

**City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
Monday, June 24, 2024**

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 – Virtual
Councilmember Debra Srebnik – Virtual
Councilmember Valerie Sasson
Councilmember Jon Culver
Councilmember Nathan Loutsis – Virtual

Staff: City Manager Rob Karlinsey
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Climate Action Plan Program Manager Nina Rasmussen
Traffic Engineer Tobin Bennett-Gold
Kenmore Police Chief Brandon Moen
Environmental Services Director Richard Sawyer
Community Development Director Debbie Bent

Speaking Guests: Dr. Ettore Palazzo, Evergreen Health CEO
Katherine Hollis, Climate Action Advisory Committee Member
Jack Jensen, Climate Action Advisory Committee Member

Business Agenda Item A Speaking Guests:
Patrick O’Brien, Kenmore Resident
Katherine Hollis, Kenmore Resident
David Stokes, Kenmore Resident
Dan Mathias, Kenmore Resident
Stacey Valenzuela, Kenmore Resident

Public Comments Speaking Guests:
David Maehren, Kenmore Resident

Patrick O'Brien, Kenmore Resident
Julien Loh, Puget Sound Energy Local Government Affairs and
Public Policy Manager
Stacey Valenzuela, Kenmore Resident

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the special meeting to order at 6:15 PM.

EXECUTIVE SESSION

Pursuant to RCW 42.30.110(1)(i), the City Council entered an executive session to discuss pending and potential litigation. The executive session was slated to last 45 minutes, until approximately 7:00 PM. At approximately 6:58 PM, Mayor Herbig announced that the executive session would be extended by an additional 15 minutes to conclude at approximately 7:15 PM. The Council exited executive session at approximately 7:15 PM. No final action was taken.

ADJOURN SPECIAL MEETING

Mayor Herbig adjourned the special meeting at approximately 7:15 PM.

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the regular meeting to order at approximately 7:18 PM.

LAND ACKNOWLEDGEMENT

Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

BUSINESS AGENDA

- A. November 5, 2024, General Election
Washington State Ballot Initiative 2117
Concerning Carbon Tax Credit Trading
- Presentation - Climate Action Plan Program Manager Nina Rasmussen
 - Discussion
 - Public Comment - RCW 42.17A.555(1) - members of the public are afforded an approximately equal opportunity for the expression of an opposing view.
 - Council Action - Resolution No. 24-414 to include language in [Support/Opposition] of Washington State Ballot Initiative 2117 concerning Carbon Tax Credit Trading

[Agenda Bill - Initiative 2117, Resolution No. 24-414 \(updated 6/20\)](#)
[Attachment 1 - Resolution No. 24-414 regarding Initiative 2117](#)
[Presentation - Initiative 2117](#)

City Attorney Dawn Reitan explained that per RCW 42.17A.555, in general, no elected official may use any facilities for the purpose of promoting or opposing any ballot proposition. However, action taken at an open public meeting by the Council to support or oppose a ballot proposition may be taken so long as prior notice was provided to the public, including the title and number of the ballot proposition and members of the public are afforded an approximately equal opportunity for the expression of an opposing view.

Climate Action Plan Program Manager Nina Rasmussen provided an informational presentation about the Climate Commitment Act and Initiative 2117 for the Council and the public. The Council provided questions and comments.

Pursuant to RCW 42.17A.555(1), members of the public were afforded an approximately equal opportunity for the expression of an opposing view.

Timestamped link here:

<https://www.youtube.com/live/BuGggvyfhEU?si=xj5rqrZ-bFJRqKBn&t=4726>

MOTION: Deputy Mayor O’Cain moved to approve Resolution No. 24-414 opposing Initiative 2117. Councilmember Culver seconded the motion.

VOTE: 7 Yes – Culver, Loutsis, Sasson, Marshall, Srebnik, O’Cain, Herbig; 0 No; 0 Abstain.

MOTION PASSES UNANIMOUSLY

WHERE’S THE FUN?

City Manager Rob Karlinsey highlighted Kenmore’s Juneteenth Celebration held in conjunction with the Farmers Market this past Wednesday at Kenmore’s Town Square, mentioning visits from Hank Heron, Congresswoman Suzan DelBene, and Inglemoor High School’s Black Student Union.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here:

https://www.youtube.com/live/BuGggvyfhEU?si=eLWALAelODcGz-e_&t=5984

CONSENT AGENDA

- A. Approve Total Check #s 54438 through 54500 totaling \$177,537.60, Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits dated 5/31/2024 in the amount totaling \$306,655.61, and ACH Payment #s 1612 through 1631 totaling \$44,468.64.

[Voucher Certification and Approval 5/25/2024 through 6/7/2024](#)

- B. Approve the City Council Special Meeting Retreat Minutes from April 26-27, 2024.
[City Council Retreat Special Meeting Minutes April 26-27, 2024](#)
- C. Approve the 2025-2026 City Council Priorities and City Council April 2024 Retreat Report from Facilitator Michael Pendleton.
[Agenda Bill - Retreat Report April 2024](#)
[Retreat Report - April 2024](#)
- D. Authorize the City Manager to approve and extend the Puget Sound Energy Franchise for an additional five years.
[Agenda Bill - PSE Franchise Extension](#)
[Attachment A - Franchise Extension Request Letter - December 2023](#)
- E. Authorize the City Manager to execute Contract No. 24-C3068, an Interlocal Agreement between the Northshore School District for the cooperative use of the Rhododendron Park Public Boathouse for the high school rowing program through June 30, 2025, subject to minor amendments agreeable to both parties and the City Attorney.
[Agenda Bill - Contract 24-C3068 Interlocal Agreement Rhododendron Boathouse](#)
[Attachment 1 - Draft Interlocal Agreement Contract 24-C3068](#)
[Attachment 2 - 21-C2701 NSD Boathouse Agreement](#)
[Attachment 3 - 21-C2701 Boathouse Management Agreement](#)
[Attachment 4 - Kenmore Boathouse Lease Termination Letter - February 2024](#)
[Attachment 5 - Boathouse Lease Letter - March 2024](#)

Councilmember Culver removed item D from the Consent Agenda.

MOTION: Councilmember Culver moved to approve the consent agenda outlined above, minus item D. Deputy Mayor O’Cain seconded the motion.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

MOTION: Councilmember Marshall moved to authorize the City Manager to approve and extend the Puget Sound Energy Franchise for an additional five years (Consent Agenda item D). Councilmember Loutsis seconded the motion.

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

PRESENTATION

EvergreenHealth CEO Ettore Palazzo presented an annual update of EvergreenHealth Hospital to the Council, State of Healthcare.

[Presentation - 2024 State of Healthcare Update from EvergreenHealth](#)

BUSINESS AGENDA (continued)

- B. Automated Photo Enforcement Update (Revenue and Potential Expansion), presented by Traffic Engineer Tobin Bennett-Gold and Kenmore Police Chief Brandon Moen, *for discussion*

[Agenda Bill - KAPE Expansion June 2024](#)

[Attachment A - Site Selection](#)

[Attachment B - Existing KAPE Locations](#)

[Attachment C - Proposed New KAPE Locations](#)

Traffic Engineer Tobin Bennett-Gold presented to the Council an overview and potential expansion of the Kenmore Automated Photo Enforcement (KAPE). Mr. Bennett-Gold provided data from current photo enforcement locations at Kenmore Elementary School and Arrowhead Elementary School pre-KAPE performance and during KAPE performance. The various proposed KAPE expansion options included:

- Extending existing KAPE school zone at Kenmore Elementary School to continuous enforcement
- Extending existing KAPE school zone at Arrowhead Elementary School to continuous enforcement
- Adding a new KAPE School Zone at Inglemoor High School on Juanita Drive
- Adding a new KAPE Corridor on Juanita Drive from 158th Street to 170th Street
- Reduce the speed limit on Simonds Road from 35 MPH to 30 MPH

Earlier in the year, the Financial Sustainability Task Force recommended to the City the addition of two new locations for KAPE and increasing the current \$100 fine to \$136. This recommendation would allow for the increase in revenue to the general fund to support and offset the cost of traffic safety activities.

Additional community impacts were also discussed, such as KAPE directly supporting Kenmore's DEIA Strategic Plan by reducing the need for traffic stops, avoiding opportunities for confrontation and escalation, and reducing opportunities for bias in policing. Furthermore, KAPE supports equity of financial and safety outcomes because high-income road users are disproportionately represented in personal vehicle trips, and the most likely to receive photo enforcement fines.

The Council directed Staff to proceed with the following:

- Reduce the speed limit on Simonds Road from 35 MPH to 30 MPH.
- Expand photo enforcement at the existing school zone locations of Kenmore Elementary School and Arrowhead Elementary School to include enforcement of regulatory speed limits during non-school-zone hours.
- Implement new photo enforcement zone at Inglemoor High School for school zone and regulatory speed limits.

- Implement photo enforcement fine schedule increases:
 - 2025 - \$110
 - 2029 - \$135
 - Increase with inflation ever 4 years thereafter, consistent with the process described in the RCW.

C. Climate Action Plan Update, presented by Climate Action Plan Program Manager Nina Rasmussen, *for discussion*
[Agenda Bill - Climate Action Plan Update June 2024](#)
[Presentation - Climate Action Plan June 2024](#)

Climate Action Plan Program Manager Nina Rasmussen presented to the Council a midyear progress update on the Climate Action Plan workplan for 2024, highlighting:

- Climate Action Advisory Committee
- EV Infrastructure Plan & Charger Deployment
- Solarize Kenmore
- Urban Forestry Management Plan
- Green Jobs Hub
- Greenhouse Gas Inventory Update
- Funding Sources
- 2024-2025 Project Schedule, noting that 2025 is not fully represented

At 11:00 PM:

MOTION: Deputy Mayor O’Cain moved to waive Council Rule 2.9 and extend the end of meeting time to 11:30 PM. Mayor Herbig seconded the motion.
VOTE: Motion was approved by UNANIMOUS CONSENT

Councilmember Culver left the meeting at 11:13 PM.

D. Municipal Stormwater Permit Update, presented by Environmental Services Director Richard Sawyer, *for discussion*
[Agenda Bill - NPDES Update June 2024](#)
[Presentation - NPDES June 2024](#)

Environmental Services Director Richard Sawyers presented to the Council reminded the Council that the City has a National Pollutant Discharge Elimination System (NPDES) stormwater Permit, which renews either every five years or when there is a major modification. The permit program comes from the Clean Water Act and the U.S. Environmental Protection Agency (EPA) is the lead agency who delegates the authority to the Washington State Department of Ecology to implement the permit. The permit allows the City to discharge our stormwater into receiving water bodies if we are compliance with the requirements of the permit. The City’s current permit expires July 31st. The new permit begins August 1st and will expire July 31, 2029.

Some of the requirements under the permit include:

- Stormwater planning within the Comprehensive Plan, Kenmore Municipal Code, Stormwater Management Masterplan, etc.
- Public education and outreach, public involvement and participation
- Municipal separate storm sewer system mapping and documentation
- Illicit discharge, detection, and elimination
- Controlling runoff
- Stormwater management of existing development
- Source control of existing development
- Within operations and maintenance, establishing a street sweeping program with measurable metrics
- Monitoring total maximum daily load
- Reporting and notification

STAFF REPORT

A. Lakepointe Update, presented by City Manager Rob Karlinsey and Community Development Director Debbie Bent

[Staff Memorandum - Lakepointe Planning Update - June 2024](#)

City Manager Rob Karlinsey mentioned to the Council that as part of the 520 bridge construction on the west end of Lake Washington, SKANSKA construction company is working with WSDOT and is coming to the Lakepointe site to stage storage of materials, moving things on and off barges. This is an allowed action on their end and the City has no action or involvement, as this is a continuation of an existing non-conforming use. WSDOT is the lead agency for SEPA. More information is available about SKANSKA at www.kenmorewa.gov/lakepointe.

Community Development Director Debbie Bent informed the Council that negotiations with the property owner for Lakepointe have continued and there is still no agreement for either a letter of intent or partnering agreement. Staff have applied for three grants that could potentially support acquisition of the shoreline. The City has completed an appraisal of the property, and the property owner is considering conducting their own appraisal as well.

The City conducted an RFQ for Lakepointe to potentially line up a consultant with expertise in park development, shoreline restoration, and the ability to support due diligence including testing of soil, groundwater, and sediment. The City is currently working on contract negotiations with Anchor QEA for scope and budget and this contract is contingent on whether the City and the property owner can reach an agreement on the purchase and sale of the property. Staff estimates having spent approximately \$664,000

to date trying to reach an agreement with the property owner and anticipates needing several more months along with an additional \$135,000.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 11:33 PM.


Nigel G. Herbig (Jul 24, 2024 21:47 PDT)

Nigel Herbig, Mayor


Anastasiya Warhol (Jul 23, 2024 09:46 PDT)

Anastasiya Warhol, City Clerk

City Council Special and Regular Meeting Minutes from June 24, 2024

Final Audit Report

2024-07-25

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