



City of Kenmore - 18120 68th Avenue NE - P.O. Box 82607 - Kenmore, WA 98028
Phone: 425-398-8900 - Fax: 425-481-3236 - E-mail: cityhall@kenmorewa.gov

City of Kenmore
City Council Regular & Special Joint Planning Commission Agenda

7:00 p.m., Monday, October 26, 2015

Kenmore City Hall, Council Chambers
18120 68th Ave. NE, Kenmore, WA 98028

If you have any questions or to confirm agenda items prior to the meeting, or if you require special accommodations, please call the City Clerk at 425-398-8900. You may also stop by City Hall at 18120 68th Avenue NE, Kenmore. Council agendas are also available on our website at www.kenmorewa.gov.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. FLAG SALUTE

IV. AGENDA APPROVAL

V. PRESENTATION

- A. Washington Finance Officers Association Professional Finance Officer Awards to Joanne Gregory, Finance & Administration Director, and Brian Randall, Accountant
[Award Letters](#)

VI. PROCLAMATIONS

- A. Leadership Eastside Day Proclamation - November 9, 2015
[Proclamation](#)
- B. World Pancreatic Cancer Day Proclamation - November 13, 2015
[Proclamation](#)

VII. CITIZEN COMMENTS

- A. This is an opportunity to express your views on issues that are important to you and to the community. Please limit your comments to three (3) minutes.

VIII. CONSENT AGENDA

- A. Adopt Minutes for the October 12, 2015 City Council Meeting
[DRAFT 10 12 2015 Minutes](#)

- B. Approve Check Nos. 33034 - 33116 in the Amount of \$509,371.62 and Electronically Transferred Payroll Funds Totaling \$80,500.02 for the Period Ending October 9, 2015
[Checks for Approval](#)

IX. PLANNING COMMISSION AGENDA

- A. Presentation of Recommendations on Tree Windthrow - Debbie Bent, Community Development Director; Lauri Anderson, Senior Planner; and Ashley McCulley, Graduate Intern with Planning Commission Members
[Agenda Bill & Attachments](#)
[Slide Presentation](#)
- B. Discussion of Possible "Tiny House" Amendments - Debbie Bent, Community Development Director; Lauri Anderson, Senior Planner; and Ashley McCulley, Graduate Intern with Planning Commission Members
[Agenda Bill & Attachment](#)

X. BUSINESS AGENDA

- A. September 2015 Financial Report Presentation - Joanne Gregory, Finance & Administration Director
[Agenda Bill & Attachment](#)
- B. 2016 State Legislative Agenda - Nancy Ousley, Assistant City Manager, and Briahna Murray, Gordon Thomas Honeywell
[Agenda Bill & Attachments](#)
- C. Business Registration Program Update - Nancy Ousley, Assistant City Manager; Brian Randall, Accountant; and Teresa McAllister, Administrative Assistant
[Agenda Bill & Attachments](#)

XI. STAFF REPORT

XII. COUNCILMEMBER REPORTS & COMMENTS

XIII. COUNCILMEMBER INITIATIVES

XIV. ADJOURNMENT

Upcoming Meetings:

Thurs., October 29, 2015 7:00 p.m. SR 522 Transit Now! Coalition Meeting - City Hall
Tues., November 3, 2015 7:00 p.m. Planning Commission Regular Meeting
Mon., November 9, 2015 7:00 p.m. City Council Regular Meeting



Washington
Finance Officers
Association

RECEIVED
JUL 27 2015

CITY OF KENMORE

July 15, 2015

Mayor David Baker
City of Kenmore
P O Box 82607
Kenmore, WA 98028

Dear Mayor Baker:

The Washington Finance Officers Association and I would like to inform you that **Joanne Gregory** has earned the "Professional Finance Officer Award" for the State of Washington from the Washington Finance Officers Association. This annual award requires ongoing educational and professional excellence on the part of each individual and is not automatically awarded.

Joanne is committed to achieving educational and professional excellence as acknowledged in the receipt of this award for 13 years.

The Association would like to thank you for your continued support and encourage you to recognize this accomplishment in some manner.

Sincerely,

Dawn Masko

Dawn Masko, PFO Chairperson
Assistant City Administrator
City of North Bend
PO Box 896
North Bend, WA 98045
(425) 888-7630
DMasko@northbendwa.gov

Washington Finance Officers Association * 2601 Fourth Avenue, Suite 800 * Seattle, Washington * 98121-1280



July 16, 2015

Mayor David Baker
City of Kenmore
P O Box 82607
Kenmore, WA 98028

RECEIVED
JUL 27 2015
CITY OF KENMORE

Dear Mayor Baker:

The Washington Finance Officers Association and I would like to inform you that **Brian Randall** has earned the "Professional Finance Officer Award" for the State of Washington from the Washington Finance Officers Association. This annual award requires ongoing educational and professional excellence on the part of each individual and is not automatically awarded.

Brian is committed to achieving educational and professional excellence as acknowledged in the receipt of this award for 7 years.

The Association would like to thank you for your continued support and encourage you to recognize this accomplishment in some manner.

Sincerely,

Dawn Masko

Dawn Masko, PFO Chairperson
Assistant City Administrator
City of North Bend
PO Box 896
North Bend, WA 98045
(425) 888-7630
DMasko@northbendwa.gov

*Washington Finance Officers Association * 2601 Fourth Avenue, Suite 800 * Seattle, Washington * 98121-1280*

**City of Kenmore, Washington
Proclamation
Leadership Eastside Day**

WHEREAS, Leadership Eastside (LE) has convened leadership for the greater good for 10 years; and

WHEREAS, LE believes everyone deserves to thrive, that collaboration transcends silos and narrow interests, and that the people affected by an issue must be part of the solution; and

WHEREAS, LE has graduated more than 400 of our region's business, nonprofit and public sector leaders who are actively serving their community in many capacities, including mayors and other elected officials, commissioners, directors for community-based boards, nonprofit staff and volunteers; and

WHEREAS, LE has been acknowledged for transforming the way leaders work together to collaborate and innovate for a thriving community;

NOW, THEREFORE, I, David Baker, Mayor of the City of Kenmore, Washington, on behalf of the City Council, am pleased to proclaim November 9, 2015 as Leadership Eastside Day and join in recognizing the many contributions that LE has made in our community.

IN WITNESS WHEREOF, signed this 26th day of October, 2015.

Signed: _____
David Baker, Mayor

Attested: _____
Patty Safrin, City Clerk

City of Kenmore, Washington
Proclamation
World Pancreatic Cancer Day

WHEREAS, in 2015, an estimated 48,960 people will be diagnosed with pancreatic cancer in the United States and 40,560 will die from the disease; and

WHEREAS, pancreatic cancer is one of the deadliest cancers, is currently the fourth leading cause of cancer death in the United States and is projected to become the second by 2020; and

WHEREAS, pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just seven percent; and

WHEREAS, when symptoms of pancreatic cancer present themselves, it is generally late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 93 percent of pancreatic cancer patients die within the first five years; and

WHEREAS, approximately 1,100 deaths will occur in Washington in 2015; and

WHEREAS, pancreatic cancer is the 7th most common cause of cancer-related death in men and women across the world; and

WHEREAS, there will be an estimated 367,000 new pancreatic cancer cases diagnosed globally in 2015; and

WHEREAS, the good health and well-being of the residents of Kenmore are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments,

NOW, THEREFORE, I, David Baker, Mayor of the City of Kenmore, Washington, on behalf of the City Council, designate November 13, 2015 as

“World Pancreatic Cancer Day”

in the City of Kenmore, and I urge all citizens to join with the City Council in this observance.

IN WITNESS WHEREOF, signed this 26th day of October, 2015.

Signed: _____
David Baker, Mayor

Attested: _____
Patty Safrin, City Clerk

**City of Kenmore, Washington
City Council Regular Meeting
Minutes
October 12, 2015**

CALL TO ORDER – The regular meeting of the Kenmore City Council was called to order by Mayor David Baker at 7:02 p.m.

Councilmembers present: Mayor David Baker, Deputy Mayor Allan Van Ness and Councilmembers Brent Smith, Laurie Sperry, Milton Curtis, Nigel Herbig and Stacey Denuski

Staff present: Rob Karlinsey, City Manager; Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance & Administration Director; Kris Overleese, Public Works Director/City Engineer; Debbie Bent, Community Development Director; Bryan Hampson, Development Services Director; Lauri Anderson, Senior Planner; John Vicente, Capital Projects Manager; Samantha Loyuk, Assistant Planner; Brennan Jernigan, Graduate Intern; Rod Kaseguma, City Attorney; and Patty Safrin, City Clerk

FLAG SALUTE

Mayor Baker led the flag salute.

AGENDA APPROVAL

It was Council consensus to approve the agenda as submitted.

PROCLAMATION

Proclaiming November 2015 Northshore Schools Foundation Month - Mayor Baker read the proclamation into the record. Sara Hayashi, Board Member, and three other Board Members were present to receive the proclamation. Pictures were taken with the Mayor. Hayashi submitted a Northshore Schools Foundation brochure and flyer to Council.

CITIZEN COMMENTS

Mark Kammerer, Puget Sound Energy (PSE), 7055 130th Avenue NE, Kirkland, was present to state that PSE currently has a free energy efficiency program designed to meet the needs of small business customers.

Jim Freese, 20218 108th Avenue NE, Bothell, was present to speak on behalf of the proposed wall mural art and artists Staci Adman and Amberly Gaul Culley.

Mary Farley, 18832 Bothell Way NE, Bothell, was also present to speak on behalf of the proposed wall mural art.

Sue Kienast, 16836 104th NE, Bothell, was also present to speak on behalf of the proposed wall mural art.

Sara Hayashi, 14615 81st Avenue NE, Kenmore, was also present to speak on behalf of the proposed wall mural art. She stated that her goal is to raise \$20,000 for the mural project.

Mayor Baker thanked the citizens for their comments.

CONSENT AGENDA

Deputy Mayor Van Ness moved to approve the consent agenda as submitted. Mayor Baker seconded the motion to Adopt the Minutes for the September 14 and September 21, 2015 City Council Meetings; Approve Check Nos. 32931 - 33033 in the Amount of \$1,693,298.28 and Electronically Transferred Payroll Funds Totaling \$79,657.92 for the Period Ending September 25, 2015; and Receive and File the August 2015 Financial Report for the City of Kenmore, Washington. The motion passed unanimously.

PUBLIC HEARING

Public Hearing to Receive Public Testimony on Ordinance No. 15-0406 Amending Kenmore Municipal Code Title 18 to Add a Transit-Oriented District Overlay - Debbie Bent, Community Development Director, and Lauri Anderson, Senior Planner, were present to give a report. Senior Planner Anderson gave a brief overview of the Ordinance, including the purpose of the TOD Overlay, its proposed location, and the fact that it is optional for developers. She detailed the major elements of the Overlay. They were available to answer any questions.

Mayor Baker opened the public hearing to receive public testimony on this issue at 7:29 p.m.

As there were no citizens wishing to be heard, Mayor Baker closed the public hearing at 7:30 p.m.

BUSINESS AGENDA

Adopt Ordinance No. 15-0406 Amending Kenmore Municipal Code Title 18 to Add a Transit-Oriented District Overlay - Debbie Bent, Community Development Director, Lauri Anderson, Senior Planner, and Arthur Sullivan, Program Manager for A Regional Coalition for Housing (ARCH), were available to answer any additional questions.

Councilmember Denuski moved to Adopt Ordinance No. 15-0406 Amending the Kenmore Municipal Code, Title 18, to Add a Transit-Oriented District Overlay. Councilmember Herbig seconded the motion. The motion passed 7-0.

Approve Amendment No. 1 to Contract No. 15-C1445 with Langton Spieth for Sound Transit 3 Advocacy - Rob Karlinsey, City Manager, with Betty Spieth and Sarah Langton of Langton Spieth, were present to give a report. City Manager Karlinsey stated that it's a very long and complex process to get Kenmore's priorities on the Sound Transit 3 list and continue to promote them, and the long term effects of achieving our goals are very important to the City. Therefore, investing some of the City's resources makes sense. He stated that Langton Spieth has been very effective in helping the City be heard by Sound Transit 3 and in rallying the community to support that effort. They were available to answer any questions.

Councilmember Curtis moved to Approve Amendment No. 1 to Contract No.1 5-C1445 with Langton Spieth for Sound Transit 3 Advocacy. Councilmember Smith seconded the motion. The motion passed 7-0.

St. Vincent de Paul Wall Mural Proposal - Rob Karlinsey, City Manager, and Brennan Jernigan, Graduate Intern, with artists Staci Adman and Amberly Gaul Culley, and Jim McFarland, St. Vincent de Paul Marketing Manager, were present to give a report. City Manager Karlinsey introduced the proposal and gave some background information about the project. Graduate Intern Brennan Jernigan introduced the two artists and gave an overview of their backgrounds. He also detailed how the project was developed. Adman and Culley gave a Powerpoint presentation about the proposed content of the project; the timeline for the project; community partners; and project costs. Culley noted that the committee who would have the final approval for the project would be appointed by St. Vincent de Paul. Jim McFarland stated that St. Vincent de Paul is very excited by the idea of the mural as a chance to give back to the City. He stated that he has 30 years of advertising experience and that he has a high level of confidence in the artists. Culley also noted that the wall would have an anti-graffiti coating and would be maintained by St. Vincent de Paul. They were all available to answer any questions.

Councilmember Sperry moved to authorize the City Manager to enter into an agreement for the St. Vincent de Paul Wall Mural. Mayor Baker seconded the motion. The motion passed 7-0.

Adopt Resolution No. 15-264, 2016 Fee Schedule - Bryan Hampson, Development Services Director, detailed the changes in the fee schedule. He was also available to answer any questions.

Deputy Mayor Van Ness moved to Adopt Resolution No. 15-264, 2016 Fee Schedule. Councilmember Curtis seconded the motion. The motion passed 7-0.

2015 Development Services Mid-Year Review - Bryan Hampson, Development Services Director, and Samantha Loyuk, Assistant Planner, gave a Powerpoint presentation reviewing the work of the Development Services department so far this year.

Authorize the City Manager to Execute Contract No. 15-C1462 for Town Green Construction and Contract No. 15-C1475 for Town Green Inspection Services - Rob Karlinsey, City Manager, stated that Council had previously authorized up to \$2.8 million for Town Green construction; however, when the bids came in, they were over that amount and higher than budget. He noted that there was one added alternate in the bid for a green roof on the community building.

In addition to asking for authority to move forward with the low bid, he is asking if the Council wants to go ahead with the green roof, which would also have an ongoing maintenance cost associated with it. He indicated that the Finance Department has identified a couple of sources of funding for the additional amounts. The specific funding could be decided at the time of the budget amendment.

He is also asking for a vote on an agreement for architectural inspection services for \$114,000. He noted that John Vicente and Zack Richardson, Capital Project Managers, would be very involved in the project management. He was also available to answer any questions. Public Works Director Kris Overleese was also available to answer questions.

Deputy Mayor Van Ness moved to Authorize the City Manager to Execute Contract No. 15-C1462 for Town Green Construction and Contract No. 15-C1475 for Town Green Inspection Services with the green roof included. Mayor Baker seconded the motion. The motion passed 7-0.

Councilmember Curtis moved to amend the motion to not fund the green roof. Mayor Baker seconded the motion. The motion failed 2-5, with Councilmembers Herbig, Denuski, and Sperry; Deputy Mayor Van Ness; and Mayor Baker voting no.

CITY COUNCILMEMBER REPORTS & COMMENTS

Councilmember Denuski stated that she enjoyed the Skate Court dedication.

Deputy Mayor Van Ness reported on the technology conference he attended last week.

Councilmember Herbig reported on a discussion on affordable housing that he attended a couple of weeks ago.

Councilmember Curtis stated that he enjoyed the groundbreaking for the new Linq building at Kenmore Village.

Councilmember Sperry reported on the 50th Anniversary rededication of Inglemoor High School. She also attended the Skate Court dedication.

Councilmember Smith stated that he recently had the opportunity to use the Light Rail system and really liked it. He also enjoyed the Linq groundbreaking.

Mayor Baker stated the he spoke at Inglemoor High School for the 50th Anniversary. He has recently been talking with the City of Shoreline about his concerns that the City of Seattle wants to reduce the number of lanes on 145th Street and do not want any transit on 145th Street. He attended the groundbreaking at the Kenmore Village site and noted that Kelly Price was very interested in the TOD Overlay opportunities. He also attended the Skate Court opening.

COUNCILMEMBER INITIATIVES

Mayor Baker stated that it might be good for the City to pay to have Skate Like a Girl, a group who was scheduled to perform at the Skate Court opening, give some classes for kids next summer.

It was Council consensus to get more information about available programs and costs.

ADJOURNMENT

Mayor Baker adjourned the regular meeting at 9:18 p.m.

David Baker, Mayor

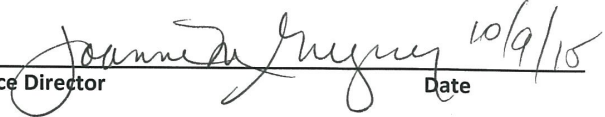
ATTEST:

Patty Safrin, City Clerk

Voucher Certification and Approval

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 and that the following claims, paid by checks 33034-33116 which total \$509,371.62, and electronically transferred payroll funds totalling \$80,500.02, are just, due and unpaid obligations against the City of Kenmore/KingCounty/Washington, and that I am authorized to authenticate and certify to said claims.


 City Manager 10/9/15
Date


 Finance Director 10/9/15
Date

Check #	Vendor Name	Description	Check Amount
33034	BANNER BANK KENMORE	Permits, Supplies, Computer Hard Drives	491.13
33035	MASTEC NETWORK SOLUTIONS	Permit Fee Refund	3,128.43
33036	SOUTHWEST PLUMBING	Permit Fee Refund - PLU2015-0640	34.51
33037	CITY OF KENMORE	PERS Retro Reimbursement	26.87
33038	NATIONWIDE FINANCIAL 401a	Social Security Replacement Plan	11,481.39
33039	NATIONWIDE RETIREMENT SOLUTIONS 457	Deferred Comp Payroll Deduction	285.00
33040	ICMA RETIREMENT TRUST 457 - 304745	Deferred Comp Payroll Deduction	2,835.43
33041	DRS 457	Deferred Comp Payroll Deduction	1,860.00
33042	CITY OF KENMORE FS	Flexible Spending Medical Plans	334.21
33043	BANK OF AMERICA 941	Payroll Taxes	16,906.08
33044	DEPARTMENT OF RETIREMENT SYSTEMS	WA State Retirement	18,117.23
33045	STATE OF FLORIDA DISBURSEMENT UNIT	Payroll Deduction	275.00
33046	HSA BANK	Employee Health Savings Account Contribution	150.00
33047	BANNER BANK LD	Supplies/Training/Social Media	1,336.07
33048	ACTION ENTERTAINMENT	Kenmore Jr. High 10/30 Dance DJ	395.00
33049	CASCADE PEST CONTROL	Rhododendron Park Pest Control	142.35
33050	CITY OF BELLEVUE	2015 ARCH HTF Contributions	30,000.00
33051	CITY OF BELLEVUE	Slalom Consulting Funding/NWM Strategy Align.	1,021.00
33052	CODE PUBLISHING COMPANY	KMC Update (Online)	1,826.65
33053	DAILY JOURNAL OF COMMERCE	Advertising RFQ Lakepointe 15-C1471	1,645.80
33054	REPUBLIC SERVICES	Sept. City Hall & Rhod. Park Solid Waste Service	892.55
33055	FERGUSON ENTERPRISES INC #1539	Catch Basin Materials	529.68
33056	FRUHLING SAND & TOPSOIL	Brush & Asphalt Dumping	1,820.00
33057	CALPORTLAND COMPANY	Drainage Materials	141.42
33058	JET CITY PRINTING	5,000 City Logo Envelopes	619.77
33059	KING COUNTY DISTRICT COURT	Dist. Court Svcs/2014 Contract Reconciliation	142,660.00
33060	NORTHSHORE UTILITY DIST	7/31-9/30 Utility Bills/Water/Sewer/Irrigation	18,801.28
33061	OFFICE DEPOT	Office Supplies	1,117.88
33062	PACIFIC TOPSOILS	Vegetation/Asphalt Disposal	1,621.89
33063	PUGET SOUND ENERGY	8/27-9/29 Electricity/Gas/Street Lights/Signals	3,002.25
33064	CEMEX	Asphalt/Drainage Materials	450.46
33065	SEATTLE TIMES	Legal Ads	2,129.31
33066	STEWART MACNICHOLS HARMELL, INC.	Aug. & Sept. Public Defender Services	10,250.00
33067	WA STATE DEPT OF TRANSPORTATION	Aug. SR522 West A Design	1,913.92

VIII. B. Approve Check Nos. 33034 - 33116 in the Amount of \$...

33068	AWC EMPLOYEE BENEFITS	1st Half Oct. Employee Medical Deductions	938.82
33069	DEPARTMENT OF LABOR AND INDUSTRIES	Worker's Compensation	1,366.80
33070	UNITED WAY OF KING COUNTY	Employee Charitable Contribution	256.62
33071	UPS STORE	Sept. Public Records Request Copies	21.69
33072	BERK & ASSOCIATES	July & August Consulting Services	38,626.96
33073	PAT'S TREES AND LANDSCAPE INC.	Cleanup from Storm Damage in Parks	6,493.35
33074	NATIONAL LEAGUE OF CITIES	NLC Dues	1,489.00
33075	VAN NESS, ALLAN	Mileage Reimbursement	82.23
33076	SNOHOMISH COUNTY	Vector Disposal	825.00
33077	RANDALL, BRIAN	Reimburse DOL Reg. Fee for Water Tank Trailer	110.25
33078	KONICA MINOLTA BUSINESS SOLUTIONS	8/1-8/31 KBA SR522 Copier Chgs	548.03
33079	HDR	SR522 West A 13-C1214 7/26-8/22 Prof. Svcs	117,253.37
33080	JOHN E. REID & ASSOCIATES	Police Interview/Interrogation Training	1,080.00
33081	GRAINGER	City Hall Tools	87.17
33082	ZONAR SYSTEMS	Street Sweeper Tracking Service Update	224.35
33083	SHRED-IT	9/16 Shredding Service	51.73
33084	ZUMAR	Pedestrian Street Crossing Flags	1,479.95
33085	COMCAST	9/30-10/29 Incubator Internet/Voice	179.88
33086	FRONTIER	9/28-10/27 City Hall & Elevator Phone Service	1,035.11
33087	INDEPENDENT STATIONERS	Office & Breakroom Supplies	189.23
33088	WELLS FARGO FINANCIAL	9/21-10/20 1st & 2nd Floor Xerox Leases	1,041.25
33089	HOPKINS, CRAIG	Police Volunteer Mileage Reimbursement	73.60
33090	DEVRIES, DENIS	Police Volunteer Mileage Reimbursement	27.03
33091	MILLER STEPHENS, MARY	June Public Defense Svcs @ SCORE Facility	1,250.00
33092	LAW OFFICE OF JOHN RONGERUDE, P.S.	Special Legal Service 4/13/15	300.00
33093	PERTEET INC.	6/29-8/2 12-C1082 Engineering Services	21,746.66
33094	PETERSON, JANET	Ergonomic Evaluations	575.00
33095	GOODSELL POWER EQUIPMENT #2 INC.	Parks Tools/Chainsaw/Pruner/Misc. Tools	1,389.38
33096	INNOVAC	Vector Services 9/23/15	1,130.86
33097	OSBORN CONSULTING INC.	12-C1081 July On-Call Consulting Services	9,013.99
33098	CONTOUR FENCE CO. INC.	Bridlepath SW Pond Fence Repair	802.64
33099	NORTHWEST LANDSCAPE SERVICES	Oct. SR522 ROW Landscaping	1,199.81
33100	FASTSIGNS	Sponsor Thank You & Imagine Kenmore Signs	569.40
33101	BRIEN, GAYLYNN	July Sales Tax Data Management	50.00
33102	SCORE	August Health Services	20.00
33103	SAUVE, GAYLEN	Skate Park Grand Opening MC Service	400.00
33104	HANSEN, COREY	Sept. Incubator Consulting Services	3,425.00
33105	MUMMA, RYAN	Mileage & Plans Examiner Test Reimbursement	200.73
33106	HERMANSON COMPANY, LLP	City Hall HVAC Filters	292.82
33107	SOCRATA, INC.	Hackathon Data Portals 9/15-12/13/15	3,285.00
33108	STEWART TITLE COMPANY	Subd Guarantee W. Sammamish Bridge	438.00
33109	LANDSCAPE FORMS, INC.	Skate Park Benches & Delivery	2,602.82
33110	PRINTWEST	Inspection Notice Forms	492.75
33111	APBP	Registration Assoc. of Pedestrian & Bicycle Prof.	85.00
33112	YOUM, PAUL	Hackathon Award	166.67
33113	TALPALATSKI, IGOR	Hackathon Award	166.67
33114	KARN, DAVID	Hackathon Award	166.67
33115	LANSING HOMES II LLC	Refund Overpayment of Building Permit	55.05
33116	KPFF CONSULTING ENGINEERS	15-C1414 62nd Ave Corridor Improvements	7,822.72
10/2/2015	PAYROLL	Direct Deposit	80,500.02
			<u>\$ 589,871.64</u>

2015	PRIOR VENDOR ACTIVITY	TOTAL	FOR 2015
	314 PIE		24.00
	A & A AIRPORT LIMOUSINE SERVICE		798.00
	A+ CONFERENCING		344.56
	A-1 LANDSCAPING & CONSTRUCTION, INC.		7,177.73
	AA ASPHALTING, INC		16,583.78
	AA PARTY RENTALS		3,016.27
	AAA FLAG & BANNER MFG. CO., INC.		5,620.28
	AAA PRINTING		723.80
	AABCO BARRICADE COMPANY INC.		1,046.88
	ACTION ENTERTAINMENT		395.00
	ACTIVE SHOOTER TRAINING LLC		1,334.52
	ADVANCE TESTING & SERVICE INC		702.00
	AFLAC		3,946.59
	ALCALDE & FAY		45,833.58
	ALEXANDER, JEFF		250.00
	ALL CITY FENCE CO.		4,089.83
	ALL TRAFFIC DATA SERVICES, INC.		1,250.00
	ALLISON & PARTNERS		9,600.00
	ALPHA SUPPORTED LIVING SERVICES		250.00
	ALPHAGRAPHICS US718		1,601.56
	AM TEST, INC		300.00
	AMERICAN GENERAL		3,993.48
	AMERICAN PLANNING ASSOCIATION		2,111.00
	AMERICAN PUBLIC WORKS ASSOCIATION		960.00
	AMERICAN SOCIETY OF COMPOSERS		341.40
	ANCHOR QEA, LLC		7,326.00
	ANDERSON, RICK		300.00
	APPLIED TECHNOLOGIES NW INC.		8,700.25
	ARC - PACIFIC NORTHWEST		675.46
	ARTS OF KENMORE		3,240.25
	ASSOCIATION OF WA CITIES		16,925.94
	ATHENAS		101.00
	AURORA RENTS		1,142.07
	AV CAPTURE ALL		2,757.43
	AWC EMPLOYEE BENEFITS		376,977.30
	BAKER, DAVID		2,957.36
	BANK OF AMERICA 941		286,875.09
	BANNER BANK BAKER		10,905.86
	BANNER BANK BH		3,247.00
	BANNER BANK CS		3,788.54
	BANNER BANK DB		1,397.50
	BANNER BANK JG		6,065.93
	BANNER BANK JGORDON		21,027.26
	BANNER BANK KENMORE		28,083.76
	BANNER BANK LD		7,817.06
	BANNER BANK NO		2,849.39
	BANNER BANK PS		226.82
	BANNER BANK VAN NESS		5,709.50
	BASTYR UNIVERSITY		50,200.00
	BEARCOM		199.29

BECKER, THEODORE J	1,675.00
BEN & JERRY'S	11.00
BERK & ASSOCIATES	6,200.00
BLACKBAUD	6,283.89
BOHMAN, BRIAN	300.00
BORROMEO, ALEXANDER	75.00
BOTTLEROCKET	500.00
BRIEN, GAYLYNN	450.00
BUILDERS EXCHANGE OF WASHINGTON INC	183.85
BULGER SAFE & LOCK, INC.	48.83
CALPORTLAND COMPANY	1,872.54
CAPITAL ONE COMMERCIAL/ COSTCO	1,479.65
CASCADE PEST CONTROL	1,138.80
CATHOUSE PIZZA	48.00
CEMEX	3,038.48
CENTER FOR HUMAN SERVICES	10,000.00
CENTER FOR PRIORITY BASED BUDGETING	12,500.00
CHAVEZ, FRANCISCO	1,500.00
CHICK'N FIX	48.00
CHINOOK BOOK	1,642.50
CITY OF BELLEVUE	85,042.50
CITY OF KENMORE	348.55
CITY OF KENMORE FS	6,015.78
CITY OF KENT	500.00
CITY OF LAKE FOREST PARK	587,497.23
CITY OF SHORELINE	7,604.68
CITYWORKS/ AZTECA SYSTEMS INC.	20,074.64
CLK CONSTRUCTION LLC	9,811.11
CLOWNS UNLIMITED, INC.	876.00
COASTAL WEAR PRODUCTS INC	2,713.42
COASTWIDE LABORATORIES	7,055.57
CODE PUBLISHING COMPANY	6,226.04
COLUMBIA FORD	72,062.80
COLUMBIA RIDGE LANDFILL	4,873.72
COMCAST	2,878.31
CONSOLIDATED PRESS	6,147.98
CONYERS, JODY	54.63
CROWN PRODUCTS LLC	1,021.30
CUNNINGHAM, ED	250.00
CURTIS, DR. MILTON	1,326.64
DAILY JOURNAL OF COMMERCE	3,164.00
DANSOUND INC	7,568.64
DAY WIRELESS SYSTEMS	1,325.67
DENUSKI, STACEY	756.72
DEPARTMENT OF ECOLOGY	20,592.50
DEPARTMENT OF LABOR AND INDUSTRIES	22,681.97
DEPARTMENT OF RETIREMENT SYSTEMS	270,567.48
DEVRIES, DENIS	308.86
DIGITAL REPROGRAPHICS SERVICES INC.	404.65
DLT SOLUTIONS	1,600.67
DRS 457	15,840.00
DURRANT, JEFF	337.50

EAGLE EYE CONSULTING ENGINEERS	125.00
ECONOMIC DEV COUNCIL OF SEATTLE/KC	5,000.00
EE-NA ENTERPRISES LLC	13,593.15
EMERGENCY SERVICE COORDINATING AGCY	50,559.00
EMPLOYMENT SECURITY DEPT	11,945.69
ENVIRONMENTAL SYSTEMS RESEARCH INST.	7,008.00
EVERGREEN PRINT SOLUTIONS	781.24
EVERGREEN SAFETY COUNCIL	299.00
EVER-MARK, LLC	1,115.43
FASTSIGNS	910.32
FAZZARI MARKETING	2,294.24
FERGUSON ENTERPRISES INC #1539	8,861.88
FIRE PROTECTION, INC	9,329.27
FIRST AMERICAN TITLE	466.00
FISHER, ALENE	712.34
FRONTIER	9,241.37
FRUHLING SAND & TOPSOIL	2,376.26
FUNRENT	575.81
G & H PRINTING	429.68
GA JORGENSEN CO. INC.	253.81
GALLATIN PUBLIC AFFAIRS	17,371.58
GATES, JANICE	40.74
GENERAL DYNAMICS	890.00
GENERAL ELECTRIC CO	1,183.70
GEOENGINEERS INC	3,292.25
GIP'S DOWN-HOME BBQ	168.00
GOODSELL POWER EQUIPMENT #2 INC.	1,483.40
GORDON THOMAS HONEYWELL	29,737.17
GOREENG	66.00
GOVDELIVERY, INC.	10,500.00
GOVERNMENT FINANCE OFFICERS ASSOC	190.00
GOVERNMENT FINANCE RESEARCH GROUP	1,995.00
GRABER MANUFACTURING, INC.	2,525.00
GRAINGER	2,019.10
GRAKLANOFF, ANNA	75.00
GREATER BOTHELL CHAMBER OF COMMERCE	3,452.09
GREGORY, JOANNE	1,835.87
GRINDLINE SKATEPARKS INC.	209,473.39
HANSEN, COREY	27,400.00
HARRIS & SMITH PUBLIC AFFAIRS	1,581.25
HARRIS COMPUTER SYSTEMS	7,390.06
HAVESON, CRAIG	7,500.00
HAWTHORNE LANE LLC	7,500.00
HDR	469,070.88
HELMETS R US INC	296.75
HERMANSON COMPANY, LLP	4,324.38
HESTON VISUAL ARTS	383.25
HEWITT	296,143.14
HOLLY, BRANDAN	100.00
HOME DEPOT CREDIT SERVICES	1,703.22
HONEY BUCKET	4,126.36
HOPELINK	15,250.00

HOPKINS, CRAIG	593.95
HORIZON DISTRIBUTORS INC	855.22
HORTON, JEANINE	280.32
HSA BANK	900.00
ICMA RETIREMENT TRUST 457 - 304745	51,717.74
ICOMPASS TECHNOLOGIES, INC.	9,879.20
IDEA DECANter	500.00
INDEPENDENT STATIONERS	2,868.20
INDUSTRIAL PHYSICAL CAPABILITY SVCS	170.00
INGLEMOOR HIGH SCHOOL MUSIC BOOSTERS	1,600.00
INNOVAC	20,801.29
INSLEE, BEST, DOEZIE & RYDER, P.S.	129,955.43
INTEGRA TELECOM	7,620.60
INTERNATIONAL CODE COUNCIL, INC	56.39
INTERNATIONAL INST OF MUNI CLERKS	220.00
INTERNET DOMAIN NAME SERVICES INC.	180.00
iWORQ SYSTEMS	2,800.00
J&K ASSOCIATES	7,485.42
JACOBS ENGINEERING GROUP	69,523.80
JAYMARC - AV	897.90
JET CITY PRINTING	3,696.17
JOHNSON, WES	530.00
JOYCE ZIKER PARKINSON	10,855.00
KARLINSEY, ROB	420.29
KEEP POSTED INC	276.00
KENMORE CAMERA	1,235.05
KENMORE COMMERCIAL LLC	30,539.00
KENMORE ELEMENTARY PTA	3,000.00
KENMORE JR HIGH SCHOOL	75.00
KIEWIT/GENERAL/MANSON	7,500.00
KING CO. UTILITY COORDINATION COUNCIL	75.00
KING COUNTY ANIMAL SVCS	3,273.00
KING COUNTY FINANCE	402,073.06
KING COUNTY FINANCE W.L.R.D.	56,553.63
KING COUNTY FINANCE/ GIS	2,007.19
KING COUNTY FLEET ADMIN	383.18
KING COUNTY MUNICIPAL CLERKS ASSOC	25.00
KING COUNTY OFFICE OF FINANCE	4,706.06
KING COUNTY PARKS	72.41
KING COUNTY RADIO COMM SERVICES	850.83
KING COUNTY REAL ESTATE SVCS	500.00
KING COUNTY RECORDER'S OFFICE	107.00
KING COUNTY SHERIFF	2,038,561.33
KING COUNTY SUPERIOR COURT CLERK	141,200.00
KING COUNTY TREASURY	13,507.11
KING CTY EASTSIDE TRANSP PARTNERSH	200.00
KONICA MINOLTA BUSINESS SOLUTIONS	4,079.74
KUKER-RANKEN INC	29.51
KUSTOM SIGNALS, INC.	18.00
LAKE CITY PICTURE FRAMING	249.89
LANGTON SPIETH, LLC	18,953.74
LAW OFFICE OF JOHN RUNGERUDE, PS	2,400.00

LEE BRIANTE	1,000.00
LEGACY FORD	31,111.73
LIGHTHOUSE CONSULTING INC	44,557.62
LINCOLN NATIONAL LIFE INSURANCE	7,895.18
LOYUK, SAMANTHA	1,285.48
MACDONALD MILLER FACILITY SOLUTIONS	7,603.88
MAGEE, SCOTT	2,800.00
MAIL FINANCE	2,109.00
MANTLE INDUSTRIES INC	3,277.34
MARINE FLOATS CORPORATION	8,576.04
MARSHBANK CONSTRUCTION	3,628,827.70
MASTEC NETWORK SOLUTIONS	2,594.43
MEEHAN, NANCY	217.87
MIGHTY BISON BOOKING	3,500.00
MILLER STEPHENS, MARY	7,500.00
MILLS, VIC	250.00
MINZGHOR, NICHOLAS	416.69
MOBILE ELECTRICAL DISTRIBUTORS INC	13.47
MOBILE MINI, INC.	2,961.81
MODERN ENTERPRISES, LLC	1,750.00
MORGAN SOUND INC	3,426.26
MR. T'S TROPHIES	3,551.09
MUMMA, RYAN	905.24
MUNSON, JOSHUA	12.73
NARANCIC, SHEILA	3,250.00
NATIONAL BUSINESS INCUBATION ASSOC.	525.00
NATIONAL LIFE OF VERMONT	1,220.25
NATIONAL NEIGHBORHOOD WATCH INSTITUTE	345.00
NATIONWIDE FINANCIAL 401a	210,665.74
NATIONWIDE RETIREMENT SOLUTIONS 457	5,130.00
NEEMA'S COMFORT	55.92
NEOPOST NORTHWEST	274.82
NORTHSHORE FIRE DEPT	5,817.25
NORTHSHORE PARK & REC SERVICE AREA	1,360.00
NORTHSHORE ROTARY CLUB	988.00
NORTHSHORE SCHOOL DISTRICT	5,000.00
NORTHSHORE SENIOR CENTER	14,300.00
NORTHSHORE UTILITY DIST	56,329.46
NORTHSHORE YMCA	3,250.00
NORTHSHORE YOUTH & FAMILY SERVICES	8,000.00
NORTHWEST ATHLETICS	350.00
NORTHWEST LANDSCAPE SERVICES	11,630.50
NORTHWEST MARINE TRADE ASSOCIATION	425.00
NORTHWEST TROPHY	189.44
NW ENVIRONMENTAL TRAINING CENTER	1,325.00
OFFICE DEPOT	7,787.42
OFFICE MAX	6,119.24
OFFICE TEAM	9,042.70
OfficeMax Workplace Interiors	9,871.11
OLYMPIC ENVIRONMENTAL RESOURCES INC	37,599.97
OSBORN CONSULTING INC.	149,687.76
OUSLEY, NANCY	1,136.72

OVERLEESE, KRISTEN	77.88
PACIFIC TOPSOILS	4,160.72
PARADISE AMUSEMENTS	100.00
PARISI, NICK	44.00
PART WORKS INC	461.93
PASIFIKA ARTIST NETWORK LLC	2,250.00
PAT'S TREES AND LANDSCAPE INC.	7,013.89
PAWS	2,366.00
PENDLETON, MICHAEL	3,523.84
PEOPLES STORAGE	1,710.00
PERSONAL BEST/ TOPHEALTH	197.77
PERTEET INC.	146,505.65
PETERSON, JANET	600.00
PETTY CASH CUSTODIAN	826.83
PHAM, CHOUNG	98.54
PHSI PURE WATER FINANCE	1,328.15
PIEDMONT DIRECTIONAL	2,896.68
PIPERS CREEK NURSERY	188.34
PLANNING ASSOCIATION OF WASHINGTON	80.00
PREPARE NORTHWEST	500.00
PROTECTION TECHNOLOGIES, INC	374.95
PUBLIC HEALTH DEPT. OF KING COUNTY	100.00
PUGET SOUND BUSINESS JOURNAL	97.00
PUGET SOUND CLEAN AIR AGENCY	14,740.00
PUGET SOUND ENERGY	144,962.82
PUGET SOUND REGIONAL COUNCIL	15,270.00
PURE WATER TECHNOLOGY OF PUGET SOUND	448.52
QUALITY BUSINESS SYSTEMS	7,391.88
RANDALL, BRIAN	124.06
REDMOND, MICHAEL	61.25
REPUBLIC SERVICES	7,198.32
RICHMOND AMERICAN HOMES OF WA	60.00
RM HOMES LLC	412.01
ROAD CONSTRUCTION NW, INC.	87,043.22
RODGERS, DEUTSCH & TURNER PLLC	70,600.00
ROGERS, GLENN	20.91
RONGERUDE, JOHN	900.00
SAFRIN, PATTY	101.35
SAMYN, DR. JEFFREY	250.00
SANDRA OWEN DESIGN	1,962.50
SARA CAHOONE	750.00
SARAH ROBERTS	84,064.32
SAUVE, GAYLEN	300.00
SAWYER, RICHARD	1,433.31
SCHINDLER ELEVATOR CORPORATION	1,151.52
SCHOCK, BRETT	227.04
SCORE	439,070.53
SEATTLE TIMES	11,633.24
SECRETARY OF STATE	57.60
SEES TREES AND EXCAVATION INC	1,029.30
SESAC	360.00
SEXTANT MARKETING GROUP	6,940.61

SHELTON, CINDY	42.55
SHERWIN-WILLIAMS CO. #8099	154.79
SHRED-IT	481.58
SIGN UP, SIGN CO, INC	2,250.23
SILVER KITE COMMUNITY ARTS CONSULT.	300.00
SNOHOMISH COUNTY	6,393.00
SNOHOMISH COUNTY HEARING EXAMINER	500.00
SOCRATA, INC.	5,913.00
SOLODVNIK, EUGENE & TATYANA	57.50
SOUND CITIES ASSOC	12,798.49
SOUND LAW CENTER	8,858.50
SOUND PUBLISHING, INC.	10,431.43
SPERRY, LAURIE	91.95
SPOT HOT DOG & BRATS	97.00
SREBNIK, DEBRA	57.90
ST OF WA DEPT OF FISH & WILDLIFE	500.00
STARDOM SERVICES, INC.	4,540.00
STATE AUDITOR'S OFFICE	27,276.61
STATE OF FLORIDA DISBURSEMENT UNIT	4,950.00
STATE OF WA DEPT. OF LICENSING	30.00
STEWART MACNICHOLS HARMELL, INC.	45,283.08
STEWART TITLE COMPANY	2,628.00
STOPTECH, LTD.	4,544.25
STUDIO 3 SIGNS	2,299.50
SUNGARD PUBLIC SECTOR INC.	19,875.00
SUSSMAN/PREJZA & CO, INC	5,790.00
TELESYSTEMS WEST	2,219.85
TERREBONNE LIMITED	337.34
THE DOWNTOWN MOUNTAIN BOYS	1,000.00
THE KIPLINGER LETTER	99.00
THOMAS, MICHAEL	133.36
TIKOR CONSULTING	52.79
TOPIA TECHNOLOGY/ BIS	3,690.00
TOTAL LANDSCAPE CORP	73,307.35
TOWN CENTER HARDWARE	1,828.96
TREE SOLUTIONS, INC.	855.00
TWEDT, CHARLES	1,500.00
TWO BROTHERS' TREES	600.00
ULINE	1,544.27
UNITED RENTALS NW, INC	1,829.67
UNITED STATES POSTMASTER	4,777.84
UNITED WAY OF KING COUNTY	4,875.78
UPS STORE	2,293.50
URBAN LAND INSTITUTE	215.00
US POSTAL SERVICE (HASLER)	6,308.41
U-SAVE OIL CO	2,150.00
UTILITIES UNDERGROUND LOCATION CTR	1,529.94
V2WORKS	3,544.42
VAN NESS, ALLAN	1,905.10
VAUGHAN, KENT	116.00
VERIZON WIRELESS	10,115.21
VERTICAL VISUAL SOLUTIONS INC.	14,375.39

W.S.S.O. Advanced Training	500.00
WA ASSOC OF BUILDING OFFICIALS	950.00
WA ASSOC OF PUBLIC RECORDS OFFICERS	140.00
WA CITIES INSURANCE AUTHORITY	212,941.00
WA FINANCE OFFICERS ASSOCIATION	150.00
WA GUARANTEED EDUCATION TUITION	800.00
WA STATE CONSOLIDATED TECH SVCS	875.00
WA STATE DEPT OF CORRECTIONS	230.50
WA STATE DEPT OF ENTERPRISE SVCS	175.00
WA STATE DEPT OF LABOR & INDUSTRIES	141.60
WA STATE DEPT OF TRANSPORTATION	27,236.19
WAGE WORKS	450.00
WALL, JOHN	596.78
WALTERS, GEORGE	206.00
WASHINGTON CITY/COUNTY MGMT ASSOC	365.00
WASHINGTON STATE PATROL	2,139.13
WASHINGTON TREE SERVICE INC	3,066.00
WAYNE'S ROOFING INC.	72,027.98
WELLS FARGO FINANCIAL	9,628.18
WELWEST CONSTRUCTION INC.	4,868.03
WESTERN DISPLAY FIREWORKS, LTD.	17,000.00
WETLANDS & WOODLANDS INC	183.96
WHITEMAN, TELA	50.60
WINTER, KENDL	750.00
WINTERBOURNE LANDSCAPE	574.88
WONDERLAND DEVELOPMENT	2,500.00
ZONAR SYSTEMS	525.33
ZORNES, GARY	600.00
ZUMAR	1,813.37
	<u>\$ 12,550,837.55</u>



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Joint meeting for the Planning Commission to present their recommendations on code amendments related to tree windthrow. Proposed Council Action/Motion: Discuss the Planning Commission recommendations. Determine whether the recommended amendments are ready for future Council action.	For Council Meeting Agenda of: 10/26/15 Department: <u>Community Development</u> Prepared by: <u>Debbie Bent, Community Development Director, Lauri Anderson, Senior Planner, and Ashley McCulley, Graduate Intern</u> Initial & Date Approved by Department Head: <u>AK 10/27/15</u> Approved by City Attorney: _____ Approved by Finance Director: <u>10/16/15</u> Approved by City Manager: <u>POK</u> Exhibits/Attachments: 1. Recommended Amendments 2. Minority Report
Expenditure Required \$0 Amount Budgeted: \$0 Appropriation Required \$0	
<u>INFORMATION/BACKGROUND:</u> Although the City of Kenmore's Tree Management and Protection rules were significantly revised in both 2004 and 2009, the City Council requested that the 2015 docket include Planning Commission review of tree windthrow issues and associated code amendments. Tree windthrow occurs when a tree trunk acts as a lever under the pressure of the wind and the tree is uprooted. Trees most at risk are those whose environment has recently changed (in the last 5-10 years). When trees that were living in the midst of the urban forest lose the protection of a rim of trees and become stand-alones on new housing lots, or become the new edge trees of the urban forest, they are made more vulnerable to strong weather elements. They lose the physical protection of surrounding trees that had kept them from breaking or falling. Moreover, land clearing may wound a tree's roots, providing an opportunity for infection by wood decay fungi. Decay usually proceeds slowly, but can be significant 5-10 years after injury, weakening the roots and making the tree more vulnerable to windthrow. Compacting soil, or changing grade and drainage patterns also can damage or kill roots. Factors related to tree windthrow beyond reduced shelter by other trees and root disturbance include: height relative to neighboring trees (if the remaining trees are taller than average, they will take the brunt of the force from a windstorm); topography in the tree's location (affecting the level of wind exposure); and type of foliage (trees that shed their leaves annually carry a higher risk of failure). After reviewing windthrow measures from other jurisdictions, holding a public hearing, and extensively debating the issues over several meetings, the Planning Commission is recommending modifications to the tree regulations to strengthen protection for neighboring property owners and future property owners against damage from "windthrow" -- the process that uproots a tree (see Attachment 1). The Planning Commission believes these preventative policies support public safety. <u>Background</u> Urban forest management best practices suggest that although there are multiple factors that contribute to windthrow, cities can adopt tree protection ordinances that reduce the potential for such failures. Best practices include but are not limited to: protecting groves and interior trees, providing alternatives to trenching (such as under-root boring), and preservation of trees' lateral root system health and integrity. Ultimately, a tree protection professional must determine both the potential for tree windthrow and appropriate mitigation	

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measures.

The City's current Tree Management and Protection rules for new development and subdivisions already include preservation of groves and protection of trees sheltering interior trees or trees on adjacent property from strong winds as priorities. These rules require preparation of a tree plan by a tree protection professional and include standards for protecting the critical root zone (CRZ) of retained trees.

Under the proposed regulations, the regulatory process would not change for new development (including new single family residences, plats, and commercial and multifamily projects); it would merely add windthrow evaluation as part of the tree protection plan preparation and review.

After meeting with the Development Services team to discuss the preliminary windthrow recommendations for new development, it became clear that an exception to the tree protection rules for lots containing a single-family detached dwelling (KMC Chapter 15.25) created a gap in the proposed windthrow regulations.

Existing rules in KMC 15.25 allow removal of significant trees on lots that contain existing single-family detached dwellings, and that are not within critical areas, shorelines or associated buffers, native growth protection areas, wildlife protection zones, or that have not been previously designated for protection (e.g., as part of a plat), based on the following table:

Lots up to 10,000 sq. ft.:	2 trees per year
Lots 10,001 sq. ft. to 20,000 sq. ft.:	4 trees per year
Lots 20,001 sq. ft. to 30,000 sq. ft.:	6 trees per year
Lots 30,000 sq. ft. and greater:	8 trees per year

Since the science for mitigating future risk of windthrow does not change whether the trees are being removed as part of a new development or because they are on a single-family lot, the Planning Commission concluded that moving forward with regulations that only addressed new development and not tree removal on single-family lots would indeed leave an inconsistency and gap in the regulations. The Planning Commission recommendation, therefore, includes amendments to Chapter 15.25 requiring a windthrow evaluation when removal of a significant tree could create a significant windthrow risk. (A significant tree is defined as an existing healthy tree that is not a hazard tree and that, when measured four and one-half feet above grade, has a minimum diameter of eight (8) inches for evergreen trees or twelve (12) inches for deciduous trees.)

Currently, any time removal of significant trees is proposed on a single-family lot, a Form 303 checklist (http://www.kenmorewa.gov/sites/default/files/Development_Services/303%20Tree%20Removal%20Checklist.pdf) must be completed that may or may not result in the requirement for a permit and further evaluation by a tree protection professional. Review of Form 303 generally takes a week or less. If review of the checklist shows that no permit is needed, the checklist is stamped and filed (to keep track of how many trees are removed per year on a lot) and the homeowner is given a copy to show any interested neighbors. No fee is charged.

If, after review of Form 303, a tree removal permit is required (for example, if the tree is in a critical area) a tree assessment may be required. The windthrow amendments recommended by the Planning Commission add tree removal that may cause a significant risk of windthrow to those tree removal requests that would require a permit and arborist evaluation. The cost for a tree assessment (arborist report) depends on the extent of information requested and the size of the property. A local arborist indicated that a tree windthrow evaluation could cost about \$500. The permit fee for a tree removal permit is \$75.71.

To avoid putting all single-family lot tree removal requests through the permit and windthrow evaluation process, the Planning Commission has endorsed amendments to the Form 303 checklist that would allow staff to approve removal requests that create a very low or low risk of tree windthrow without requiring a permit.

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Additional amendments recommended by the Planning Commission require notification of neighboring property owners when a permit for tree removal on a single-family lot with windthrow potential has been identified. The new amendment(s) state that: "If a windthrow evaluation determines significant windthrow potential for trees that could impact neighboring properties or are on neighboring properties, neighboring property owners shall be alerted to this issue through a form letter (template provided by the department) that instructs the property owner to contact the applicant with any questions or concerns. The purpose of this notification is to provide an opportunity for the neighbor and applicant to discuss tree windthrow concerns and/or mitigating measures. An affidavit of notification shall be submitted to the department within 7 calendar days following the department's determination that a letter is required to allow continued processing of the application by the department. The City may not issue a decision on tree removal until 14 calendar days have passed from the date of the City's receipt of the affidavit of notification." These amendments can be found in Attachment 1 under section 18.57.085.C.1.

Too, an appeals process (to the City's Hearing Examiner) for a person whose tree removal permit was denied based on a windthrow analysis has been added. Neighbors would not have the right to file a local appeal of the City's final decision on tree removal on a single-family lot.

The proposed amendments that have been recommended are preventative policies that provide a pathway towards mitigating increased windthrow events *in the future*, as a result of development activity and land alterations. For existing threats, the Municipal Code already contains hazard tree law that permits removal of a hazard tree when necessary to prevent or correct an immediate threat to public health, safety, property or welfare. A hazard tree is defined as "any 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."

The Planning Commission's final recommendations in Attachment 1 were adopted after a 4-3 vote. Commissioners in the minority who are opposed to the recommendations have prepared a minority report, included as Attachment 2.

All Planning Commissioners have asked that a more comprehensive review of the tree management chapter be added to a future docket.

FISCAL CONSIDERATION:

None at this time.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Addressing tree windthrow was a Council docket item request.

RECOMMENDED TREE WINDTHROW AMENDMENTS

Proposed amendments are highlighted in yellow.

NEW DEFINITION:

18.20.3090 Tree windthrow.

“Tree windthrow” means the process of uprooting, breaking, and overthrowing of a tree by force of wind during a storm event.

AMENDMENTS INCORPORATING TREE WINDTHROW ANALYSIS AND IDENTIFICATION OF MITIGATION MEASURES INTO THE TREE PROTECTION PLAN:

18.57.050 Tree protection plan required.

A. Requirement Established. Except for the exemptions enumerated in this chapter, no individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, shall remove, transplant, or destroy, or cause to be removed, transplanted, or destroyed, on any land in the *City*, any *tree* as defined in this chapter, without first obtaining the *city manager’s* approval of a tree protection plan and receiving a clearing permit from the *City*. For *sites* proposed for land *development*, including the division of a parcel of land into two or more parcels, having *trees* below the minimum tree density, even though no *trees* are proposed to be removed, a tree protection plan is required to bring the *site* up to the minimum tree density standard herein established.

B. Submittal of Tree Protection Plan. Where the *site* proposed for *development* requires site or plat or short plat review, the tree protection plan shall be submitted concurrent with a site plan or plat or short plat application.

C. Tree Protection Plan Requirements. Attached to the *applicant* information and site plan information required for the clearing permit applications, the *applicant* shall include the following tree protection plan information:

1. *Tree Survey*. For all *development proposals*, a *tree survey*, drawn to scale by a land surveyor licensed in Washington State, identifying the exact location and conditions of existing *trees* as defined in this title and containing the following information:

- a. Common and botanical name of each *tree*.

- b. *Trees* proposed to remain and to be removed.
- c. *Groves* with indication of predominant species, number of *trees* and size of d.b.h.
- d. Any off-site *tree* with a root protection zone which could be adversely affected by the proposed activity.
- e. The location and dimensions of established and proposed perimeter *landscaping*, natural *vegetation* easements, and open space areas for public, *private*, or community use.
- f. *Net buildable areas*.
- g. *Critical areas* and their *buffers*.
- h. Stormwater tracts.
- i. Limits of construction line.
- j. North arrow, scale, and date of survey.

2. An assessment of tree windthrow potential as described in Section 18.57.085, along with any proposed mitigation measures to minimize windthrow. These measures shall be incorporated into the proposed tree protection plan described in subsection 5 of this section.

23. A statement describing how *trees* intended to remain will be identified, marked, and protected before the start of and during *development* as further described in KMC 18.57.090.

34. A statement that describes replacement tree quality as conforming to the American Standards for Nursery Stock (ANSI).

45. Proposed Tree Protection Plan. The permit *applicant* shall have a *qualified tree protection professional* prepare recommendations for the a tree protection plan. The tree protection plan shall be drawn to scale using the *tree* survey as a base and containing the following information:

- a. The exact location and conditions of protected *trees*.

- b. The exact location, common name, botanical name, and *caliper* of each *tree* species to be planted.
- c. The *site* minimum tree density calculation indicating the total number, size, and species of existing *trees* to be preserved and the replacement *trees* to be planted as described in KMC 18.57.060.
- d. The *site* replacement tree calculation as described in KMC 18.57.060 with an explanation including the number, *caliper*, and species.
- e. The location, materials, dimensions, and layout of the protective barriers.

56. Submit a landscape bond quantity form.

67. Additional Information. Any additional or more detailed information required by the *city manager* to ensure compliance with the provisions of this chapter (i.e., aerial photograph). The *city manager* may waive the requirements for the scaled drawing and other submission data if he finds that the information presented is sufficient to determine the project's compliance with the provisions of this chapter.

18.57.080 Tree protection plan review standards.

The following standards shall govern the approval of a tree protection plan and the granting or denial of an application for clearing permit:

A. Design. *Development* shall be designed, located, and conducted so as to minimize the loss of healthy *groves* and protected *trees* as identified by a *qualified tree protection professional*, degradation of wildlife habitat as identified through environmental review, and the potential for *erosion* and slope failure.

B. *Tree Protection Priority*. In designing a development project and in meeting the required minimum tree density, the *applicant* shall protect *trees* within the *net buildable area* as described in KMC 18.57.060(B)(1), in the following order of priority. *Trees* to be preserved and protected must be healthy and vigorous, *wind-firm*, and not in conflict with utilities.

1. *Groves*.

2. Individual *trees* which provide wildlife habitat as identified through environmental review.

3. Individual *trees* and *groves* which occur within required *setbacks*.
4. Trees that protect against windthrow, including ~~t~~Trees sheltering interior trees or trees on adjacent property from strong winds that could otherwise cause them to blow down.
5. *Trees* which provide a buffer and separate incompatible *uses* or reduce sound and wind levels.

NEW SECTION OUTLINING TREE WINDTHROW RISK FACTORS AND ADDING A REQUIREMENT FOR NEIGHBOR NOTIFICATION IF SIGNIFICANT WINDTHROW POTENTIAL IS IDENTIFIED

18.57.085 Tree windthrow evaluation and prevention.

- A. Increased tree windthrow potential as a result of impacts to trees on a site shall be evaluated based on the following risk factors:
 1. Root system disruption that will extend within an area 1 to 2.5 times the radius of the canopy;
 2. Topography of the site;
 3. Whether the tree is deciduous or evergreen;
 4. Height of the tree relative to the neighboring trees;
 5. Whether the tree is part of a grove.
- B. The windthrow evaluation shall be conducted as part of the preparation of the tree protection plan (see KMC 18.57.050) based on the aforementioned risk factors. The assessment shall be conducted by a *qualified tree protection professional*. This assessment also shall evaluate increased windthrow potential for trees on neighboring lots that are within 50 feet of the closest trees being removed on the site, including trees that share a root system with tree(s) on the site.
- C. Tree protection plan.
 1. If a windthrow evaluation determines significant windthrow potential for trees that could impact neighboring properties or are on neighboring properties, neighboring property owners shall be alerted to this issue through a form letter (template provided by the department) that instructs the property owner to contact the applicant with any questions or concerns. The purpose of this notification is to provide an opportunity for the neighbor and applicant to discuss tree windthrow concerns and/or mitigating measures. An affidavit of notification shall be submitted to the department within 7 calendar days following the department's determination that a letter is required to allow continued processing of the application by the department. The City may not issue a decision on tree removal until 14 calendar days have passed from the date of the City's receipt of the affidavit of notification.
 2. When significant windthrow potential is identified for trees that could impact neighboring properties or are on neighboring properties, the applicant shall identify measures to

minimize windthrow as part of the tree protection plan. Measures could include but are not limited to demonstrating that the CRZ fencing is adequate to prevent root disruption or that the CRZ is expanded to provide root protection; saving groves when applicable; taking steps to preserve existing grades around trees; and/or tunneling rather than trenching for utilities. The City may deny a request to remove a tree(s) if mitigation measures are inadequate to minimize windthrow.

3. If potential windthrow damage is for the site itself, the applicant shall identify measures to reduce impacts to future structures on the site.

AMENDMENTS ELIMINATING THE PERMIT EXEMPTION FOR TREE REMOVAL ON LOTS WITH SINGLE-FAMILY DETACHED DWELLINGS IF THE DANGER OF WINDTHROW MAY BE SIGNIFICANTLY INCREASED:

15.25.070 Permit Required – Exception

B. Clearing and Tree Removal

1. Clearing and removal of trees for the construction of a structure authorized by a valid building permit.
2. Removal of significant trees on lots that contain existing single-family detached dwellings, and that:
 - a. are not within critical areas, shorelines or associated buffers, native growth protection areas, or wildlife protection zones; and
 - b. would not significantly increase the likelihood of tree windthrow (see KMC 18.57.085.A); and
 - c. or that have not been previously designated for protection (e.g., as part of a plat); and
 - d. are based on the following table:

Lots up to 10,000 sq.ft.:	2 trees per year
Lots 10,001 sq.ft. to 20,000 sq.ft.	4 trees per year
Lots 20,001 sq.ft. to 30,000 sq.ft.	6 trees per year
Lots 30,000 sq.ft. and greater:	8 trees per year

NEW SECTION OUTLINING AN APPEALS PROCESS IF A TREE REMOVAL PERMIT IS DENIED BASED ON WINDTHROW:

15.25.195 Appeals.

An applicant's appeal of a decision to deny removal of a significant tree(s) based on a windthrow analysis, on a lot that contains an existing single-family detached dwelling, shall be made to the hearing examiner in accordance with the requirements and processes of Chapter 19.30 KMC.

AMENDED DEFINITION ENSURING THAT A TREE PROTECTION PROFESSIONAL IS AN ARBORIST:

18.20.2207 Qualified tree protection professional.

"Qualified tree protection professional" means a licensed professional with academic and/or field experience that makes her or him a recognized expert in *tree* preservation and management. The tree protection professional ~~may~~ shall be an arborist certified by the International Society of Arboriculture or be an arborist registered with the American Society of Consulting Arborists, and shall have specific experience with *tree* management in the State of Washington. A qualified tree protection professional must possess the ability to evaluate the health and hazard potential of existing *trees*, and the ability to prescribe appropriate measures necessary for the preservation of *trees* during *development*.

Attachment 2

Kenmore Planning Commission Minority Report Opposing the Majority's Adoption of the City Staff's Windthrow Amendments to Tree Management and Protection Ordinances

Summary

We, the undersigned minority of the Kenmore Planning Commission, agree with the Planning Commission majority that trees falling from wind force presents a safety hazard. And we agree with them the City should attempt to reduce that hazard. But we disagree with the majority's adoption of city staff's windthrow amendments to tree management and protection ordinances. We feel there is a much more efficient solution for the City.

With respect to the majority/staff recommendation, the minority has seen no empirical evidence this proposal would reduce the incidence of trees falling as a result of high winds. We also believe it would impose significant burdens on citizens, in cost as well as private-property restrictions, for unknown and perhaps unknowable safety benefits. It would create an added bureaucratic system for tree removal.

We believe a better approach would be to expand the City's hazard tree law exception to the tree-permit rules so that the City can enforce it to require negligent property owners to promptly remove trees posing an imminent hazard to their neighbors.

We also believe the city should examine windthrow as part of a broader review of its urban forestry policy, not as a discrete topic. Public comments and Planning Commission discussions showed a huge diversity of opinions on addressing windthrow specifically and trees generally in Kenmore, and indicate the need for a broader community conversation before enacting any new tree-related regulations.

Rationale

- A. The Purpose of the Proposed Windthrow Law. The stated purpose of this law is to increase public safety. But as with any proposed law, we need to ask:
- 1) Would this law work (i.e., reduce the number of trees that would fall in a windstorm)?
 - 2) What burdens does it create for citizens?
 - 3) Do those burdens outweigh the benefits?
 - 4) Is there a better way to reach this goal?
 - 5) Is the law just and fair to citizens, i.e., does it encourage desirable behavior and/or discourage undesirable behavior?
- 1) Would the Majority's Proposed Windthrow law work?
- The Staff has produced no empirical evidence that this law would reduce the number of trees that fall in a windstorm. The windthrow law would require that certain trees remain in place (Parcel A) to block the wind from knocking down trees on a neighbor's property (Parcel B). But we (the minority commissioners) pointed out that the wind would still hit the trees

on Parcel A, which would likely cause Parcel A's trees to fall. The windthrow laws would therefore not reduce the number of trees that would fall in a windstorm. The law would merely result in the trees on Parcel A falling rather than trees on Parcel B.

Example: On August 29, 2015, the Puget Sound area was hit with a strong windstorm. Kenmore suffered power outages and damages from falling trees. But so did other cities that had adopted windthrow laws. In fact, the Staff presented no evidence that the cities with windthrow laws suffered any less wind damage than the cities without windthrow laws, such as Kenmore.

2) Burdens on Citizens.

- a. Legitimate Reasons to Remove Certain Trees. There are numerous legitimate reasons for a property owner to want to remove a tree or trees on his or her property, for example: i) build or expand a house, ii) create a view of Lake Washington, the mountains, or a valley, iii) eliminate the risk that the tree would fall and damage one's own property in windstorm, major earthquake, or otherwise, iv) increase sunlight on owner's property (to grow a garden for example) or brighten rooms in the house.
- b. The Majority's Law Requires Tree(s) To Stay. The proposed windthrow law states that if, under the City's formula, tree removal creates even a moderate risk of windthrow to any tree within 50 feet of the removed tree, that the applicant must "identify measures to minimize windthrow as part of a tree protection plan". The word "minimize" is commonly defined as "reducing something to the smallest possible amount." To do this, the tree in question would have to stay. Anything else would result in less mass to block the wind. The majority's proposed alternative options relate to digging near or under trees, not to reducing windforce. So none of the alternatives that would block the wind as effectively as would leaving the tree in place.
- c. The Windthrow Proposals Could Result in Severe Loss of Value to Property Owners or Could Subject Property Owners to Tree Related Damages or Liabilities. The majority's proposed windthrow laws could result in valuable land being unused and potentially reduce the value of that land to virtually nothing. And it could force the owner of that land to bear significant damage (e.g., falling on the owner's house) that the owner could otherwise avoid.
- d. The Bureaucracy and the Fees. The Staff's proposed laws would expand for single-family homeowners an elaborate and expensive government bureaucracy for removing trees:
 - i. Form 303 (Tree Removal Request Form). Before removing any tree, a property owner (applicant) must complete and file a Tree Removal Request Form with the City. Applicant must pay a \$75 permit fee. Form 303

requires the applicant to prepare and attach a site plan showing all property boundaries, easements, structures, critical areas, and trees (including size and species).

- ii. Qualified Tree Protection Professional. If Staff deems the tree removal would create a moderate (or greater) risk of windthrow, the applicant must then hire and pay a “qualified tree protection professional” to conduct a windthrow risk evaluation for every tree within 50 feet of the tree to be removed.
- iii. Letter to Neighbor. If the tree professional report indicates that the tree removal would create a significant risk of windthrow to other trees, the applicant must send a city-approved letter to the neighbors informing neighbor of this risk. So this letter only increases the burden on the applicant and creates a potentially hostile relationship between neighbors. *Even if neighbors agree that the applicant should be able to remove the tree(s), the City will still require the applicant to keep it.*
- iv. Sworn Affidavit to the City. Applicant must file a sworn affidavit with the City stating that applicant has sent the letter to the neighbor.
- v. Identify Measures to Minimize the Risk of Windthrow. The applicant and/or his tree protection professional must present the City with measures to minimize the risk of windthrow.
- vi. Hearing Examiner. If the applicant disagrees with the City’s conclusions, the applicant must first file and undertake an appeal to the City’s hearing examiner before a citizen can seek legal relief from an independent court.

And after all that, if the Hearing Examiner finds a significant risk of windthrow from removing the tree, the tree in question must stay.

3) Is There A Better Way to Reduce Trees Falling and Increase Public Safety?

Yes. Expand the Hazard Tree Exception to Make it Enforceable by the City. This would require property owners to remove dangerous trees that threaten imminent damage or harm to neighboring properties or people. And it could apply to windthrow trees or even trees that are just ready to fall.

B. Hazard Tree Solution.

1. Public Hearing and Citizen Comment.

Most of the public comments fell into 3 general categories: 1) Those who oppose almost any form of tree regulation, 2) Those who want protection for all trees on private property (tree preservationists), and 3) those who are worried that a neighbor’s tree will fall on their house (or family) in the next windstorm.

- a) The minority disagrees with the first group. The minority favors at least one form of tree regulation, i.e., making the Hazard Tree exception enforceable by the City.
- b) The minority disagrees with the second group because the position of the tree preservationists would appear to constitute regulatory takings by the City. This

would essentially require the City to compensate all these private properties, which would be financially unfeasible.

- c) The minority agrees with the third group and believes that its Hazard Tree proposal would address their concerns.

2. Current Hazard Tree Limits.

As stated, the City requires that anyone seeking to remove a tree from his or her property (even if the tree is not in a critical area) must complete Form 303 and obtain City approval before they can do so. The City makes an exception, however, if the tree is a "Hazard Tree". But this does not require the owner of the Hazard Tree to remove it. It only gives the owner an exception to submitting Form 303 before removing the tree.

- a) Problem. The neighbor cannot make the owner of the hazard tree remove the hazard tree. If the owner of the Hazard Tree refuses to remove it, the neighbor has to live in fear that the tree might fall on his/her house at any time. This was the concern expressed at public comments.

3. Solution.

Change the Hazard Tree Rule So That The City Can Enforce It and Require the Delinquent/Negligent Owner to Remove the Threat to His Neighbor's Property.

- a) If the neighbor of an owner of a Hazard Tree obtained an arborist's certification that the tree is a Hazard Tree, the neighbor could take that arborist certification to the City and request that the City cite the Hazard Tree owner with a violation of the Hazard Tree law. The owner would have a limited time in which to remove the tree. If the owner failed to do so, the City could then remove the tree itself and bill the owner for the City's cost of doing so.
- b) City staff rejected this recommendation from the minority for numerous reasons, such as: i) the City would be potentially liable for assessing the Hazard Tree, ii) the arborist could not assess the tree effectively if he/she could not enter the tree owner's property, iii) who would bear the cost?, iv) how would the permit process work?
- c) Answers to Staff's Objections to the Minority's Hazard Tree Proposal.
The Staff raised a number of objections to the Minority's Hazard Tree Proposals:
 - i) The City would not be liable for the tree assessment if the Hazard Tree law required the neighbor to conduct and provide it to the City.
 - ii) The majority's windthrow recommendations themselves require reports from tree professionals regarding trees on neighboring properties that the tree professional could not enter. If a tree professional could evaluate trees for windthrow risk without going on neighbor's property, he/she could easily evaluate trees as Hazard Trees without going on neighbor's property. And a Hazard Tree would be easier to assess than a windthrow risk because the Hazard Tree would have to appear to be an imminent threat to damage property or persons.
 - iii) The owner of the Hazard Tree would bear the cost of removing it because he/she would either 1) have to remove it within a short time of getting the City's Notice of Hazard Tree Violation, or 2) the City would remove the tree thereafter and bill the owner. Many cities give themselves a right to

- lien the Hazard Tree owner's property if the owner does not pay the City's bill.
- iv) The permit process would not apply because the City is requiring that the Hazard Tree be removed. The owner is not seeking a permit to do so.

4. Advantages of Hazard Tree Change over Majority's Windthrow Proposal.

- a. It would reduce the number of trees falling in a windstorm because trees would be removed rather than left exposed to strong winds.
- b. It addresses the fears expressed at the public hearing by those threatened by Hazard Trees.
- c. It would provide public safety beyond just windthrow risks because the minority's Hazard Tree enforcement would apply to any Hazard Tree (e.g., those at risk of falling because of decay), and not just those vulnerable to windthrow.
- d. It allows property owners to remove trees to the extent necessary to use their property in reasonable ways, e.g., building houses, reducing risks, or creating views of the lake or mountains.
- e. It puts all the cost and risk on the property owners who are at fault for failing to remove Hazardous Trees.
- f. It does not require a lengthy, expensive and elaborate bureaucracy.

C. Fairness.

1. The Majority Proposal Makes the Applicant Responsible to his/her Neighbor for a Force of Nature. The primary problem here is not trees or even tree removal. The problem is the wind. As with any force of nature (e.g., rain, lightening, earthquake), all property owners have to protect their own properties. The majority's proposal, however, shifts that burden. The owner of a property with numerous trees (Parcel A) is now obligated to protect not only his or her parcel from the wind, but must also protect his or her neighbor with fewer trees (Parcel B) from the wind.
2. The Majority Proposal Rewards Negligent Tree Maintenance and Penalizes Tree Preservationists. As noted above, Parcel B can negligently maintain his or her trees such that they become infirm and vulnerable to windthrow, and do so without legal consequence. Parcel A, however, may have healthy trees, but he or she loses the option of removing trees because Parcel A would now be obligated to protect Parcel B's infirm trees. In addition, by rejecting the minority's proposal to make the Hazard Tree exception enforceable, the majority proposal would allow Parcel B's infirm trees to threaten other neighbors.
3. The majority proposal makes it illegal for Parcel A to simply use his property just as Parcel B did. Those who already cut trees on their property – or who benefit from a prior owner who cut trees on the property (e.g., for building or expanding a house, creating a view, landscaping)--are rewarded for doing so by now being able to enjoy those benefits. But the windthrow law would prevent their neighbor from doing the same. Ironically, the property owners who did not already develop their properties (and

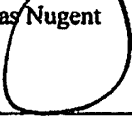
preserved their trees in a way that is consistent with the City's Tree Ordinances) are penalized for doing so.

4. Earthquake Risk and Extensive Tree Damage. The consensus among the geologic community is that the Pacific Northwest is more than 60 years overdue for a magnitude 9 earthquake. Predictions are that the quake would cause thousands of trees to fall when the land shakes. The majority proposal would lead to increased damages and casualties in this event because it requires homeowner to retain trees. Even if the City is not inclined to take measures to address this tree risk, the minority believes property owners should have the option of doing so to protect their families and their houses.

Kenmore Planning Commission Minority Regarding Windthrow Recommendations:



Douglas Nugent



Mark Ohrenschall



Mike Mulcare

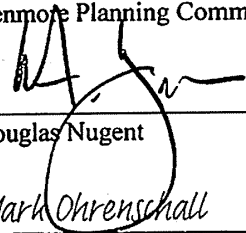
October 16, 2015

Date

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Kenmore Planning Commission Minority Regarding Windthrow Recommendations:



Douglas Nugent

Mike Mulcare



Mark Ohrenschall

October 16, 2015
Date



Tree Windthrow Recommendations

City of Kenmore
Joint City Council and Planning Commission Meeting
October 26, 2015

What is tree windthrow?

- “Tree windthrow” means the process of uprooting, breaking, and overthrowing of a tree by force of wind during a storm event.
- Trees may fall anytime during a windstorm, but certain activities on a lot may increase the likelihood of tree windthrow for an existing tree or for neighboring trees. Tree windthrow regulations are designed to be preventative.



What factors affect susceptibility to windthrow?

- ▶ Root system disruption (results may take years)
- ▶ Removing trees from a grove
- ▶ Leaving behind taller than average trees
- ▶ Topography of the area
- ▶ Whether the tree(s) are deciduous or evergreen



Identification of a regulatory “gap”

- Windthrow science applies equally to trees impacted by new development and to trees impacted by removal of trees on single-family lots
- Proposing regulations applicable only to new development and not to single-family tree removal requests leaves a “gap” in the regulations



Recommendations for new development

- Add rules to assess increased windthrow risk created by development activities
- Require that an arborist identify the activities that may increase windthrow risk, along with possible alternatives
- Consider mitigation measures, such as protecting groves, providing alternatives to trenching, and protecting root systems



Recommendations for single-family tree removal requests

- Determine whether or not there is an increased risk of windthrow
- If there is a moderate or greater risk, require an arborist to evaluate actual risk and to propose mitigation measures
- Alert neighboring property owners to the issue
- Allow the property owner an administrative appeal opportunity (rather than to court) if a tree removal request is denied as the result of a windthrow evaluation



(to be completed for each tree to be removed)

Tree 'X' = Tree to be removed
 Tree 'Y' = Neighboring tree(s) in question

Tree assessment matrix

Risk Factor (n =1)	Very Low (n =0)	Low (n =.25)	Moderate (n =.5)	High (n =.75)	Very High (n =1)	Total
Shelter	After removal of Tree X, Tree Y will be: (1) sheltered by several trees; or (2) a tree inside a stand; or (3) an open-grown tree, that has been exposed to wind throughout its life	Null	After removal of Tree X, Tree Y will be: (1) an isolated tree but somewhat sheltered; or (2) a tree(s) that has lived most of its life in an exposed condition; or (3) a tree(s) in a stand sheltered by a new edge	Null	After removal of Tree X, Tree Y will be: (1) a tree(s) on the edge of a stand; or (2) an isolated and exposed tree(s)	
Height	After removal of Tree X, Tree Y will be a tree(s) of shorter than average height	Null	After removal of Tree X, Tree Y will be a tree(s) of intermediate height, close to average	Null	After removal of Tree X, Tree Y will be a tree(s) of taller than average height	
Root System	Tree X has no shared CRZ	Null	Tree X shares a CRZ with one tree	Tree X shares a CRZ with two trees	Tree X shares CRZ with ≥3 trees, a grove or a stand	
Activity	There will be no clearing or grading.	Removal of Tree X will require clearing and grading > 50 ft away from Tree Y	Removal of Tree X will require clearing and grading < 50 ft and >35 ft from Tree Y	Removal of Tree X will require clearing and grading < 35 ft and >20 ft from Tree Y	Removal of Tree X will require clearing and grading < 20 ft from Tree Y	
Topography	Tree Y is a tree/stand in a sheltered valley	Tree Y is a tree/stand on a side slope	Tree Y is a tree/stand on relatively flat ground	Tree Y is a tree/stand on top of a slope	Tree Y is a tree/stand on a ridge	
Foliage	Null	Tree Y is evergreen	Null	Tree Y is deciduous	Null	
					Total	
Level of Risk						
0.0-.99 (very low risk)	1.0-1.99 (low risk)	2.0-2.99 (moderate risk)	3.0-3.99 (high risk)	4.0-5.0 (very high risk)		

Definitions

Stands-Grouping of trees (remnants of forest)

CRZ- Critical Root Zone. The CRZ is a tree protection area, measured outward from a tree's trunk at a radius of at least one foot per inch in diameter, with tree diameter having been measured at four and one-half feet above grade

Level of Risk- a risk index has been created where all risk factors carry the same weight (n=1) and severity of risk is ranked and weighted (from n=0 to n=1).



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Joint meeting with the Planning Commission to determine whether or not code amendments addressing “tiny houses” should be considered as part of the 2015 docket. Proposed Council Action/Motion: Discuss possible “tiny house” amendments. Provide direction to the Planning Commission.	For Council Meeting Agenda of: 10/26/15 Department: <u>Community Development</u> Prepared by: <u>Debbie Bent, Community Development Director, Lauri Anderson, Senior Planner, and Ashley McCulley, Graduate Intern</u> Initial & Date Approved by Department Head: <u>DB 10/26/15</u> Approved by City Attorney: <u>[Signature] 10/10/15</u> Approved by Finance Director: <u>[Signature]</u> Approved by City Manager: <u>[Signature]</u> Exhibits/Attachments: 1. Tiny house photos and floorplans
Expenditure Required \$0 Amount Budgeted: \$0 Appropriation Required \$0	
<u>INFORMATION/BACKGROUND:</u> As part of the 2015 docket, the City Council directed that the Planning Commission review regulations related to microhousing. Microhousing includes smaller than typical residential living units—whether apartments or single-family homes. The Planning Commission presently is reviewing standards for microhousing apartments. However, Council direction is requested regarding Planning Commission review of standalone single-family microhousing units—commonly called “tiny houses.” Options for the City Council include (1) directing the Planning Commission to discuss and potentially flesh out regulations for tiny houses as part of their 2015 microhousing docket item; (2) deferring consideration of tiny houses to a future work program—for example, as part of the Housing Strategy Plan; or (3) not addressing this issue at this time. Pending amendments through State legislative action and/or through the Building Code Council that may address tiny houses and minimum dwelling unit sizes speak to deferring the discussion for a bit. However, the interest expressed by those wishing to locate tiny houses in the area, tiny houses’ potential to provide more affordable housing, and the seemingly minimal impacts of tiny houses speak to forging ahead. <u>Background</u> The interest in tiny houses is generated both by a desire for “downsizing” and a reduced environmental footprint, and to reduce housing costs. Although the per square foot cost of tiny houses may be higher than traditional housing (given the complexities of building a small space with many space-saving features, including modular furniture), the overall price to be paid for the housing is significantly lower. Some tiny houses are permanently placed on a lot. Others are used as accessory dwelling units. In a third scenario, tiny houses on wheels are temporarily sited on a lot—with the ability to move off-site. See Attachment 1 for floorplans and photographs of tiny houses. Staff has reviewed tiny house issues in many jurisdictions across the country, as well as many websites and blogs devoted to tiny house topics that discuss permitting concerns. Although several jurisdictions (Portland, for example) have started discussions about allowing permanent siting of tiny houses on wheels, there are no examples of regulations directly addressing tiny houses for us to consider. Tiny house regulation is new territory! Staff contacted planners in all of Kenmore’s surrounding jurisdictions (Kirkland, Redmond, Bothell, Lake Forest Park, and Shoreline) to ask whether tiny house inquiries have been received, current approaches to the issue, and whether or not the topic is on an upcoming work program. The Kirkland City Council heard comments from a citizen at a Council	

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meeting about the desire to site a tiny house on wheels in the city. However, the Kirkland Building Department has determined that a tiny house used as a permanent dwelling unit must be on a foundation.

Redmond, Bothell and Lake Forest Park all have received inquiries about tiny houses. Redmond is treating tiny houses on wheels as RVs, with a 30-day residency limitation. Similarly, in Bothell, tiny houses on wheels are considered RVs with residency prohibitions. Lake Forest Park, despite inquiries, has no code amendments on the horizon. According to the Shoreline planner, no inquiries about tiny houses have been made in their city. Kenmore has had at least two inquiries about siting a tiny house in the city.

Without new regulations, site built tiny houses would be permitted in Kenmore but would have to meet Building Code minimum sizes. The Building Code states that every dwelling must include at least one habitable room no less than 120 square feet and other habitable rooms must have a floor area of at least 70 square feet – except for kitchens. Any habitable room must be at least 7 feet wide (again, except for kitchens). Habitable rooms do not include bathrooms, closets, halls, storage or utility spaces, and similar areas.

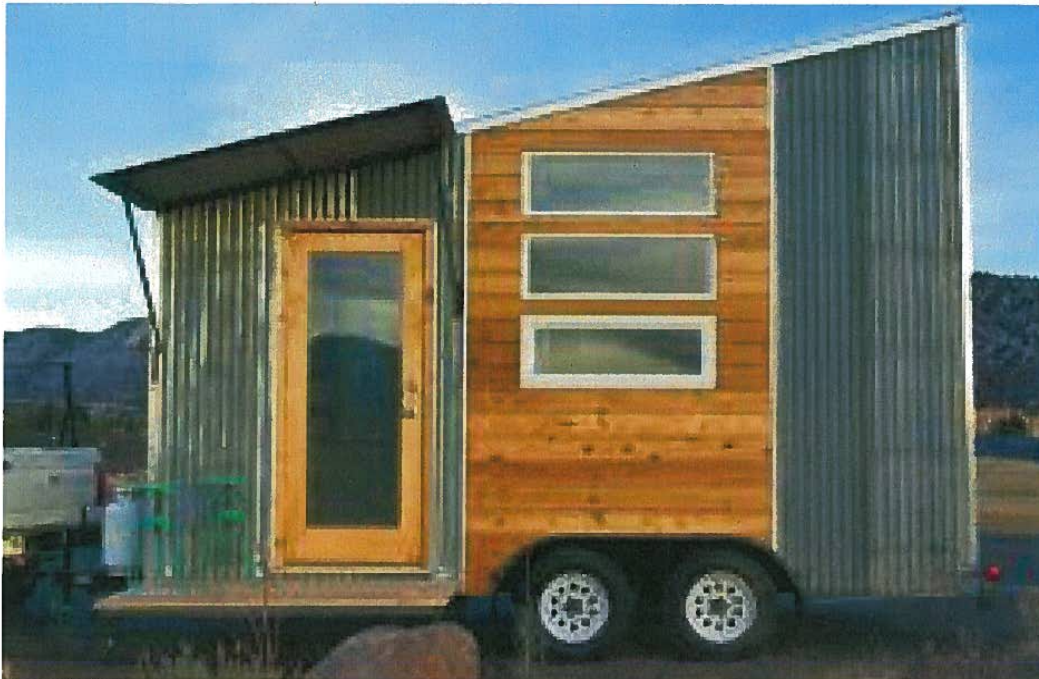
For tiny houses that do not meet these Building Code minimum requirements, a “workaround” has been to place them on wheels and consider them as RVs. Development Services has confirmed that a tiny house on wheels would be considered an RV in Kenmore and would not be subject to the Building Code regulations. However, RVs are subject to limitations in the Zoning Code. If Kenmore’s Zoning Code regulations are not amended, tiny houses on wheels typically could only be placed on a lot for a 3-week period, twice a year.

FISCAL CONSIDERATION:

None at this time.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Addressing microhousing is a Council 2015 docket item request.



<http://i0.wp.com/www.microshowcase.com/wp-content/uploads/2014/11/im...> 6/29/2015



<http://cdn.goodshomedesign.com/wp-content/uploads/2013/04/tiny-living-ti...> 6/30/2015







<http://cdn.inquisitr.com/wp-content/uploads/2013/12/miller-finished-670x4...> 6/30/2015



<http://www.interiordesignwiki.com/wp-content/uploads/2014/02/small-hous...> 6/30/2015



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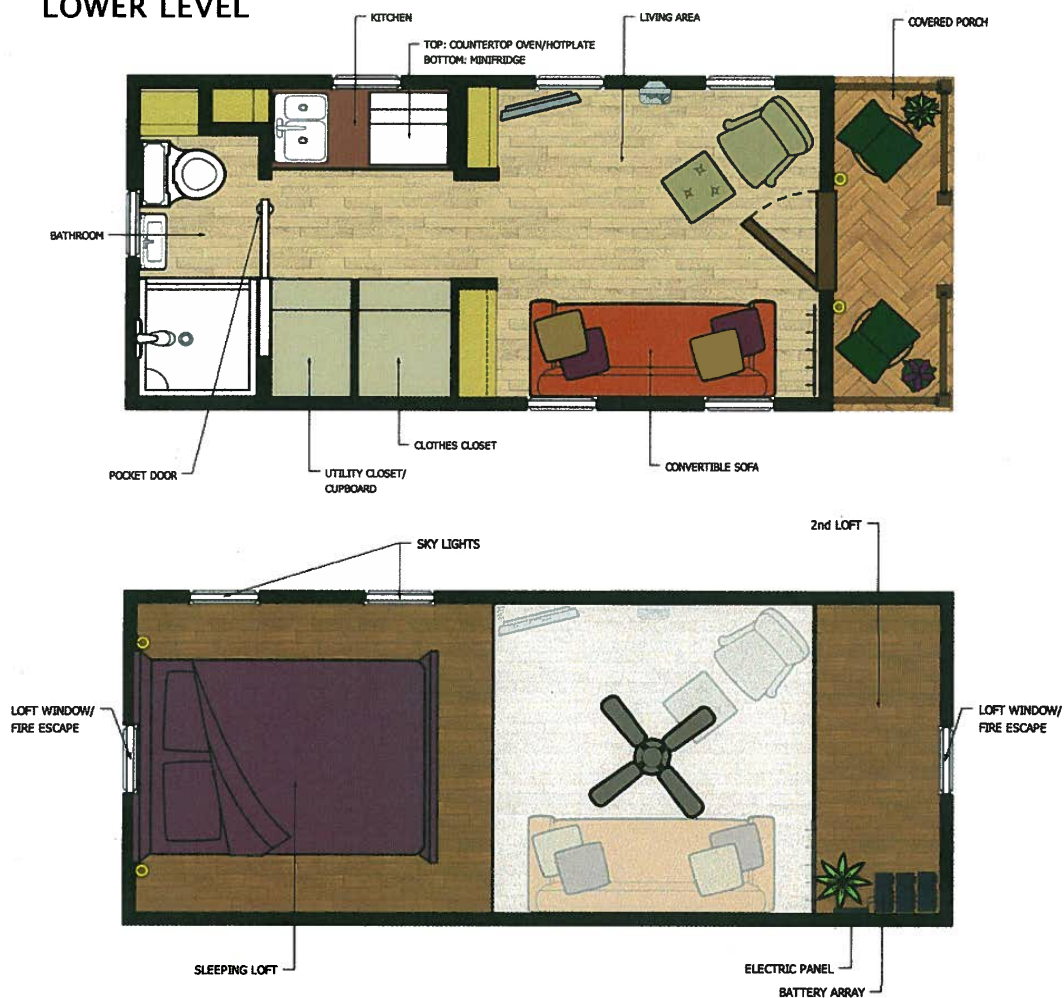
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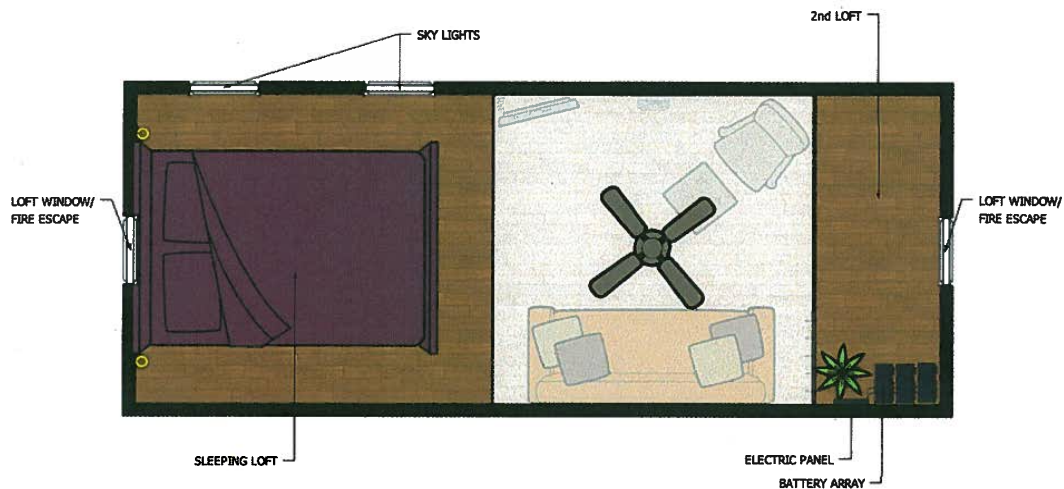
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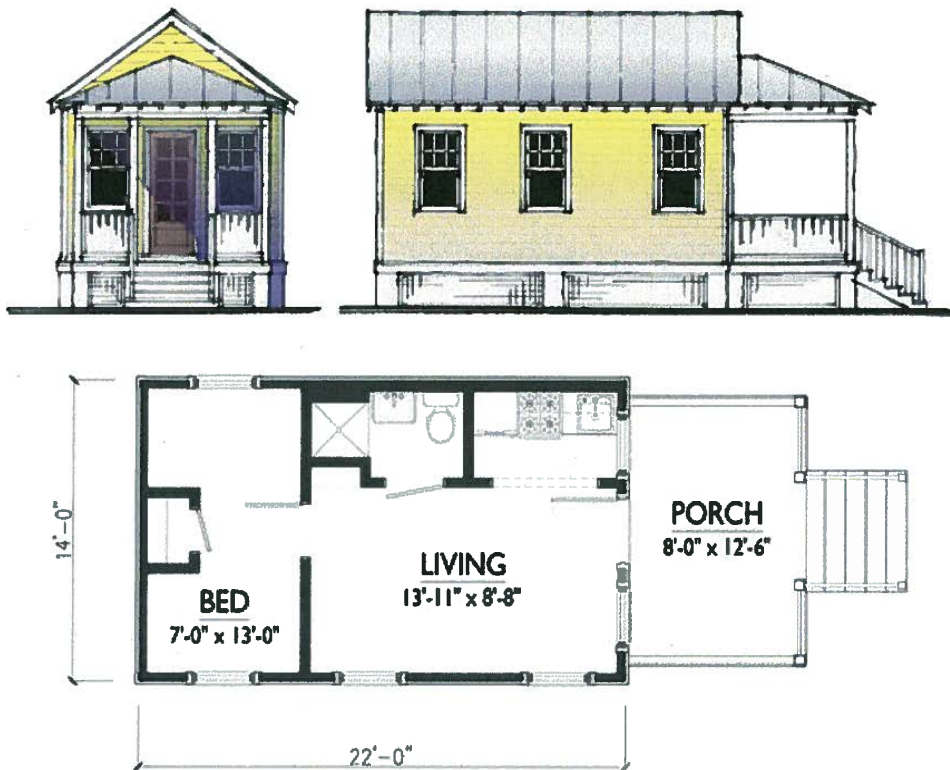
My Tiny House Plans

LOWER LEVEL



UPPER LEVEL







**City Council Business Agenda Item
City of Kenmore, WA**

Subject/Topic: September 2015 Financial Report Presentation	For Council Meeting Agenda of: October 26, 2015
	Department: Finance and Administration
	Prepared by: Joanne Gregory
	Initial & Date
	Approved by Department Head: <i>JWG 10/15/15</i>
	Approved by City Attorney:
	Approved by Finance Director: <i>JWG 10/15/15</i>
	Approved by City Manager: <i>PKK</i>
Proposed Council Action/Motion:	Exhibits/Attachments:
Receive and Files September 2015 Financial Report for the City of Kenmore, Washington	September 2015 Financial Report for the City of Kenmore, Washington.
Expenditure Required N/A	Amount Budgeted
	\$52,089,453 Revenues
	\$59,750,318 Expenditures
	Appropriation Required N/A
<u>INFORMATION/BACKGROUND:</u>	
The September 2015 monthly financial report is presented for Council review. This provides the opportunity for the City Council and the community to receive information on the City of Kenmore's biennium to date revenues and expenditures in comparison to the City's 2015-2016 adopted biennial budget. The budget was adopted on December 8, 2014. It also provides an opportunity to identify any potential variances or fluctuations from the budget. Staff has begun the mid-biennium budget review process and will be presenting recommended budget amendments to the City Council in early November.	
<u>FISCAL CONSIDERATION:</u>	
September is the ninth month (37%) of the 24 month 2015-2016 biennium. The monthly schedules attached include the Transportation Benefit District Fund for informational purposes although it is a separate entity. Development revenues, real estate excise taxes, impact fees and sale tax from construction continue to trend better than budget and expenditures in the General Fund are in line with budget expectations.	
<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u>	
Kenmore Budget Policy 9a: A revenue/expenditure report will be produced monthly so that it can be directly compared to the actual results of the fiscal year to date. Kenmore Budget Policy 9b: All budget amendments, both revenues and expenditures, will be noted in the monthly report.	

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The City of Kenmore

PO Box 82607
KENMORE, WASHINGTON 98028

MEMORANDUM

TO: Rob Karlinsey, City Manager
FROM: Joanne Gregory, Finance Director
DATE: October 8, 2015
RE: September 2015 Financial Reports for the City of Kenmore, Washington

September 2015 financial information is presented for your review and delivery to the City Council. Attached you will find the following reports:

- General Fund Summary
- General Fund Revenue Graphs
- General Fund Expenditure Graphs
- Street Fund Summary
- Other Funds Monthly Activity
- Cash and Investment Report
- Schedule of Investments
- Sales Tax Receipts by Business Type
- Retail Sales and Use Tax Distribution
- Real Estate Excise Tax Report
- Monthly Report for Kenmore Village
- Report for Transportation Benefit District

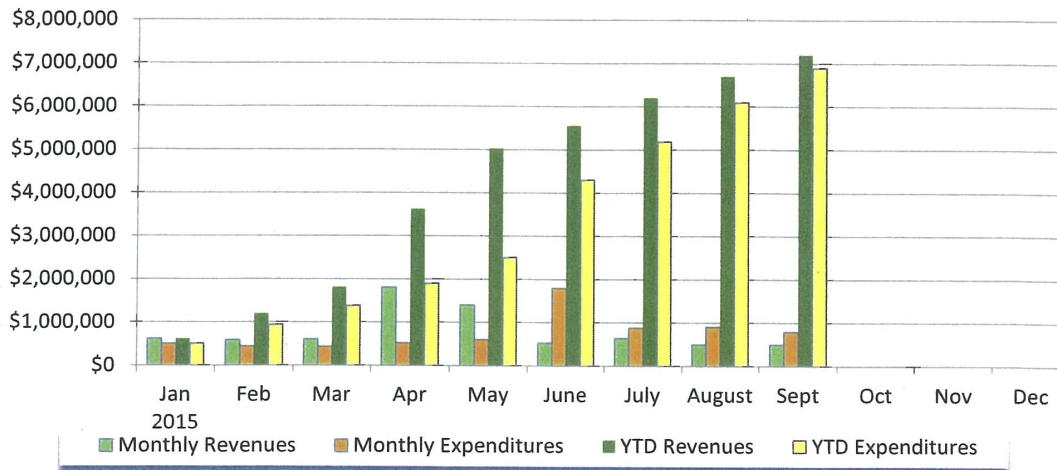
If you would like additional information or have any questions regarding the financial reports, please feel free to contact me.

GENERAL FUND

The first section of the monthly financial report is a review of the General Fund. This fund accounts for operational activities and includes all financial resources except those required or elected to be accounted for in another fund. Revenues include various taxes, per capita distributions from the State, fines and forfeitures, permits and licenses, and fees for service. In the context of the biennial budget, September is the ninth month (38%) of the 2015-2016 biennial budget period. For the month of September, expenditures exceeded revenues in the General Fund by \$295,677. Biennium revenues exceed expenditures by \$312,380.

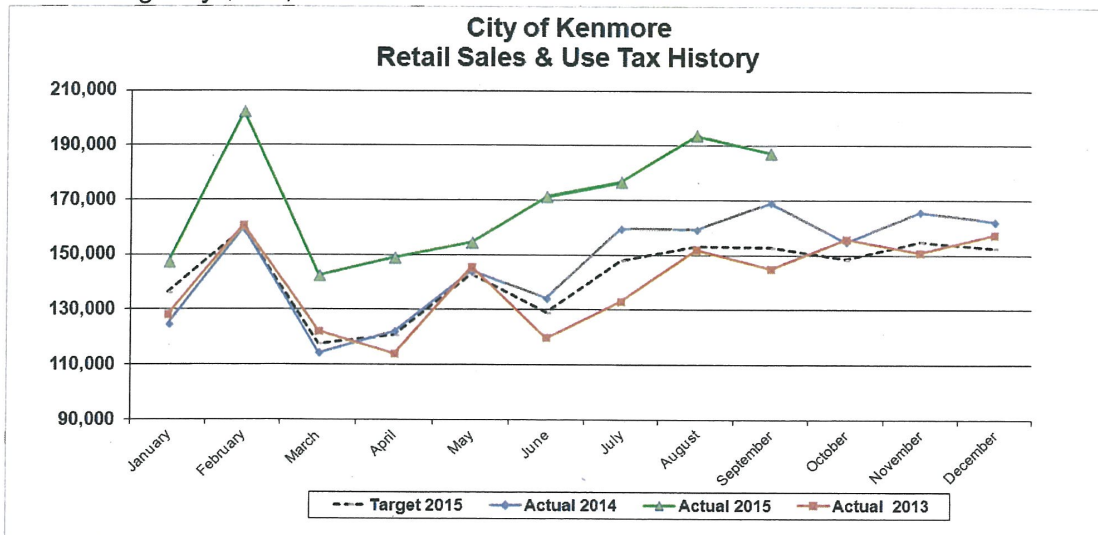
The following chart illustrates the monthly revenue and expenditure activity in the General Fund through September 2015.

City of Kenmore, Washington
Monthly Financial Report
September 2015



Total **revenues** for the month were **\$500,907**. Biennium to date revenues are \$7,200,491, which is 35% of the budgeted revenues of \$20,553,270. Primary sources of revenue for the month included development fees & permits in the amount of \$76,308, retail sales and use taxes in the amount of \$187,454, and liquor board profits of \$46,813. The utility taxes are low for the month because the PSE check for the gas and electric utility taxes was not received until the first week of October.

A summary of sales tax revenues received in September is attached. These receipts are based on July sales activity. The chart below gives a historical perspective of monthly sales tax receipts over the last several years. The black dotted Target 2015 line is a monthly average of actual receipts during 2012, 2013, and 2014. The green line (triangle) represents 2015 actual receipts, which are \$237,469 above 2014, and ahead of 2015 target by \$265,750.

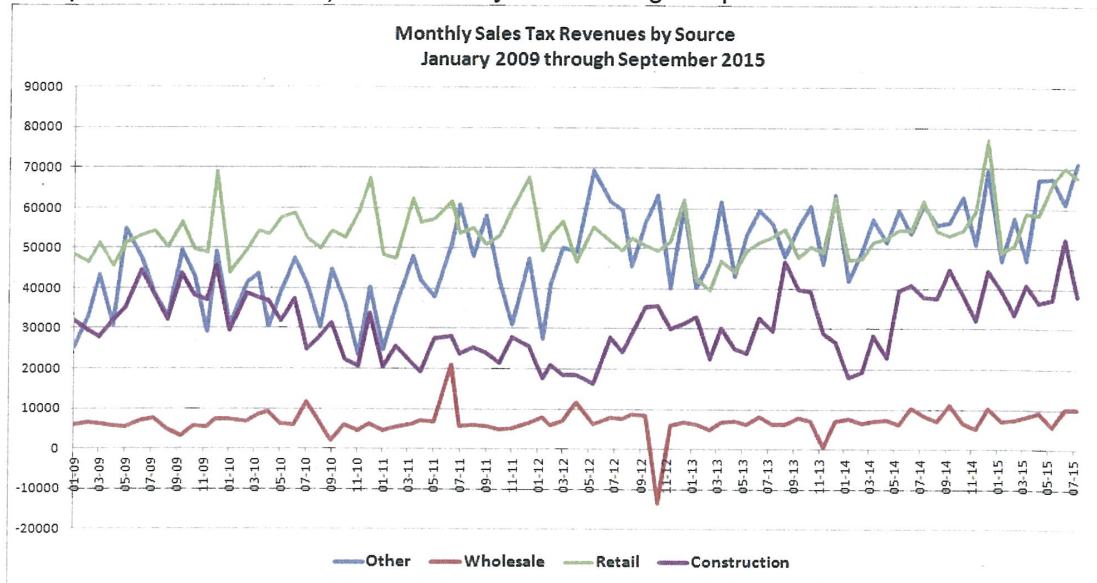


The following chart illustrates the historical trends of sales tax receipts from the major segments: construction, retail, wholesale, other (agriculture, services, manufacturing, transportation and utilities) from January 2009 through September 2015.

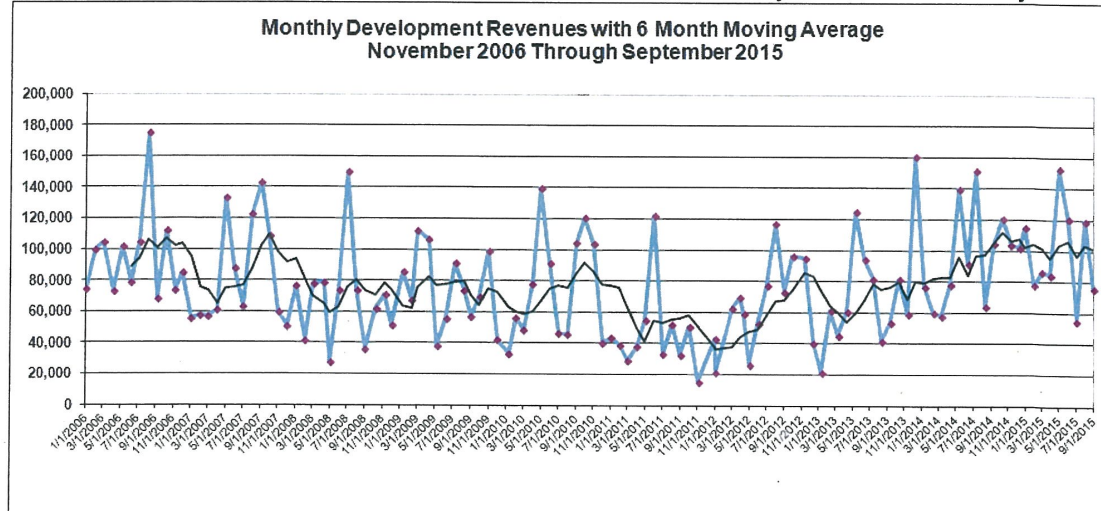
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City of Kenmore, Washington
Monthly Financial Report
September 2015

The following chart illustrates the historical trends of sales tax receipts from the major segments: construction, retail, wholesale, other (agriculture, services, manufacturing, transportation and utilities) from January 2009 through September 2015.



The following chart illustrates the development revenue activity over the last nine years.



September 2015 expenditures were \$796,584. Biennium to date expenditures are \$6,888,111, which is 33.5% of the biennial budget expenditures of \$20,538,934.

Total City cash (\$7,917,827) and long term investments (\$11,823,574), at the end of September, totaled \$19,741,401. The Other Funds Monthly Activity graphs compare biennium to date revenues and expenditures to the 2015-2016 biennial budget.

City of Kenmore, Washington
Monthly Financial Report
September 2015

Total non-General Fund revenues were \$554,307 and total non-General Fund expenditures were \$1,378,939.

In the **Street Fund** revenue from gas tax distributions was \$39,999. \$65,163 was expended for maintenance and operations during the month.

In the **Transportation Capital Fund** expenditures were \$949,478 for SR 522 West A construction. The fund also received \$100,654 in grant reimbursements related to this project. There was \$87,043 in expenditures related sidewalk projects.

The **Park Impact Fee** fund received \$12,685 in revenues during the month.

There was \$188,482 in revenues for the **Transportation Impact Fee** fund during the month.

The **Real Estate Excise Tax** Fund received \$147,668 of real estate excise taxes (REET) in September from sales activity that occurred in August. 65 transactions were reported this month. Biennial to date revenue exceeds the 2015-16 target by \$515,701.

The **Transportation Benefit District** Fund received \$30,096 in vehicle license fees during September.

In the **Park Capital** fund expenditures were \$57,303 for the construction of the skate park.

SUMMARY

This concludes the financial report for the City of Kenmore as of **September 30, 2015**. I appreciate your feedback and encourage you to contact me if you have any questions prior to the City Council meeting.

City of Kenmore, Washington
General Fund Summary Report
September 30, 2015



	CURRENT PERIOD 2015-2016				PRIOR PERIOD 2013-2014			
	MONTH September 2015	BIENNIUM TO DATE 2015-2016	% of BUDGET	BIENNIUM BUDGET 2015-2016	MONTH September 2013	BIENNIUM TO DATE 2013-2014	% of BUDGET	BIENNIUM BUDGET 2013-2014
REVENUES								
Beginning Fund Balance		4,233,568		2,682,689				5,525,153
Property Taxes	72,910	2,480,714	27.7%	8,948,766	53,614	2,360,492	27.6%	8,542,053
Sales and Use Taxes	236,639	1,929,399	43.8%	4,400,532	186,476	1,564,438	39.5%	3,960,331
Utility Taxes	40,195	873,423	31.6%	2,763,390	91,575	1,044,431	35.5%	2,942,395
Other Taxes	0	43,155	38.3%	112,720	0	36,120	58.9%	61,300
Development Fees & Permits	76,308	890,511	50.7%	1,756,432	53,731	586,424	40.0%	1,465,185
Franchise Fees	6,300	602,189	42.3%	1,422,160	0	225,909	22.8%	992,405
Intergovernmental and Grants	63,202	277,673	39.3%	707,370	60,708	262,429	41.0%	639,866
Investment Interest	1,889	58,432	115.3%	50,700	261	89,314	152.9%	58,400
Fines and Forfeitures	-535	-3,082	0.0%	0	-432	-699	n/a	0
Transfers and Other Revenues	3,999	48,076	12.3%	391,200	2,766	90,393	15.8%	572,536
Total Revenues	500,907	7,200,491	35.0%	20,553,270	448,698	6,259,252	32.5%	19,234,471
Total Revenues & Beginning Fund Balance		11,434,059		23,235,959				24,759,624

	CURRENT PERIOD 2015-2016				PRIOR PERIOD 2013-2014			
	MONTH September	BIENNIUM TO DATE 2015-2016	% of BUDGET	BIENNIUM BUDGET 2015-2016	MONTH September 2013	BIENNIUM TO DATE 2013-2014	% of BUDGET	BIENNIUM BUDGET 2013-2014
EXPENDITURES								
Cost Center								
City Council	6,857	121,443	37.0%	328,435	6,621	76,458	35.1%	217,644
City Manager	102,302	1,032,215	33.2%	3,108,222	76,840	793,429	44.2%	1,796,600
City Clerk	8,940	107,935	38.9%	277,683	18,083	79,095	14.7%	536,261
Finance	48,993	592,020	44.1%	1,342,155	24,364	236,499	37.0%	639,213
Legal	22,357	112,760	25.6%	440,000	27,831	231,146	46.8%	494,285
Non-Departmental *	0	0	0.0%	0	27,982	607,603	39.6%	1,532,818
Interfund Transfers	0	0	0.0%	1,033,885	0	3,316,000	212.0%	1,564,000
Public Safety	334,722	2,715,990	33.6%	8,076,115	346,620	2,538,557	35.4%	7,179,563
Engineering & Environmental Services	89,058	681,511	44.6%	1,527,950	50,574	447,063	42.8%	1,045,741
Community Development	30,479	299,945	36.1%	830,030	50,255	355,327	49.9%	712,632
Developmental Services	66,736	630,059	38.9%	1,620,050	53,723	448,382	29.9%	1,501,147
Parks & Facility Maintenance	86,140	594,233	30.4%	1,954,409	56,280	475,116	28.0%	1,695,042
Total Expenditures	796,584	6,888,111	33.5%	20,538,934	739,173	9,604,675	50.8%	18,914,946
Ending Fund Balance		4,545,948		2,697,025			0.0%	5,844,678
Total Expenditures and Ending Fund Balance		11,434,059		23,235,959				24,759,624

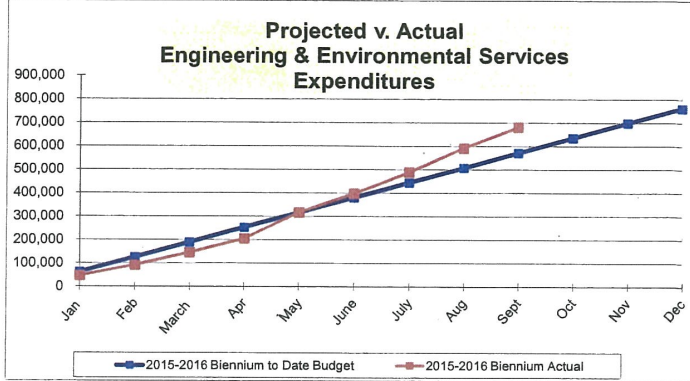
*Non-Departmental expenditures have been moved to other General Fund Cost Centers

City of Kenmore, Washington
General Fund Expenditure Graphs
September 30, 2015

ENGINEERING & ENVIRONMENTAL SERVICES

	2015-2016 Biennium to Date Budget	2015-2016 Biennium Actual
Jan	63,594	47,876
Feb	127,188	93,035
March	190,782	146,499
Apr	254,376	206,113
May	317,970	318,451
June	381,565	399,375
July	445,159	489,945
Aug	508,753	592,453
Sept	572,347	681,511
Oct	635,941	
Nov	699,535	
Dec	763,129	

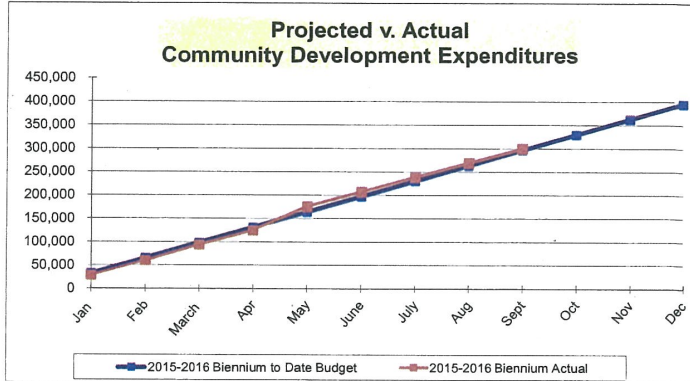
Year To Date
 Actual v. Projected 119%



COMMUNITY DEVELOPMENT

	2015-2016 Biennium to Date Budget	2015-2016 Biennium Actual
Jan	32,986	28,737
Feb	65,972	60,625
March	98,959	94,305
Apr	131,945	125,079
May	164,931	176,071
June	197,917	207,619
July	230,903	238,923
Aug	263,889	269,466
Sept	296,876	299,945
Oct	329,862	
Nov	362,848	
Dec	395,834	

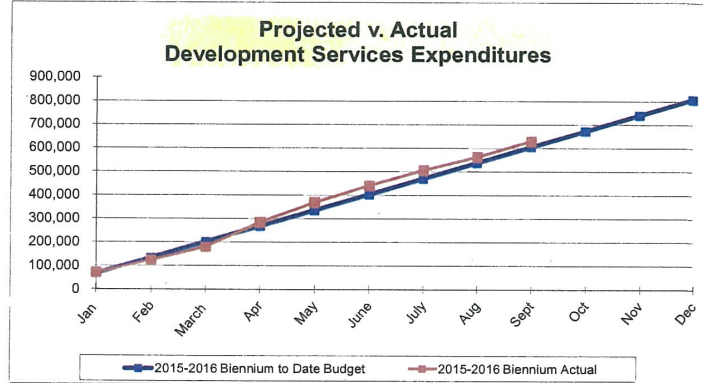
Year To Date
 Actual v. Projected 101%



DEVELOPMENT SERVICES

	2015-2016 Biennium to Date Budget	2015-2016 Biennium Actual
Jan	67,375	70,605
Feb	134,749	125,016
March	202,124	180,184
Apr	269,499	285,010
May	336,873	369,779
June	404,248	441,217
July	471,623	506,447
Aug	538,997	563,323
Sept	606,372	630,059
Oct	673,747	
Nov	741,121	
Dec	808,496	

Year To Date
 Actual v. Projected 104%

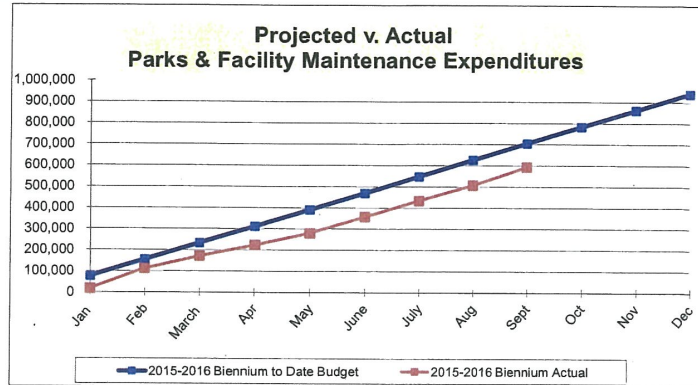


City of Kenmore, Washington
General Fund Expenditure Graphs
September 30, 2015

PARKS & FACILITY MAINTENANCE

	2015-2016 Biennium to Date Budget	2015-2016 Biennium Actual
Jan	78,452	18,648
Feb	156,905	113,289
March	235,357	172,433
Apr	313,809	225,225
May	392,261	280,628
June	470,714	358,840
July	549,166	435,270
Aug	627,618	508,093
Sept	706,070	594,233
Oct	784,523	
Nov	862,975	
Dec	941,427	

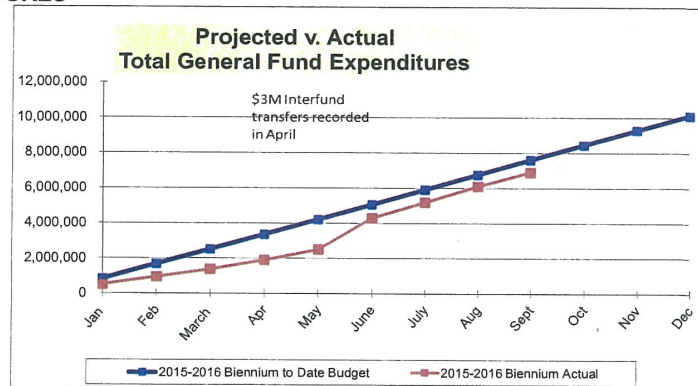
Year To Date
 Actual v. Projected 84%



TOTAL GENERAL FUND EXPENDITURES

	2015-2016 Biennium to Date Budget	2015-2016 Biennium Actual
Jan	845,852	503,885
Feb	1,691,704	942,657
March	2,537,556	1,379,298
Apr	3,383,408	1,900,866
May	4,229,260	2,503,536
June	5,075,112	4,298,282
July	5,920,963	5,183,974
Aug	6,766,815	6,091,527
Sept	7,612,667	6,888,111
Oct	8,458,519	
Nov	9,304,371	
Dec	10,150,223	

Year To Date
 Actual v. Projected 90%



**City of Kenmore, Washington
Street Fund Summary Report
September 30, 2015**



	Month	BIENNIUM TO DATE	% of	BUDGET
	<u>September 2015</u>	<u>2015-2016</u>	<u>BUDGET</u>	<u>2015-2016</u>
<u>REVENUES</u>				
Beginning Fund Balance		901,073		
Fuel Tax	39,999	327,006	37.5%	871,531
Miscellaneous	0	960	-	0
ROW Permit Fees	0	0	0.0%	180,000
Right of Way Permit Fees *	0	73,390	-	0
Transfer from General Fund	0	0	0.0%	833,000
Transfer from TBD	0	0	0.0%	475,000
Total Revenues	39,999	401,356	17.0%	2,359,531

Total Revenues & Beginning Fund Balance	1,302,429	2,359,531
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* The \$73,390 was a correction of a coding error.

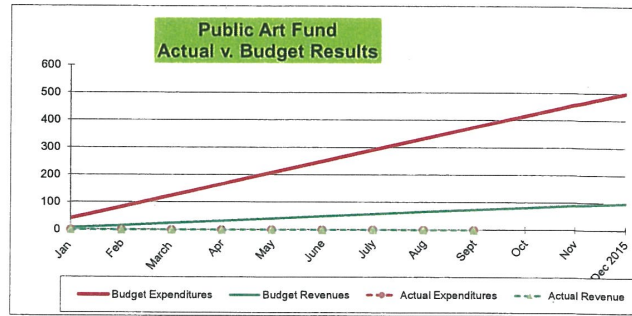
	Month	BIENNIUM TO DATE	% of	BUDGET
	<u>September 2015</u>	<u>2015-2016</u>	<u>BUDGET</u>	<u>2015-2016</u>
<u>EXPENDITURES</u>				
Salary and Benefits	15,777	143,241	24.8%	577,783
Maintenance & Operations	65,163	462,305	26.3%	1,760,494
Overlay	0	0	0.0%	0
Capital	8,635	27,470	83.2%	33,000
Total Expenditures	89,575	633,016	26.7%	2,371,277

Ending Fund Balance	669,413	-11,746
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Total Expenditures and Ending Fund Balance	1,302,429	2,359,531
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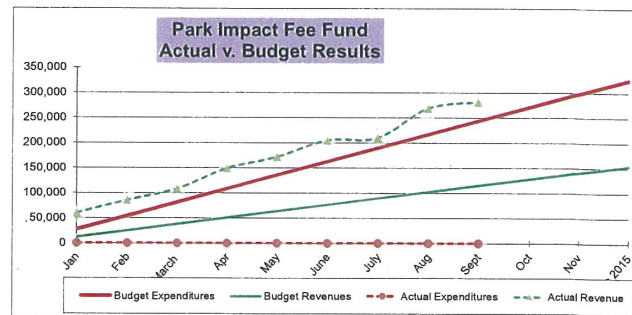
**City of Kenmore, Washington
Other Funds Monthly Activity
September 30, 2015**

PUBLIC ART FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	42	0	8	0
Feb	83	0	17	0
March	125	0	25	0
Apr	167	0	33	0
May	208	0	42	0
June	250	0	50	0
July	292	0	58	0
Aug	333	0	67	0
Sept	375	0	75	0
Oct	417		83	
Nov	458		92	
Dec 2015	500		100	
2015-16	1,000		200	
Total Actual to Date vs Total Budget		0%		0%



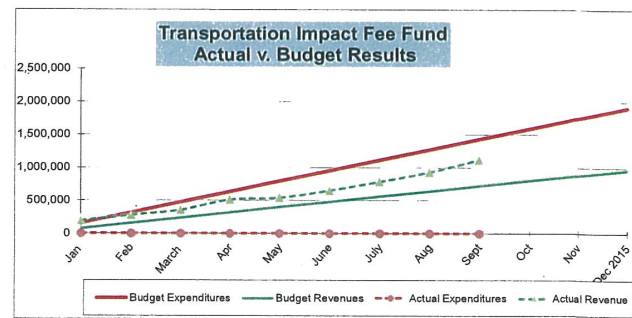
This fund accounts for public art authorized by Ordinance 01-0115. One percent (1%) of public project construction contracts is contributed to this fund to provide for public art displays or performing arts events as authorized by the City Council.

PARK IMPACT FEE FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	27,083	0	12,907	60,986
Feb	54,167	0	25,813	86,356
March	81,250	0	38,720	109,189
Apr	108,333	0	51,626	149,781
May	135,417	0	64,533	172,614
June	162,500	0	77,439	205,595
July	189,583	0	90,346	210,669
Aug	216,667	0	103,252	269,313
Sept	243,750	0	116,159	281,998
Oct	270,833		129,065	
Nov	297,917		141,972	
Dec 2015	325,000		154,878	
2015-16	490,000		234,063	
Total Actual to Date vs Total Budget		0%		120%



This fund accounts for City imposed park impact fees on new development. Expenditures are for public park acquisitions and improvements.

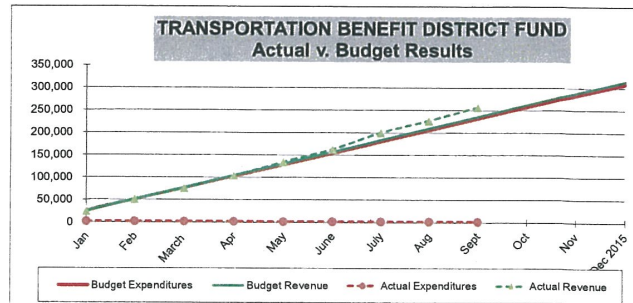
TRANSPORTATION IMPACT FEE FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	158,732	0	81,271	201,539
Feb	317,463	0	162,543	285,879
March	476,195	0	243,814	361,785
Apr	634,927	0	325,086	520,381
May	793,658	0	406,357	548,161
June	952,390	0	487,629	657,803
July	1,111,122	0	568,900	792,060
Aug	1,269,853	0	650,171	935,777
Sept	1,428,585	0	731,443	1,124,269
Oct	1,587,317		812,714	
Nov	1,746,048		893,986	
Dec 2015	1,904,780		975,257	
2015-16	2,760,000		1,397,257	
Total Actual to Date vs Total Budget		0%		80%



This fund accounts for City imposed transportation impact fees on new development. Expenditures are for public transportation improvements.

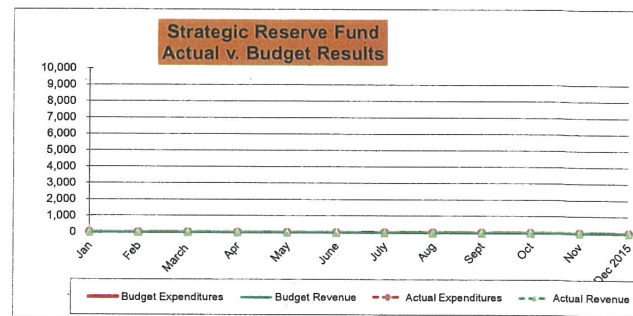
**City of Kenmore, Washington
Other Funds Monthly Activity
September 30, 2015**

TRANSPORTATION BENEFIT DISTRICT FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	25,792	2,500	26,258	25,166
Feb	51,583	2,500	52,517	51,441
March	77,375	2,500	78,775	76,666
Apr	103,167	2,500	105,033	104,722
May	128,958	2,500	131,292	135,333
June	154,750	2,500	157,550	163,324
July	180,542	2,500	183,808	200,497
Aug	206,333	2,500	210,067	227,642
Sept	232,125	2,500	236,325	257,738
Oct	257,917		262,583	
Nov	283,708		288,842	
Dec 2015	309,500		315,100	
2015-16	630,000		630,200	
Total Actual to Date vs Total Budget		0%		41%



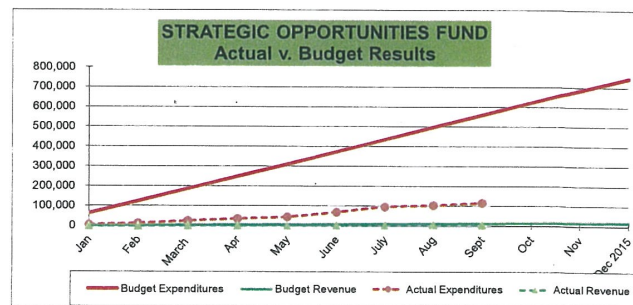
The Transportation Benefit District fund accounts for the \$20 vehicle license tab fees levied on vehicles located in the Kenmore city limits. The revenue generated will be used in maintaining the City's transportation system.

STRATEGIC RESERVE FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
2015	0	0	0	0
Jan	0	0	0	0
Feb	0	0	0	0
March	0	0	0	0
Apr	0	0	0	0
May	0	0	0	0
June	0	0	0	0
July	0	0	0	0
Aug	0	0	0	0
Sept	0	0	0	0
Oct	0	0	0	0
Nov	0	0	0	0
Dec 2015	0	0	0	0
2015-16	0	0	0	0
Total Actual to Date vs Total Budget		0%		0%



This fund was created to serve as the City's emergency reserve fund. Per State Statute, the fund cannot exceed \$.375 per \$1,000 of the City's assessed value and is fully funded at \$1,264,464 for 2011. No expenditures are anticipated or have been budgeted at this time.

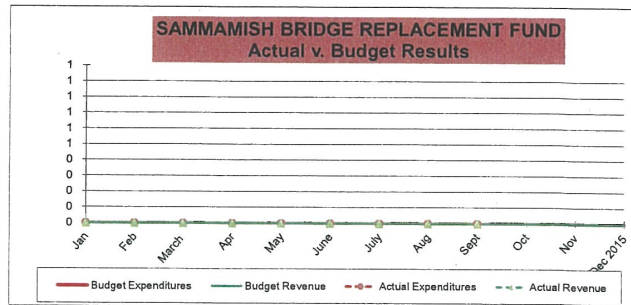
STRATEGIC OPPORTUNITIES FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	62,183	4,565	1,745	780
Feb	124,367	12,302	3,491	1,380
March	186,550	24,857	5,236	2,880
Apr	248,733	36,127	6,981	3,795
May	310,917	45,647	8,726	4,320
June	373,100	69,319	10,472	5,120
July	435,283	96,051	12,217	7,170
Aug	497,467	104,291	13,962	8,995
Sept	559,650	116,575	15,707	10,095
Oct	621,833		17,453	
Nov	684,017		19,198	
Dec 2015	746,200		20,943	
2015-16	911,200		37,160	
Total Actual to Date vs Total Budget		13%		27%



The purpose of the Strategic Opportunities Fund is to have funds available for the City to make key investments or take advantage of strategic opportunities as they present themselves. For 2015-16, the Business Incubator expenditures are budgeted in this fund.

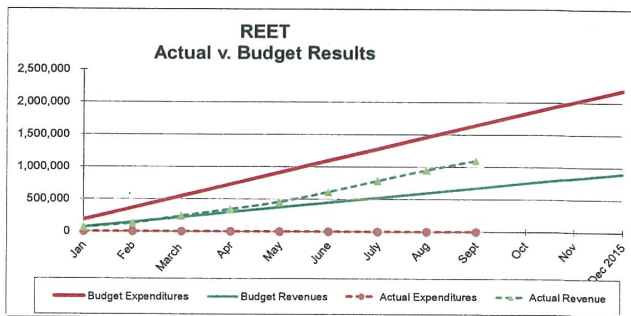
**City of Kenmore, Washington
Other Funds Monthly Activity
September 30, 2015**

SAMMAMISH BRIDGE REPLACEMENT FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	0	0	0	0
Feb	0	0	0	0
March	0	0	0	0
Apr	0	0	0	0
May	0	0	0	0
June	0	0	0	0
July	0	0	0	0
Aug	0	0	0	0
Sept	0	0	0	0
Oct	0	0	0	0
Nov	0	0	0	0
Dec 2015	0	0	0	0
2015-16	0	0	0	0
Total Actual to Date vs Total Budget		0%		0%



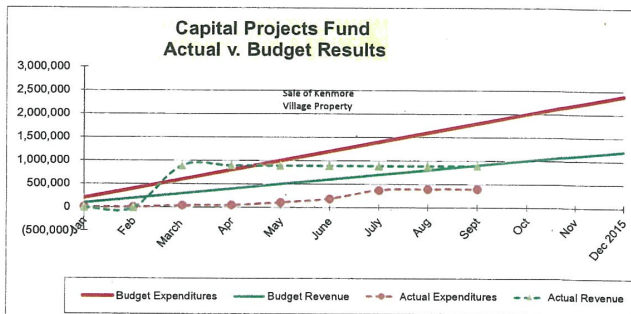
The Sammamish Bridge Replacement fund is a fund used to put money aside for the replacement of the West Sammamish bridge.

REAL ESTATE EXCISE TAX FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	182,604	0	76,167	74,259
Feb	365,208	0	152,333	135,329
March	547,813	0	228,500	246,666
Apr	730,417	0	304,667	350,945
May	913,021	0	380,833	463,873
June	1,095,625	0	457,000	620,211
July	1,278,229	0	533,167	793,306
Aug	1,460,833	0	609,333	959,957
Sept	1,643,438	0	685,500	1,107,625
Oct	1,826,042		761,667	
Nov	2,008,646		837,833	
Dec 2015	2,191,250		914,000	
2015-16	3,528,719		1,827,000	
Total Actual to Date vs Total Budget		0%		61%



The Real Estate Excise Tax Fund accounts for the 1/2% real estate excise taxes levied by the City which are restricted to capital projects and improvements. Expenditures include transfers to the Park Capital Fund for park improvements and Transportation Capital Fund for transportation improvements.

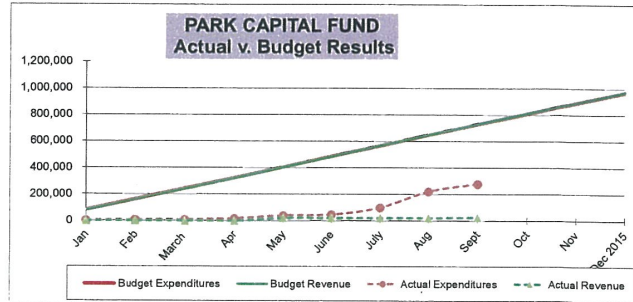
KENMORE VILLAGE FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	199,125	8,042	101,600	0
Feb	398,250	8,042	203,200	0
March	597,375	43,717	304,800	901,302
Apr	796,500	49,778	406,400	901,861
May	995,625	108,500	508,000	901,861
June	1,194,750	187,343	609,600	902,407
July	1,393,875	369,776	711,200	902,407
Aug	1,593,000	393,205	812,800	902,407
Sept	1,792,125	394,667	914,400	902,407
Oct	1,991,250		1,016,000	
Nov	2,190,375		1,117,600	
Dec 2015	2,389,500		1,219,200	
2015-16	3,365,000		1,054,500	
Total Actual to Date vs Total Budget		12%		86%



The Kenmore Village Fund accounts for leasing activity and property transactions within Kenmore Village

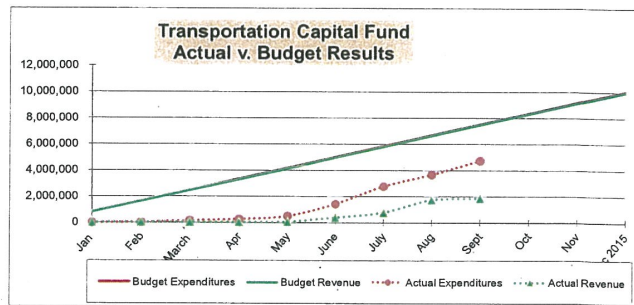
**City of Kenmore, Washington
Other Funds Monthly Activity
September 30, 2015**

PARK CAPITAL FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	81,167	2,087	81,267	2,161
Feb	162,333	7,298	162,533	2,161
March	243,500	8,971	243,800	2,161
Apr	324,667	18,183	325,067	2,161
May	405,833	41,418	406,333	23,804
June	487,000	48,026	487,600	23,804
July	568,167	100,544	568,867	23,804
Aug	649,333	222,389	650,133	23,804
Sept	730,500	279,692	731,400	28,042
Oct	811,667		812,667	
Nov	892,833		893,933	
Dec 2015	974,000		975,200	
2015-16	1,238,000		1,240,400	
Total Actual to Date vs Total Budget		23%		2%



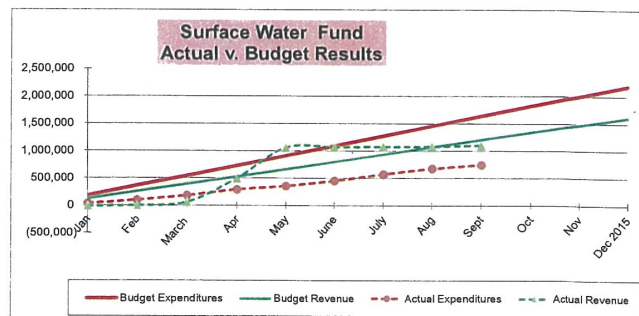
The Park Capital fund will account for Park Capital Projects formerly included in the Municipal Capital fund. In addition, distributions from the King County Proposition 2 Parks Expansion Levy will be receipted into this fund

TRANSPORTATION CAPITAL FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	836,651	61	832,443	42,708
Feb	1,673,302	18,952	1,664,885	73,426
March	2,509,953	161,877	2,497,328	73,426
Apr	3,346,603	268,570	3,329,770	73,426
May	4,183,254	514,488	4,162,213	101,205
June	5,019,905	1,440,184	4,994,655	430,160
July	5,856,556	2,788,448	5,827,098	816,069
Aug	6,693,207	3,687,328	6,659,540	1,778,012
Sept	7,529,858	4,752,129	7,491,983	1,886,310
Oct	8,366,508		8,324,425	
Nov	9,203,159		9,156,868	
Dec 2015	10,039,810		9,989,310	
2015-16	17,308,172		17,208,172	
Total Actual to Date vs Total Budget		27%		11%



The Transportation Capital Fund accounts for capital improvements to the City's streets and SR 522, funded by various grants plus City resources from real estate excise tax and transportation impact fees. All phases of improvements to SR 522 are now accounted for in this fund. There is a time lag between project expenditures and reimbursements from grants; this accounts for the lower revenues compared to the expenditures.

SURFACE WATER MANAGEMENT FUND				
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	182,359	33,733	135,000	(5,221)
Feb	364,718	99,852	270,000	10,469
March	547,077	183,818	405,000	69,011
Apr	729,436	291,141	540,000	502,497
May	911,795	357,577	675,000	1,067,343
June	1,094,154	454,447	810,000	1,077,973
July	1,276,513	574,968	945,000	1,083,462
Aug	1,458,872	678,641	1,080,000	1,088,143
Sept	1,641,231	747,457	1,215,000	1,109,207
Oct	1,823,590		1,350,000	
Nov	2,005,949		1,485,000	
Dec 2015	2,188,308		1,620,000	
2015-16	4,652,276		3,540,000	
Total Actual to Date vs Total Budget		16%		31%

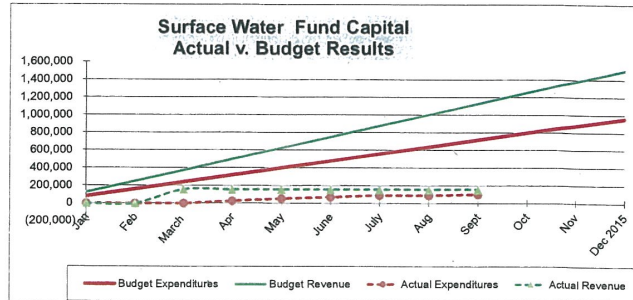


This fund accounts for receipts from surface water assessments. The assessments are collected through the property tax billings; the majority of the receipts are collected in May and November. Expenditures are for surface water maintenance activities such as sweeping and drainage as well as capital improvements.

**City of Kenmore, Washington
Other Funds Monthly Activity
September 30, 2015**

SURFACE WATER CAPITAL FUND

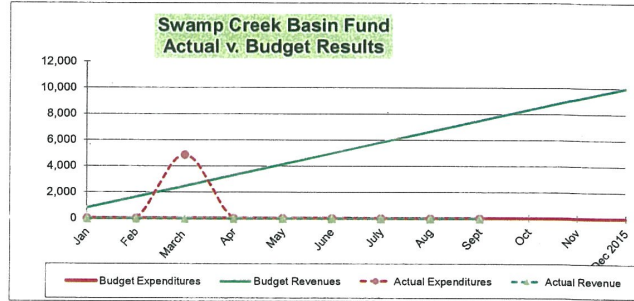
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	80,051	0	125,522	0
Feb	160,102	0	251,044	0
March	240,153	0	376,567	157,000
Apr	320,204	27,959	502,089	157,000
May	400,255	53,304	627,611	157,000
June	480,306	71,226	753,133	157,000
July	560,356	92,035	878,655	157,000
Aug	640,407	92,035	1,004,177	157,000
Sept	720,458	104,256	1,129,700	157,000
Oct	800,509		1,255,222	
Nov	880,560		1,380,744	
Dec 2015	960,611		1,506,266	
2015-16	2,209,500		2,139,500	
Total Actual to Date vs Total Budget		5%		7%



This fund accounts for the expenditures for Surface Water Capital Improvements. Revenue sources for this fund include a variety of federal, state, or local grants, surface water management fees transferred from the Surface Water Management Fund and real estate excise taxes.

SWAMP CREEK BASIN FUND

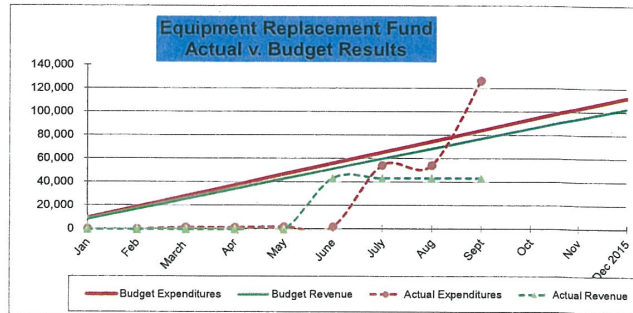
	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	0	0	833	0
Feb	0	0	1,667	0
March	0	4,868	2,500	0
Apr	0	0	3,333	0
May	0	0	4,167	0
June	0	0	5,000	0
July	0	0	5,833	0
Aug	0	0	6,667	0
Sept	0	0	7,500	0
Oct	0		8,333	
Nov	0		9,167	
Dec 2015	0		10,000	
2015-16	0		20,000	
Total Actual to Date vs Total Budget		0%		0%



This fund accounts for the Memorandum of Agreement with King County which provided funds reserved for surface water projects, improvements, and maintenance within the Swamp Creek Basin.

EQUIPMENT REPLACEMENT FUND

	2015-2016 Budget Expenditures	2015-2016 Actual Expenditures	2015-2016 Budget Revenue	2015-2016 Actual Revenue
Jan	9,333	0	8,583	0
Feb	18,667	0	17,167	0
March	28,000	1,347	25,750	0
Apr	37,333	1,347	34,333	0
May	46,667	1,904	42,917	0
June	56,000	1,904	51,500	43,543
July	65,333	54,292	60,083	43,543
Aug	74,667	54,292	68,667	43,543
Sept	84,000	126,403	77,250	43,543
Oct	93,333		85,833	
Nov	102,667		94,417	
Dec 2015	112,000		103,000	
2015-16	224,000		206,000	
Total Actual to Date vs Total Budget		56%		21%



This fund is used to maintain a reserve for future replacement of equipment, including, but not limited to furniture, computers and vehicles. Payments are received from various operating departments and funds that benefit from or use the assets.

City of Kenmore, Washington
Cash and Investment Report
September 30, 2015



Fund	Beg. Cash & Inv.	Monthly	Monthly	End. Cash & Inv.
	from Prev. Mo.	Revenues	Expenditures	Current Month
General	\$4,842,322	\$500,907	\$796,584	4,546,646
Street	717,514	39,999	89,575	667,938
Transportation Capital	-917,139	108,298	1,064,801	(1,873,641)
Public Art	67,301	0	0	67,301
Park Impact Fee	1,026,743	12,685	0	1,039,428
Transportation Impact Fee	2,211,876	188,482	0	2,400,358
Swamp Creek Basin	1,397,662	0	0	1,397,662
Transportation Benefit District	234,073	30,096	0	264,169
Sammamish Bridge Replacement	514	0	0	514
Real Estate Excise Tax	2,385,427	147,668	0	2,533,095
Kenmore Village	2,897,236	0	1,462	2,895,775
Park Capital	-198,019	4,238	57,303	(251,084)
Surface Water Management	1,893,667	21,064	68,816	1,845,916
Surface Water Capital	48,615	0	12,221	36,395
Strategic Reserve	1,264,465	0	0	1,264,465
Strategic Opportunities	2,051,591	1,100	12,284	2,040,407
Equipment Replacement	443,925	0	72,111	371,814
Trust & Agency	491,527	677	368	491,836
Totals	\$20,859,301	\$1,055,214	\$2,175,523	\$19,738,992

Fund	Cash, Savings,	(> One Year)	
	Local Govt Investment Pool	Fixed Investments	Total
General	-\$1,678,248	\$6,238,575	4,560,327
Street	-182,063	850,000	667,937
Transportation Capital	-2,865,422	0	(2,865,422)
Public Art	52,301	15,000	67,301
Park Impact Fee	104,771	930,000	1,034,771
Transportation Impact Fee	2,370,360	30,000	2,400,360
Swamp Creek Basin	-2,337	1,400,000	1,397,663
Transportation Benefit District	264,166	0	264,166
Sammamish Bridge Replacement	513	0	513
Real Estate Excise Tax	3,521,838	0	3,521,838
Kenmore Village	2,443,987	450,000	2,893,987
Park Capital	-251,083	0	(251,083)
Surface Water Management	1,334,129	510,000	1,844,129
Surface Water Capital	36,395	0	36,395
Strategic Reserve	414,465	850,000	1,264,465
Strategic Opportunities	2,040,407	0	2,040,407
Equipment Replacement	-78,186	450,000	371,814
Trust & Agency	391,834	100,000	491,834
Totals	\$7,917,828	\$11,823,575	\$19,741,403

City of Kenmore, Washington
Schedule of Investments
September 30, 2015



Report by Security	Investment #	Type	Average Yield to Maturity-Securities				Possible Call Date	Overall Average Yield	0.61%
			Maturity Date	Purchase Date	Rate	Yield		Principal or Balance	Yield Equivalents
<u>Piper Jaffray</u>									
	31771J4M9	FICO	9/26/2017	8/14/2012	1.13%	1.13%	non callable	894,731.88	10,137.31
Total Piper Jaffrey Purchases								894,731.88	10,137.31
<u>Time Value Investments</u>									
	3136G1BT5	FNMA	8/7/2017	7/2/2013	1.30%	1.30%	8/7/2013	982,099.00	12,767.29
	3135G0XK4	FNMA	5/25/2018	11/25/2013	1.38%	1.38%	2/25/2014	985,750.00	13,583.64
	3135G0XK4	FNMA	5/25/2018	2/27/2014	1.30%	1.30%	2/25/2014	989,691.00	12,865.98
	31771EAL5	FICO	2/8/2018	1/13/2015	1.15%	1.15%		999,114.48	11,489.82
	3134G43V8	FHLB	5/15/2018	7/23/2014	1.36%	1.36%	8/15/2014	988,450.00	13,462.69
	3133EA5T1	FFCB	1/23/2019	7/23/2014	1.59%	1.59%	7/28/2014	984,270.00	15,689.26
	31359MEL3	FNMA	4/22/2017	10/22/2012	0.86%	0.86%	no call	999,468.08	8,595.43
Total TVI Purchases								6,928,842.56	88,454.10
<u>Banner Bank CD's</u>									
	5740005425	CD	2/6/2016	2/6/2014	0.32%	0.32%		1,000,000.00	3,200.00
Total Banner Bank CD's								1,000,000.00	3,200.00
<u>Sound Community Bank CD's</u>									
	18299229	CD	2/11/2016	2/14/2014	0.80%	0.80%		1,000,000.00	8,000.00
Total Sound Community Bank CD's								1,000,000.00	8,000.00
<u>Opus Bank CD's</u>									
	11495975	CD	8/10/2015	2/10/2014	0.35%	0.35%		1,000,000.00	3,500.00
	11527322	CD		6/30/2015				1,000,000.00	-
Total Cascade Bank CD's								2,000,000.00	3,500.00
TOTAL ALL SECURITIES								\$ 11,823,574.44	\$ 113,291.41
Banner Checking and Savings						0.07% Banner		2,165,073.70	1,515.55
Cash								1,005.00	-
Local Government Investment Pool						0.09% LGIP		5,751,747.94	5,423.90
Total Accounts								\$ 19,741,401.08	120,230.86

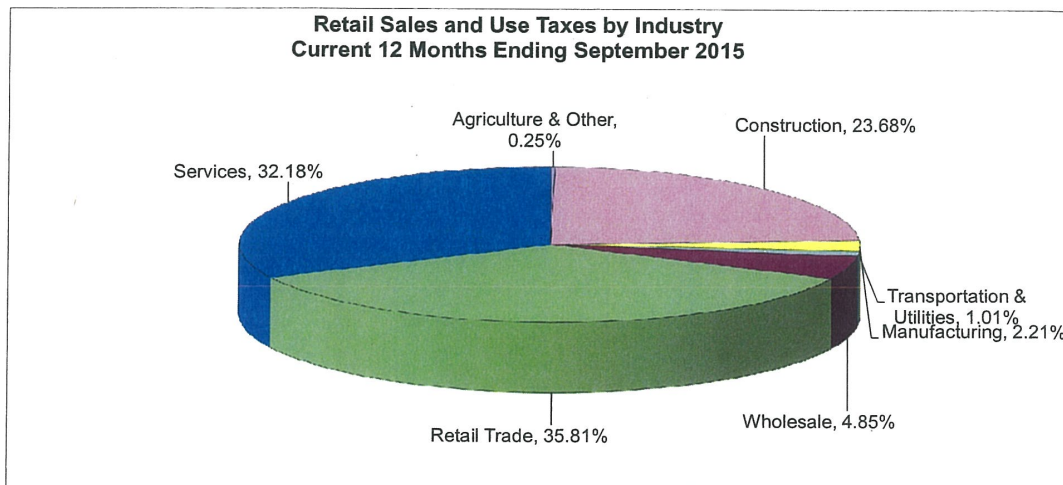
City of Kenmore, Washington
SALES TAX RECEIPTS BY BUSINESS TYPE
 September 2015

	SALES TAX	USE TAX	TOTAL	PERCENT
AGRICULTURE & OTHER	260.55	0.00	260.55	0.1%
CONSTRUCTION	35,641.23	2,462.12	38,103.35	20.3%
MANUFACTURING	3,305.97	0.00	3,305.97	1.8%
TRANSPORTATION & UTILITIES	851.58	1,452.41	2,304.00	1.2%
WHOLESALE	9,892.06	190.00	10,082.06	5.4%
RETAIL TRADE	67,741.60	115.60	67,857.20	36.2%
SERVICES	54,048.04	908.11	54,956.15	29.3%
INFORMATION	7,665.34	197.56	7,862.90	4.2%
PUBLIC SERVICES	8.41	2,713.32	2,721.73	1.5%
	<u>179,414.78</u>	<u>8,039.13</u>	<u>187,453.91</u>	<u>100.0%</u>

City of Kenmore, Washington
Retail Sales and Use Tax Distribution
September 30, 2015

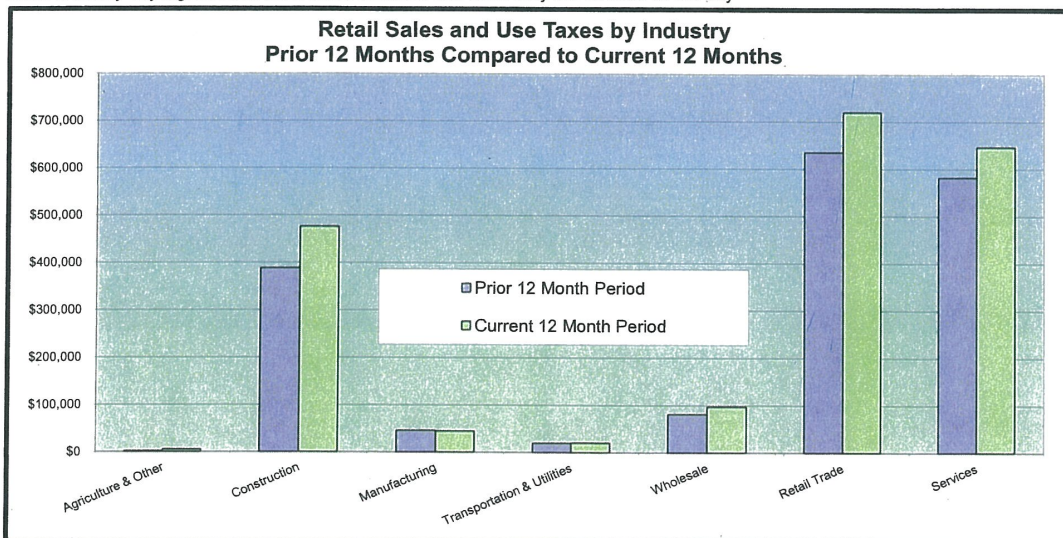


Industry	Prior 12 Months ending September 2014	Current 12 Months ending September 2015	% Increase/ (Decrease)	% of Total
Agriculture & Other (Landscaping, Animal Hospitals)	\$1,869	\$5,086	172.08%	0.25%
Construction	388,142	475,812 *	22.59%	23.68%
Manufacturing (Printing, Publishing, Other Manuf.)	45,582	44,444	-2.50%	2.21%
Transp/Comm/Utilities (Telecomm., Air Transport.)	19,530	20,333	4.11%	1.01%
Wholesale (Lumber, Other Wholesale)	81,082	97,472	20.21%	4.85%
Retail Trade (Eating, Merchandise, Food Stores)	634,653	719,446	13.36%	35.81%
Services (Auction, Recreation, Auto Repair, Financial)	581,653	646,401	11.13%	32.18%
Totals	\$1,752,511	\$2,008,994	14.64%	100%
Increase/(Decrease)		\$256,483	14.64%	



NOTE: Due to the City's Confidentiality Agreement with the Department of Revenue, specific business information cannot be disclosed.

There is a sixty-day lag between sales taxes collected and when they are remitted to the City



City of Kenmore, Washington
Real Estate Excise Tax Report
September 30, 2015



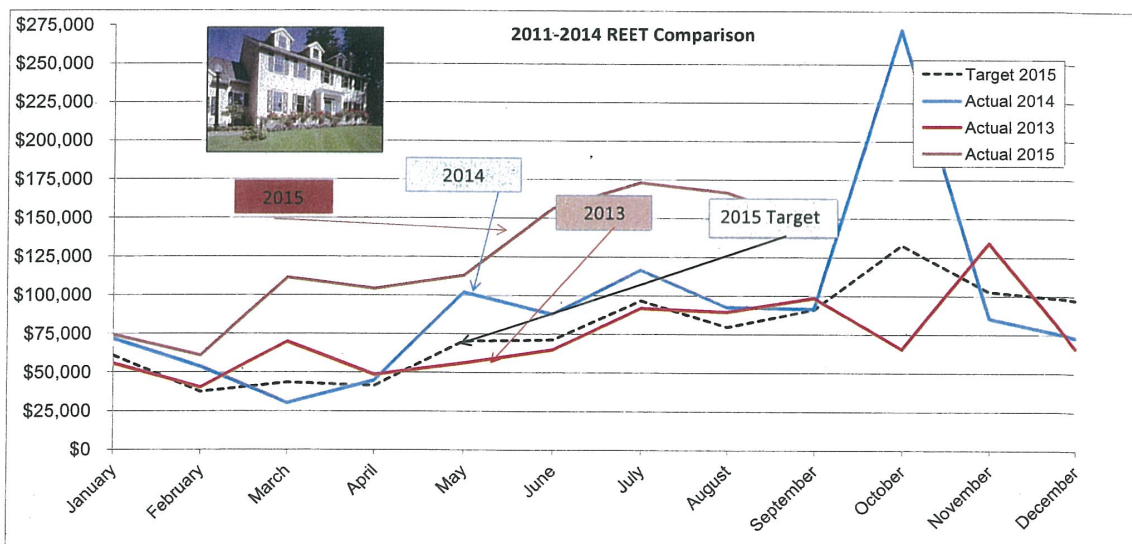
Real Estate Excise Taxes (REET) 2012 - 2015 Monthly Receipts					
	Actual 2012	Actual 2013	Actual 2014	Actual 2015	Target 2015
January	54,359	55,801	72,106	74,259	60,756
February	18,064	40,281	54,038	61,070	37,461
March	29,691	69,946	30,426	111,337	43,354
April	30,662	48,671	45,118	104,280	41,484
May	52,575	56,178	102,257	112,927	70,337
June	60,408	64,938	88,070	156,338	71,139
July	81,316	91,779	116,858	173,095	96,651
August	56,626	89,496	92,932	166,651	79,685
September	82,785	98,573	91,812	147,668	91,057
October	60,265	65,596	272,842		132,901
November	88,057	134,286	85,748		102,697
December	152,262	66,342	73,582		97,395
	\$767,070	\$881,886	\$1,125,790	\$1,107,625	\$924,916

2682689

For 2015, REET is \$414,007
 more than the same period
 last year and more than the 2015
 target by \$515,701

* NOTE THE 2015 target
 is computed on a 3 year average
 (2012-2014) of actual receipts

Real Estate Excise Taxes (REET) 2012 - 2015 Property Sales > \$500,000								
The sales actually occur in the prior month; there is a 30 day lag between sales and when the City receives the revenue								
Taxes from > \$500,000 Sale Amounts								
	2012	2013	2014	2015	2012	2013	2014	2015
January	5,515,283	3,380,165	4,699,850	7,418,000	27,301	16,732	23,264	36,719
February	1,152,000	3,417,500	3,930,920	6,607,900	5,702	16,917	19,458	32,709
March	750,000	3,514,000	2,175,430	7,874,934	3,713	17,394	10,768	38,981
April	870,000	1,570,450	4,266,725	14,291,370	4,307	7,774	21,120	70,742
May	2,796,250	3,634,210	12,347,730	14,068,904	13,841	17,989	61,121	69,641
June	1,215,000	2,761,500	7,353,999	20,361,466	6,014	13,669	36,402	100,789
July	4,196,500	8,478,706	15,071,601	25,571,387	20,773	41,970	74,604	126,578
August	1,756,200	6,131,455	5,882,306	22,614,538	8,693	30,351	29,117	111,942
September	4,859,500	10,911,500	8,437,700	18,821,380	24,055	54,012	41,767	93,166
October	3,087,500	5,568,400	44,456,605		15,283	27,564	220,060	0
November	8,334,960	18,620,230	8,922,100		41,258	92,170	44,164	0
December	23,033,200	4,606,450	7,142,900		114,014	22,802	35,357	0
	\$57,566,393	\$72,594,566	\$124,687,866	\$137,629,879	284,954	359,344	617,202	681,267



City of Kenmore, Washington
Monthly Report for Kenmore Village Fund
September 30, 2015



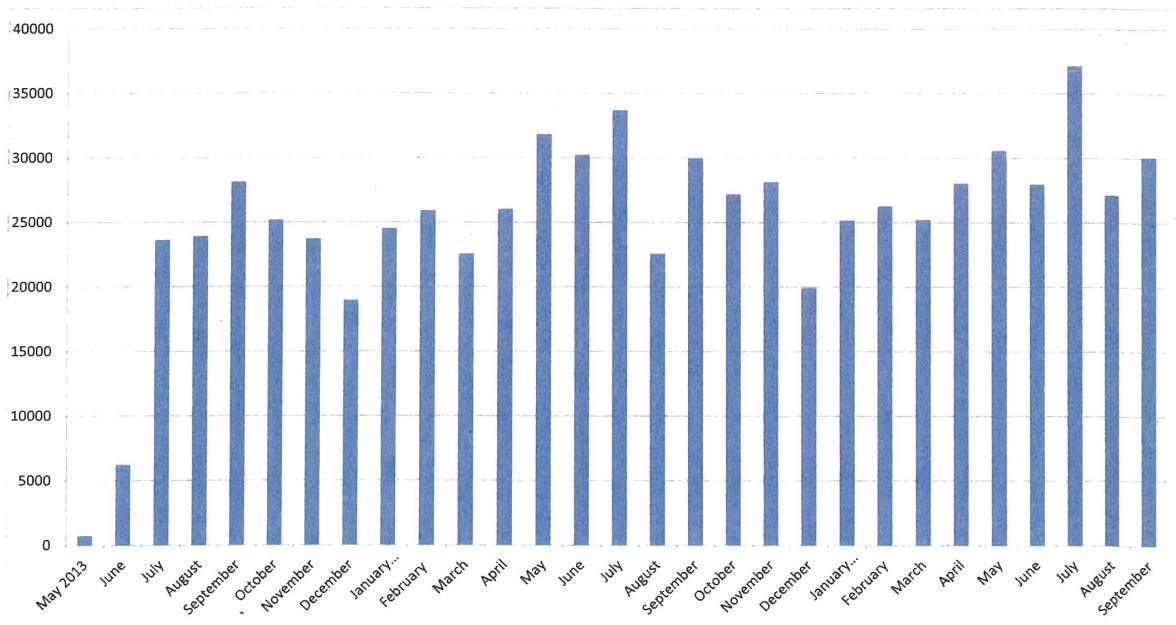
Revenues	September 2015	Biennium-to- Date	Biennium Budget
Lease Income (USPS & Kenmore Village)	0	0	67,000
Return of Security Deposit	0	0	0
Other Rent Income	0	0	0
Landlord Expense (CAM*) Reimbursement	0	0	0
Investment Interest	0	0	23,000
Sale of Property	0	901,302	903,000
Event Sponsorship	0	0	1,500
Grant for Public Square	0	0	270,000
Transfer From General Fund	0	0	60,000
Leasehold Excise Returned	0	1,105	2,400
Total Revenues	0	902,407	1,326,900
Expenditures			
6700 Building Improvements	0	0	0
Downtown Plan Services	696	47,987	0
Property Management	0	0	19,000
Utilities and Insurance - Kenmore Village	0	2,349	0
Repairs, Maintenance, Other Services	0	79,331	133,240
Surface Water and Fire Benefit Fees	0	4,896	0
Kenmore Village Public Square	766	260,104	3,365,000
Transfers to Other Funds	0	0	0
Total Expenditures	1,462	394,668	3,517,240
Net Income (Loss)	-1,462	507,739	-2,190,340

NOTE: This schedule only reflects activity occurring on the City books and does not include the lease revenue and expenditures accounted for by the property management firm.

Kenmore Transportation Benefit District
Monthly Report
September 30, 2015



<u>Revenues</u>	<u>September 2015</u>	<u>Biennium-to-Date</u>	<u>Biennium Budget</u>
Vehicle Fees	30,096	257,739	630,200
Total Revenues	<u>\$30,096</u>	<u>\$257,739</u>	<u>\$630,200</u>
<u>Expenditures</u>			
WCIA Insurance	0	2,500	5,000
Reimbursement to Street Fund	0	0	475,000
Overlay	0	0	150,000
Total Expenditures	<u>0</u>	<u>2,500</u>	<u>630,000</u>
Net Income (Loss)	\$30,096	\$255,239	\$200



Subject/Topic: 2016 State Legislative Agenda

Department: Executive

Initial & Date

Approved by Department Head: NKS 16 OCT 2015

Approved by City Attorney:

Approved by Finance Director: June 10/16/15

Approved by City Manager: RL/NKD
10/16/2015

Proposed Council Action/Motion:

Exhibits/Attachments:

Approve 2016 State Legislative Agenda and Policy Statement

1. Proposed 2016 Legislative Agenda and Policy Statement
2. Legislative Agenda for 2015-2017 approved in 2014

Expenditure Required \$0

Amount Budgeted \$88,628 for 2015-2016 contract

Appropriation Required n/a

INFORMATION/BACKGROUND:

The State Legislative Agenda for 2016 is presented for Council discussion and approval. The 2015 Legislative Session was productive for the City, in that the approved Transportation Budget provided funding for the final phase of the SR 522 project in Kenmore and West Sammamish River Bridge project. The Legislative Agenda proposed for 2016 addresses the funding sequence for the projects and continues priority requests such as funding for the Boat House at Rhododendron Park.

The 2016 Legislative Agenda is accompanied by a Policy Statement that outlines other issues that are recommended for City support in the coming session.

Briahna Murray of Gordon Thomas Honeywell will be present to discuss the Agenda and Policy Statement. The City contracts with Gordon Thomas Honeywell for State government relations.

FISCAL CONSIDERATION:

The City's investment in the Legislative strategy has been effective in securing funding for key projects.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

To focus on and emphasize multimodal transportation safety in the City of Kenmore with a specific focus on pedestrian, bicycle, and other means of travel.

To advance the public's access and connection to the waterfront.

To continue to seek funding and mitigation for State impacts on the City's transportation system.

ATTACHMENT
1

City Of Kenmore, Washington

City of Kenmore 2016 Legislative Agenda

Transportation Funding Request: Adjust Cash Flow

The City of Kenmore is greatly appreciative of the state funding allocated to the West Sammamish Bridge and State Route 522. The City is committed to the efficient and timely delivery of both these projects. However, the funding that has been allocated to each project does not lend itself to an efficient project delivery. The City respectfully requests that the funds allocated to each project be adjusted accordingly:

<i>Project</i>	<i>2015-17</i>	<i>2017-19</i>	<i>2019-21</i>	<i>2021-23</i>
Current WS Bridge Allocations			\$4 million	\$4 million
Preferred WS Bridge Allocations	\$1 million	\$3 million	\$4 million	
Current SR 522 Allocations		\$4 million	\$4 million	\$4 million
Preferred SR 522 Allocations		\$4 million	\$8 million	

Boathouse at Rhododendron Park

Kenmore requests \$500,000 in capital funding to construct a boathouse at Rhododendron Park. Kenmore is committed to increasing the public's access to the City's waterfront, including the Sammamish River and Lake Washington. This project will result in a beautiful building (designed by a local architect) that will provide for youth recreation programming and boat storage for rowing and other waterfront programs. More than half of the project is funded, including significant city investments. The project is shovel-ready.

Cumulative Impacts of Regional Transportation Decisions

Kenmore, along with the other North Lake Washington communities of Kirkland, Bothell, Lake Forest Park, and Shoreline, are experiencing increased congestion on city-owned roads. Because of this increased congestion, it has become increasingly difficult for city residents to access local businesses, and generally move within the city. The congestion is linked to regional decision, specifically tolling State Route 520 and implementing express lanes on I-405. The city requests that the state develop a solution to relieve the congestion in these communities.

Saint Edward Seminary Building Rehabilitation

The city of Kenmore supports any legislative changes or funding requests that advance the Daniels Real Estate proposal to rehabilitate the historic Saint Edward Seminary Building in Saint Edward Park in Kenmore.

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Kenmore 2016 Policy Statements

This document is an internal document designed to provide guidance to city staff and the city's lobbyist. The policy statements in this document allow the city to quickly take positions on legislation. It is not all inclusive of all policy positions that the city may take throughout a session.

Sediment in North East Lake Washington

The city of Kenmore respectfully requests approval of funding in the Department of Ecology Budget for Phase 2 additional sampling and analysis of sediment in selected areas of North East Lake Washington and near-shore areas identified in screening level sampling and analysis performed in 2012-2013.

Support for WWRP & ALEA Grant Programs

The city of Kenmore supports fully funding the Washington Wildlife Recreation Program (WWRP) and the Aquatic Lands Enhancement Account (ALEA). Many city parks have benefitted from funding through these programs.

Product Stewardship

The city of Kenmore supports legislation creating a statewide product stewardship program, including paint, medicine, and mercury-containing fluorescent light take-back programs. This legislation would require manufacturers that sell products in Washington to develop, fund, and implement a take-back system for unwanted, unused, or left over products across these categories. King County has developed a local medicine program and the State of Washington is in the process of developing a mercury-containing fluorescent light program.

Prevent Human Trafficking

The city of Kenmore recognizes that human trafficking is a problem in all communities, and supports legislation that provides tools and solutions to prevent and intervene in human trafficking.

Local Infrastructure Funding

The city of Kenmore supports the development of a statewide local infrastructure program to help cities fund increasing infrastructure needs, since the Legislature discontinued the Public Works Assistance Account program.

Affordable Housing Funding

Kenmore joins a number of Puget Sound cities in supporting proposals increasing authority for councilmanic action up to an additional .25% Real Estate Excise Tax (REET) to fund affordable housing. The city supports other legislative proposals that promote affordable housing.



City Of Kenmore, Washington

City of Kenmore

Legislative Agenda for 2015-17 Legislative Biennia

Transportation Funding Requests

- *\$22 million to Improve the Sammamish Bridge Corridor* – The West Sammamish River Bridge is an 80-year-old bridge located at Juanita Drive/68th Avenue. This bridge is a heavily traveled, regional route around Lake Washington. The bridge was constructed in the 1930s and has shown sudden structural deterioration since traffic volumes increased coinciding with SR 520 tolling, causing a current weight load restrictions to be put in place. Additionally, a north-bound improvement to the corridor is needed to assist traffic approaching the heavily congested SR 522/68th Avenue NE intersection. The total cost of the project is \$22 million. The city has committed \$2 million in local resources to the project, and has received \$12 million in Bridge Replacement Advisory Committee (BRAC) funds. The City is now actively seeking funding resources for the remaining \$8 million.
- *\$12 million to Relieve Congestion on State Route 522* - State Route 522 is a highway of statewide significance that runs through Kenmore and is an east-west corridor, connecting I-5 to I-405. Tolling on the SR 520 Bridge has shown noticeable and measurable traffic and congestion increases on SR 522, with over 40,000 vehicles per day on the Kenmore portion of the corridor. This project has been a city priority since our 1998 incorporation, and the city has invested over \$10 million in its own funds on improving State Route 522. An additional \$12 million is needed to finish the final phase of the SR 522 corridor project in Kenmore.

Capital Funding Requests

- *Boathouse at Rhododendron Park* - Kenmore requests \$500,000 to fund a boathouse at Rhododendron Park. Kenmore is committed to increasing the public's access to the City's waterfront, including the Sammamish River and Lake Washington. This project will result in a beautiful building (designed by a local architect) that will provide for youth recreation programming and boat storage for rowing and other waterfront programs. The City is investing its own dollars in a future dock to complement the building. The city has also invested in site and building design and has begun the permitting process for the site. The project should be permitted and "shovel ready" by mid-2015.

Total Project Cost:	\$1,041,060
Funding and Resources Committed By the City:	
Park Land	
Site Investigation, Engineering, Design, and Permitting:	\$96,060
Dock and Ramp Design and Installation:	\$145,000
Subtotal of Funding Committed By the City:	\$241,060
Funding to come from the Rowing Community:	\$300,000
State Capital Budget Request:	\$500,000

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City of Kenmore
Legislative Agenda for 2015-17 Legislative Biennia

Capital Funding Requests (Continued)

- *Fully Fund State Grant Programs* – Kenmore supports fully funding the Washington Wildlife and Recreation Program (WWRP). The city has two local parks that have been selected through WWRP's competitive selection process: *Moorlands Park (ranked 37 out of 70)* and *Squires Landing (ranked 51 out of 70)*. In order for the City to receive this grant funding, the program needs to be fully funded. The City also supports full funding of the Aquatic Lands Enhancement Account. The city's *Log Boom Pedestrian Bridge* projected is currently ranked 22 out of 23 to receive funds from this account.

DOE Funding to Sample & Analyze Sediment

The city of Kenmore respectfully requests approval of funding in the Department of Ecology Budget for Phase 2 additional sampling and analysis of sediment in selected areas of North East Lake Washington and near-shore areas identified in screening level sampling and analysis performed in 2012-2013. In addition, the city supports sufficient funding in the Model Toxics Control Act (MTCA) for toxin clean up and stormwater funding.

Saint Edward Seminary Building Rehabilitation

The city of Kenmore respectfully requests legislative support for a proposal from Daniels Real Estate and Bastyr University to rehabilitate the historic Saint Edward Seminary Building in Saint Edward State Park in Kenmore. The city supports the Parks Commission November 2013 Resolution calling for public and private partnerships to save and activate this important historic resource.

Policy Statements

The items below are legislative items that the City of Kenmore supports; however, they are not a top legislative priority.

AWC Legislative Agenda

The city of Kenmore is a member of the Association of Washington Cities and generally supports the Legislative Agenda adopted by the AWC, including restoring liquor revenue to cities.

Marijuana Revenues

The city requests that cities are allocated a portion of marijuana tax revenues to fund increased public safety demands created by the legalization of marijuana. Additionally, within marijuana revenues currently dedicated to substance abuse, health care, and education, the city supports funds being allocated to counseling for youth addicted to marijuana.

Product Stewardship

The city of Kenmore supports legislation creating a statewide product stewardship program, including paint, medicine, and mercury-containing fluorescent light take-back programs. This legislation would require manufacturers that sell products in Washington to develop, fund, and implement a take-back system for unwanted, unused, or left over products across these categories. King County has developed a local medicine program and the State of Washington is in the process of developing a mercury-containing fluorescent light program.

Prevent Human Trafficking

The city of Kenmore recognizes that human trafficking is a problem in all communities, and supports legislation that provides tools and solutions to prevent and intervene in human trafficking.

Subject/Topic:

Kenmore Business Registration Update

Prepared by: Nancy Ousley

Proposed Council Action/Motion:

Approved by City Attorney:

Approved by Finance Director:

Briefing Only: No Action Requested

Approved by City Manager:

Exhibits/Attachments:

1. Business Registration Information Sheet
2. Draft Presentation Slides
3. Ordinance No. 13-0356

Expenditure Required \$n/a

Amount Budgeted \$

Appropriation Required \$0

Staff will brief the Council on the implementation to date of the Kenmore Business Registration program. The City Council adopted Ordinance No. 13-0356 in 2013 establishing a local Business Registration requirement and the program launched in March 2014, with the Washington Department of Revenue notifying businesses in their system with a Kenmore physical address of the new requirement.

As of October 1, 2015 approximately 800 Kenmore businesses have registered under this program and over 100 have opted to be listed in the online Kenmore Business Directory. The City partners with the Washington Department of Revenue to administer the program, which allows businesses with additional state endorsements to have one renewal date and one payment for the Kenmore registration and all State endorsements.

The Kenmore Business Registration fee is \$29 for an initial registration and \$21 for annual renewal. Of this amount, \$10 goes to the City, with the remainder for Department of Revenue administrative costs. Local non profit organizations do not pay the \$10 City fee. There is no cost for registered businesses to be listed in the Kenmore Business Directory. Revenue from the program supports the Greater Bothell Chamber of Commerce for staffing the Kenmore Business Alliance, City activities such as Business After Hours events, program marketing and Kenmore Business Directory support.

The Business Registration Program revenues are directed to supporting the local business community.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

2. To continue to implement the Economic Development Plan with an emphasis on the following key points:

- Promote the image of Kenmore
- Create a vibrant, walkable downtown
- Support existing businesses
- Advance the City's connection to the waterfront



CITY OF KENMORE

BUSINESS REGISTRATION PROGRAM

The City Council adopted Ordinance No. 13-0356 on April 22, 2013 which establishes an annual Business Registration Program for businesses that are physically located in Kenmore, Washington. (Kenmore Municipal Code Chapter 5.105)

The 2009 Economic Development Strategy recommended a Business Registration as a good way for the City to connect with local businesses to be able to learn more about the needs of local businesses. Other expected benefits are:

- Provides the foundation for creating a **Kenmore Business Directory** for those businesses with a Kenmore Business Registration who wish to be included in it;
- Helps identify business clusters and other information that helps the City in marketing and designing initiatives aiding local businesses—an example is home based businesses;
- Revenue from the program will be directed to promoting the Kenmore business community and other programs for local businesses, such as the Kenmore Business Alliance; and
- Helpful emergency contact and safety information will be available for public safety agencies.

The City has joined about 60 Washington cities who work with the Washington Department of Revenue's (DOR) Business Licensing Service, for convenient, online registration and renewal services.

Effective March 31, 2014, new and established businesses physically located in Kenmore and businesses that are moving into Kenmore that meet the Kenmore Business Registration requirements listed below, will be required to get a City of Kenmore Business Registration.

Who Needs to Have a City Business Registration?

- Businesses who are located in Kenmore, with a gross annual income over \$12,000
- Nonprofit organizations located in Kenmore
- Kenmore businesses with gross annual income under \$12,000 may register voluntarily (only registered businesses may be listed in the Kenmore Business Directory)

Who is Exempt from City Business Registration?

- Businesses located outside Kenmore that are doing business with Kenmore customers
- Minors
- Schools and Universities
- Churches
- Farmers selling their own products
- Government agencies, including Vendors at City sponsored events

March 2015

How Do I Register My Business?

It's Easy! For convenient online registration, go to <http://business.wa.gov/BLS> You can reach DOR's Business Licensing Service by telephone at **1.800.451.7985**. You can also get information on registering your business by visiting Kenmore City Hall.

What is the Cost to Register?

New City Business Registration:	\$29 (\$10 City of Kenmore; \$19 Department of Revenue Administrative Fee)
Renewal Fee (effective 2015)*:	\$21 (\$10 City of Kenmore; \$11 Department of Revenue Administrative Fee)
New Non Profit Organizations:	\$19 (\$0 City of Kenmore; \$19 Department of Revenue Administrative Fee for initial registration; a copy of your 501(c) is required) Non Profit Organizations with existing State tax registrations will not be subject to a fee at the time of City Business Registration in 2014
Non Profit Organizations 2015 Renewal:	\$11 (\$0 City of Kenmore; \$11 Department of Revenue Administrative Fee)

*Please note that if your business requires other State of Washington endorsements for certain activities (such as beer/wine sales), your annual renewal date may change. City Business Registration fees may be prorated at the first renewal. Your business will have **one** renewal date and **one** annual payment for all applicable state and local registrations.

In addition to the new Business Registration, the City of Kenmore will continue to require regulatory business licenses for certain types of businesses, such as second-hand sales and some entertainment businesses.

Note: Pursuant to Kenmore Municipal Code 5.105.060.F, a person engaged in business in the City must comply with all applicable City ordinances and code provisions, and state and federal laws. Receipt of a business registration does not waive this requirement.

How Do I Get My Business Listed in the Kenmore Business Directory? Businesses with a Kenmore Business Registration have the option of being included in the online Kenmore Business Directory. Please go to <http://dor.wa.gov/kenmore> to provide your business information as you want it listed in the Directory. The directory is updated monthly as new business listings are added. You can view the Directory by going to www.findkenmore.org Your business must have a Kenmore Business Registration in order to be listed in the Directory.

For more information please go to the City website www.kenmorewa.gov or call 425-398-8900

March 2015

Kenmore Business Registration Update

October 26, 2015

DRAFT



Starting Point

- ▶ 2009 Economic Development Strategy: “Support Local Businesses”
- ▶ Kenmore: 1 of only 5 cities in King and Snohomish Counties without a local general business license or registration
- ▶ Challenge to connect with business community



Council Priorities

- ▶ Improve ways to connect with businesses
- ▶ Establish a Kenmore Business Directory
- ▶ Low fees
- ▶ Emergency Contact Information

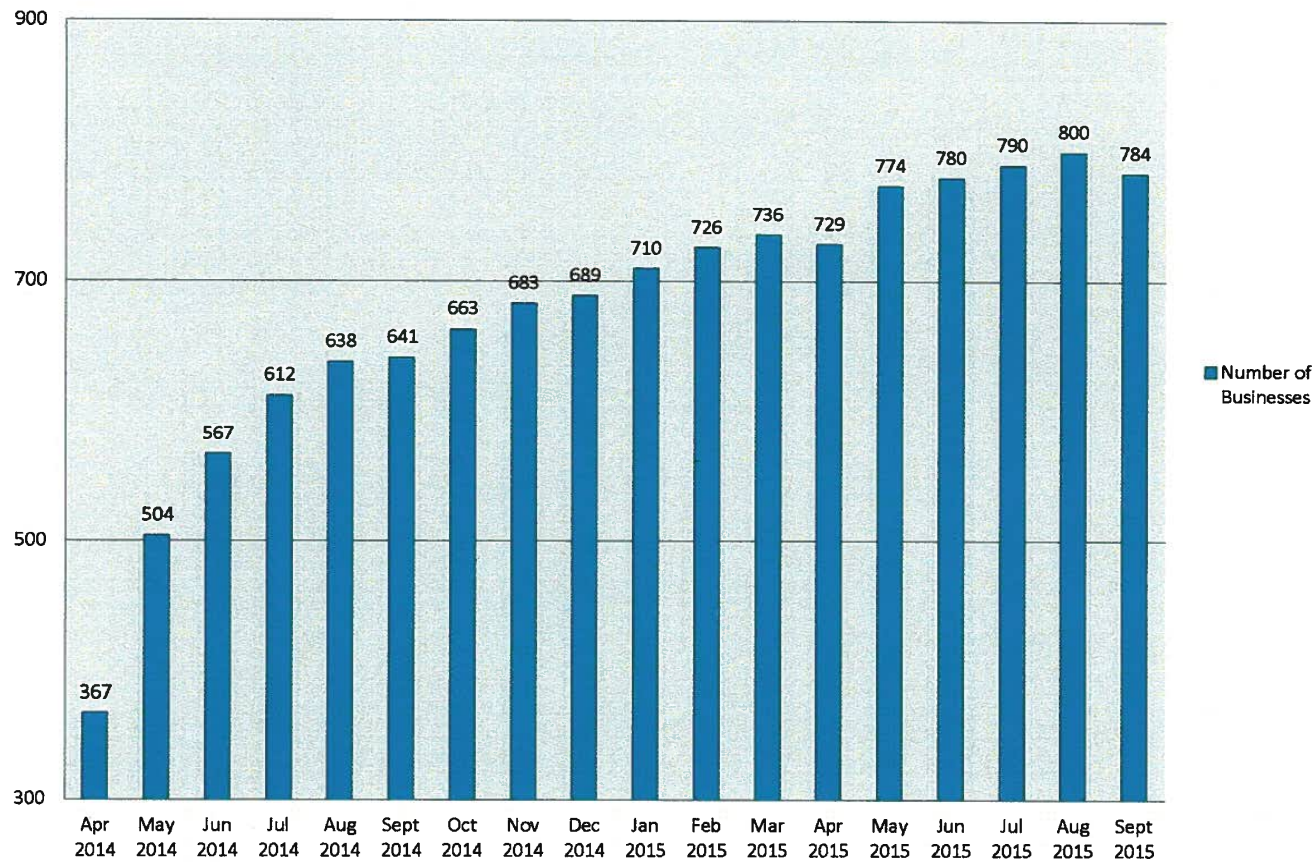
Business Registration

- ▶ Businesses with a physical location in Kenmore
- ▶ Non profit organizations
- ▶ Gross Income > \$12,000 per year
- ▶ WA Department of Revenue Business Licensing Services partnership
- ▶ \$10 Annual Local Fee + DOR Admin Fee

Launch Spring 2014

- ▶ Mailing to Kenmore businesses in DOR system
- ▶ Initial Reactions
- ▶ Response/Registrations

No. of Businesses Registered Since Inception



Registration Data

- ▶ Strong home based business sector (63%)
- ▶ Most common types of businesses
- ▶ Kenmore Business Directory
- ▶ Who's Missing?

Revenue and Expenditures

	2014	2015 (Jan-Sept)	Total
Revenue	\$12,416	\$ 6,181	\$18,597
Expenditures	\$ 8,479	\$ 2,702	\$11,181

Expenditures: Bothell Chamber for Kenmore Business Alliance
Business Directory Maintenance
Business Events



Benefits of the Program

- ▶ Contact with Business Community
- ▶ New faces at each event
- ▶ Support local businesses through Directory
- ▶ Efficiencies
- ▶ Emergency Contact Information

Staff Team

- ▶ Executive
- ▶ Finance and Administration
- ▶ Development Services
- ▶ Northshore Fire District



**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 13-0356**

**AN ORDINANCE OF THE CITY OF KENMMORE,
WASHINGTON, ADOPTING A NEW CHAPTER 5.105 OF THE
KENMORE MUNICIPAL CODE (KMC) TO ESTABLISH A
BUSINESS REGISTRATION PROGRAM FOR THE CITY;
AND FIXING AN EFFECTIVE DATE.**

WHEREAS, the City Council approved the Economic Development Strategy in 2009, which calls for establishing a Business Registration Program required for Kenmore businesses as a means of maintaining a closer connection with the business community and identifying business clusters and opportunities; and

WHEREAS, the 2009 Economic Development Strategy Goal II states, "Support existing businesses and pursue opportunities to expand employment; Work to retain the City's existing independent businesses by understanding and responding to their issues; and Better understand and track the makeup of the City's commercial sectors by establishing a business registration requirement with a modest fee;" and

WHEREAS, Kenmore is one of very few cities in King and Snohomish Counties that do not have a general business license or registration program; and

WHEREAS, a business registration program can help the City to provide a local business directory that includes businesses who desire to be listed in such a directory; and

WHEREAS, this proposal was first initiated by the Advisory Group for the Economic Development Strategy, and has been informally discussed with business owners since 2009; and

WHEREAS, the City has the opportunity to join over 50 other cities in a partnership with the Washington Department of Revenue Business Licensing Service that will make it convenient for businesses to establish and renew the Kenmore business registration, and efficient for the City to administer; and

WHEREAS, the Business Registration for Kenmore businesses will assist in providing information that is vital for emergency services,

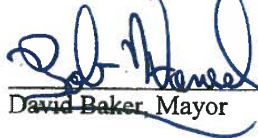
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adoption. The City Council hereby adopts a new Chapter 5.105 of the Kenmore Municipal Code, entitled "Kenmore Business Registration Program" as set forth in Exhibit 1 to this ordinance, attached hereto and incorporated by reference as if set forth in full.

Section 2. Effective Date. This Ordinance shall take effect on July 1, 2013.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 22nd DAY OF APRIL, 2013.

CITY OF KENMORE

 DEPUTY MAYOR
David Baker, Mayor

ATTEST/AUTHENTICATED


Patty Safrin, City Clerk

APPROVED AS TO FORM:


Rod P. Kaseguma, City Attorney

FILED WITH THE CITY CLERK: April 12, 2013
PASSED BY THE CITY COUNCIL: April 22, 2013
DATE OF PUBLICATION: June 26, 2013
EFFECTIVE DATE: July 1, 2013
ORDINANCE NO. 13-0356

EXHIBIT 1 TO ORDINANCE NO. 13-0356

**CHAPTER 5.105
KENMORE BUSINESS REGISTRATION PROGRAM**

Sections:

- 5.105.010 Chapter and purpose.
- 5.105.020 Definitions – General.
- 5.105.030 Business registration required – Posting.
- 5.105.040 Exceptions – Applicability of provisions.
- 5.105.050 Non-profit businesses and organizations
- 5.105.060 Application and renewal.
- 5.105.070 Registration term or expiration.
- 5.105.080 Fee.
- 5.105.090 Late renewal.
- 5.105.100 Registration – Suspension, denial or revocation.
- 5.105.110 Violation – Civil infraction, enforcement.
- 5.105.120 Rules and Rulings

5.105.010 Chapter and purpose.

Maintenance of current information with respect to business, trade, service, commercial and professional activities carried on within the city allows the city to carry out the duties and authorities delegated to it by the Washington State Constitution and the laws of the state of Washington as a non-charter code city. Such information can best be accumulated and maintained on a current basis through the establishment of a program for the registration of such business activities. The business registration program ("Program") is hereby established to protect the public and promote economic development and not intended to benefit any individual or class.

5.105.020 Definitions – General.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given in this section:

A. "Business," "occupation" or "pursuit" means and includes all activities, occupations, trades, pursuits, professions, and matters located or engaged in within the City with the object of gain, benefit, or advantage to the applicant for business registration or other person, directly or indirectly, whether part-time or full-time, whether resident or nonresident.

B. "City" means the city of Kenmore, Washington.

C. "Clerk" means such city employees or agents as the city manager shall designate to administer this chapter, or any designee thereof.

D. "Engage in" "engages in" or "engaged in" business means commence, conduct or continue in business, and also means the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business.

E. "Person," "firm," or "corporation," used interchangeably in this chapter, means any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, corporation, association, canvasser, peddler, solicitor, society, or any group of individuals acting as a unit, whether mutual cooperative, fraternal, nonprofit or otherwise, and includes the United States or any instrumentality thereof.

5.105.030 Business registration required – Posting.

A. Any person that engages in any business, occupation, home occupation (see Chap. 18.73 KMC), or pursuit in the City shall register that business with the City's Program. To register under the Program a person must submit an application to the State Department of Revenue and pay the applicable registration fee.

B. A business located within the City must be registered with the Program.

C. A business registration shall be posted in a conspicuous location at the place of the business.

5.105.040 Exceptions – Applicability of provisions.

This chapter does not apply to:

A. The performance of governmental or proprietary functions by any instrumentality of the United States, the state of Washington, or any political subdivision thereof, including City of Kenmore sponsored civic events.

B. The delivery of goods by vehicle to a customer or client by a business where the sale occurred on a business premises outside of the city and the only event occurring within the city is a delivery.

C. Accredited public or private schools, colleges, or universities, as to their education endeavors only; churches and other religious bodies, as to their religious activities only; political groups and organizations as to their political activities only.

D. Minors, a person under the age of 18, engaged in business or operating a business concern where no other person is employed by the minor.

E. A business with an annual gross income of Twelve Thousand Dollars (\$12,000.00) or less.

F. Farmers selling fruit, vegetables, berries, eggs, or any farm produce or edibles raised, gathered, produced or manufactured by such person; Provided that nothing herein authorizes any person to sell, deliver or peddle any dairy product, meat, poultry, eel, fish, mollusk or shellfish without a license as otherwise required by the State of Washington.

E. Where preempted by federal or state constitutions or laws.

5.105.050 Non-profit businesses and organizations.

Organizations exempt from taxation under 26 USC 501 (C)(3) and (4) must register under the business registration program, but shall be exempt from paying the registration fee. This shall not constitute an exemption from all other applicable taxes and fees. Such organization must be able to show satisfactory proof of such status to the City.

5.105.060 Program application and renewal.

A. A person shall register a business with the Program by submitting an application to the State Department of Revenue (with its Business Licensing Service), in coordination with the Clerk, giving such information as is deemed reasonably necessary to enable the enforcement of this chapter. Businesses that are not required to be registered because they do not exceed the annual gross income threshold may be voluntarily registered with the Program, in the same manner set forth in KMC 5.105.030.

B. Only one registration is necessary if a business is located at two or more separate locations within the City, if the same business name and type of business is operated at the separate locations in the City.

C. If more than one business is conducted or operated on premises, a separate business registration shall be required for each business that meets the requirements for business registration. Each business owner must separately register a business with the Program.

D. A business registration is nontransferable. A person engaged in business within the City shall notify the Clerk and State Department of Revenue of a

change of business location within thirty (30) days of the location change or by the next registration renewal date, whichever date occurs first.

E. A person who has registered a business under the City's Program shall renew the registration on an annual basis, in the same manner as the original application for registration including payment of fees.

F. A person engaged in business within the City must comply with all applicable City ordinances and code provisions, and state and federal laws.

5.105.070 Registration term or expiration.

Business registration shall be valid for a term of twelve months, and shall expire on the date determined by the Department of Revenue, in coordination with the City.

5.105.080 Fee.

A. The fee to register with the City's Program, or renew such registration shall be as set forth in a fee resolution adopted by the City Council.

B. From July 1, 2013, to December 31, 2013, Program registration fees may be pro-rated to coincide with the Washington State Department of Revenue's (its Business Licensing Service) registration term of twelve months. The pro-rated fee shall be as set forth in a fee resolution adopted by the City Council. Thereafter, all registration fees shall be the full amount identified in KMC 5.105.080.A.

5.105.090 Late renewal.

Each business registration issued must be renewed annually on or before the expiration date, or expiration of any prorated period. Failure to renew a business registration by the expiration date may result in an increase in the amount of the renewal fee by fifty percent (50%).

5.105.100 Registration denial or revocation.

A. An application for registration required under this chapter may be denied or revoked by the City based on any of the grounds provided below:

1. If the person who obtains the registration or any of the business officers, directors, agents, owners or employees of the business fail to comply with the requirements of this chapter.
2. If a person procures registration by fraud or misrepresentation of fact, or the person who obtains the registration or any of the business officers, directors, agents, owners or employees of the business obtain registration so as

to practice some illegal act or some act injurious to the public health, safety and welfare.

3. Whenever a person fails or refuses to pay the registration or renewal fee.

B. The City shall not deny or revoke a business registration without cause.

5.105.110 Violation – Civil infraction, enforcement.

A. A violation of this chapter shall constitute a civil infraction. A person who violates any provision of this chapter shall be subject to a civil fine in an amount not to exceed \$100.00.

B. The Clerk and officers authorized to provide police services to the city shall enforce this chapter and are authorized to issue civil infractions for violations of this chapter. The disposition of a civil infraction issued under this chapter shall follow the procedures adopted under the following statutes:

1. A notice of civil infraction issued under this chapter shall comply with the procedures of RCW 46.63.060(1),(2)(a)-(g) and (3), hereby adopted by reference as if set forth in full. A response to the notice of civil infraction and/or request for hearing shall comply with RCW 46.63.070(1)-(4) and (6), hereby adopted by reference as if set forth in full.

2. RCW 46.63.090 and RCW 46.63.100, which regulate hearings on contested infractions and hearings to explain mitigating circumstances, are hereby adopted by reference as if set forth in full.

3. The phrase "traffic infraction" referenced in the above-cited statutes shall mean a "civil infraction" issued under this chapter.

C. A civil infraction issued under this chapter shall be filed with the King County district court, which shall have the exclusive jurisdiction to hear and determine the same. Rules of procedures for the conduct of hearings filed under this chapter may be established by rule of the court.

5.105.120 Rules and Rulings. The city manager may, from time to time, adopt, publish and enforce rules and regulations not inconsistent with this chapter or with state law. The purpose of such rules and regulations is to carryout the provisions of this chapter. The city manager may also issue letter rulings from time to time which are applicable only to specific businesses. Such administrative rulings shall be binding on the City and the applicable business.