

**City of Kenmore
City Council Regular Meeting
Minutes
July 23, 2018**

CALL TO ORDER - Mayor David Baker called the meeting to order at 7:00 p.m.

Councilmembers present:

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

CALL MEETING TO ORDER

ROLL CALL

FLAG SALUTE

AGENDA APPROVAL

CITIZEN COMMENTS

Alex Zimmerman (spelling of name not confirmed)
(Did not provide address)

Mr. Zimmerman spoke about Stand-up America.

Matthew Bustad
8028 NE 178th Lane
Kenmore, Washington 98028

Mr. Bustad spoke against the plastic bag ban.

Pastor Anya Helmon
7427 NE 198th Place

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Kenmore, Washington 98028

Ms. Helmon spoke about the temporary shelters. She requested a conversation about low barrier shelters.

Kyla Wilson
Zero Waste Washington

Ms. Wilson spoke in favor of the plastic bag ban.

Sean Marshall
6210 NE 198th Street
Kenmore, Washington 98028

Mr. Marshall spoke about his ideas to address affordable housing.

Ann Hurst
6302 NE 151st Street
Kenmore, Washington 98028

Ms. Hurst spoke about active playfields.

Vicki Grayland
20308 73rd Avenue NE
Kenmore, Washington 98028

Ms. Grayland spoke about the ballfields.

Ann Anderson
16304 81st Place NE
Kenmore, Washington 98012

Ms. Anderson spoke against artificial turf.

Brent Anderson
16304 81st Place NE
Kenmore, Washington 98012

Mr. Anderson spoke about the ballfields.

Marissa Lu
8416 NE 150th Place

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Kenmore, Washington 98012

Ms. Lu spoke about her complaint of an RV on the side yard of her neighbor's house.

Mike Dee
Lake Forest Park, Washington

Mr. Dee spoke on a variety of agenda items.

Patrick O'Brien
6330 NE 181st
Kenmore, Washington 98028

Mr. O'Brien spoke about the playfields.

Phyllis Finley
5962 NE Arrowhead Drive
Kenmore, Washington 98028

Ms. Finley spoke about finances and playfields.

Nickole Dixon
7614 NE Bothell Way
Kenmore, Washington 98028

Ms. Dixon talked about how her mobile home cannot be moved.

John Hendrickson
5919 NE 212nd Lane
Kenmore, Washington 98028

Mr. Hendrickson spoke about playfields.

CONSENT AGENDA

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

Total Check #s 40161 through 40266 in the amount of \$927,848.60.

Total Payroll/Taxes/Flexible Spending & Health Savings Account Electronic Deposits

Dated: 7/6/18 in the Amount of \$105,013.74.

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Payroll Check #s 10096-10097 totaling \$1,546.32.

Regular City Council Meeting Minutes of June 11, 2018 and Regular City Council Meeting Minutes of June 18, 2018

Cancel all Regular Council Meetings in the Month of August 2018

Approve 2018 Economic Development Strategy Update Goals, Strategies and Actions

Authorize the City Manager to Accept \$500,000 of LEAP Funding for the SR522 Crossing Project

Receive and File South Correctional Entity (SCORE) Amendment to Contract 14-C1267 and 2017 Annual Report

Extend MuniManage, LLC Contract to December 31, 2018

Approve the SR 522 Irrigation Project Construction Contract

Approve and File the April 2018 Financial Report

Extend Muni Manage, LLC Contract to December 31, 2018

BUSINESS AGENDA

Provide Preliminary Direction to Staff on Preferred Land Use and Financial Assistance Strategies for the City's Six Mobile Home Parks - Debbie Bent, Community Development Director and Lauri Anderson, Senior Planner

Staff explained that on July 9, the Planning Commission presented their recommendations on treatment options for the City's six mobile home parks (MHPs).

On July 16, Arthur Sullivan with ARCH provided a primer on possible direct financial assistance strategies related to the MHP options.

Staff is requesting to receive preliminary direction from the City Council on the land use and financial assistance strategies to be pursued for the MHPs. With this information, staff will craft code amendments and/or prepare budget amendments for Council consideration.

MOTION: Deputy Mayor Herbig made a motion to go with Option 5, an overlay on all existing parks in Kenmore, Councilmember Marshall seconded the motion. The motion failed 2-4-0 with Councilmember Marshall and Deputy Mayor Herbig voting yes.

MOTION: Councilmember Marshall made a motion to direct staff to work on an overlay option with a sunset clause with variation of lengths, and TDR options and incentives in addition to the existing options, Deputy Mayor Herbig seconded the motion. The motion passed 5-1-0 with Councilmember Smith voting no.

Ordinance #18-0465 Plastic Bag Policy - Jack Urquhart, Management Intern

Management Intern Urquhart explained that due to concerns of plastic waste, the City Council directed staff to write a policy memo and present at the Council meeting on June 11. In response to the presentation, the Council directed staff to write an ordinance.

The ordinance, prohibiting retailers from providing plastic bags and requiring a 5-cent charge for recycled paper bags, would be the 19th of its kind in Washington jurisdictions. Zero Waste Washington, a nonprofit focused on responsible production and consumption, provided insight into current best practices for encouraging reusable bag use.

All retailers (direct sellers of goods) citywide, except food banks, would be subject to the new ordinance. However, many bag types would be exempted, such as in-store bags for bulk goods, meat, and produce; restaurant takeout bags, laundry bags, newspaper bags, tire bags, door-hanger bags, bags containing prescription drugs, and bags containing items where dampness could be an issue.

The ordinance as proposed would go into effect on January 1, 2019. City staff sent out a letter to retailers to notify them of the public hearing, and if adopted, materials will be provided by staff to inform retailers and customers of the regulations and compliance date.

At the July 9 public hearing, Council directed staff to present Ordinance #18-0465 as presented for the public hearing for consideration and potential adoption.

MOTION: Deputy Mayor Herbig made a motion to approve Ordinance 18-0465 Plastic Bag Policy, Councilmember Denuski seconded the motion.

AMENDMENT TO THE MOTION: Councilmember Smith made an amendment to the motion to remove Section 8.50.030 Exemptions, Section A, (Page 5) of the Ordinance, Mayor Baker seconded the motion.

2nd AMENDMENT TO THE MOTION: Councilmember Marshall made a motion remove the paper bag fee requirement from the Ordinance, Mayor Baker seconded the motion. The motion failed 2-4-0 with Councilmember Marshall and Mayor Baker voting yes.

1st AMENDMENT TO THE MOTION VOTE: The motion failed 2-4-0 with Mayor Baker and Councilmember Smith voting yes.

ORIGINAL MOTION VOTE: The motion passed 5-1-0 with Mayor Baker opposed.

Ordinance #18-0466 Temporary Homeless Shelters - Jack Urquhart, Management Intern
Management Intern Urquhart explained that over the last year, Kenmore has received multiple requests to use sites as temporary shelters. The City has appropriately conditioned applications through its Temporary Use Permit process. However, the question has been raised as to whether Kenmore should have specific code provisions for temporary shelters to address concerns of safety and security, and establish expectations for temporary shelter permit applicants. At the January 2018 retreat, the City Council directed staff to produce a policy memo in summer 2018 with research and recommendations for a temporary shelter ordinance.

On June 18, staff presented a recommendation for temporary homeless shelter regulations and low-barrier temporary shelter regulations. The City Council determined to revisit low-barrier shelters at another time and directed staff to draft an ordinance for temporary homeless shelters in accordance with what was presented.

Staff prepared an ordinance for public hearing and Council review on July 9. As a result, staff made the following changes to the draft ordinance:

1. "Indoor and outdoor" was added in the ordinance title (Title) and definitions section (KMC 18.100.200 A) to make it clear that the regulations in the ordinance would apply to indoor and outdoor shelters.
2. Clarification on the Code of Conduct requirement (KMC 18.100.200 B.2.g.) to clarify which activities/items are prohibited and which are required.
3. A change of 500 ft. to 1000 ft. for neighbor notice of the public informational meeting (KMC 18.100.200 B.4.b.).
4. Other non-substantive revisions to make the ordinance read more clearly.

Additionally, the Council directed staff to prepare for discussions and determinations on low-barrier shelter policy in the fall.

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The Council directed staff to present Ordinance #18-0466 for Council consideration on July 23. Both low-barrier homeless shelters and other indoor and outdoor homeless shelters/encampments will likely be discussed at the July 23 Council meeting.

MOTION: Councilmember Smith made a motion to approve Ordinance #18-0466 Temporary Homeless Shelters, Councilmember Srebnik seconded the motion.

AMENDMENT TO THE MOTION: Councilmember Srebnik made an amendment to the motion to put the discussion of the low barrier shelters on the Council agenda no later than November 1, Deputy Mayor Herbig seconded the motion.

2nd AMENDMENT TO THE MOTION: Councilmember Denuski made a motion to limit it to one temporary shelter in the City every calendar year, Mayor Baker seconded the motion. The motion failed 3-3-0 with Councilmember Marshall, Deputy Mayor Herbig and Councilmember Srebnik voting no.

1st AMENDMENT VOTE: The motion passed 6-0.

ORIGINAL MOTION VOTE: The motion failed 3-3-0 with Councilmember Denuski, Mayor Baker and Deputy Mayor Herbig voting no.

City Manager Karlinsey stated that this ordinance will come back to the Council at the meeting when all 7 Councilmember members are present.

Discussion of St. Edward Ballfield Project Costs and Project Elements

Staff presented updated project cost estimates. Staff is requesting Council confirm and give direction on project elements to assist in development of the six-year (2019-2024) Park Capital Improvement Project (CIP) budget.

\$7,071,910 Project Cost Estimate for Turf Fields (includes synthetic turf, field lighting, parking lot illumination, bleachers, dugouts):

Construction costs have been trending upwards over the last few years, and the construction estimate reflects changes in unit prices (See attachment #2, numbers highlighted in pink). The construction cost estimate was also revised to includes items that have been added or amended to reflect design changes (see attachment #2, highlighted in purple). The total cost

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estimate (see attachment #3) also includes consultant costs and other project costs such as sales tax and project contingency.

The following bullets show that estimated costs to complete the project have significantly increased:

- \$4,869,106 (see attachment #1): staff presented cost estimates to Council 6/12/17 with costs based on 2016 data.
- \$5,818,603 (see attachment #4) staff presented a draft Park Capital Improvement Program (CIP) to Council. Staff are in the process of updating the CIP.
- \$7,071,910 (see attachment #3). The total project cost estimate July 2018 includes construction cost estimates based on a projected 2019 project construction (see attachment #2). The total cost includes: field lighting at approximately \$483,000, parking lot illumination \$41,000 and bleachers and dugouts \$25,000.

\$5,450,510 Project Cost Estimate for Grass Fields (no field lighting, no parking lot illumination, no bleachers or dugouts):

Costs assumed using the same kind of drainage system for the synthetic turf field. There may be some cost savings for a conventional underdrainage system. However, given site conditions and to meet stormwater requirements, water quality, detention and subsurface collection are required whether the surface is turf or grass. Construction cost estimate provided (see attachment #2) and total project cost estimate (see attachment #3).

Project Status Update Since February 2018: The variance permit and SEPA application (submitted 7/28/17) remain under review pending the outcome of the SEPA Environmental Impact Statement (EIS). The EIS schedule has not yet been determined. Project updates are available on the City's website at <http://www.kenmorewa.gov/athletic-field-saint-edward>.

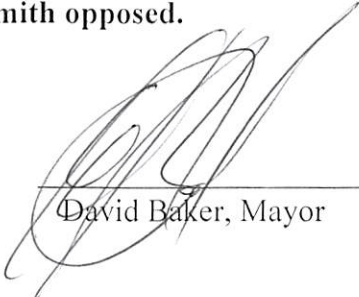
- 2/9/18: Staff submitted a response to the 10/16/17 project comments and requested corrections.
- 2/12/18: Staff gave a project update to Council at the 2/12/18 Council meeting (see attachment #5).
- 3/28/18: Staff met with State Parks Staff. State Parks staff have ongoing questions/concerns about the project.
- 5/21/18: Council directs staff to proceed with an Environmental Impact Statement (EIS) to identify and analyze environmental impacts, reasonable alternatives and possible mitigation. Estimated consultant costs for completing the EIS is \$300,000.
- 5/29/18: Staff notified State Parks staff about Council direction to pursue an EIS. Based on State Parks staff schedule they are tentatively available to discuss process and next steps in July.

Council and staff discussed the project.

COUNCILMEMBER REPORTS & COMMENTS & INITIATIVES

MOTION: Deputy Mayor Herbig made a motion for staff to prepare an Ordinance requiring a 90-day notice on any rent increases over 10%, Councilmembers Marshall seconded the motion. The motion passed 5-1-0 with Councilmember Smith opposed.

ADJOURNMENT



David Baker, Mayor

ATTEST:



Kelly M. Chelin, City Clerk