# City of Kenmore
# City Council Meeting
# Regular Meeting Minutes
# Monday, October 17, 2022

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 Angel Kugler
Councilmember Debra Srebnik
Councilmember Corina Pfeil

Staff: City Manager Rob Karlinsey
Assistant City Manager Stephanie Lucash
City Attorney Dawn Reitan
Deputy City Clerk Michelle Kang
Co-Clerk Brian Randall
Community Development Director Debbie Bent
Principal Planner Lauri Anderson
Finance and Administration Director Leticia Salcido
City Engineer John Vicente
Public Works Operations Manager Jennifer Gordon
Environmental Services Manager Richard Sawyer

Public Comments Speaking Guests:
Peter Lance, Kenmore Resident
Dakota Rash, Lake Forest Park Resident
Jon Culver, Kenmore Resident
Orlay Johnson, Kenmore Resident
Wayne Fu, Kenmore Resident
Ryan Johnson, Kenmore Resident
Elizabeth Mooney, Kenmore Resident
Laura Samuelson, Kenmore Resident
John King, Kenmore Resident
Dale Aberda, Kenmore Resident
Melissa Pendleton, Kenmore Resident
John Hendrickson, Kenmore Resident

Chris Olson, Kenmore Resident
Carl Michelman, Kenmore Business Owner/Brier Resident
Josh Kurcinka, Kenmore Resident
Stacey Valenzuela, Kenmore Resident
Tracy Banaszynski, Kenmore Resident
Jeffrey Pooley, Kenmore Resident
Andre Giffard, Kenmore Resident
David Maehren, Kenmore Resident
Aiden Thornsberry, Kenmore Resident
Emilie Burnham, Kenmore Resident
Juliana Pooley, Kenmore Resident
Patrick O'Brien, 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.

**PUBLIC COMMENTS**
The Council took comments from the public; 24 people provided comments.
Timestamped link included here: https://youtu.be/-BQEo6dl7ok?t=97

**CONSENT AGENDA**
Approve City Council Special Meeting Minutes from October 3, 2022
City Council Special Meeting Minutes from October 3, 2022

**MOTION**: Councilmember Pfeil moved to approve the consent agenda outlined above. Deputy Mayor O'Cain seconded the motion.
**VOTE:** Consent Agenda was approved by UNANIMOUS CONSENT

**BUSINESS AGENDA**
A. Comprehensive Plan and Development Regulation Amendments presented by Community Development Director Debbie Bent and Principal Planner Lauri Anderson, *for Discussion and Direction*
   Agenda Bill - Comprehensive Plan and Development Regulation Amendments
   Attachment 1a - Summary of Public Comment
   Attachment 1b - Public Comments
   Attachment 2 - Final Revised Vision Statement
   Attachment 3 - Final Revised Land Use Element

Attachment 4 - Final Revised Housing Element
Attachment 5 - Final Revised Capital Facilities Element
Attachment 6 - Final Revised Zoning Map
Attachment 7 - Missing Middle Housing Code Amendments
Attachment 8 - Response to Surfacewater Questions

Councilmembers offered the following comments and suggestions to staff:
- Councilmembers are elected to listen to the people and make tough decisions
- There is a concern that the proposed duplexes and triplexes are not affordable, and the proposed plan is a wholesale zoning change that will result in a change of the character of our community
- Suggestions of going back to the Planning Commission recommendation of 0/25 miles
- Councilmembers expressed concerns about the environmental impacts, reflecting on the environmental concerns addressed by the community
- Pedestrian infrastructure is needed
- Acknowledgment that the proposed duplexes and triplexes were not intended to be a solution for affordable housing, but was meant to provide options for housing and provide variety
- The housing crisis is real and the environmental crisis is real

Councilmembers also posed questions to the City Attorney and the City Attorney responded:
- What are the limitations of the public voting on the Comprehensive Plan?
  - The Council makes the ultimate decision on the Comprehensive Plan and Development Regulations under the Growth Management Act (GMA). An advisory vote can occur as part of the public participation requirement under the Growth Management Act; however, an advisory vote at this time is not allowed because the deadline has passed.
- Are zoning laws subject to initiative and referendum processes?
  - Based on case law, zoning laws are not subject to the referendum process. Courts have stated that when a city council has delegated the authority to decide under the GMA, comprehensive plan ordinances and zoning ordinances are not subject to referendum. City of Kenmore code echoes the GMA.

**MOTION**: Deputy Mayor O'Cain moved to defer conversation of duplexes and triplexes into 2023 when Council goes into talking about cottage housing and other Missing Middle elements as Council has requested already and have the Comprehensive Plan Amendments reflect the potential for the allowance of Missing Middle within a quarter mile. Councilmember Kugler seconded the motion.
**VOTE:** 4 Yes; 3 No; 0 Abstain. **MOTION PASSES**

B. Presentation of 2023-2024 Proposed Biennial Budgets for the following department cost centers: Community Development, Public Works Engineering, Public Works Parks & Facility Maintenance, Street Fund, Parks Capital Fund, Transportation Capital Fund, presented by Finance and Administration Director Leticia Salcido and Staff
Agenda Bill - Budget Presentations for October 17, 2022
Presentation - Budget Presentations for October 17, 2022

Staff presented for the following funds:

- Community Development Department: 20% increase from the previous biennium due to staffing changes and comprehensive plan updates
- Public Works Maintenance: 39% increase from the previous biennium due to the addition of 2.5 FTEs (full time employees), staffing changes, and increased workloads
    - Council discussed Kenmore events and community events at this point, and provided suggestions to staff for additions and changes to the provided list of events proposed in the 2023-2024 biennial budget
- Street Fund: 14% increase from the previous biennium due to the addition of one vehicle and taking over the walkways & waterways project
    - Council commented on the possibility of electric vehicles for the City and creating a highspeed charging station
- Kenmore Automated Photo Enforcement (KAPE): this is a new fund and will include 1 FTE, but is not a new position (the traffic engineer will be funded through KAPE fund)
- Transportation Capital Fund: Kenmore has nine projects, mostly in progress, through this fund
- Sammamish River Bridge Replacement Fund: primarily used for project closeout
- Park Capital Fund: five projects that are part of the Capital Improvement Program (CIP) that need to be funded during the 2023-2024 biennium

C. Climate Action Plan Implementation Funding Options presented by City Manager Rob Karlinsey and Environmental Services Manager Richard Sawyer
Agenda Bill - Climate Action Plan Implementation Funding Options
Attachment 1 - Climate Action Plan Implementation Report

Environmental Services Manager Richard Sawyer presented the funding options for the Climate Action Plan (CAP) implementation.

- Program 1 “CAP Basic” - $398,500 for Year 1 and includes one staff member: a CAP manager
- Program 2 “CAP Medium” - $773,500 for Year 1 and includes two staff members: a CAP manager and CAP Community Engagement Specialist
- Program 3 “CAP Complete” - $1,502,100 for Year 1 and includes four staff members: a CAP manager, CAP Community Engagement Specialist, Arborist, and Administrative Specialist
- Program 4 “CAP Medium + Housing and Human Services” - $1,400,500 for Year 1 and includes three staff members: a CAP manager, CAP Community Engagement Specialist, and a Housing and Human Services Manager

Councilmembers provided questions and comments; staff responded:

- A desire to re-evaluate these options by analyzing them alongside the King County-Cities Climate Collaboration (K4C) Guidelines
- A suggestion to set a different budget beginning around $500,000 to hire a CAP manager and allowing that staff member to make some executive recommendations about how to proceed
- A comment on how Kenmore may already be behind in its climate action plan implementation, so it is necessary to hire at least four staff members to begin with

- A suggestion for a combination of programs to create "CAP Complete + Housing and Human Services"
- A comment on erring on the side of fiscal responsibility after looking at our financial situation and Council goals
- A concern about what the results would look like if the funding was a ballot measure
- A discussion about which of the tax options should be considered based on whether Council wants to incentivize certain energy uses
- A reminder that the mindset of change to promote climate action begins with members of the Council
- Staff will return to Council with two additional options based on the discussion this evening

**STAFF REPORTS**

Council removed the slated Kenmore's Public Records Request Presentation presented by Public Records Officer Teresa McAllister from the agenda at approximately 9:26 PM. The Presentation will be rescheduled for a later Council Meeting.

City Manager Rob Karlinsey provided Juanita Drive updates and reminded Council of three additional ribbon cuttings to come.

**COUNCILMEMBER REPORTS & COMMENTS**

**ADJOURNMENT**

Mayor Herbig Adjourned the Council Meeting at 11:19 PM.

Nigel Herbig (Nov 14, 2022 15:32 PST)

Nigel Herbig, Mayor

Michelle Kang (Nov 8, 2022 11:10 PST)

Michelle Kang, Deputy City Clerk