

**City of Kenmore
City Council Meeting
Regular Meeting Minutes
Monday July 24, 2023**

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 David Baker
Councilmember Joe Marshall
Councilmember Angela Kugler – Virtual
Councilmember Debra Srebnik
Councilmember Corina Pfeil

Staff: City Manager Rob Karlinsey
Acting Deputy City Manager/City Clerk Anastasiya Warhol
City Attorney Dawn Reitan – Virtual
Deputy Clerk Michelle Kang
Finance & Administration Director Melinda Merrell
Public Works Operations Director Jennifer Gordon
Engineering Director John Vicente
Development Services Director Samantha Loyuk
Assistant to the City Manager Garrett Oppenheim
DEIA Consultant Chanin Kelly-Rae

Speaking Guests:
Juliana Pooley, DEIA Task Force Member
Juanita Aguilar, DEIA Task Force Member

Public Comments Speaking Guests:
Kathleen Cooper, Lake Forest Park Resident
David Dorrian, Kenmore Resident
Karen Olson, Kenmore Resident
Jon Culver, Kenmore Resident
John Hendrickson, Kenmore Resident
Laurie Sperry, Kenmore Resident
Van Sperry, Kenmore Resident
Tracy Banaszynski, Kenmore Resident

Public Hearing Speaking Guests:

David Dorian, Kenmore Resident
Laurie Sperry, Kenmore Resident
Tracy Banaszynski, Kenmore Resident

CALL REGULAR MEETING TO ORDER

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

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PRESENTATION

New Staff Introductions:

Public Works Operations Director Jennifer Gordon wished to introduce Seth Thompson and Case Rogers, two new Public Works Maintenance Workers. However, the introduction has been moved to a future agenda.

WHERE'S THE FUN?

The City Manager highlighted the Skate Like a Girl Summer Camp program.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here:

<https://www.youtube.com/live/6H3GTCI14ow?feature=share&t=229>

CONSENT AGENDA

- A. Approve Ordinance No. 23-0582 and extend the Frontier Communications Northwest, LC dba Ziplly Fiber Franchise Agreement.

[Agenda Bill - Ordinance No. 23-0582 and Ziplly Fiber Franchise Agreement Extension Attachment 1 - Proposed Ordinance No. 23-0582](#)

- B. Adopt Ordinance No. 23-0583 amending KMC Sections 5.105.030, 5.105.040, and 5.105.080, relating to Business Registration Requirements, Exceptions and Fees, and Establishing an Effective Date.

[Agenda Bill - Business Registration Amendment Attachment 1 - Proposed Ordinance No. 23-0583 Attachment 2 - Exhibit A to Proposed Ordinance No. 23-0583](#)

- C. Authorize the City Manager to execute Amendment No. 1 of Contract No. 23-C2916 with Chanin-Kelly-Rae Consulting, extending DEIA consultant services through October 31, 2023.
[Agenda Bill - Amendment No. 1 to Contract No. 23-C2916](#)
[Attachment 1 - Amendment No. 1 to Contract No. 23-C2916](#)
[Attachment 2 - Original Contract No. 23-C2916](#)
- D. Authorize the City Manager to execute Contract No. 23-C2963 (Amended and Restated King County Utility Easement and Surface Water Access Agreement) and Contract No. 23-C2964 (Consent for Use of King County Permanent Subsurface Utility and Conveyance Agreement), substantial as to form and upon final review and approval by the City Attorney
[Agenda Bill - Contract No. 23-C2963 and Contract No. 23-C2964](#)
[Attachment 1 - Twin Springs Phase 1 Site Plan w approx locations of Easements](#)
[Attachment 2 - Contract No. 16-C1509 Agreement + Access Easement Depiction](#)
[Attachment 3 - Contract No. 16-C1508 Exhibit D-2](#)
- E. Authorize the City Manager to execute Contract No. 23-C2967 in an amount not to exceed \$165,000, for a Surface Water Small Works Drainage Improvement Project.
[Agenda Bill - Contract No. 23-C2967 \(Added 7/18\)](#)
- F. Authorize the City Manager to execute Contract No. 23-C2944 in an amount not to exceed \$150,000, for storm water system cleaning, vector services, and pipe inspection.
[Agenda Bill - Contract No. 2944 \(Added 7/18\)](#)
- G. Approve Total Check #s 52397 through 52481 totaling \$307,315.39 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 06/30/2023 in the amount totaling \$240,767.16 and ACH Payment to KBA, Inc. in the amount of \$7,692.21, and ACH Payments to US Bank Purchase Cards in the amount of \$25,762.23, and Payroll Check #s 10242 through 10243 in the amount of \$3,013.80.
[Voucher Certification and Approval 06/24/23 - 07/07/23](#)
- H. Receive and File the May 2023 Financial Report for the City of Kenmore, Washington.
[Agenda Bill - May 2023 Financial Report](#)
[Attachment 1 - May 2023 Financial Report](#)

MOTION: Councilmember Pfeil moved to approve the consent agenda including items A-H outlined above. Councilmember Marshall seconded the motion.
VOTE: Consent Agenda was approved by **UNANIMOUS CONSENT**.

PUBLIC HEARING

- A. Proposed Ordinance No. 23-0580 to amend Kenmore Municipal Code (KMC) Section 18.100.200 to require the City of Kenmore to provide public notification in lieu of the sponsoring organization for indoor or outdoor temporary homeless shelters, presented by Development Services Director Samantha Loyuk *for Public Hearing*
[Agenda Bill - Amendments to KMC 18.100.200](#)
[Attachment 1 - Proposed Ordinance No. 23-0580](#)
[Attachment 2 - Exhibit A of Proposed Ordinance No. 23-0580](#)

Development Services Director Samantha Loyuk explained that the changes in the code are minor and essentially require that the City send out a special notice to residents if there are indoor or outdoor temporary homeless shelters applications, rather than requiring the sponsoring organization to do so.

Mayor Herbig opened the public hearing at approximately 7:26 PM.
Three individuals provided testimony.
Timestamped link here:
<https://www.youtube.com/live/6H3GTCI14ow?feature=share&t=1691>
Mayor Herbig closed the public hearing at approximately 7:30 PM.

BUSINESS AGENDA

- A. Proposed Ordinance No. 23-0580 to amend Kenmore Municipal Code (KMC) Section 18.100.200 to require the City of Kenmore to provide public notification in lieu of the sponsoring organization for indoor or outdoor temporary homeless shelters, presented by Development Services Director Samantha Loyuk *for Adoption*
[Agenda Bill - Amendments to KMC 18.100.200](#)
[Attachment 1 - Proposed Ordinance No. 23-0580](#)
[Attachment 2 - Exhibit A of Proposed Ordinance No. 23-0580](#)

To address a public comment that was made asking Council to pay for postage for mailings, City Attorney Reitan noted that the City is allowed to provide funds for the infirm. However, it was confirmed that the sponsoring organization is paying for the postage, not the members of the homeless shelters.

MOTION: Councilmember Baker moved to Adopt Ordinance No. 23-0580 amending Kenmore Municipal Code Section 18.100.200 to require the City of Kenmore to provide public notification in lieu of the sponsoring organization for indoor or outdoor temporary homeless shelters. Deputy Mayor O'Cain seconded the motion.
VOTE: 7 Yes; 0 No; 0 Abstain. **MOTION PASSED.**

- B. Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic 5-Year Plan, presented by City Manager Rob Karlinsey, Assistant to the City Manager Garrett Oppenheim, DEIA Consultant Chanin Kelly-Rae, *for Discussion*

[Agenda Bill - DEIA Strategic Plan](#)

[Attachment 1 - DEIA Strategic Plan 2023-2028](#)

[Attachment 2 - DEIA 5-Year Roadmap Spreadsheet](#)

[Attachment 3 - City of Kenmore Equity Framework Toolkit](#)

DEIA Consultant Chanin Kelly-Rae opened the discussion and provided an overview of the process and the culminating Strategic Plan. City Manager Karlinsey relayed comments on behalf of Councilmember Kugler. The comments included addressing the following elements:

- Change city signage to make bathroom signs more gender inclusive.
- Add Subsection 2.4.7 (5-Year Roadmap) and add “support and promote green jobs and companies, given those companies support environmental justice.”
- Consider creating video tutorials for online permit applications.
- Providing closed captioning and Spanish subtitles.
- 5.2.7 promote king county’s Metro Flex community van and other accessible transportation programs.

The Council was excited and supportive of the progress and the working documents. Councilmembers were pleased to see a detailed and action-oriented document which was a collaboration between City Staff, the DEIA Task Force, and Ms. Kelly-Rae. They reiterated that Kenmore wishes to be a healthy, and safe community where all belong. They offered the following additional comments.

- Is protecting the overall ecosystem part of the strategic plan? Ms. Kelly-Rae confirmed that it was considered.
- Defining terms in a “glossary” is valuable.
- Considering whether sub-categories in the roadmap document appropriately categorized.

Two members of the DEIA Advisory Committee, Julianna Pooley, and Juanita Aguilar expressed their valuable experience in being a part of the Diversity, Equity, Inclusion, and Accessibility Task Force.

City Manager Karlinsey explained that the City will seek final Council adopt of the plan in September. If adopted, the City plans to submit an annual report on the progress made in implementing the action items outlined in the plan.

MOTION: Councilmember Pfeil moved to adopt the DEIA Strategic Plan and 5-year Roadmap as amended, incorporating suggestions made this evening. Deputy Mayor O’Cain seconded the motion.

MOTION: Deputy Mayor O’Cain moved to **TABLE** the preceding motion to the September adoption date. Mayor Herbig seconded the motion.

VOTE: 6 Yes; 1 No; 0 Abstain. **MOTION PASSES, TABLED.**

- C. Land Acknowledgement to Honor First Peoples, presented by City Manager Rob Karlinsey and DEIA Consultant Chanin Kelly-Rae, *for Adoption*
[Agenda Bill - Land Acknowledgement to Honor First Peoples](#)

DEIA Consultant Chanin Kelly-Rae conducted research with local tribes and proposed the following Land Acknowledgment.

“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.”

The Council expressed gratitude and appreciation for this land acknowledgement and what it supports.

MOTION: Deputy Mayor O’Cain moved to Approve Proposed 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.”

Councilmember Pfeil seconded the motion.

VOTE: 7 Yes; 0 No; 0 Abstain. **MOTION PASSES**

Mayor Herbig requested that the adopted Land Acknowledgement be printed on future Council agendas.

- D. 2023-2028 Capital Improvement Plan (CIP) Amendments for Parks, Transportation, and City Facilities, presented by Finance and Administration Director Melinda Merrell and Engineering Director John Vicente, *for Discussion*
- [Agenda Bill - 2023-2028 Capital Improvement Plan \(CIP\) Amendments](#)
 - [Attachment A - Capital Improvement program](#)
 - [Attachment B - Park CIP](#)
 - [Attachment C - Transportation CIP](#)
 - [Attachment D - City Facilities CIP](#)
 - [Attachment E - REET Projections](#)
 - [Attachment F - Park Impact Projections](#)
 - [Attachment G - Transport Impact Projections](#)
 - [Attachment H - KC Parks Levy projections](#)
 - [Attachment I - Adopted CIP, 2023-2024 Budget book](#)
 - [Presentation - CIP-7-24-2023](#)

Finance and Administration Director Melinda Merrell provided an overview of the 2023-2024 Capital Improvement Program, including projects for Parks, Transportation, and City Facilities. Surface Water-related projects were not covered at the meeting but will be brought forward at a later date. The following substantive changes were highlighted:

Parks

- **P 1 Twin Springs Park Phase 1.** \$137,500 from Park Impact Fees has been added to the 2023 CIP to complete the project construction.
- **P 27 Alexander Park Waterfront & Natural Open Space.** \$1,160,000 in unspent funds are carried forward and included in the 2023 CIP.

Transportation

- **T 27 Pedestrian Facilities Program.** Project reduced by \$645,000 and funds moved to new sidewalk projects.
- **T 37 West Sammamish River Bridge Replacement.** \$775,603 in REET and Connecting WA funding added to the 2023 CIP.
- **T 41 Juanita Dr Ped & Bike Safety Improvements.** This project has been updated for current budget estimates and is funded through WA State Department of Ecology, PSE, REET, and Transportation Impact fees. Final paving and striping of Juanita Drive is happening in 2023.
- **T 42 68th AVE Ped & Bike Safety Improvements.** \$230,773 from Fund 300 has been added to the 2023 CIP to complete this project.
- **T 44 61st AVE Sidewalk Replacement Project.** This project is being split into two phases. \$3.5M has been removed from Phase 1 and has been added to Phase 2.

- **T 244 Burke-Gilman Trail/NE 175th.** Additional REET funds have been added to the 2023 CIP to complete this project.
- **T 252 ADA Transition Program.** Funding reduced by \$160,000 to better reflect budget estimates.
- **T 253 NE 181st Sidewalk Project.** This new project is funded by \$1.3M from Sound Transit and additional funds from Transportation Impact Fees.
- **T 255 68th/Simonds Rechannelization Project.** This new project adds \$450,000 over 2023 and 2024 and is funded from Transportation Impact Fees.
- **T 260 80th AVE NE Sidewalk Project.** This new project adds \$2.6M to the CIP and is funded by \$2.2M from WSDOT and additional funds from Transportation Impact Fees.
- **T 261 NE 192nd ST Sidewalk Project.** This new project is funded by \$760,900 from WSDOT and additional funds from Transportation Impact Fees.
- **T 262 Arrowhead Project.** This new project adds \$2.4M to the CIP and is funded by \$2.0M from WSDOT and additional funds from Transportation Impact Fees.

City Facilities

- **F 1 Public Works Shop Land Acquisition & Development.** This project has been updated to reflect the debt service needed to complete Phase 1 of the Public Works Operations Center (PWOC). Repayment of the debt will come from SWM Fund and REET.

E. Hiring one full-time, permanent position, Senior Civil Engineer, to be primarily funded by the Capital Improvement Plan, at assisting in carrying out the 2023-2028 Capital Improvement Plan (CIP), presented by Engineering Director John Vicente, *for Approval*

[Agenda Bill - New Position, Senior Civil Engineer](#)

City Engineering Director John Vicente explained the need to hire a full-time, permanent senior-level engineer to carry out adopted Capital Improvement Program projects. The staff addition would allow each engineer to sustainably manage 2-3 active projects. If approved, the City would hope to hire around September 5. A small portion of the cost for the staff person will be funded by the general fund (12% approximately). The majority will be funded through the transportation CIP.

Councilmembers asked about the financial impacts of hiring another staff, and asked about why a senior-level engineer was appropriate. Staff noted that the complexity of the jobs requires an engineer who can provide engineering design and plan specifications for projects.

Mr. Karlinsey noted that it will be a future goal to expend the cost for this position fully out of the Transportation Budget and not the general fund. Once the projects are completed, the ongoing maintenance will be out of the general fund.

MOTION: Councilmember Pfeil moved to Authorize the City Manager to hire one fulltime, permanent position, Senior Civil Engineer, to be primarily funded by the Capital Improvement Program, to assist in carrying out the 2023-28 CIP as presented by John Vicente. Deputy Mayor O’Cain seconded the motion.
VOTE: 6 Yes; 1 No; 0 Abstain. **MOTION PASSED.**

Mayor Herbig called a 5-minute recess at 9:02 p.m.

- F. Public Works Operations Center (PWOC) Project phased approach and funding strategy, presented by City Manager Rob Karlinsey and Public Works Operations Director Jennifer Gordon, *for Discussion and Direction*
[Agenda Bill - Public Works Operations Center \(PWOC\)](#)
[Attachment 1- Site Layout Drawings Phases 1, 2, and 3](#)
[Attachment 2 - Building Floor Plan](#)
[Attachment 3 - Public Works Staffing Program, 2025 & 2035](#)
[Presentation - PWOC 7-24-2023 City Council Meeting](#)

City Manager Rob Karlinsey explained that the termination of the agreement with Lake Forest Park for Public Works services has prompted the need to find a better, permanent space for Public Works to maintain infrastructure. To satisfy the Council’s direction and begin to meet operational needs, the City is proposing a phased approach where only two-thirds of Public Works Operations Center, the operations building, is constructed using environmentally sustainable elements. The goal will be to finalize design and obtain permits in the first half of 2024, go out to bid and begin construction in the second half of 2024, and complete the project by the end of 2025.

While there is currently an approved budget of \$20 million dollars for the project, which included \$6.1 million dollars in acquisition costs, Staff are asking for an amended budget of \$22.5 million to reflect the design, permitting, construction, and contingency costs. The City proposes to take out a \$22.5 million dollar bond to be paid back over 20 years. The Annual bond repayment would be \$1.8 million dollars, split from current Real Estate Excise Tax revenues and Surface Water Utility Fee revenues.

Finally, staff noted that the phased approach to constructing the Public Works Operations Center aims to cut projects cost as directed by the Council. In addition, it includes climate and earth-friendly components. However, it does sacrifice significant project elements including the shops building and storage bay but allows for future expansion for future generations.

STAFF REPORTS

City Manager Karlinsey requested availability for a Thursday, September 28th Town Hall date. All Councilmembers were available. The Town Hall date is set for September 28, 6:00 – 8:00 PM, at City Hall. Mr. Karlinsey also reminded the Council that a Climate Action Stewardship Workshop will be held on September 12th.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 10:01 p.m.


Nigel Herbig (Sep 31, 2023 10:06 PDT)
Nigel Herbig, Mayor


Anastasiya Warhol (Sep 5, 2023 13:59 PDT)

Anastasiya Warhol, Acting Deputy City Manager/City Clerk

City Council Regular Meeting Minutes from July 24, 2023

Final Audit Report

2023-09-05

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