* for the use of public transportation. Unimproved right-of-way may contain *facilities*.

LL. “Utility” means private and public providers/owners of utility infrastructure, including water, wastewater, electric, telephone, telegraph, telecommunications, fiber optic, wireless services, cable television, natural gas lines, and solid waste.

MM. “Wireless” means transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, microwave, or satellite.

NN. “Wireless communication facility” generally means an unmanned *facility* for the transmission and/or reception of radio frequency (RF) signals or other *wireless* communications, typically consisting of one or more antennas, a transmission or alternative transmission support structure, cables and other transmission equipment, and an equipment enclosure or cabinets. “*Wireless* communication facility” shall not include equipment intended solely for internal household or business use such as *wireless* modems, cellular signal boosters, or personal cellular cellspots.

OO. “Wireless communication provider” means every person that owns, controls, operates or manages a wireless communication facility within the right-of-way for the purpose of offering wireless communications services (i.e., transmission for hire of information in electronic or optical form, including, but not limited to, voice, video, or data).

PP. “Work” means any construction or alteration of existing infrastructure, maintenance, or other improvements or actions whether identified under an approved *permit* or not.

QQ. “WSDOT” means the Washington State Department of Transportation. [Ord. 23-0578 § 2 (Exh. 1).]

12.05.040 Removal of facilities and personal property in City rights-of-way.

Except as may be required by Chapter 35.99 RCW, any *utility*, company or person (hereby referred to as *owner*) that locates any *facilities* or personal property in the *right-of-way* shall relocate, remove or reroute said *facilities* or personal property, as ordered and in the time frame required by the *City* per this title, at no expense or liability to the *City*. If an *owner* fails to timely perform such *relocation*, *removal*, or *reroute*, then the *city manager* may, but is not required to, order and complete all actions necessary to remove the *facilities* or personal property from the *right-of-way*. The *city manager* may require the *owner* to reimburse the *City* for the reasonable actual costs of removal, including *City* overhead (provided, that in no event shall such overhead exceed 10 percent of the total costs, fees and expenses of third parties), within 30 days of the *City’s* invoice. In addition, the *owner* shall indemnify, protect and hold harmless the *City* from any third-party claims for service interruptions or other losses in connection with any such change or removal of the *facilities* or personal property, other than the *City’s* negligence or willful misconduct. [Ord. 23-0578 § 2 (Exh. 1).]

12.05.050 Violation – Enforcement – Penalty.

A. The violation of or failure to comply with any provision of this title is declared to be unlawful. The *city manager* shall have the authority to enforce this title and to adopt procedures for the purpose of implementing or carrying out other responsibilities required by this title.

B. Any violation or failure to comply with any provision of this title is a civil violation as provided for in Chapter 1.20 KMC, for which a monetary penalty may be assessed and abatement may be required as provided herein. Unless otherwise noted elsewhere within this title, the *city manager* may, but is not required to, seek voluntary correction pursuant to KMC 1.20.070, prior to the assessment of monetary penalties for violation of this title. [Ord. 23-0578 § 2 (Exh. 1).]

Chapter 12.70

SIDEWALKS, PLANTING STRIPS AND STREET TREES

Sections:

- 12.70.010 Definitions.
- 12.70.020 Abutting property owner to maintain sidewalk in safe condition.
- 12.70.030 Abutting property owner shall be responsible for expense of maintenance and repair.
- 12.70.040 Procedure for sidewalk construction or repair.
- 12.70.050 Right-of-way vegetation maintenance.
- 12.70.060 Sidewalk – Snow, ice and trash removal required when.
- 12.70.070 Sidewalk – Violation of KMC 12.70.050 deemed misdemeanor.
- 12.70.085 Garbage, trash, recycling, and yard waste
- 12.70.080 Exemption from KMC 12.70.030 and 12.70.050 permitted when.
- 12.70.090 Right-of-way vegetation – Trimming limitations – Removal prohibited.
- 12.70.100 Right-of-way maintenance – Enforcement.

12.70.010 Definitions.

In addition to the definitions in Chapter 12.05 KMC, the following definitions shall apply to this chapter:

A. “Hazardous tree” means any dead tree or a tree with any structural defect, disease, damage, or combinations of these which make it subject to a high probability of failure which might cause damage to persons or property. A “hazard tree” includes, but is not limited to, any isolated tree(s) that have a high probability of failure due to low wind-firmness in post-construction conditions as determined by a qualified tree protection professional.

B. “Planting strip” means that portion of the *right-of-way* which lies:

1. Between the *curb* line and the *sidewalk*; or
2. Between the *sidewalk* and the *right-of-way* line; or
3. Between the edge of pavement and the *right-of-way* line where *sidewalk* and/or *curb* are not present; or
4. Between the *curb* line and the *right-of-way* line where *sidewalk* is not present;

and may include, but is not limited to, trees, shrubs, groundcover, fences, *facilities*, signs, hydrants, gravel, drainage infrastructure. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.020 Abutting property owner to maintain sidewalk in safe condition.

It shall be the responsibility of the *owner* of property abutting upon a public *sidewalk* to maintain the *sidewalk* at all times in a safe condition, free of any and all obstructions; see KMC 12.70.050. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.030 Abutting property owner shall be responsible for expense of maintenance and repair.

The burden and expense of maintaining *sidewalks* along the side of any *street* or other public place shall be borne by and the responsibility of the *owner* of the property directly abutting thereon. The *abutting property owner* shall also be responsible for performing and paying for *sidewalk* repairs to the extent the need for repairs is caused by the actions or omissions of the *abutting property owner*. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.040 Procedure for sidewalk reconstruction or repair.

A. If in the judgment of the *city engineer*, public convenience or safety requires that a *sidewalk* be reconstructed or repaired along either side of any *street*, pursuant to KMC 12.70.030, such fact shall be reported to the city council.

B. If, upon receiving a report from the proper official, the city council deems the reconstruction of the proposed *sidewalk* or repair of such *sidewalk* necessary or convenient for the public health, safety or welfare, the city council may then order such work to be done pursuant to the procedures established in Chapter 35.68, 35.69 or 35.70 RCW. The cost of such proposed *sidewalk* reconstruction or *sidewalk* repair shall be borne by the *abutting property owner* in accordance with Chapter 35.68, 35.69 or 35.70 RCW.

C. Permit Required. Before commencing reconstruction or repair of a *sidewalk*, the *owner* must submit an application for a *right-of-way use permit, limited* (Type A) pursuant to Chapter 12.35 KMC. The application must include the plans for the reconstruction or repair in accordance with the *Road Standards*, together with an estimate of the cost of the reconstruction or repair. The *city engineer* shall evaluate the cost of the reconstruction/repair. The *city engineer* may require the *owner* to provide additional information to evaluate the cost. If the *city engineer* determines that the cost of the reconstruction or repair will exceed 50 percent of the *abutting property* valuation, exclusive of improvements, the *owner* must modify the plans for the reconstruction or repair so that the cost does not exceed 50 percent of such valuation. The *owner* will not commence the reconstruction or repair until the *city engineer* has approved the modified plans. The *abutting property* valuation shall be the current valuation as determined by the King County assessor's office website for said property. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.050 Right-of-way vegetation maintenance.

A. The *abutting property owner* is responsible for and shall *maintain planting strips, sidewalks, and unimproved right-of-way*, including:

1. *Hazardous trees*,
2. Tree limbs and shrubbery that obstructs the *road* and/or *sidewalk* traveled way, blocks sight distance or signage, or presents a safety hazard to the public, and
3. Soil, gravel, weeds, grass, or other ground cover encroaching within the traveled way

B. The *abutting property owner* is responsible for maintaining vegetation in *planting strips* as follows:

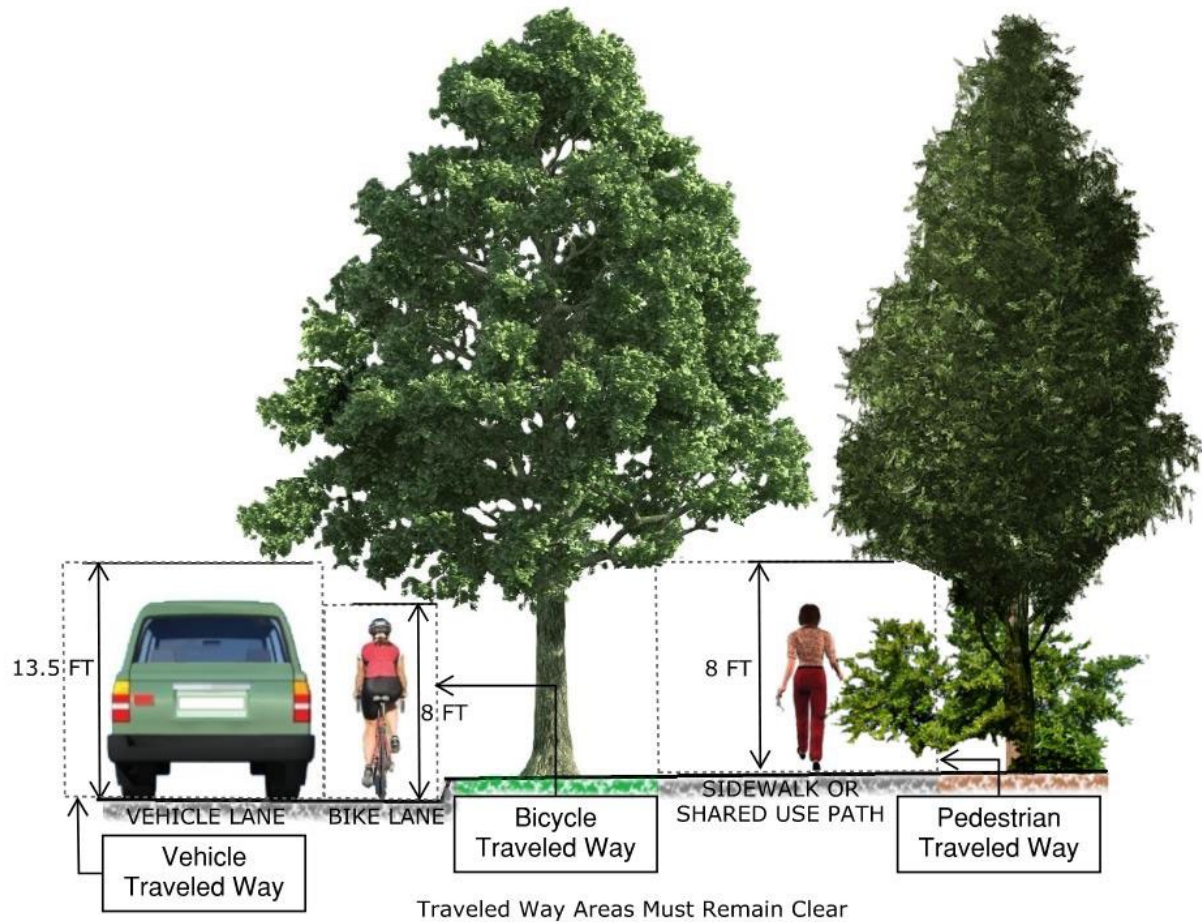
1. Will be *maintained* in a condition that does not impair the use of the *right-of-way* by the *City* or the traveling public.
2. Shall be free from weeds and grass in excess of 12 inches.
3. Free from noxious weeds contained in the current King County Noxious Weeds list or contained in the current chapter 16-750 WAC. Noxious Weed List Classes A, B, and C shall be prohibited.
4. Vegetation shall be removed and replaced as required by Section 12.70.050G.
5. The use of the *right-of-way* includes, but is not limited to:
 - a. Motor vehicles on paved roadways;
 - b. Bicycles on paved surfaces or designated trails;
 - c. Pedestrians on *sidewalks*, designated paved walkways, gravel shoulders, or other pedestrian paths as determined by the *city manager*; and
 - d. *City maintenance* and operations.

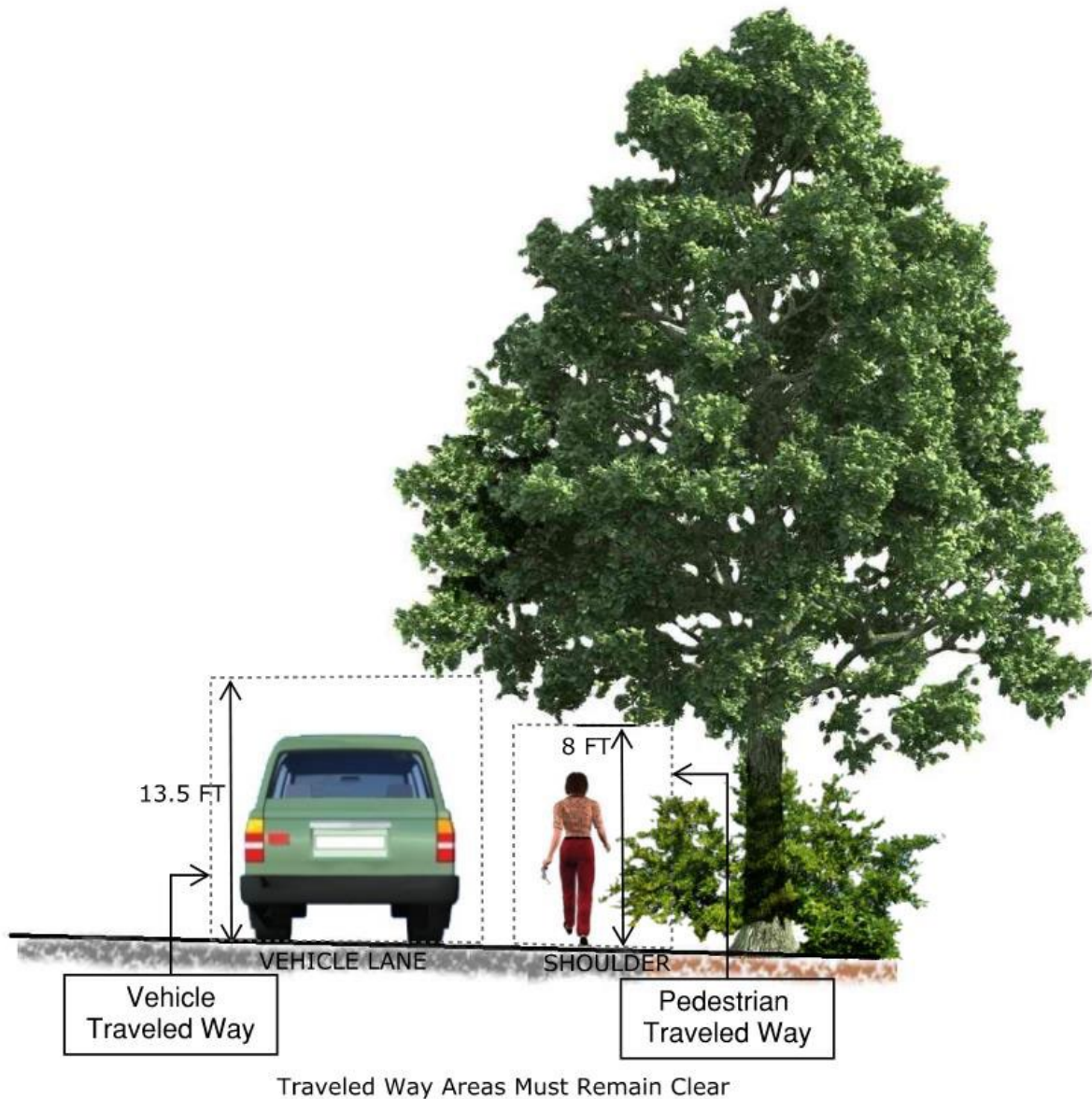
C. Vegetation shall not overhang *sidewalks*, walkways or bike lanes within eight feet, measured vertically from any point on the traveled way. Vegetation shall not overhang vehicle lanes within 13.5 feet, measured vertically from any point on the traveled way. Vegetation shall not intrude into pedestrian, bicycle, or vehicle traveled way. The *abutting property owner* shall maintain vegetation as needed to prevent blockage of sight distance and the traveled way per the *Road Standards* or blockage of any roadway sign. In addition to the definition established for *traveled way* in Section 12.05 KMC, the traveled way is further defined as:

1. The traveled way for pedestrians shall be *sidewalks*, paved walkways separated by a *curb* from the vehicle traveled way, paved walkways signed for pedestrians, or paved/gravel shoulders as determined by the *city manager*. Other pedestrian paths, as determined by the *city manager*, may also be defined as a pedestrian traveled way.

2. The traveled way for bicycles shall be defined by signage and pavement markings and shall be a paved area separated by pavement markings from the vehicle traveled way or a paved path as determined by the *city manager*.

3. The traveled way for vehicles will be defined by the edge stripe or edge of pavement where no stripe is present.





D. Drainage ditches shall be kept free of debris and maintained in a condition that allows the free flow of water and provides for adequate access for *City maintenance* and inspections. Ditches shall be mowed regularly. Aesthetic *maintenance* of drainage ditch vegetation, assuming adequate access and free flow of water is maintained, is the responsibility and at the discretion of the *abutting property owner*.



E. Within *unimproved right-of-way*, *abutting property owners* shall be responsible for trimming vegetation that overhangs onto their respective property and for removing *hazardous trees*. The *abutting property owner's* responsibility shall extend to the center of the *unimproved right-of-way*.

F. All slopes adjacent to *abutting properties* shall be maintained by the *owner*. *Maintenance* shall be consistent with the requirements for *planting strips* and shall include erosion control and vegetation stabilization.

G. *Hazardous trees*, diseased or dead shrubs, or vegetation not maintained pursuant to this Chapter shall be removed from the *right of way* and replaced with a suitable species per the *Road Standards*. Replacement tree shall be a minimum 2 inches diameter measured 5 feet up from the root ball.

H. Certain *planting strips*, *sidewalks*, *unimproved right-of-way*, and other *right-of-way* areas may be *maintained* by the *City* at the *city manager's* discretion.

[Ord. 23-0578 § 2 (Exh. 1).]

12.70.060 Sidewalk – Snow, ice and trash removal required when.

It is unlawful for any *person* owning *abutting property* within the *City* to permit the accumulation of snow, ice, vegetative debris, trash or any other material on an existing *sidewalk* which impedes the normal flow of pedestrian traffic. In the event the property is owned by a *person* not a resident of the *City*, a reasonable period of time shall be provided for the *owner* or the *owner's* agent to remove the material. If such removal is not accomplished within a reasonable period of time, the *city manager* may have the *sidewalk* cleaned and the cost thereof shall be billed to the *property owner*. The determination of reasonable period of time shall be at the sole discretion of the *city manager*. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.070 Sidewalk – Violation of KMC 12.70.050 deemed misdemeanor.

Each day any *sidewalk*, or driveway portion thereof, is permitted to remain in a hazardous condition as specified in KMC 12.70.050 shall be considered and shall constitute a separate violation. Violation of KMC 12.70.050 shall constitute a misdemeanor and shall be punishable as provided by law. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.080 Exemption from KMC 12.70.030 and 12.70.050 permitted when.

The *city manager* may approve exemptions to KMC 12.70.030 and 12.70.050 for the following reasons:

1. Property that abuts the *right-of-way* which does not have reasonable access through the property to that section of the *right-of-way* and where that portion of *right-of-way* is not connected to other *right-of-way* abutting the property.
2. For properties with single detached dwelling units as defined by Section 18.20.840 KMC, duplexes, or triplexes, *hazardous trees* in excess of 15 feet in height and 8 inches in diameter at breast height as defined pursuant to KMC 18.20.752, the City may assist in providing traffic control services. The *city manager* shall make the final determination of what assistance may be provided by the *City*, or
3. Other exemptions based upon standards which shall be established by the *department*. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.085 Garbage, trash, recycling, and yard waste

Any property accumulating garbage, trash, recyclables, and yard waste shall place their materials in approved carts or contained in a manner to prevent scattering. Garbage, trash, recyclables, and yard waste for collection in the *right of way* shall be placed no earlier than twenty-four hours prior to the day of collection. All carts must be removed from the *right of way* within twenty-four hours of being collected. All carts and other containers shall be placed by the occupant for pick up in a convenient, accessible location where such placement does not block the *traveled way* unless otherwise allowed below. Carts, other containers, and bulk trash shall be placed in the following manner:

- A. For properties with level planting strips between a curb and sidewalk, place in either the planting strip or driveway within one foot of the curb; or
- B. For properties with sidewalks but no planting strips, place within one foot of the front of the curb; or
- C. For properties with no sidewalk, curb, or gutter, within existing shoulder or, if no shoulder, at edge of pavement; or
- D. When the foregoing locations slope at a grade making placement of a cart difficult, a level area that is nearest to either of the previous locations; or
- E. If the foregoing locations are not available due to extraordinary circumstances, then placement shall be at a location suitable to the occupant and approved by the hauler that does not interfere with the *traveled way*;
- F. Cart spacing shall be placed as per the respective hauler.

12.70.090 Right-of-way vegetation – Trimming limitations – Removal prohibited.

A. Notwithstanding any provision of *franchise* agreements or Section 12.70.050, vegetation within the public *right-of-way* shall not be removed or cut back so as to generally damage the aesthetic quality or survivability of the vegetation. Such trimming, when required by *utility* companies to safeguard their *facilities* or as required pursuant to Section 12.70.050, shall be done in a manner that preserves the general appearance of the vegetation. The same provisions shall be applicable to others in that trees, shrubs and other plantings shall not be removed or otherwise trimmed so as to damage the general appearance of the planting areas.

B. Judicious trimming is permitted in such areas that will provide proper sight distance for intersections and driveways and such traffic warning or regulatory signs that are in place. [Ord. 23-0578 § 2 (Exh. 1).]

12.70.100 Right-of-way maintenance – Enforcement.

A. Should the *city engineer* find that such *right-of-way* is not being properly maintained consistent with KMC 12.70.050 through 12.70.090, the *city engineer* may, but is not required to, notify the *abutting property* owner to comply with the provisions of this chapter. The notice will be prepared per KMC 1.20.070 as amended below and include:

1. All references to “code enforcement officer” shall mean *city manager*;
2. Instruction to the *abutting property* owner to trim or remove the vegetation and specify a reasonable time for the trimming or removal of said vegetation.

3. A statement that if the *property owner* fails to trim or remove the vegetation within the time frame provided, the *City* will begin enforcement proceedings per Chapter 1.20 KMC or if determined by the *city engineer* to be a public safety hazard, interferes with Americans with Disabilities Act (ADA) accessibility, an environmental hazard, or impedes *City maintenance* and operations, that the *City* will perform the *maintenance* pursuant to subsection B of this section; and

4. A statement that in the case of a public safety hazard, interference with ADA accessibility, an environmental hazard, or impeding *City maintenance* and operations, that any cost incurred by the *City* may be assessed against the *property owner* for failure to comply with this provision.

B. If, by determination of the *city engineer*, the vegetation is a public safety hazard, environmental hazard, or impedes *City maintenance* and operations and the *abutting property owner* fails to complete the required *maintenance* within the time period stated in the notice, the *City* will perform the required *maintenance* and the cost may, at the discretion of the *city engineer*, be assessed against the *abutting property owner*. After completion, the *city engineer* will determine the cost to be charged to the *property owner* and the time and manner of payment thereof; provided, that the cost will not exceed 50 percent of the valuation of the *abutting property*, exclusive of improvements. The cost will include all direct invoiced costs for materials and equipment as well as \$75.00 per hour per person of labor performed by the *City* in completing the *maintenance* requirements. If contracting services are necessary to complete the *maintenance*, the full cost of the contract services shall be included in the cost charged to the *property owner*. The *abutting property* valuation shall be as determined by the most current assessment of King County assessor's office for said property. The *city engineer* will give notice of the cost to the *owner*. The notice shall:

1. State the cost to be charged to the *owner* and the time and manner of payment thereof;
2. Include documentation to support the charges;
3. Advise the *owner* that the cost cannot exceed 50 percent of the valuation of the property, exclusive of improvements;
4. State that the *city engineer* will hear protests to the determination of cost, time, and manner of payment if received within 30 calendar days of date of delivery of the notice.

C. In the event payment is not received by the *City* within the time frame stated in the notice, the *city engineer* may place a lien upon the property or submit the charges to a licensed collection agency. Any lien will be collected in the manner as provided by law for collection of local improvements assessments.

D. The *owner* may appeal the *city engineer's* determination of cost, time, and manner of payment for KMC 12.70.050 through 12.70.090 by filing a notice of appeal with the *city manager* within 14 calendar days after delivery of the *city engineer's* determination. The *city manager* will give notice of receipt of the appeal and a deadline for response. After the protest consideration, the *city manager* will issue a decision, which will be the *City's* final decision on the *owner's* responsibility for *maintenance*. Additional time to submit an appeal may be granted at the *city engineer's* discretion.

E. All notices will be mailed to the owner of the *abutting property*, to the property tax address on file on the King County tax assessor's website, if the *City* determines that the *abutting property* is not *owner-occupied*, or to any address noted on any communication from the *abutting property owner*. [Ord. 23-0578 § 2 (Exh. 1).]

CITY OF KENMORE

Engineering

KMC Title 12 and 18 Amendments

John Vicente, Engineering Director

May 27, 2025



Why are we here tonight

- Follow up from April 21st discussion
- Right of Way maintenance assistance
- Approval of Ordinance 25-0628



Chapter 12.70.050/080

Right of way vegetation maintenance/exemptions

- Interest in providing options for maintenance assistance
- 12.70.050 Bullet H states:
 - “Certain planting strips, sidewalks, unimproved right-of-way, and other right-of-way areas may be maintained by the City at the city manager’s discretion”
- 12.70.080 states:
 - “Other exemptions based upon standards which shall be established by the department”



Recommendation

- No change in existing language
 - Current language gives City Manager flexibility and ability to modify/adapt for each situation
 - Avoids navigating gift of public funds, establishing thresholds and management
- Incorporate language in department policy instead
 - Right of way code compliance manual



Questions

- Motion:

Adopt Ordinance 25-0628 and update Title 12 and Title 18 of the Kenmore Municipal Code

