

**City of Kenmore
City Council Meeting
Regular Meeting Minutes
Monday, November 28, 2022**

These minutes are created to capture Council action. This is not a verbatim transcript. Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers:

Mayor Nigel Herbig
Deputy Mayor Melanie O’Cain
Councilmember David Baker
Councilmember Joe Marshall
Councilmember Angela Kugler
Councilmember Debra Srebnik
Councilmember Corina Pfeil

Staff:

City Manager Rob Karlinsey
Assistant City Manager Stephanie Lucash
City Attorney Dawn Reitan
Deputy City Clerk Michelle Kang
Co-Clerk Brian Randall
Volunteer and Events Supervisor Stephanie Brown
City Engineer John Vicente
Administrative Specialist Amber Clifton
Development Services Director Samantha Loyuk
Planner Reilly Rosbotham
Police Chief Brandon Moen
Community Development Director Debbie Bent
Principal Planner Lauri Anderson
Assistant to the City Manager Garrett Oppenheim
Recreation Coordinator Rita Moreno

Guests:

Sno-King Watershed Board Member & Habitat Restoration Coordinator
Tracy Banaszynski
Bus Rapid Transit Program Executive Bernard van de Kamp
Sound Transit Government & Community Relations Officer Ariel
King County Metro Transit Service Planner Yingying Huang Fernandes
King County Metro Community Engagement Lead Luke Distelhorst
King County Metro Government Relations Administrator – Local Policy
& Government Affairs Lead Amanda Pleasant-Brown
North Sound RADAR Program Manager Brook Buettner

Karen Reed Consulting LLC Consultant Karen Reed
King County Regional Homelessness Authority Director of Sub-Regional
Planning and Equitable Engagement Alexis Mercedes Rinck

Public Comments Speaking Guests:

Jon Culver, Kenmore Resident
Patrick O'Brien, Kenmore Resident
Jim Myers, Kenmore Resident
Elizabeth Mooney, Kenmore Resident
Orlay Johnson, Kenmore Resident
Eric Adman, Kenmore Resident
Joan Hardy, Kenmore Resident
Tracy Banaszynski, Kenmore Resident
Dakota Rash, Lake Forest Park Resident
David Morton, Redmond Resident
Stacey Valenzuela, Kenmore Resident
Victoria Grayland, Kenmore Resident

CALL REGULAR MEETING TO ORDER

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

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as published.

PRESENTATIONS

- A. Council recognized the Wallace Swamp Creek Adopt-A-Park Group and presented Sno-King Watershed Board Member and Habitat Restoration Coordinator Tracy Banaszynski with a certificate of recognition for her partnership and dedication to Wallace Swamp Creek Park.
- B. Bus Rapid Transit and King County Metro Presentations presented by Bus Rapid Transit Program Executive Bernard van de Kamp, King County Metro Transit Service Planner Yingying Huang Fernandes, and King County Metro Community Engagement Lead Luke Distelhorst
[Presentation - Sound Transit Service & Stride Program Update](#)
[Presentation - King County Metro](#)

Bus Rapid Transit Program Executive Bernard van de Kamp presented to Council with an update to the Sound Transit Service & Stride Program. 522 Bus Rapid Transit was a community driven project approved by voters in 2016. Due to the pandemic, Sound Transit had to reconsider projects and categorize them into tiers of priority. Fortunately, 522 BRT was designated as a Tier 1 Project.

Stride Bus Rapid Transit intends to open sometime in 2026-2027.

- S1 Line: Bellevue to Burien
- S2 Line: Bellevue to Lynnwood
- S3 Line: Shoreline to Bothell

BRT infrastructure is designed for fast, frequent reliable service every ten minutes. BRT is intended to match the service level as the light rail. Upcoming Community Engagement includes a 60% Design Open Houses and drop-in sessions scheduled for February/March 2023. BRT has been reaching out to individual property along the route. The 60% designs are available online to view.

Councilmembers expressed concerns about the timeline of the project since it is still at least five years away. There is a concern that there is no way to get to Seattle by taking one bus. Is there anything that can be done in the interim to get residents better service? There is communication between Sound Transit and King County Metro to figure out how to meet the needs of residents until the Bus Transit Program is ready.

King County Metro Transit Service Planner Yingying Huang Fernandes, and King County Metro Community Engagement Lead Luke Distelhorst presented to Council the Metro Long Range Vision that King County Metro intends to fulfill, which include frequent service on Juanita Drive, Ballinger Way, and the 522 corridors, as well as local service on Simonds Road, 68th Avenue, and 192nd Street. At this time, this Long Range Vision is unconstrained by capital and operational limitations and is not fully funded. The vision will require strong partnerships with cities and partners.

In the next several years, it is anticipated that the new program will include 22 routes: 14 all-day and 8 peak-only. The Phase 1 Needs Assessment took place in early 2022. Phase 2 takes place in early 2023 and will allow for more engagement and specific feedback with the detailed draft routes. Once public outreach launches, King County Metro will reach back out to cities with a lot more detailed information about getting involved in Phase 2.

- C. City Engineer John Vicente introduced to Council the Engineering department's new Administrative Specialist, Amber Clifton. Development Services Director Samantha Loyuk introduced to Council the Development Services' new Planner, Reilly Rosbotham.

PUBLIC COMMENTS

Council took comments from the public.

Timestamped link: <https://youtu.be/P12gIVplZIM?t=4380>

CONSENT AGENDA

- A. Cancel all Regular Council Meetings in December 2022

- B. Approve City Council Special & Regular Meeting Minutes from November 14, 2022
[City Council Special and Regular Meeting Minutes from November 14, 2022](#)

- C. Approve Total Check #s 50814 through 50892 totaling \$566,861.09 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits dated 11/04/2022 in the amount totaling \$193,504.74 and ACH Payment to KBA Inc. in the amount of \$94,910.86, and ACH Payment to KBA Inc. in the amount of \$94,675.59, and ACH Payment to Thomco Construction Inc. in the amount of \$441,010.24, and Wire Transfer to Chicago Title in the amount of \$681,732.97, and Payroll Check #10198 in the amount of \$1,806.28.
[Voucher Approval dated 11-11-2022](#)
- D. Receive and File September 2022 Financial Report for the City of Kenmore, Washington
[Agenda Bill - September 2022 Financial Report \(with Attached Report\)](#)
- E. Receive and File October 2022 Financial Report for the City of Kenmore, Washington
[Agenda Bill - October 2022 Financial Report \(with Attached Report\)](#)
- F. Authorize the City Manager to execute Contract No. 22-C2870 the Regional Coordination Framework Agreement for Disasters and Planned Events for Public and Private Organizations in King County, Washington
[Agenda Bill - Emergency Management Regional Coalition Framework](#)
[Attachment 1 - Regional Coordination Framework](#)
[Attachment 2 - Regional Coordination Framework Agreement](#)
[Attachment 3 - Summary of Key Points](#)
- G. Authorize the City Manager to execute the Memorandum of Agreement 22-C2869, between the other ARCH (A Regional Coalition for Housing) Cities of Bellevue, Redmond, Bothell, Kenmore, and Newcastle concerning the Sharing of Costs related to Middle Housing Community-Based Organization Engagement
[Agenda Bill - Memorandum of Agreement](#)
[Attachment 1 - Memorandum of Agreement Draft](#)
- H. Authorize the City Manager to execute an increased grant award contract (total of \$170,000) with the Washington State Department of Commerce as well as Contract 22-C2845 with PRR, Inc. in an amount not to exceed \$150,000.
[Agenda Bill - PRR, Inc. Contract](#)
- I. Adopt Resolution No. 22-392 approving an Interfund Loan from the General Fund to the Park Capital Fund in the amount of \$1,050,000 and from the Street Fund to the Park Capital Fund in the amount of \$1,400,000
[Agenda Bill - Interfund Loan](#)
[Exhibit 1 - Proposed Resolution 22-392](#)
- J. Approve the proposed City of Kenmore 2023 State Legislative Agenda and Policy Statements
[Agenda Bill - State Legislative Agenda 2023](#)
[Attachment 1 - 2023 Kenmore State Leg Agenda](#)
[Attachment 2 - 2023 Kenmore Policy Statements](#)

- K. Authorize the City Manager to sign and execute Amendment No. 5 to Contract 10-C862, substantially and materially in the form attached
[Agenda Bill - Prosecutor Agreement Amendment 5](#)
[Attachment 1 - 10-C862 Amendment 5](#)
[Attachment 2 - 10-C862 Original Contract](#)
[Attachment 3 - 10-C862 Amendment 1](#)
[Attachment 4 - 10-C862 Amendment 2](#)
[Attachment 5 - 10-C862 Amendment 3](#)
[Attachment 6 - 10-C862 Amendment 4](#)
- L. Authorize the City Manager to execute Contract No. 10-C873 Amendment No. 6 with Progressive Animal Welfare Society (PAWS) to continue to provide animal shelter services through 2023, substantially and materially in the form attached
[Agenda Bill - Contract 10-C873 Amendment No. 6 \(PAWS\)](#)
[Attachment 1 - Contract No. 10-C873 Amendment No. 6](#)
[Attachment 2 - Contract No. 10-C873 Exhibit B - Explanation of Rates and Services](#)
- M. Authorize the City Manager to execute Contract No. 19-C2122 Amendment No. 3 with Shannon & Wilson, Inc. to continue to provide geotechnical services through 2023, substantially and materially in the form attached
[Agenda Bill - Contract 19-C2122 Amendment No. 3 \(Shannon & Wilson, Inc.\)](#)
[Attachment 1 - Contract 19-C2122 Amendment No. 3 \(Shannon & Wilson, Inc.\)](#)
- N. Authorize the City Manager to execute Contract No. 20-C2229 Amendment No. 2 with Cascadia Law Group, PLLC, to continue to provide limited engineering construction inspection services through 2023, substantially and materially in the form attached
[Agenda Bill - Contract 20-C2229 Amendment No. 2 \(Cascadia Law Group\)](#)
[Attachment 1 - Contract 20-C2229 Amendment No. 2 \(Cascadia Law Group\)](#)
- O. Authorize the City Manager to execute Contract No. 21-C2666 Amendment No. 4 with Red Barn Engineering, Inc. to continue to provide limited engineering construction inspection services through 2023, substantially and materially in the form attached
[Agenda Bill - Contract 21-C2666 Amendment No. 7 \(Red Barn Engineering, Inc.\)](#)
[Attachment 1 - Contract 21-C2666 Amendment No. 7 \(Red Barn Engineering, Inc.\)](#)
- P. Authorize the City Manager to execute Contract No. 21-C2667 Amendment No. 2 with PACE Engineers, Inc. to continue to provide planning services through 2024
[Agenda Bill - Contract 21-2667 Amendment No. 2 \(PACE Engineers, Inc.\)](#)
[Attachment 1 - Contract 21-2667 Amendment No. 2 \(PACE Engineers, Inc.\)](#)
- Q. Authorize the City Manager to execute Agreement 22-C2859 with Cascadia Consulting Group for an amount not to exceed \$80,000 to develop a Climate Action Element for the City's Comprehensive Plan
[Agenda Bill - 22-C2859 Cascadia Consulting Group](#)

MOTION: Councilmember Baker moved to approve the consent agenda outlined above including items A-Q. Councilmember Pfeil seconded the motion.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

BUSINESS AGENDA

- A. Regional Crisis Response (RCR) Agency Interlocal Agreement, the Incorporation of the Agency as a Nonprofit Corporation under RCW 24.06, and Authorize the City Manager to execute the Interlocal Agreement and Articles of Incorporation, presented by Assistant City Manager Stephanie Lucash, Police Chief Brandon Moen, North Sound RADAR Program Manager Brook Buettner, Karen Reed Consulting LLC Consultant Karen Reed, *for Approval*
[Agenda Bill - Regional Crisis Response Agency \(updated 11/28\)](#)
[Attachment 1 - Regional Crisis Response Agency Interlocal Agreement](#)
[Attachment 2 - Regional Crisis Response Agency Articles of Incorporation](#)
[Presentation - Regional Crisis Response Agency Interlocal Agreement \(updated 11/28\)](#)

Assistant City Manager Stephanie Lucash presented a review of the information originally brought to Council back in September. The proposed new entity name is called the Regional Crisis Response (RCR) Program, which would be a new program and nonprofit entity that expands from RADAR's original five day a week coverage to a full seven day a week coverage. The other cities have already approved the interlocal agreement.

Some changes made from September's presentation:

- New name: Regional Crisis Response (RCR)
- Reduction in term from six years to four years
- Provision to review funding structure before next biennial budget
- Clearer language in definitions and goals

Coalition received \$70,500 from Association of Washington Cities (AWC) grant program, which will help offset costs. Kenmore's contribution to the coalition will be \$148,887 in 2023 and \$138,524 in 2024.

Council provided comments.

- A program such as this one should be funded and provided by the county, and cities should not have to rely on coalitions as this one. Cities are not the best positioned financially to support it.

MOTION: Deputy Mayor O'Cain moved to approve the Regional Crisis Response (RCR) Agency Interlocal Agreement, the Incorporation of the Agency as a Nonprofit Corporation under RCW 24.06 and Authorize the City Manager to execute the Interlocal Agreement and Articles of Incorporation. Councilmember Pfeil seconded the motion.

VOTE: 6 Yes; 1 No; 0 Abstain. **MOTION PASSED**

- B. Planning Commission's Recommendation on Transit-Oriented Development (TOD) Amendments presented by Community Development Director Debbie Bent and Principal Planner Lauri Anderson, *for Discussion*

[Agenda Bill - TOD Amendments](#)
[Attachment 1 - Summary of TOD Amendments](#)
[Attachment 2 - Zoning Map Excerpt](#)
[Attachment 3 -Recommended TOD Code Amendments](#)
[Attachment 4 - Public Comment Matrix](#)
[Attachment 5 - TOD Postcard](#)
[Attachment 6 - Related Comprehensive Plan Language](#)
[Memo - Approach to the TOD Code Amendments \(added 11/23\)](#)
[Map - TOD Area with Preliminary Swamp Creek Buffer \(added 11/28\)](#)

Last week, the Planning Commission presented its recommendation regarding the Transit-Oriented Development (TOD) regulations. Community Development Director Debbie Bent and Principal Planner Lauri Anderson came before Council to answer questions and discuss the recommendation. Staff was also looking for direction for the ordinance to return to Council in early 2023.

Based on of the extensive discussion of the Minority Opinion, Staff presented an alternative approach to the TOD recommendation. To advance TOD amendments while still focusing on the health of Swamp Creek, Staff recommended a Swamp Creek Corridor assessment, a channel restoration assessment. The assessment would scientifically identify the areas where there is the greatest opportunity for restoration with the greatest ecological benefit.

Staff presented two directions for Council to consider:

1. Direct staff to prepare an ordinance based on the Planning Commission recommendation with other amendments
2. Direct staff to carve out an area from the TOD that would continue under the existing interim regulations, while the rest of the TOD amendments were brought forward as part of an ordinance

Council provided questions and comments.

- Continued concerns about the height recommendation of 85 feet. Staff explained that the higher height limit allows developers to create family size units and would make it easier to achieve the goal of the unit distribution and mix that council is interested in because it provides flexibility
- Height was not a concern for some councilmembers, so long as the overcast shadow does not impact the environment
- Continued concerns about 0.5 minimum parking requirements, specifically that a developer might choose to stick with the minimum requirement and would therefore, negatively impact the surround area for businesses and street parking. Some councilmembers are fine with the 0.5 minimum if there is a way to mitigate the impact of businesses and surround areas. Staff responded that developers along 522 will build parking as an amenity because 522 currently does not offer any street parking.
- Suggestions were made about parking time limits or zone parking stickers.
- Some councilmembers commented that we have to build for the city we want, what our grandchildren will live with, not what we will deal with in five years

- Can we require commercial for developers on the first floor? Planning Commission did not make the recommendation, but Council can require a non-residential use, which is broader than requiring commercial use

Council provided staff direction to return in 2023 with a carve out as presented while keeping the other TOD recommendations from the Planning Commission.

- C. Contract No. 22-C2872 - Interlocal Agreement (ILA) with King County Regional Homelessness Authority (KCRHA) and five cities to combine regional funding for homelessness services in the North King County sub-region, presented by Assistant to the City Manager Garrett Oppenheim, *for Approval*
[Agenda Bill - Interlocal Agreement with KCRHA](#)
[Attachment 1 - KCRHA Agreement for Homeless Services](#)
[Presentation - KCRHA ILA](#)

Mayor Herbig recused himself of the discussion and vote.

Assistant to the City Manager Garrett Oppenheim reviewed the presentation from last week with King County Regional Homelessness Authority Director of Sub-Regional Planning and Equitable Engagement Alexis Mercedes Rinck. Council has approved \$38,000 per year for the next 2023-2024 biennium for homelessness services.

- \$30,000 to Mary's Place
- \$5,000 to Lake City Partners Ending Homelessness
- \$3,000 to Hopelink Homelessness Program

Council provided questions and comments.

- Have the agencies weighed in on how they feel about this interlocal agreement? KCRHA consulted with agencies to learn more about the process of grants management from cities human services funding and how to streamline the funding from multiple sources.
- Is there tracking of where Kenmore specific funds are going? KCRHA is happy to provide financial accounting information to the city at any time.

Councilmember Srebnik recused herself from the vote.

MOTION: Councilmember Pfeil moved to approve Contract No. 22-C2872 the Interlocal Agreement with King County Regional Homelessness Authority. Deputy Mayor O'Cain seconded the motion.

VOTE: 5 Yes; 0 No; 0 Abstain. **MOTION PASSED**

STAFF REPORTS

- A. Recreation Coordinator Rita Moreno presented the Recreation Update of 2022 accomplishments, including providing 450 kids 10 weeks of free summer camp and successfully applying for grants. 2023 will have more opportunities for similar programs for children including the continuation of the pilot swim program and grant writing, if available.
[Memo - Recreation Update 2022](#)

[Attachment 1 - Recreation by the Numbers 2022](#)

- B. City Manager Rob Karlinsey updated the Council on the fire at the senior apartment complex. Community Development Director and NEMCo Executive Director Kevin Lowery have been working with the apartment and residents.
- C. Assistant City Manager Stephanie Lucash updated the Council to a Kenmore pop-up winter market located in the hangar for five days in December where local businesses, especially home-based businesses, can get more exposure and sell their goods.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 10:50 PM.


[Michelle Kang \(Jan 10, 2023 14:31 PST\)](#)
Michelle Kang, Deputy City Clerk


[Nigel Herbig \(Jan 10, 2023 17:10 PST\)](#)
Nigel Herbig, Mayor

City Council Regular Meeting Minutes from November 28 2022

Final Audit Report

2023-01-11

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