

City of Kenmore



City of Kenmore - 18120 68th Avenue NE Kenmore, WA 98028 Phone: 425-398-8900
Agendas also available at www.kenmorewa.gov E-mail: cityhall@kenmorewa.gov

City Council Special Meeting Agenda

December 6, 2021 - 6 PM

VIA ZOOM - LINK: <https://us02web.zoom.us/j/83430095461>

US:US: +12532158782,,86551685314# or +13462487799,,86551685314#

Or Telephone: Dial US: +1 253 215 8782

Webinar ID: 834 3009 5461

I. CALL SPECIAL MEETING TO ORDER - 6 PM

II. ROLL CALL

III. FLAG SALUTE

IV. AGENDA APPROVAL

V. PRESENTATION

- A. Introduction of New Staff Receptionist - Christine Cabatit
- B. Housing Development Consortium of Seattle - King County, presented by
Patience Malaba, Director of Government Relations and Policy
[Kenmore Revenue Presentation Stakeholder Engagement](#)

VI. CONSENT AGENDA

- A. Approve Minutes:
[City Council November 8, 2021 Special Meeting Minutes](#)
[City Council November 8, 2021 Regular Meeting Minutes](#)
[City Council November 15, 2021 Regular Meeting Minutes](#)
- B. Adopt Ordinance 21-0541, Updating the 2021-2026 Capital Improvement Program for Park, Transportation, Surface Water Management, and City Facilities
[Agenda Bill - Amending the 2021-2026 Capital Improvement Program](#)
- C. Approve Resolution 21-372, amending Resolution 21-367, Extending the Terms of the Approved Interfund Loan by Three Months
[Agenda Bill - Resolution 21-372, amending Resolution 21-367 Relating to Interfund Loan](#)
- D. Approve Resolution No. 21-373, approving an Interfund Loan from the General Fund to the Public Works Shop Fund

[Agenda Bill - Resolution 21-373, approving an Interfund Loan](#)

- E. Award Construction Contract - Squire's Landing (X w a d i s) Park Waterfront & Natural Open Space Access Project
[Agenda Bill - Contract 21-C2670 Award](#)

VII. BUSINESS AGENDA

- A. Amendments to the City of Kenmore Tree Regulations, presented by Development Services Director Bryan Hampson and Senior Planner Samantha Loyuk, *for Discussion and Direction*
[Agenda Bill- 2021 Tree Regulations](#)
[Attachment 1- List 1 and 2](#)
[Attachment 2- PowerPoint Presentation](#)
- B. Traffic Photo Enforcement, Presented by Traffic Engineer Tobin Bennet-Gold, *second Discussion*
[Agenda Bill - Automated Photo Enforcement](#)
[Tech Memo - Photo Enforcement Changelog](#)
[Tech Memo - Photo Enforcement](#)
[Draft KMC Automated Traffic Safety Cameras - Chap 10.45](#)
- C. Resuming In-Person Meetings, presented by City Manager Rob Karlinsey and City Attorney Dawn Reitan, *for Discussion*
[Agenda Bill - Resuming In-Person Meetings](#)
[Governor's Proclamation 20-28.14](#)
[COVID19 Misc Venue Guidance](#)
[Secretary of Health Order 20-03-Statewide Face Coverings](#)
[Governor's Proclamation 20-25.17](#)

VIII. ADJOURNMENT

UPCOMING MEETINGS:

- A. December 13, Regular Meeting
December 14, Special Legislative Delegation Sendoff Event
December 20, Special and Regular Meeting

Housing Development Consortium

Affordable Housing Levy Proposal

Patience Malaba

Director of Government Relations and Policy

patience@housingconsortium.org

Our Vision

All people live with dignity in safe, healthy and affordable homes
within **communities of opportunity**



HOUSING
DEVELOPMENT
consortium

Overall Vision and Aspiration

- Based on the needs analysis findings, build a case for support of ballot initiatives authorizing an amount of funding generated through a Housing Levy to significantly increase revenue that helps to meet our community's needs
- The Housing Levy would address the affordable housing continuum

Our Vision

All people live with dignity in safe, healthy, and affordable homes within **communities of opportunity**



Many types of households

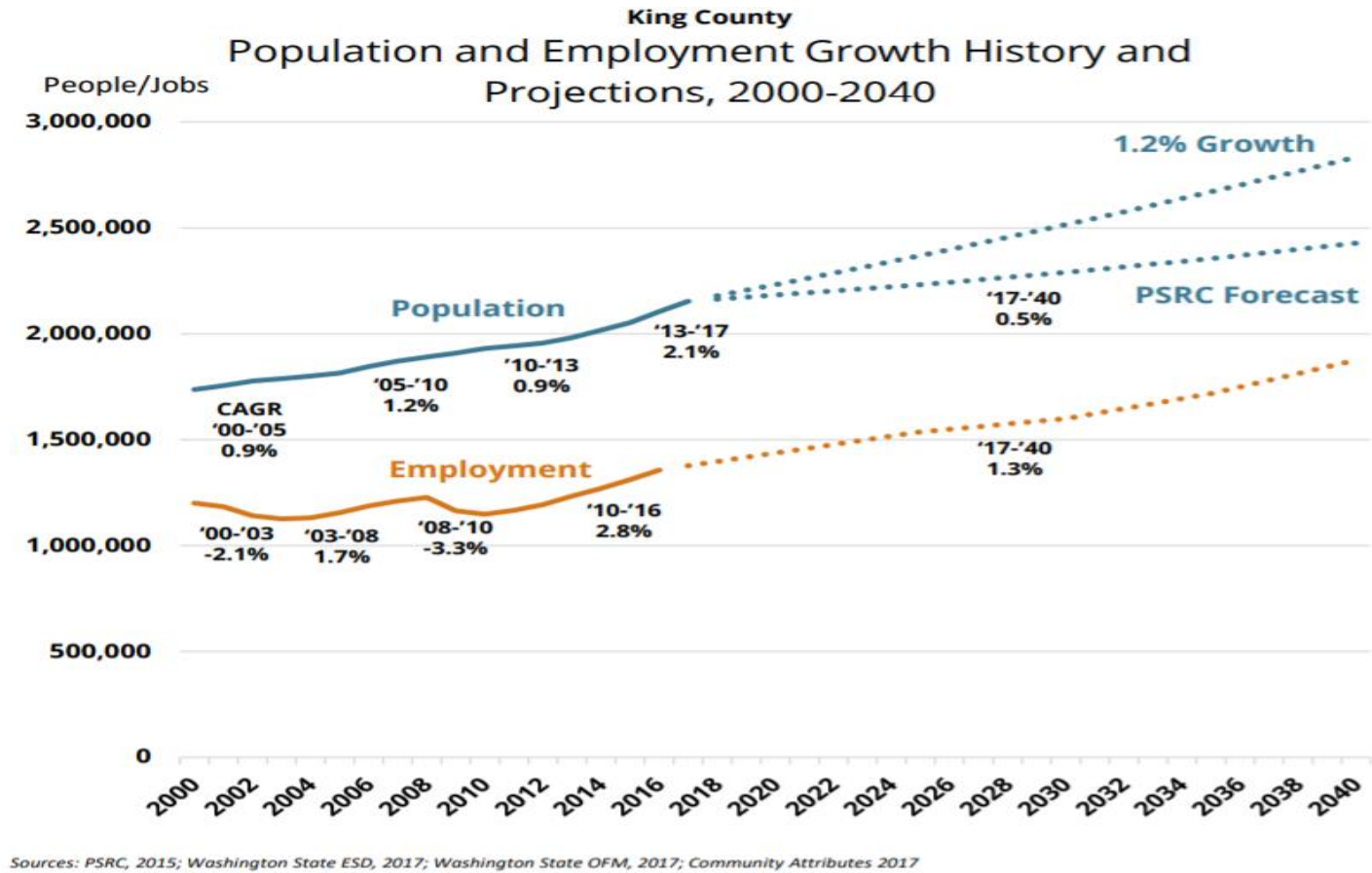
Household size	80% AMI	50% AMI	30% AMI
	Full-time welder (\$48,548) Retired couple (\$42,200) Full-time taxi driver (\$26,340) <i>plus</i> childcare worker earning (\$26,038)	Teacher (\$39,447) Restaurant cook (\$30,281)	Cashier earning (\$25,410 at \$12.20/hr) Home health aide (\$25,864 at \$12.40/hr)
	Biologist (\$76,900) Accountant (\$69,940) Full-time office clerk (\$37,566) <i>plus</i> full-time security guard (\$32,427)	Secretary (\$49,569) Auto Mechanic (\$31,640)	Janitor (\$31,799) Retail Worker (\$31,640)

**All salaries represent the median annual salary for the occupation in King and Snohomish Counties as reported by WA ESD 2019*

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All people live with dignity in safe, healthy, and affordable homes within **communities of opportunity**

Population and Job Growth

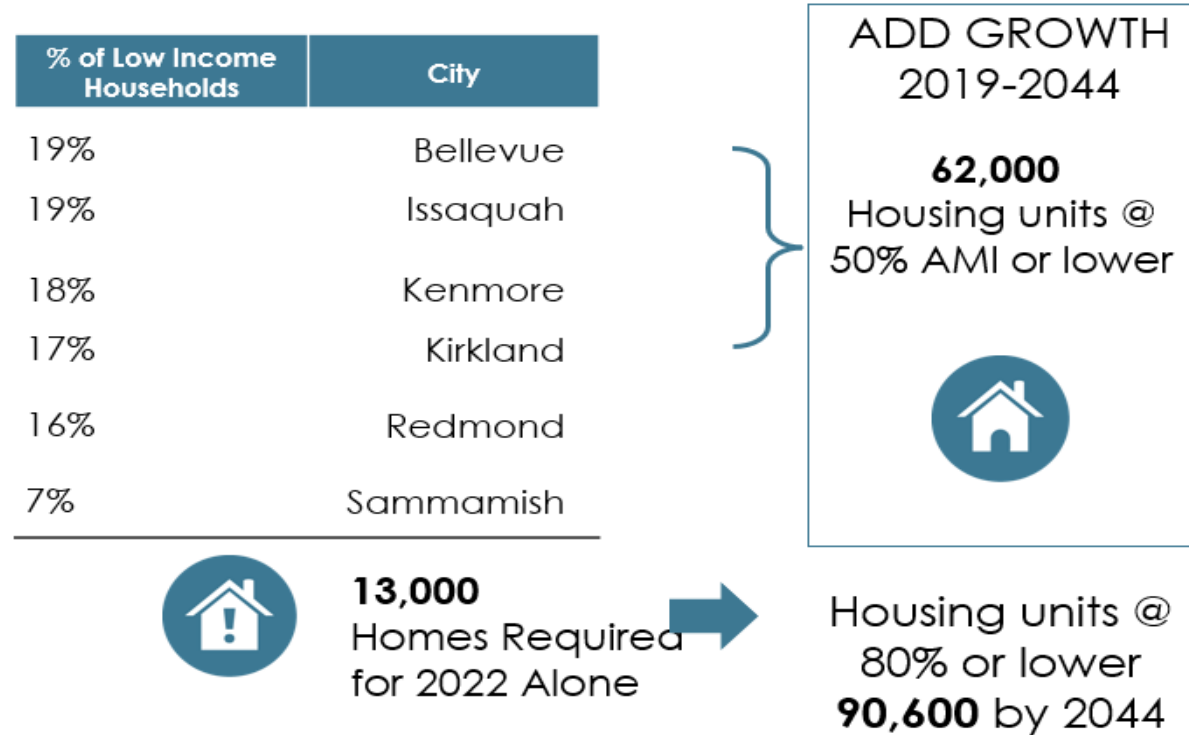


Our Vision

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East King County requires 13,000 new homes to address the current affordable housing need for households at 0-50% AMI



King County Affordable Housing Dashboard, 2021

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2010 to Present New Construction

	Newly Constructed Units, 2010 to 2020	Preserved Units, 2010 to 2020 **
Total New Units (15+ Unit Properties)	18,115 *	1,769 ***
Total Aff'd (<80% AMI)	2,295	1,769
% Affordable	12.7%	100%

*Production data: Analysis of CoStar data, 2021
 **Preservation Data: King County Housing Authority & ARCH
 ***Uses tax-exempt bond financing and below market financing from Amazon and Microsoft

Average Annual
Production Rate:
217 units /year

Average Annual
Preservation Rate:
161 units /year

Total = 378
units /year

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 within **communities of opportunity**



Existing Revenue & Uses

For Bellevue, Issaquah, Kenmore, Kirkland, Redmond, and Sammamish

Between 2011 and 2020 funding,

\$89 million

Average annual funding produces & preserves **378 units per year** <80% AMI

Historical Funding Sources* *Do not include HB 1406 and HB 1590 funds	9% LIHTC, 4% LIHTC, Private Activity Bond Cap, WA State funding, King County funding, ARCH funding, sponsor loans, sponsor equity, capital campaigns, non-bond private debt, and other miscellaneous sources.
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King County Housing Authority, 2021

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Revenue Necessary to Meet the Need

Average annual amount to meet projected need (0-50% AMI)

\$1.1 billion

Using the 2011-2020 yearly allocation average, the average annual revenue gap for affordable housing is: **\$931 million**

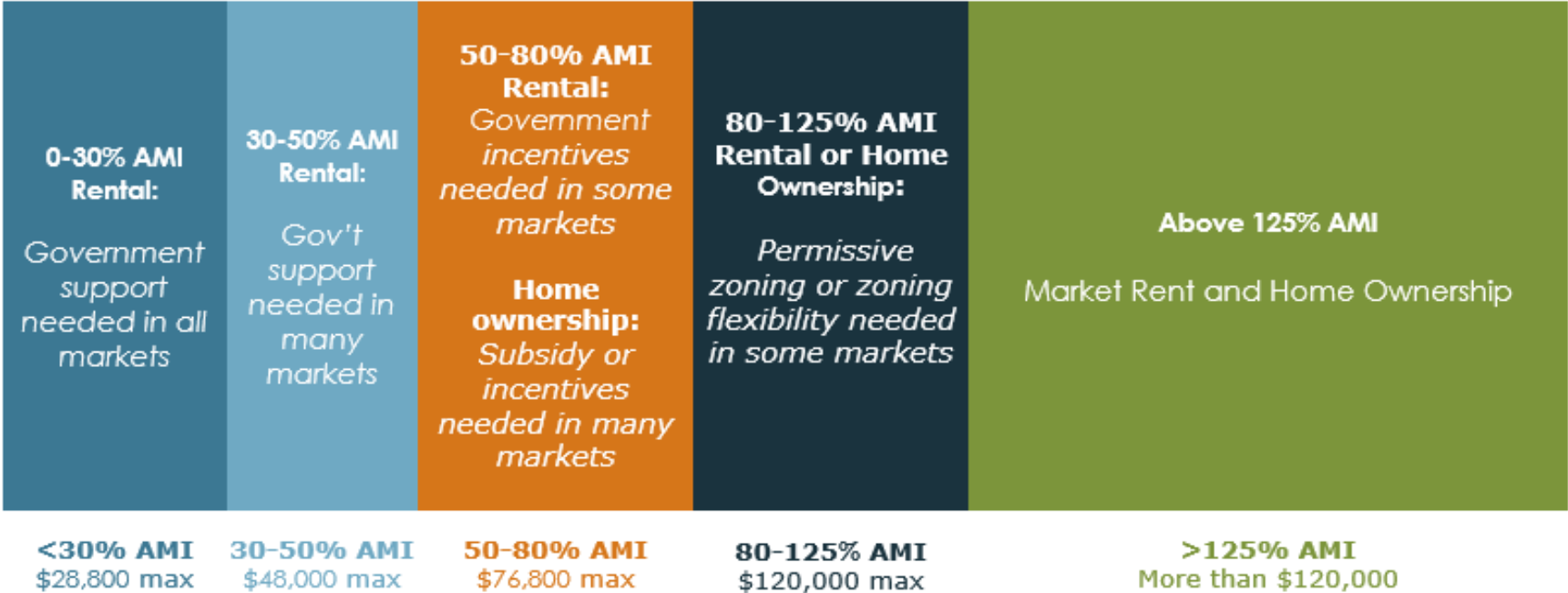
Our Vision

All people live with dignity in safe, healthy, and affordable homes within **communities of opportunity**



The Case for a Housing Levy

Sources: HUD, 2017; US Census Bureau, ACS 2015; CAI, 2017



Our Vision

All people live with dignity in safe, healthy, and affordable homes within **communities of opportunity**



RCW 84.52.105: Affordable housing levies

(1) A county, city, or town may impose additional regular property tax levies of up to fifty cents per thousand dollars of assessed value of property in each year for up to **ten consecutive years** to **finance affordable housing for very low-income households, and affordable homeownership, owner-occupied home repair, and foreclosure prevention programs for low-income households**

Our Vision

All people live with dignity in safe, healthy, and affordable homes within **communities of opportunity**



Polling Discovery Scope of Work

- Discovery Fund Goal of \$100,000
- Block of Large Contiguous Cities Option
- Include large and small Cities Option
- Key questions for the Poll
- Q1 2022

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within **communities of opportunity**



Expected Tax Burden & Leveraged Unit Production

City	Annual impact on median homeowner (for \$0.10 / \$1,000 rate)	Units Expected Annually (for \$0.15 / \$1,000 rate)**	Units Expected Annually (for \$0.30 / \$1,000 rate)**
Bellevue	\$ 96.10	141	282
Issaquah	\$ 82.50	24	48
Kenmore	\$63.10	11	21
Kirkland	\$72.80	47	94
Sammamish	\$ 85.60	40	80
Redmond	\$ 86.10	51	103
TOTAL	N/A	314	628

**Assumes an average cost of \$75,000 /unit for leveraged local dollars.

Our Vision

All people live with dignity in safe, healthy, and affordable homes
within **communities of opportunity**



Thank you

Patience Malaba
Director of Government Relations and Policy
patience@housingconsortium.org



HOUSING
DEVELOPMENT
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**City of Kenmore
City Council Meeting
Special Meeting Minutes
November 8, 2021**

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.

CALL SPECIAL MEETING TO ORDER:

Mayor Baker called the virtual meeting to order at 6 :00 p.m.

PRESENT:

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

Staff: City Manager Rob Karlinsey
City Clerk Anastasiya Warhol
City Attorney Dawn Reitan
Assistant City Manager Nancy Ousley
Assistant City Manager/ ARPA Administrator Stephanie Lucash
Community Development Director Debbie Bent
Development Services Director Bryan Hampson
Public Works Operations Manager Jennifer Gordon
Environmental Services Manager Richard Sawyer

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IVE SESSION

Pursuant to RCW 42.30.110(1)(i) as well as RCW 43.30.110 (b), the City Council entered an executive session to discuss both pending and potential litigation, and to consider real estate acquisition. The executive session lasted approximately one hour. No final action was taken.

ADJOURNMENT

Mayor Baker adjourned the meeting at 6:58 pm.

David Baker, Mayor

ATTEST:

Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Meeting
Regular Meeting Minutes
November 8, 2021**

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.

CALL MEETING TO ORDER:

Mayor Baker called the virtual meeting to order at 7 :00 p.m.

PRESENT:

Councilmembers: Mayor David Baker
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Corina Pfeil* (Ms. Pfeil was excused to leave early)
Councilmember Angela Kugler
Councilmember Melanie O'Cain
Deputy Mayor Nigel Herbig

Staff: City Manager Rob Karlinsey
Assistant City Manager Nancy Ousley
ARPA Administrator/ Assistant City Manager Stephanie Lucash
City Clerk Anastasiya Warhol
City Attorney Dawn Reitan
Community Development Director Debbie Bent
Code Enforcement Officer Bridget Baker
Development Services Director Bryan Hampson
Finance & Administration Director Leticia Salcido
City Engineer John Vicente
Traffic Engineer Tobin Bennett- Gold
Event Assistant Nicole Suarez

Speaking Guests: Lauren McGowan – United Way of King County
Denise Stiffarm – Northshore School District
Dawn Mark – Northshore School District
John Peeples, Kenmore Resident
Carl Michelman, Kenmore Business Owner
David Morton, Redmond Resident
Stacey Valenzuela, Kenmore Resident
Elizabeth Mooney, Kenmore Resident

s approved as presented.

PROCLAMATIONS

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Mayor Baker issued a proclamation regarding Hunger and Homelessness Awareness. Lauren McGowan, Associate Vice President -Ending Homelessness & Poverty of United Way of King County accepted the proclamation.

[Hunger and Homelessness Awareness Week](#)

PRESENTATION

Representatives of the Northshore School District reported on the Capital Facilities Plan 2021 Update.

[CFP presentation - City of Kenmore](#)

PUBLIC COMMENT

The Council took comments from the public from approximately 7:42 pm to 8:06 pm.

Timestamped link included here: https://youtu.be/CMgtARMgv_w?t=4916

CONSENT AGENDA

A.

[City Council October 11, 2021 Regular Meeting Minutes](#)

[City Council October 18, 2021 Special Meeting Minutes](#)

[City Council October 25, 2021 Regular Meeting Minutes](#)

[City Council October 26, 2021 Special Meeting Minutes](#)

MOTION: Councilmember Pfeil moved to approve the consent calendar, including item A listed above. Deputy Mayor Herbig seconded the motion.

VOTE: Motion PASSED by unanimous consent.

BUSINESS AGENDA

- A. Ordinance No. 21-0534, Relating to Animal Care and Control, Amending Sections 6.05.010 and 6.10.050 of the Kenmore Municipal Code, presented by Code Enforcement Officer Bridgit Baker, *for Adoption*

[Agenda Bill - Animal Code Amendments](#)

[Ordinance No. 21-0534 - Animal Code Amendments](#)

[Exhibit A - Ordinance 21-0534 - Animal Code Amendments](#)

Code Enforcement Officer Bridgit Baker explained that the Kenmore Municipal Code section 6.05.010 and 6.10.050 should be updated due to a recent Supreme Court decision relating to jurisdiction over Animal Services cases.

MOTION: Councilmember Pfeil moved to adopt Ordinance No. 21-0534, relating to Animal Care and Control, Amending Sections 6.05.010 and 6.10.050 of the Kenmore Municipal Code. Councilmember Kugler seconded the motion.

VOTE: 7 For, 0 Against, 0 Abstain. MOTION CARRIED.

- B. 2022 Pedestrian Facilities Update, presented by City Engineer John Vicente, *for Discussion*

[Agenda Bill - 2022 Pedestrian Facility Program Update](#)

[Exhibit A - North Kenmore Priority Projects](#)

[Exhibit B - South Kenmore Priority Projects](#)

[Presentation - 2022 Pedestrian Facility Plan Nov 2021](#)

City Engineer John Vicente discussed the Pedestrian Facility Program update. The Council gave additional feedback. The projects under the program are prioritized based upon the following six criteria:

1. Pedestrian Safety
2. Connection with community facilities/commercial centers
3. Continuity (connection to other sidewalks)
4. Connection to transit
5. Proximity to Schools
6. Public Support

- C. Traffic Photo Enforcement Program, presented by City Traffic Engineer Tobin Bennett-Gold, *for Discussion*

[Agenda Bill - Automated Traffic Photo Enforcement](#)

[Tech Memo - Photo Enforcement Program](#)

[Presentation -Photo Enforcement](#)

The Financial Sustainability Plan Task Force (FSP), which convened in 2020, recognized the need to invest significantly more resources into pavement preservation and transportation safety. The FSP suggested a traffic photo enforcement program to reach those goals. Tobin Bennet-Gold discussed the legal framework, safety goals, investment, stakeholder Buy-In, Fairness, Equity, and a potential schedule related to undertaking this initiative. Staff will bring this topic for a continued discussion on December 6, 2021.

- D. Kenmore Farmers Market Proposal, presented by Assistant City Manager Nancy Ousley, Event Assistant Nicole Suarez, and Volunteer & Events Supervisor Stephanie Brown, *for Discussion*

[Agenda Bill - Farmers Market](#)

[Presentation - Farmers Market November 8](#)

Event Coordinator Nicole Suarez brought forward a proposal to hold a Wednesday market from 3-7 pm in the downtown core along NE 181st between 67th Ave NE and 68th Ave NE, temporarily from June through August 2022. City Staff will bring this topic back for continued discussion on December 13, 2021.

ADJOURNMENT

Mayor Baker adjourned the meeting at 9:08 p.m.

David Baker, Mayor

ATTEST:

Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Meeting
Regular Meeting Minutes
November 15, 2021**

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.

CALL SPECIAL MEETING TO ORDER:

Mayor Baker called the virtual meeting to order at 7:00 p.m.

PRESENT:

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

Staff: City Manager Rob Karlinsey
City Clerk Anastasiya Warhol
City Attorney Dawn Reitan
Community Development Director Debbie Bent
Development Services Director Bryan Hampson
City Engineer John Vicente

Speaking Guests: John Peeples, Kenmore Resident
Janet Hays, Kenmore Resident
David Morton, Redmond Resident
Stacey Valenzuela, Kenmore Resident
Carl Michelman, Kenmore Resident
Sarah Condit, Kenmore Resident

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approved as presented.

PUBLIC COMMENT

The Council took comments from the public from approximately 7:04 pm to 7:16 pm.

Timestamped link included here: https://youtu.be/qGhTjCT3v_4?t=210

CONSENT AGENDA

- A. Approve Total Check #s 48358 through 48441 totaling \$2,424,484.42 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 10/22/2021 in the amount totaling \$175,455.72 and an ACH Payment to Thomco Construction in the amount of \$357,556.64 and ACH Payment to US Bank in the amount of \$13,077.49.
[Voucher Approval Report dated 11/2/2021](#)

- B. Adopt Ordinance 21-0537, amending the Kenmore Municipal Code Chapter 2.30, extending Planning Commissioner appointments to a 4-year term
[Agenda Bill - Ordinance 21-0537 Planning Commission Terms](#)
[Ordinance 21-0537 Planning Commission terms](#)
[1115 21 Attachment 2 to Agenda Bill](#)
- C. Authorize the City Manager to execute Contract No. 21-C2666, Amendment No. 1, with Red Barn Engineering to continue to perform development engineering inspection services
[Agenda Bill - Red Barn Inspection Services](#)
[21-C2666 Red Barn Engineering Inspections](#)
[21-C2666 Amendment 1](#)
- D. Authorize the City Manager to execute an agreement with WSDOT to accept Pedestrian/Bicycle Program grant funds for the NE 175th Bicycle Wayfinding and Connectivity Project in the amount of \$306,047
[Agenda Bill - WSDOT Ped-Bike Grant Acceptance-175th Wayfinding Project](#)
- E. Authorize the City Manager to enter into an agreement with WSDOT to accept Pedestrian/Bicycle Program grant funds for the 61st Ave NE Sidewalk Replacement Project in the amount in the amount of \$1,364,265.
[Agenda Bill - WSDOT Grant Acceptance- 61st Ave NE Sidewalk Repair](#)

The Council pulled item “B” from the consent calendar for further discussion.

MOTION: Deputy Mayor Herbig moved to approve consent calendar excluding item B (Adopt Ordinance 21-0537) listed above. Councilmember Kugler seconded the motion.
VOTE: Motion PASSED by unanimous consent.

Further Discussion Item B - Adopt Ordinance 21-0537, amending the Kenmore Municipal Code Chapter 2.30, extending Planning Commissioner appointments to a 4-year term

MOTION: Deputy Mayor Herbig moved to table the motion indefinitely. Mayor Baker seconded the motion.
VOTE: 7 For, 0 Against, 0 Abstain. MOTION CARRIED.

PUBLIC HEARING

2022 Property Tax Levy, presented by Finance and Administration Director Leticia Salcido

[Agenda Bill - Public Hearing - Property Tax Levy 2022](#)
[Presentation - Public Hearing Tax levy 2022](#)

Finance and Administration Director Leticia Salcido presented on the property tax levy. The Mayor opened the public hearing and three people gave testimony:
https://youtu.be/qGhTjCT3v_4?t=2447

BUSINESS AGENDA

- A. **Mid-Biennial Amendments to the 2021-2022 Biennial Budget and Salary**

Plan for 2022, presented by Finance & Administration Director Leticia Salcido, for Review and Discussion

[Agenda Bill- Budget Amendments 2021-2022 Budget 11-15-21- Revised Presentation - Budget Amendment Discussion - 11-15-21](#)

Finance and Administration Director Leticia Salcido presented the proposed revenue and expenditure adjustments to the biennium budget. There will be a public hearing on the subject on November 22 with an option to adopt the budget and the Salary Plan.

B. Affordable Housing Update, presented by Assistant City Manager/ARPA Administrator Stephanie Lucash, for Discussion and Action

[Agenda Bill - Affordable Housing Update for Council - November 2021](#)
[Attachment- Map of Potential Affordable Housing Properties](#)

Development Services Director Bryan Hampson explained that the City is looking at unique opportunities to leverage ARPA funds toward affordable housing stock.

The Council directed City Staff to Perform Further Analysis on three Possible Affordable Housing Properties (known as the Old Shell Property, Holt Property, and Yang Property), and Proceed with One or More Request for Proposals for Possible Plans on Those Parcels.

C. Select Planning Commission Candidates to be interviewed on November 30, 2021

[Agenda Bill- Selecting Applicants for Planning Commission Interviews](#)

EXECUTIVE SESSION

Pursuant to RCW 42.30.110(1)(i), the City Council recessed into an executive session to discuss pending or potential litigation for approximately 15 minutes. The Council reconvened the regular meeting at 9 pm. No final action was taken.

The Council agreed to interview the following applicants:

- Christiana Matthews
- Craig Helmann
- Dennis Olson
- Derek Wyckoff
- Mariel Torres Mehdipour
- Michael Vanderlinde
- Saad Qadri
- Stephen Fesler

STAFF REPORTS

Council Salary Commission Update

[Agenda Bill - Salary Commission Update](#)

[Salary Commission Process Memo](#)

Graduate Intern Garrett Oppenheim described the Salary Commission process to the Council. He reiterated that the three-person commission is appointed by the Mayor and confirmed by the Council. The Mayor will bring his recommendation to the November 30th Special Council

Meeting. The Commission will make a determination before the first of the year. The Council offered feedback on the Salary Commission application.

Missing Middle Housing Forum

City Manager Rob Karlinsey announced that the City is hosting a community forum on “Missing Middle” housing on November 16, via Zoom.

COUNCIL REPORTS

- The Council agreed to revisit ARPA Direct Cash Assistance Thresholds at a future meeting.
- The Council agreed to revisit Sound Rapid Transit issues and requested a Council presentation at a future meeting.

ADJOURNMENT

Mayor Baker adjourned the meeting at 9:29 p.m.

David Baker, Mayor

ATTEST:

Anastasiya Warhol, City Clerk

VI. B. Adopt Ordinance 21-0541, Updating the 2021-2026 Capital Improveme...

This is the second amendment to the CIP and the Ordinance for this second amendment to the 2021-2026 Capital improvement program is being presented for review and adoption. The following are the updates and amendments included with this amendment.

PARKS

- **P27 Tlahwadees Landing Park Waterfront and Mitigation**

This project had a previous expense allocation in the CIP (2021-2026) of \$6,714,695. The amount has been revised to reflect current information to \$8,416,952 for an increase of \$1,702,257.

- \$600,000 - Walkways & Waterway bond proceeds - these funds were originally allocated to Log Boom Park but will be instead be used for Tlahwadees project.
- \$200,000 - KC trail levy revenue
- \$50,000 - Park Impact Fee Funds
- \$50,000 - Grant Waterworks
- \$24,083 - Public Art Fund
- \$1,006,161 - Real Estate Excise Tax Fund (REET)
- <\$227,987> - Swamp Creek Basin Fund. The reduction is in year 2026 because the amount reflected in the previous CIP incorrectly included post 2026 expenditures.

- **P28 Log Boom Park**

This project had a previous CIP (2021-2026) expense allocation of \$3,658,343 which is being reduced by \$255,000 to \$3,403,343. The reduction is in year 2026 because the amount reflected in the previous CIP incorrectly included post 2026 expenditures.

TRANSPORTATION

- No changes at this time.

SURFACE WATER

- No changes at this time.

CITY FACILITY

- No changes at this time

FISCAL CONSIDERATION:

The City's goal is to adopt and maintain a fiscally balanced Capital Improvement Program that can be used by staff to prioritize and pursue projects. The CIP balances City resources including Park and Transportation Impact Fees, Real Estate Excise Tax, General Fund revenues, Surface Water Utility fees, Strategic Opportunities Fund, and grant funds. While a project may show need in future years for grant funds to complete, the project and budget is considered "balanced" and provides a tool to pursue outside funding. The CIP should be considered a programming document with the City of Kenmore adopted budget being the document that actually appropriates funds for project expenditures.

The updated Capital Improvement Program includes 35 individual projects which total \$99,977,408 over the six-year planning horizon. The project costs and funding sources are displayed in Exhibits B through E. Also

attached are projections of Real Estate Excise Taxes, Park Impact Fees, Transportation Impact Fees and Strategic Opportunity Fund which are Exhibits F, G, H and I.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

The proposed Capital Improvement Program is consistent with Council Goals, specifically:

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

- Implement the Sidewalk Plan

- To implement the Walkways and Waterways projects.

- To update and continue to implement the Economic Development Plan, with an emphasis on the following key points:

- Advance public access to water

- Create a vibrant, walkable downtown

- To continue to implement a Parks Improvement Plan.

- To protect and enhance the climate, water, air and forest environment.

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 21-0541**

**AN ORDINANCE OF THE CITY OF KENMORE,
WASHINGTON, AMENDING ORDINANCE NO.
20-0512 AND THE 2021-2026 SIX-YEAR
CAPITAL IMPROVEMENT PROGRAM;
PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, on October 12, 2020, the City Council adopted Ordinance No. 20-0512, which adopted the 2021-2026 Six-Year Capital Improvement Program ("CIP"); and

WHEREAS, on November 22, 2021, at a regularly scheduled meeting, the City Council was presented with information regarding the proposed amendments to the 2021-2026 Capital Improvement Program; and

WHEREAS, the City Council desires to amend the 2021-2026 CIP to reflect a change in project budgets and funding for Parks Project P-27 Tlahwadees Landing Park Waterfront & Mitigation and P-28 Log Boom Park Waterfront Access & Mitigation.

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

Section 1. Amendment. The City Council amends Ordinance No. 20-0512 and the 2021-2026 Capital Improvement Program as set forth on Exhibit "A," entitled "City of Kenmore, Washington Capital Improvement Program for the Years 2021-2026," attached hereto and incorporated by reference.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by State or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 6th DAY OF DECEMBER, 2021.

CITY OF KENMORE

Mayor David Baker

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

Approved as to form:

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:

EXHIBIT A

**CITY OF KENMORE, WASHINGTON
CAPITAL IMPROVEMENT PROGRAM
AS ADOPTED FOR THE YEARS 2021-2026**

EXHIBIT A

EXPENDITURES	2021 Adopted	2022 Adopted	2023 Adopted	2024 Adopted	2025 Adopted	2026 Adopted	2021-2026 Totals
<u>PARKS</u>							
P 1 Twin Springs Interim Use	\$227,900	\$0	\$0	\$0	\$0	\$0	\$227,900
P 18 Rhododendron Park Waterfront & Open Space	18,000	8,000		0	0	0	26,000
P 18a Rhododendron Park Float Mitigation	2,000	2,000	0	0	0	0	4,000
P 26 Tlahwadees Landing Float Mitigation	4,000	4,000	0	0	0	0	8,000
P 27 Tlahwadees Landing Park Waterfront & Mitigation	179,762	8,078,190	30,000	43,000	43,000	43,000	8,416,952
P 28 Log Boom Park Waterfront Access & Mitigation	2,490,461	725,382	60,000	42,500	42,500	42,500	3,403,343
P 30 Rhododendron Park Boathouse Pavilion	3,200	3,200	3,200	3,200	3,200	0	16,000
P 31 Tlahwadees Landing Park Land Acquisition-Op	150,151	0	0	0	0	0	150,151
P 32 Moorlands Field Lighting	0	0	0	10,000	60,000	580,000	650,000
Total Parks	\$3,075,474	\$8,820,772	\$93,200	\$98,700	\$148,700	\$665,500	\$12,902,346
<u>TRANSPORTATION</u>							
T 8 SR 522 West B 57th to 61st	\$5,000	\$250,000	\$250,000	\$900,000	\$585,000	\$10,000	\$2,000,000
T 27 Sidewalk Program:							
Sidewalk Gaps/ADA Replacement Program	20,000	150,000	100,000	100,000	100,000	100,000	570,000
T27x NE 192nd Ave Sidewalks (73rd Ave -75th /	500	86,306	344,194	0	0	0	431,000
T 47 Arrowhead Dr	1,000	60,000	85,900	980,348	0	0	1,127,248
T 35 Pavement Preservation	150,000	990,000	150,000	990,000	150,000	990,000	3,420,000
T 37 West Samm Bridge	18,024,711	8,643,947	893,176	9,757	9,759	78,632	27,659,982
T 38 175th St/ Swamp Creek Crossing	0	25,000	25,000	175,000	200,000	2,200,000	2,625,000
T 41 Juanita Dr Pedestrian & Bicycle Safety All Segm	9,897,233	358,699	0	0	0	0	10,255,932
T 42 68th Ave Pedestrian & Bicycle Safety All Segm	9,167,718	2,733,503	0	0	0	0	11,901,221
T 44 61 Ave Sidewalk Replacement Project	85,000	165,000	4,674,265	0	0	0	4,924,265
T 48 2018 Local Road Safety - Signing	292,000	0	0	0	0	0	292,000
T 49 2018 Local Road Safety - Lighting	35,000	0	0	0	0	0	35,000
T 50 SR522 Gateway Sign East	20,000	0	0	0	0	0	20,000
T51 Burk-Gilman Trail/NE 175th St. wayfinding&	10,000	296,047	0	0	0	0	306,047
Total Transportation	\$37,708,162	\$13,758,502	\$6,522,535	\$3,155,105	\$1,044,759	\$3,378,632	\$65,567,695
<u>SURFACE WATER</u>							
SW 8 190th St. Fish Passable Culvert	\$316,000	\$2,074,580	\$0	\$0	\$0	\$0	\$2,390,580
SW 8 Trust Fund Loan Repayment	81,650	81,650	81,650	81,650	81,650	81,650	489,900
SW 17 Little Swamp Creek Relocation	0	0	0	0	800,000	814,300	1,614,300
SW 20 Small Works Projects	75,000	75,000	75,000	75,000	75,000	75,000	450,000
SW 29 Infiltration Tank Retrofit at 61st Ave NE/NE	0	0	0	0	500,000	0	500,000
SW 31 Drainage Impr & Street Repair at 66th Ave N	200,000	0	0	0	0	0	200,000
SW 32 61st Ave Stabilization	150,000	0	0	0	0	0	150,000
SW 34 Blueberry Creek Culverts	0	200,000	300,000	1,000,000	0	0	1,500,000
SW 34 Blueberry Creek Culverts Bank Note Repaym	0	0	0	0	120,000	120,000	240,000
T 44 61 Ave Sidewalk Replacement Project	0	0	30,000	0	0	0	30,000
T 37 West Samm Bridge (SWM Component)	649,587	0	0	0	0	0	649,587
Total Surface Water	\$1,472,237	\$2,431,230	\$486,650	\$1,156,650	\$1,576,650	\$1,090,950	\$8,214,367
<u>CITY FACILITIES</u>							
F 1 Public Works Shop Land Acquisition & Develop	\$6,000,000	\$0	\$4,000,000	\$0	\$0	\$0	\$10,000,000
Consultant and Acquisition Costs.	100,000	0	0	0	0	0	100,000
F 2 Debt Repayment	0	641,000	639,000	636,000	638,000	639,000	3,193,000
Total City Facilities	\$6,100,000	\$641,000	\$4,639,000	\$636,000	\$638,000	\$639,000	\$13,293,000
TOTAL EXPENDITURES	\$48,355,873	\$25,651,504	\$11,741,385	\$5,046,455	\$3,408,109	\$5,774,082	\$99,977,408

EXHIBIT A

**CITY OF KENMORE, WASHINGTON
CAPITAL IMPROVEMENT PROGRAM
AS ADOPTED FOR THE YEARS 2021-2026**

REVENUES	2021 Adopted	2022 Adopted	2023 Adopted	2024 Adopted	2025 Adopted	2026 Adopted	2021-2026 Totals
Park Impact Fee Revenue	76,000	581,410	0	10,000	60,000	290,000	1,017,410
State Department of Commerce Award: Twin Spring:	151,900	0	0	0	0	0	151,900
State Appropriation Unsecured	0	927,000	0	0	0	0	927,000
RCO Park Grants	209,093	961,482	0	0	0	290,000	1,460,575
King County Park Levy	9,200	309,200	63,200	45,700	45,700	42,500	515,500
King County Conservation District, secured	0	213,000	0	0	0	0	213,000
King County Waterworks Grants	0	100,000	0	0	0	0	100,000
Walkways & Waterways Bonds: Log Boom, Squires	1,791,571	4,147,950	0	0	0	0	5,939,521
City Swamp Creek Basin Funds	150,151	550,486	30,000	43,000	43,000	43,000	859,637
Public Art Fund	55,559	24,083	0	0	0	0	79,642
Real Estate Excise Tax (Parks)	632,000	1,006,161	0	0	0	0	1,638,161
Transportation Impact Fee Revenue	3,258,848	358,699	0	0	0	0	3,617,547
Real Estate Excise Tax (Transportation)	\$3,165,050	\$2,140,000	\$250,000	\$1,090,000	\$250,000	\$1,090,000	7,985,050
Dept of Commerce: Juanita Drive	194,000	0	0	0	0	0	194,000
WSDOT Safe Routes to School - Sidewalks	1,500	146,306	430,094	980,348	0	0	1,558,248
WSDOT pedestrian/bike grant	65,000	461,047	1,144,265	0	0	0	1,670,312
Future Grants	0	0	3,500,000	0	0	0	3,500,000
Federal Highway Safety Impr Program - Sidewalks	326,000	0	0	0	0	0	326,000
Walkways & Waterways Bonds: Juanita and 68th Av	5,908,160	400,000	0	0	0	0	6,308,160
WSDOT Grants: Juanita Drive	1,704,000	0	0	0	0	0	1,704,000
Sound Transit Grant Juanita Drive	1,278,000	0	0	0	0	0	1,278,000
Reimbursements from Other Agencies	2,765,330	0	0	0	0	0	2,765,330
Connecting WA Funds T8	5,000	250,000	250,000	900,000	585,000	10,000	2,000,000
DOE Grant: Juanita and 68th Ave	1,012,563	0	0	0	0	0	1,012,563
Strategic Opportunity Fund	0	1,333,503	0	0	0	0	1,333,503
Other grant or funding	0	25,000	25,000	175,000	200,000	2,200,000	2,625,000
Surface Water Utility Funds	0	0	30,000	0	0	0	30,000
Transportation Impact Fee Revenue-Samm Bridge	0	45,000	352,770	9,757	9,759	78,632	495,918
Real Estate Excise Tax (Transportation) - Samm Brid	0	996,913	500,000	0	0	0	1,496,913
BRAC Grant West Samm Bridge Replacement	3,692,856	0	0	0	0	0	3,692,856
TIB Grant: West Samm Bridge Replacement	3,650,023	1,295,403	0	0	0	0	4,945,426
Connecting WA Funds West Samm Bridge Replacen	9,619,546	6,306,631	40,406	0	0	0	15,966,583
Surface Water Management Fund	649,587	0	0	0	0	0	649,587
Utility Reimbursement: West Samm Bridge Replacen	412,699	0	0	0	0	0	412,699
Surface Water Utility Funds	1,056,237	1,419,230	386,650	56,650	396,650	440,950	3,756,367
Surface Water General Utility Charges	100,000	100,000	100,000	100,000	100,000	100,000	600,000
Public Works Trust Fund Loan: 190th Culvert	316,000	912,000	0	0	0	0	1,228,000
Bank Note for Blueberry Creek Culverts (10 Yr 2.5%)	0	0	0	1,000,000	0	0	1,000,000
King County Flood Control District Resources	0	0	0	0	380,000	50,000	430,000
Other grants	0	0	0	0	700,000	500,000	1,200,000
20 year Note Public Works Shop	6,000,000	4,000,000	0	0	0	0	10,000,000
Surface Water Utility Funds	50,000	288,450	287,550	286,200	287,100	287,550	1,486,850
Street Fund	0	128,200	127,800	127,200	127,600	127,800	638,600
General Fund	50,000	160,250	159,750	159,500	159,500	159,750	848,250
Transportation Benefit District	0	64,100	63,900	63,600	63,800	63,900	319,300
TOTAL REVENUES	\$48,355,873	\$29,651,504	\$7,741,385	\$5,046,455	\$3,408,109	\$5,774,082	\$99,977,408

EXHIBIT B

**PARK CAPITAL IMPROVEMENT PROGRAM
PROPOSED FOR THE YEARS 2021-2026**

Project Description	2021 Budget	2022 Budget	2023 Approved	2024 Approved	2025 Approved	2026 Approved	2021-2026 Totals	Project Totals
P 1 Twin Springs Interim Use	\$227,900	\$0	\$0	\$0	\$0	\$0	\$227,900	\$307,169
P 18 Rhododendron Park Waterfront & Open Space Mitigati	18,000	8,000	0	0	0	0	26,000	\$68,000
P 18a Rhododendron Park Float Mitigation	2,000	2,000	0	0	0	0	4,000	\$8,000
P 26 Tlahwadees Landing Float Mitigation	4,000	4,000	0	0	0	0	8,000	\$8,000
P 27 Tlahwadees Landing Park Waterfront & Mitigation	179,762	8,078,190	30,000	43,000	43,000	43,000	8,416,952	\$9,910,991
P 28 Log Boom Park Waterfront Access & Mitigation	2,490,461	725,382	60,000	42,500	42,500	42,500	3,403,343	\$4,413,442
P 30 Rhododendron Park Boathouse Pavilion	3,200	3,200	3,200	3,200	3,200	0	16,000	\$16,000
P 31 Tlahwadees Landing Park Land Acquisition-Opening	150,151	0	0	0	0	0	150,151	\$1,250,000
P 32 Moorlands Field Lighting	0	0	0	10,000	60,000	580,000	650,000	\$650,000
Total Project Costs	\$3,075,474	\$8,820,772	\$93,200	\$98,700	\$148,700	\$665,500	\$12,902,346	\$16,631,602

Funding As Proposed:	2021 Budget	2022 Budget	2023 Proposed	2024 Proposed	2025 Proposed	2026 Proposed	2021-2026 Totals
Park Impact Fees	\$76,000	\$581,410	\$0	\$10,000	\$60,000	\$290,000	\$1,017,410
Real Estate Excise Taxes	632,000	1,006,161	0	0	0	0	\$1,638,161
City Swamp Creek Basin Funds	150,151	550,486	30,000	43,000	43,000	43,000	\$859,637
City Public Art Fund	55,559	24,083	0	0	0	0	\$79,642
RCO Grants	209,093	961,482	0	0	0	290,000	\$1,460,575
King County Waterworks Grant	0	100,000	0	0	0	0	\$100,000
King County Park Levy	9,200	309,200	63,200	45,700	45,700	42,500	\$515,500
King County Conservation District, secured	0	213,000	0	0	0	0	\$213,000
State Department of Commerce Award: Twin Springs	151,900	0	0	0	0	0	\$151,900
State Appropriation Unsecured	0	927,000	0	0	0	0	\$927,000
Walkways & Waterways Bonds: Log Boom, Squires	1,791,571	4,147,950	0	0	0	0	\$5,939,521
Total Project Funding	\$3,075,474	\$8,820,772	\$93,200	\$98,700	\$148,700	\$665,500	\$12,902,346



City of Kenmore Capital Improvement Program
Twin Springs Park – Phase 1
Project P-1

Project Location: Brightwater Portal site east of 80th Ave NE just north of NE 192nd Street. 19228 80th Ave NE, Kenmore, WA.

Project Manager: Parks Project Manager

Project Description: Phase 1, very minor improvements to do the bare minimum to open the park to the public, including construction of a maintenance path, refurbishing the existing parking lot and access at the entrance of 80th Ave/192nd and constructing a small parking pad off the entrance of 80th Ave/195th. Conduct survey and critical areas report for future master plan phases.

Background: King County completed the Brightwater Portal 44 project year end 2015. On 5/23/16 the Twin Springs property (approx. 25 acres) was transferred to the City from King County. On 6/27/16 Council direction was to keep the park closed to the public pending development and implementation of an interim use plan. On 5/14/18 Council adopted the Twin Springs Park Master Plan which included a phasing plan and cost estimate for a Phase 1 trail project. The 2020 adopted Park Recreation and Open Space Plan, describes phased development to provide parking and trailhead elements that would allow the city to open the park to the public (Phase 1) for neighborhood level use. Additional improvements (Phase 2) would provide recreational elements suitable for the natural context of the park, such as opportunities for natural play, picnicking, educational opportunities, and trails as shown in the adopted Master Plan. The Capital Facilities Plan estimates \$100,000 for Phase 1 in the near-term six-year CIP and \$3.5m for Phases 2 and 3 in the mid-term 7-12 years.

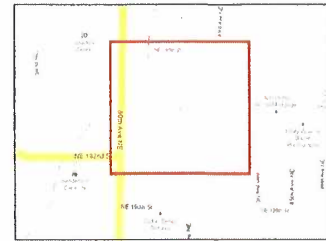
Environmental Review Status:

Exempt	DNS	EIS
☐	☒	☐

If impacts to wetlands or buffers can be avoided than the project could be exempt under SEPA depending on the quantity of grading work and/or drainage improvements.

Potential Project Issues: Site constrained by critical areas including wetlands and slopes. Potential expiration of WA State appropriation of \$251,900 but the State has indicated they will have no problem extending the appropriation given the COVID-19 situation.

Operations: Ongoing maintenance and operations required following construction of park improvements. Maintenance costs could include: maintenance of a parking area, park access, trash collection, fencing, mowing and other landscape costs. Annual maintenance cost estimate of \$15,000 starting in 2022 depending on park opening.





City of Kenmore Capital Improvement Program

Twin Springs Park – Phase 1

Project P-1

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total 2021-2026
Expenses								
Design/permit/ construction	\$ 79,269	\$ 20,000						\$ 20,000
Construction		\$ 207,900						\$ 207,900
Total	\$ 79,269	\$ 227,900						\$ 227,900
Revenue								
Park Impact Fees	\$ 79,269	\$ 74,000						\$ 74,000
WA State Appropriation		\$ 153,900						\$ 153,900
Total	\$ 79,269	\$ 227,900						\$ 227,900

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Feasibility																								
Permitting																								
Final Design																								
Construction																								
Closeout																								



City of Kenmore Capital Improvement Program
Rhododendron Park Waterfront
(On-going mitigation/ monitoring plus public art)
Project P-18

Project Location: Rhododendron Park, located at the northeast intersection of NE 170th St (Simonds Rd) and 68th Ave NE (Juanita Drive). 6910 NE 170th Street, Kenmore WA.



Project Manager: Parks Project Manager

Project Description: Five years of monitoring and maintaining are required for mitigation plantings (2018-2022) related to the boardwalk/trail project completed in 2017. The City has contracted with EarthCorps for monitoring/maintenance. In 2019 Council gave direction on public art funds related to the boardwalk/trail project with \$18,743 allocated for art design/installation. A budget amendment of \$10,000 will be needed in 2020 to allow the Public Artist to begin the fabrication of the artworks. The remaining \$10,000 will be needed in 2021 for final payment of the artwork installation.



Background: The boardwalk/trail project was one of the projects approved on the November 2016 Walkways & Waterways ballot measure. The new boardwalk/trail completed in 2017 connects the existing park improvements through the wetland to the Sammamish River. The access driveway was also improved to provide additional parking.

KMC Chapter 3.50 sets out the procedures for using the One Percent for the Arts funds on public projects. These funds may be used for selection, acquisition, and installation or display of visual art. City Council reviewed and approved the art selection criteria and process, and the draft Ad-Hoc Public Art Committee charter on November 18, 2019. A design/fabrication contract was approved with Jennifer Dixon. The design process was completed in 2019 and in June 2020 Council approved the final design and fabrication contract. Public art will be installed in 2021.

A park master plan was adopted 3/27/06 and other improvements at the park completed to date include: 2008 Phase 1 improvements of parking lot and access improvements, new picnic shelter, great lawn renovation, relocation and new playground equipment, and landscaping; 2009 new restroom; 2010 new basketball court; 2017 new dock.

Environmental Review Status:

Exempt	DNS	EIS
☐	☐	☐

SEPA not required for public art installation.

Potential Project Issues: Non anticipated.

Operations: Addition of public art in 2021 will slightly increase the park operations budget for long-term maintenance. Once the mitigation/monitoring is complete in 2022, then maintenance will become part of on-going park maintenance and operations.



City of Kenmore Capital Improvement Program

Rhododendron Park Boardwalk (On-going mitigation/monitoring, plus Public Art)

Project P-18

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total 2021-2026
Expenses								
Design								
Permit								
art fabrication & installation	\$ 10,000	\$ 10,000						\$ 10,000
monitoring	\$ 32,000	\$ 8,000	\$ 8,000					\$ 16,000
Total	\$ 42,000	\$ 18,000	\$ 8,000					\$ 26,000
Revenue								
REET								
Bond	\$ 10,947	\$ 8,000	\$ 8,000					\$ 16,000
in-lieu fees	\$ 21,053							
Federal								
1% For Arts	\$ 10,000	\$ 10,000						\$ 20,000
Park Impact Fees								
Total	\$ 42,000	\$ 18,000	\$ 8,000					\$ 26,000

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Pre-Design																								
Permitting																								
Final Design																								
Public Art Installation																								
Monitoring																								



City of Kenmore Capital Improvement Program

Rhododendron Park Dock/Float

Project P-18a

Project Location: Rhododendron Park, located at the northeast intersection of NE 170th St (Simonds Rd) and 68th Ave NE (Juanita Drive). 6910 NE 170th Street, Kenmore WA.

Project Manager: Parks Project Manager

Project Description: Monitoring and maintenance (2019-2022) of required mitigation plantings installed related to the Rhododendron dock project completed in 2017.

Background: Construction of a new dock was completed in 2017 to serve hand-carry watercraft access to the Sammamish River.

A park master plan was adopted 3/27/06 and other improvements at the park completed to date include: 2008 Phase 1 improvements of parking lot and access improvements, new picnic shelter, great lawn renovation, relocation and new playground equipment, and landscaping; 2009 new restroom; 2010 new basketball court; 2017 new boardwalk and parking improvements; 2020, boathouse; and 2021 public art.

Environmental Review Status:

	Exempt	DNS	EIS
	☐	☐	☐

SEPA and shoreline permit obtained 2015.

Potential Project Issues: non anticipated.

Operations: Long-term maintenance will become part of ongoing park operations and maintenance after 2022.





City of Kenmore Capital Improvement Program
Rhododendron Park Dock/Float
Project P-18a

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total 2021-2026
Expenses								
Pre-Design								
Design								
ROW/ Acquisition								
monitoring	\$ 4,000	\$ 2,000	\$ 2,000					\$ 4,000
Total	\$ 4,000	\$ 2,000	\$ 2,000					\$ 4,000
Revenue								
REET								
Strategic								
Federal								
KC Park Levy	\$ 4,000	\$ 2,000	\$ 2,000					\$ 4,000
Park Impact Fees								
Total	\$ 4,000	\$ 2,000	\$ 2,000					\$ 4,000

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Pre-Design																								
Permitting																								
Final Design																								
Construction																								
Closeout																								
Monitoring																								



City of Kenmore Capital Improvement Program
Squires Landing Dock/Float
Project P-26

Project Location: Squires Landing Park, located south of NE 175th Street. 7353 NE 175th Street, Kenmore WA.

Project Manager: Parks Project Manager

Project Description: Monitoring and maintenance (2019-2022) of required mitigation plantings installed related to the Squires Landing dock replacement project completed in 2017.

Background: The City acquired the 0.65 acre Twedt property in June 2014 as an expansion to the adjoining Squires Landing park property (40 acres). The City obtained a 2014 RCO grant \$340,485 to assist with acquisition costs. A master plan for Squires Landing was prepared in 2009 but was not adopted by Council in 2010 due to concern about total park construction costs. A three acre restoration project of wetland habitat was completed 2010/2011 partly funded by a \$100,000 King County Conservation grant. In 2015 SnoKing Watershed Council received \$70,000 in grant funds from the Salmon Recovery Funding Board to restore two acres of shoreline including City funding of approximately \$12,000, with project completion anticipated December 2018. A conceptual plan was developed for approximately 11 acres of Squires Landing in 2015 to enhance water access and this project was included on the November 2016 ballot measure for Walkways & Waterways. The conceptual plan design was updated in 2018. Construction of the Walkways & Waterways water access project is estimated in 2023. The City applied for an \$82,000 2016 RCO grant for the dock replacement (not awarded). In September 2016 the City applied for SEPA and a Shoreline Substantial Development Permit. Construction of the dock replacement project was completed in 2017.



Environmental Review Status: Exempt ☐ DNS ☐ EIS ☐
 Environmental review due to critical area and shoreline issues. SEPA issued 2017.

Potential Project Issues: non anticipated.

Operations: Long-term maintenance of mitigation plantings will become part of ongoing park operations and maintenance after 2022.



City of Kenmore Capital Improvement Program
Squires Landing Dock/Float
Project P-26

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total 2021-2026
Expenses								
design								
Permitting								
Monitoring		\$ 4,000	\$ 4,000					\$ 8,000
Total		\$ 4,000	\$ 4,000					\$ 8,000
Revenue								
REET								
TIB								
Federal								
Private								
KC Park Levy		\$ 4,000	\$ 4,000					\$ 8,000
Total		\$ 4,000	\$ 4,000					\$ 8,000

SCHEDULE

	2021				2022				2023				2024				2025				2026		
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
Design																							
Permitting																							
Final Design																							
Construction																							
Monitoring																							



City of Kenmore Capital Improvement Program
Squires Landing Waterfront
Project P-27

Project Location: Squires Landing Park, located south of NE 175th Street. 7353 NE 175th Street, Kenmore WA.

Project Manager: Community Development/Parks Project Manager

Project Description: Enhance water access to the Sammamish River. Improvements will include new elevated walkways, trails, viewpoints as well as natural open space and other environmental enhancements. The project will also add new boating facilities including docks, ramps, and staging areas for hand-powered watercraft; parking; a restroom and public art.

Background: In 2015 a conceptual plan was developed for approximately 7 acres of Squires Landing Park to enhance public access to the Sammamish River. This project was included on the November 2016 ballot measure for Walkways & Waterways. Estimate receiving all permits in 2021. Construction phased over two years to accommodate in-water work with completion in 2023.

MDNS



EIS



Environmental review due to critical area and shoreline issues. SEPA issued.

Potential Project Issues: Obtaining all required agency permits.

Operations: Maintenance costs related to upkeep of new facilities begin 2023.





City of Kenmore Capital Improvement Program
Squires Landing Waterfront
Project P-27

CURRENT DOLLARS

Year	Prior Yr	2021	2022	2023	2024	2025	2026	Total 2021-2026
Admin	\$ 171,492	\$50,000	\$ 68,000	\$ 30,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 328,492
Permitting	\$ 20,245	\$45,600	\$ 46,600					\$ 92,200
Design & Bid	\$ 1,302,302	\$84,162						\$ 84,162
Construction			\$ 7,963,590					\$ 7,963,590
Monitor-Maintain					\$40,000	\$40,000	\$40,000	\$ 120,000
Total	\$ 1,494,039	\$179,762	\$ 8,078,190	\$ 30,000	\$43,000	\$43,000	\$43,000	\$ 8,416,952
Revenue								
REET			\$1,006,161					\$ 1,006,161
Bond	\$ 1,440,288	\$169,762	\$ 4,139,950					\$ 4,309,712
SC Basin Funds		\$ -	\$ 550,486	\$ 30,000	\$43,000	\$43,000	\$43,000	\$ 709,486
Grants		\$ 10,000	\$ 1,930,000					\$ 1,940,000
Public Art Fund			\$ 24,083					\$ 24,083
KC Trail Levy			\$ 200,000					\$ 200,000
Park Impact Fees	\$ 53,751	\$ -	\$ 227,510					\$ 227,510
Total	\$ 1,494,039	\$ 179,762	\$ 8,078,190	\$ 30,000	\$43,000	\$43,000	\$43,000	\$ 8,416,952

\$296,060 in 2027-34 future year mitigation monitoring and maintenance not included above but included in the total project budget.

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Permitting																								
Final Design																								
Construction																								
Closeout																								
Monitoring																								



Log Boom Park Waterfront Project P-28

Project Location: Log Boom Park (NE 175th St west of 61st Ave NE) 17415 61st Ave NE, Kenmore.

Project Manager: Parks Project Manager

Project Description: This project will improve public access to Lake Washington including beach expansion, new trails and viewpoints, picnic areas, waterfront pavilion, environmental and ecological enhancements, kayak concession building, and access for hand-powered watercraft.

Background: In 2015 a conceptual plan was developed for improvements at Log Boom park to enhance public access to Lake Washington. This project was included on the November 2016 ballot measure for Walkways & Waterways. Estimate receiving all permits by January 2021 leading to possible construction Summer 2021, assuming all permits received and a successful bid process.

Environmental Review Status:	Exempt	DNS	EIS
SEPA issued.	☐	☒	☐

Potential Project Issues: Obtaining the engineering and building permits in early 2021 to allow bid process and construction in 2021.

Operations: Maintenance costs related to upkeep of a new facilities begin 2022.





City of Kenmore Capital Improvement Program
Log Boom Park Waterfront
Project P-28

CURRENT DOLLARS

Year	Prior Yrs	2021	2022	2023	2024	2025	2026	Total 2021-2026
Expenses								
Admin	\$ 130,943	\$ 50,000	\$40,000	\$ 20,000	\$ 2,500	\$ 2,500	\$ 2,500	\$ 117,500
Permitting	\$ 32,816	\$ 14,331						\$ 14,331
Design & Bid	\$ 846,340	\$ 50,000	\$50,000					\$ 100,000
Construction		\$2,376,130	\$635,382					\$ 3,011,512
Monitor-				\$40,000	\$40,000	\$40,000	\$40,000	\$ 160,000
Total	\$1,010,099	\$2,490,461	\$ 725,382	\$ 60,000	\$42,500	\$42,500	\$42,500	\$ 3,403,343
Revenue								
REET		\$ 632,000						\$ 632,000
Bond	\$ 954,191	\$1,613,809						\$ 1,613,809
Grant		\$ 199,093	\$ 271,482					\$ 470,575
KC Park Levy			\$ 100,000	\$ 60,000	\$42,500	\$42,500	\$42,500	\$ 287,500
Public Art Fund		\$ 45,559						\$ 45,559
Park Impact Fees	\$ 55,908	\$ -	\$ 353,900					\$ 353,900
Total	\$1,010,099	\$2,490,461	\$ 725,382	\$ 60,000	\$42,500	\$42,500	\$42,500	\$ 3,403,343

- Expense for 2026 is \$42,500. The rest is for future year's mitigation..

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Permitting																								
Final Design																								
Construction																								
Closeout																								
Monitoring																								



City of Kenmore Capital Improvement Program
Rhododendron Park Boatshed
Project P-30

Project Location: Rhododendron Park, located at the northeast intersection of NE 170th St (Simonds Rd) and 68th Ave NE (Juanita Drive). 6910 NE 170th Street, Kenmore WA.

Project Manager: Parks Project Manager

Project Description: Monitoring and maintenance (2021-2025) of required mitigation plantings installed related to the Rhododendron Boathouse project. The City will likely contract with EarthCorps or another agency for the five-year mitigation monitoring period. Until the City receives the \$250,000 from NSD and the \$410,000 from the fundraising committee, the City will need to advance the combined total of \$660,000 to complete boathouse project construction in 2020 from the Strategic Opportunity Fund. The Strategic Opportunity Fund will be reimbursed upon receipt of funds. Complete receipt of funds is estimated by year end 2023.

January 27th, 2020 Council authorized the City Manager to execute Contract 20-C2133, a lease agreement between the City and the Northshore School District (NSD) for use of the Rhododendron Park boatshed. NSD will contribute \$250,000 upon lease execution. The lease has not yet been executed so funds have not been paid to the City. Concurrently with execution of the Lease, NSD will enter into a separate Management Agreement with the George Pocock Rowing Foundation (GPRF) for the management and operation of the boathouse facility. The uncertainty of programming, given Covid-19, is causing delay in lease execution but NSD is still committed to provide the \$250,000. In addition, a \$390,000 budget shortfall is anticipated for the boathouse project. In 2019 Council direction was that any budget shortfall would be filled by a private/non-profit fundraising committee. Covid-19 has significantly slowed down fundraising efforts.

Background: A 40' x 70' steel boathouse was constructed in 2020. The boathouse serves the school district rowing program and community rowing. The boathouse provides enclosed storage for 24-36 rowing shells. Small second story area for exercise machines, meeting and coaching space.

A park master plan was adopted 3/27/06 and other improvements at the park completed to date include: 2008 Phase 1 improvements of parking lot and access improvements, new picnic shelter, great lawn renovation, relocation and new playground equipment, and landscaping; 2009 new restroom; 2010 new basketball court; 2017 new boardwalk and parking improvements; 2020, boathouse; and 2021 public art.



Environmental Review Status:

Exempt
☐

DNS
☒

EIS
☐



City of Kenmore Capital Improvement Program
Rhododendron Park Boatshed
Project P-30

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total 2021-2026
Design								
Permit								
Construction								
monitoring		\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200		\$ 16,000
Funding								\$ 16,000
Total		\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200		\$ 16,000
Revenue								
KC Park levy		\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200		\$ 16,000
fundraising								
School district								
Federal								
Grant								
Park Impact Fees								
Total		\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200		\$ 16,000

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Pre-Design																								
Permitting																								
Final Design																								
Construction																								
Monitoring																								



**City of Kenmore Capital Improvement Program
Squires Landing Park Land Acquisition (park opening)
Project P-31**

Project Location: 7637 NE 192nd Street

Project Manager: Parks Project Manager

Project Description: Create passive recreation infrastructure improvements to open the recently acquired property to the public in order to satisfy the State Recreation and Conservation Office requirements. Future improvements may include: park entry signage, striping parking spaces on existing asphalt, fencing and signage to identify critical areas, and habitat restoration to meet the State of Washington Recreation & Conservation Office (RCO) requirement to allow public access to the property.

Background: The City's Waterfront & Natural Open Space Access Project at Squires Landing Park will improve public access to the Sammamish River. 1.5 acres of the total 7.25-acre project includes the proposed plaza, walkway, restroom and parking lot. For the State Recreation and Conservation Office (RCO) to allow "conversion" (development) of this 1.5-acre area and remove the restrictive covenant, purchase of equivalent replacement land for wildlife habitat and passive recreation was required. The City purchased 4.8 acres of replacement land located at 7637 NE 192nd Street adjacent to the City owned 14.6-acre Swamp Creek Wetland within the Swamp Creek watershed basin to meet the conversion process requirements. A restrictive covenant was placed on this property to meet the RCO requirements to retain the property for wildlife habitat and passive recreation.



Environmental Review Status:

Exempt	DNS	EIS
☒	☐	☐

Anticipated minimal upland improvements are SEPA exempt.

Potential Project Issues: None anticipated.

Operations: Maintenance costs related to upkeep of new facilities begin 2021.



City of Kenmore Capital Improvement Program
Squires Landing Park Land Acquisition (park opening)
Project P-31

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total 2021-2026
Acquisition	\$ 1,044,849							
Permitting	\$ 10,000							
Construction	\$ 45,000	\$ 150,151						\$ 150,151
Total	\$ 1,099,849	\$ 150,151						\$ 150,151
Revenue								
REET								
Bond								
SC Basin Funds	\$ 244,303	\$ 150,151						\$ 150,151
Grant	\$ 804,587							
Park Impact Fees	\$ 50,959							
Total	\$ 1,099,849	\$ 150,151						\$ 150,151

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Acquisition																								
Permitting																								
Final Design																								
Construction																								
Closeout																								
Monitoring																								



City of Kenmore Capital Improvement Program
Moorlands Park Improvements -Lighting
Project P-32

Project Location: Moorlands Park located to the south of the intersection of NE 155th St and 84th Ave NE. 15221 84th Ave NE, Kenmore, WA.

Project Manager: Parks Project Manager

Project Description: Addition of field lighting.

Background: In July of 2018 park improvements (project P 6) were completed including renovated athletic field, new picnic shelter, restrooms, playground, landscaping and pathways. A new interlocal agreement with the Northshore School District regarding park use was authorized in December 2017. The 2020 adopted PROS Plan identifies develop and expand recreational opportunities at existing parks to add capacity, increase diversity in the types of amenities offered in the system, improve accessibility, and/or enhance the overall park experience. Adding field lighting would potentially increase capacity for field scheduling for youth sports. Existing park capacity improvements (expansion or new features) is included in the Capital Facilities plan as mid-term (7-12 years) and long-term goals (13+ years) with \$9.75 million estimated.

Environmental Review Status:

Environmental review likely required.

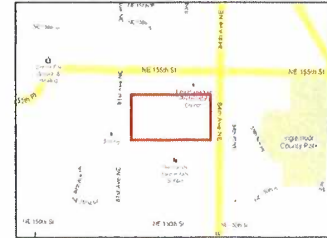
Exempt
☐

DNS
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EIS
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Potential Project Issues: Addressing neighborhood concerns about adding field lighting. Potential environmental concerns related to overhead lighting.

Operations: The City took over all park maintenance following execution of the 2017 interlocal agreement with the Northshore School District. The proposed lighting improvements may result in an additional increase in the park operations budget.





City of Kenmore Capital Improvement Program
Moorlands Park Improvements - Lighting
Project P-32

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total 2021-2026
Expenses								
Grant prep					\$ 10,000			\$ 10,000
Design						\$ 50,000		\$ 50,000
Permitting						\$ 10,000	\$ 10,000	\$ 20,000
Construction							\$ 570,000	\$ 570,000
Total					\$ 10,000	\$ 60,000	\$ 580,000	\$ 650,000
Revenue								
REET								
Strategic								
KC Levy								
RCO Grant							\$ 290,000	\$ 290,000
Park Impact Fees					\$ 10,000	\$ 60,000	\$ 290,000	\$ 360,000
Total					\$ 10,000	\$ 60,000	\$ 580,000	\$ 650,000

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Grant materials/application																								
Permitting																								
Final Design																								
Construction																								
Closeout																								

**CITY OF KENMORE, WASHINGTON
TRANSPORTATION CAPITAL IMPROVEMENT PROGRAM
PROPOSED FOR THE YEARS 2021-2026**

EXHIBIT C

Project Description	2021 Budget	2022 Budget	2023 Adopted	2024 Adopted	2025 Adopted	2026 Adopted	2021-2026 Totals	Project Total
T 8 SR 522 West B 57th to 61st	\$5,000	\$250,000	\$250,000	\$900,000	\$585,000	\$10,000	\$2,000,000	\$2,000,000
T 27 Sidewalk Program								
Sidewalk Gaps/ADA Replacement Program	20,000	150,000	100,000	100,000	100,000	100,000	570,000	956,584
T27x NE 192nd Ave Sidewalks (73rd Ave -75th Ave)	500	86,306	344,194	0	0	0	431,000	431,000
T47 Arrowhead Dr Sidewalks	1,000	60,000	85,900	980,348	0	0	1,127,248	1,127,248
T 35 Pavement Preservation	150,000	990,000	150,000	990,000	150,000	990,000	3,420,000	3,420,000
T 38 175th St/ Swamp Creek Crossing	0	25,000	25,000	175,000	200,000	2,200,000	2,625,000	2,648,218
T 41 Juanita Dr Pedestrian & Bicycle Safety	9,897,233	358,699	0	0	0	0	10,255,932	16,844,108
T 42 68th Ave Pedestrian & Bicycle Safety	9,167,718	2,733,503	0	0	0	0	11,901,221	13,021,875
T 44 61 Ave Sidewalk Replacement Project	85,000	165,000	4,674,265	0	0	0	4,924,265	5,016,253
T 48 2018 Local Road Safety - Signing	292,000	0	0	0	0	0	292,000	359,800
T 49 2018 Local Road Safety - Lighting	35,000	0	0	0	0	0	35,000	37,500
T 50 SR522 Gateway Sign East	20,000	0	0	0	0	0	20,000	31,610
TS1 Burk-Gilman Trail/NE 175th St. wayfinding & connec	10,000	296,047	0	0	0	0	306,047	306,047
	19,683,451	5,114,555	5,629,359	3,145,348	1,035,000	3,300,000	37,907,713	46,200,243
T 37 West Samm Bridge	18,024,711	8,643,947	893,176	9,757	9,759	78,632	27,659,982	43,095,881
Total Project Costs	\$37,708,162	\$13,758,502	\$6,522,535	\$3,155,105	\$1,044,759	\$3,378,632	\$65,567,695	\$135,496,367

Funding as Proposed:	2021 Budget	2022 Budget	2023 Adopted	2024 Adopted	2025 Adopted	2026 Adopted	2021-2026 Totals
Transportation Impact Fees	3,258,848	358,699	0	0	0	0	3,617,547
Transportation Impact Fees - Sammamish Bridge	0	45,000	352,770	9,757	9,759	78,632	495,918
Real Estate Excise Taxes	\$3,165,050	\$2,140,000	\$250,000	\$1,090,000	\$250,000	\$1,090,000	\$7,985,050
Real Estate Excise Taxes-Sammamish Bridge		\$996,913	\$500,000	\$0	\$0	\$0	\$1,496,913
Surface Water Fund - Sammamish Bridge	649,587	0	0	0	0	0	649,587
Surface Water Fund - other			30,000				30,000
Strategic Opportunities Fund	0	1,333,503	0	0	0	0	1,333,503
WSDOT Safe Routes to School Grant: Sidewalks	1,500	146,306	430,094	980,348	0	0	1,558,248
Federal Highway Safety Impr Program - Sidewalks	326,000	0	0	0	0	0	326,000
Reimbursements from Other Agencies	2,765,330	0	0	0	0	0	2,765,330
BRAC Grant: West Samm Bridge Replacement	3,692,856	0	0	0	0	0	3,692,856
Connecting WA Fundx T8	5,000	250,000	250,000	900,000	585,000	10,000	2,000,000
Connecting WA Funds: West Samm Bridge, West B	9,619,546	6,306,631	40,406	0	0	0	15,966,583
TIB Grant: West Samm Bridge Replacement	\$3,650,023	\$1,295,403	\$0	\$0	\$0	\$0	\$4,945,426
Walkways & Waterways Bonds: Juanita and 68th Ave	5,908,160	400,000	0	0	0	0	6,308,160
Sound Transit Grant: Juanita Drive	1,278,000	0	0	0	0	0	1,278,000
WSDOT: Juanita Drive	1,704,000	0	0	0	0	0	1,704,000
Dept of Commerce: Juanita Drive	194,000	0	0	0	0	0	194,000
DOE Grant: Juanita and 68th Ave	1,012,563	0	0	0	0	0	1,012,563
Utility Reimbursement: West Samm Bridge Replacement	412,699	0	0	0	0	0	412,699
Federal preserv. Grant simonds rd.							0
NUD reim.							0
Other Grants or Funding	0	25,000	25,000	175,000	200,000	2,200,000	2,625,000
WSDOT ped/bike	65,000	461,047	1,144,265	0	0	0	1,670,312
Future Grants	0	0	3,500,000	0	0	0	3,500,000
Total Project Funding	\$37,708,162	\$13,758,502	\$6,522,535	\$3,155,105	\$1,044,759	\$3,378,632	\$65,567,695



City of Kenmore Capital Improvement Program

Project Name: SR 522 West B (57 Avenue NE to 61 Avenue NE)

Project No. T-8

Project Location: SR 522 from 57 Avenue NE to 61 Avenue NE

Project Description: This project will widen Highway 522 west of 61 Avenue NE to provide eastbound-to-westbound U-turn capability at the 61st Ave NE intersection, widening along the south side of SR 522 for new sidewalk and amenity strip, and provide access management to SR522.

Background: Since its incorporation, the City of Kenmore has completed improvements to SR 522 (Bothell Way) between 61st Avenue NE and the east city limits to increase safety, improve transit reliability, and ease congestion. Improvements included adding new traffic signals, street lighting and sidewalks, widening SR 522 for Business Access and Transit lanes, enhancing the corridor with new landscaping and medians to improve access management, replacing the Swamp Creek Bridge, undergrounding utilities, and more. The final segment, SR 522 West B (57 Avenue NE to 61 Avenue NE) will complete corridor improvements to the west City limits.

Funding Sources: This project is funded with \$2M from the State's Connecting WA program. Additional City funds may be needed to supplement the grant funds. Staff will apply for additional grant funds as they become available.





City of Kenmore Capital Improvement Program

Project Name: SR 522 West B (57 Avenue NE to 61 Avenue NE)

Project No. T-8

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design		\$ 5,000	\$ 250,000	\$ 250,000				\$ 505,000
ROW/ Acquisition								
Construction					\$ 900,000	\$ 585,000	\$ 10,000	\$ 1,495,000
Total		\$ 5,000	\$ 250,000	\$ 250,000	\$ 900,000	\$ 585,000	\$ 10,000	\$ 2,000,000
Revenue								
Connecting WA		\$ 5,000	\$ 250,000	\$ 250,000	\$ 900,000	\$ 585,000	\$ 10,000	\$ 2,000,000
Total		\$ 5,000	\$ 250,000	\$ 250,000	\$ 900,000	\$ 585,000	\$ 10,000	\$ 2,000,000

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Grant Applications																								
Design																								
Right-of-way																								
Construction																								
Closeout																								



City of Kenmore Transportation Improvement Program

Project Name: Sidewalk Gap/ADA Replacement Program

Project No.: T-27

Project Location(s): Citywide

Project Description: These projects are intended to complete gaps in existing sidewalk, replace non-compliant curb ramps and sidewalks at the identified locations throughout the city. Typical projects include new 5-6 foot wide sidewalk and ADA ramp improvements, curb ramp replacement, and sidewalk panel replacement.

Background: The City completed an inventory and assessment of its pedestrian facilities within the right of way. Several locations were identified as not being compliant with the American with Disabilities Act (ADA) standards. Also, filling sidewalk gaps is a cost effective way to improve mobility within the City. In 2013, the City completed its first Sidewalk Priority Plan. This plan will be updated in 2021 and will included a priority list for completing short sidewalk gaps within the City. Staff will utilize the pedestrian facility inventory completed in 2015 to identify priorities for replacing noncompliant accessible routes.

Funding Sources: \$100K per year of local City funds are allocated to this project. \$75K each year will be diverted to sidewalk replacement on 61st Ave NE (Project No. T-44).

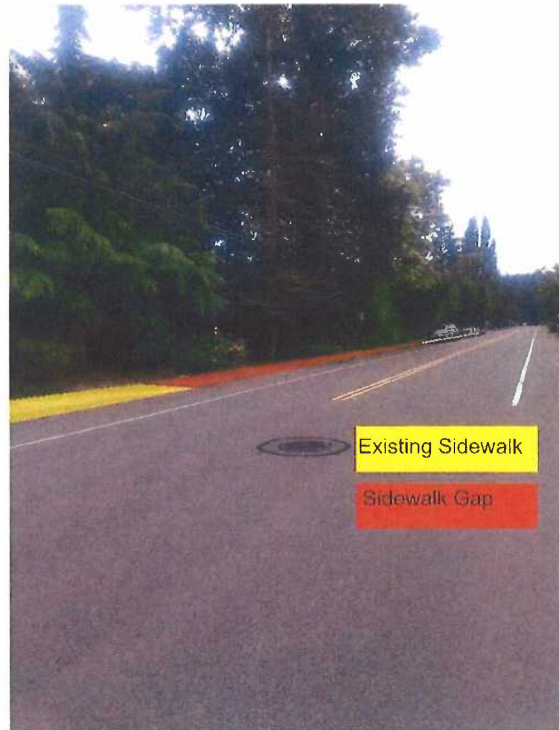


Figure A



City of Kenmore Transportation Improvement Program

Project Name: Sidewalk Gaps/ADA Replacement Program

Project No.: T-27

CURRENT DOLLARS

Year	Prior	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design	\$ 83,571	\$ 20,000	\$ -	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 143,571
ROW/ Acquisition		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Construction	\$ 303,013	\$ -	\$ 150,000	\$ 90,000	\$ 90,000	\$ 90,000	\$ 90,000	\$ 813,013
Total	\$ 386,584	\$ 20,000	\$ 150,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 956,584
Revenue								
REET	\$ 386,584	\$ 20,000	\$ 150,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 956,584
Total	\$ 386,584	\$ 20,000	\$ 150,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 956,584

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Construction																								
Closeout																								



City of Kenmore Transportation Improvement Program

Project Name: NE 192nd St Sidewalks (73rd Ave – 75th Ave)

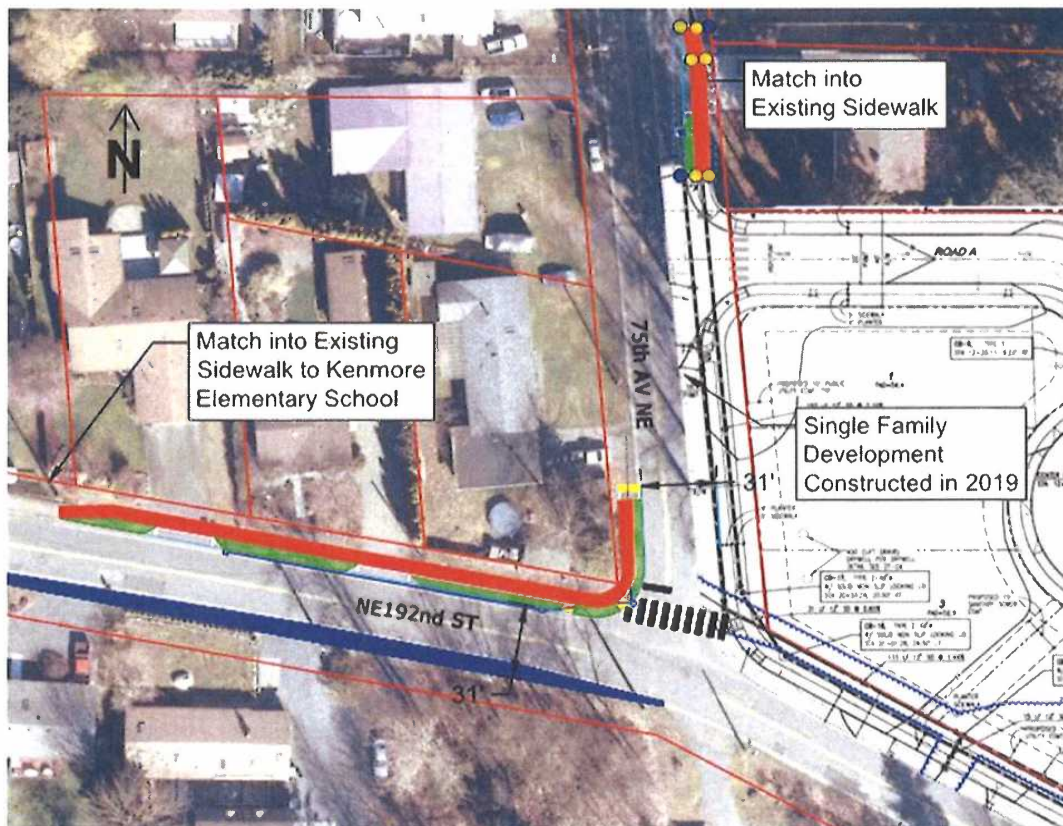
Project No.: T-27x

Project Location: NE 192nd Street between 73rd Ave NE and 75th Avenue NE.

Project Description: This project builds approximately 275 LF of new sidewalks on north side of NE192nd Street from 73rd Ave – 75th Ave and approximately 75 LF of sidewalk on the east side of 75th Ave NE to close the sidewalk gap.

Background: Sidewalk exists on NE 192nd Street at 73rd Avenue NE and terminates approximately 240 feet from 75th Ave NE. Approximately 500 LF of sidewalks were installed east of 75th Ave NE as part of private developments. Sidewalk also exists up 75th Ave NE. This project will close gaps and create a continuous sidewalk to Kenmore Elementary in this area. NE 192nd St is a designated walking route for Kenmore Elementary School students. Sidewalks at this location were identified as a high priority sidewalk in the Sidewalk Program.

Funding Sources: This project is currently unfunded. In May 2020, staff applied for a WSDOT Safe Route to Schools grant to fund this project. Grant results will be announced in the fall of 2020.





City of Kenmore Transportation Improvement Program

Project Name: NE 192nd Ave Sidewalks (73rd Ave – 75th Ave)

Project No.: T-27x

Current Dollars:

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design		\$ 500	\$ 82,706					\$ 83,206
ROW/ Acquisition			\$ 3,600					\$ 3,600
Construction				\$ 344,194				\$ 344,194
Total		\$ 500	\$ 86,306	\$ 344,194				\$ 431,000
Revenue								
State		\$ 500	\$ 86,306	\$ 344,194				\$ 431,000
Total		\$ 500	\$ 86,306	\$ 344,194				\$ 431,000

Schedule:

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Right of Way																								
Construction																								
Closeout																								



City of Kenmore Transportation Improvement Program

Project Name: Pavement Overlay Program

Project No.: T-35

Project Location: Citywide.

Project Description: This program includes grind and overlay of selected streets within the City. Typically grind and overlay projects are completed on roadways with pavement ratings between 60 and 70 while pavement seal operations are completed on roadways with ratings above 70. As part of any pavement overlay, curb ramps within the project limits are upgraded to comply with the American's with Disabilities Act (ADA). In addition, pavement overlay may also include major pavement repairs, utility adjustments and pavement markings.

Background: The City of Kenmore Comprehensive Plan promotes a fiscally constrained Transportation Element that prioritizes operation and maintenance of existing facilities within the City. Focus is typically on arterials within the City. In addition, there are 3 goals listed in the Comprehensive Plan that support this program:

1. Provide a complete transportation network serving local and regional circulation needs, safely accommodating all users;
2. Promote a transportation system that contributes to fiscal and environmental sustainability;
3. Facilitate freight mobility and economic prosperity.

CURRENT DOLLARS

Year	2021	2022	2023	2024	2025	2026	Total
Expenses							
Design	\$ 150,000		\$ 150,000		\$ 150,000		\$ 450,000
ROW							
Construction		\$ 990,000		\$ 990,000		\$ 990,000	\$2,970,000
Total	\$ 150,000	\$ 990,000	\$ 150,000	\$ 990,000	\$ 150,000	\$ 990,000	\$3,420,000
Revenue							
REET	\$ 150,000	\$ 990,000	\$ 150,000	\$ 990,000	\$ 150,000	\$ 990,000	\$3,420,000
Total	\$ 150,000	\$ 990,000	\$ 150,000	\$ 990,000	\$ 150,000	\$ 990,000	\$3,420,000



City of Kenmore Transportation Improvement Program

Project Name: West Sammamish River Bridge Replacement Project
Project No: T-37

Project Location: 68th Avenue NE between NE 170th Street and NE 175th Street

Project Description: Replace the West Sammamish River Bridge (southbound traffic) that crosses the Sammamish River on 68th Avenue NE. The project will also include new sidewalk and bike path, landscaping, lighting, and utility undergrounding on 68th Avenue NE between NE 170th Street and NE 175th Street.

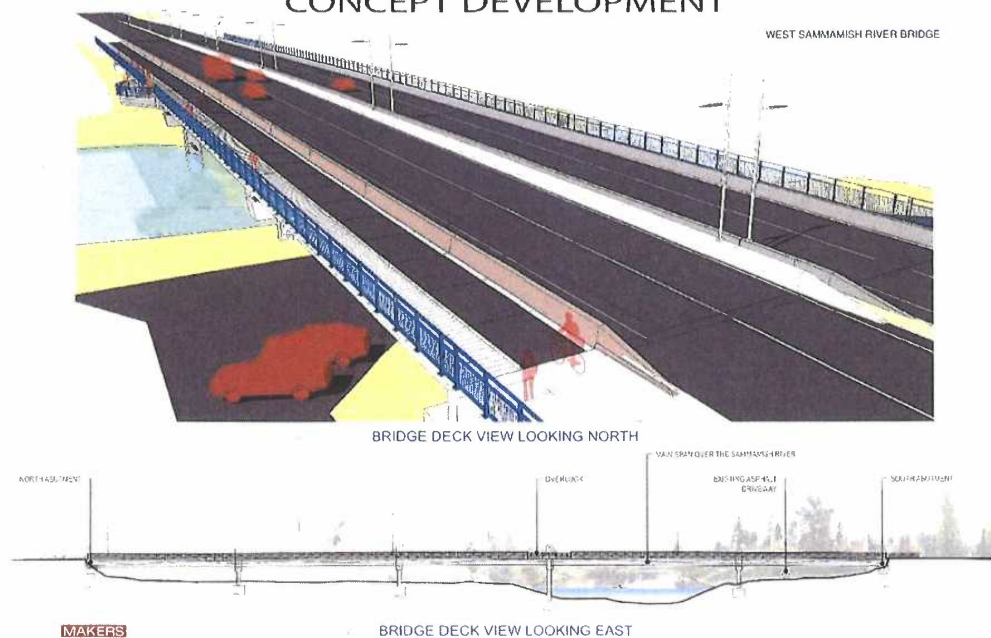
Background: The West Sammamish River Bridge was constructed in the 1930's and is at the end of its life. It is considered to be structurally obsolete. To date, the City has completed an alternatives analysis, a scour analysis, a load rating analysis, and has applied load restrictions on the bridge (weight limits went into effect in 2014). The bridge continues to be monitored during the design of the new bridge.

Funding Sources: The City has been awarded several grants for the project. The City was awarded \$12M in Bridge Program funds, \$1.06M in Surface Transportation funds, \$18M in Connecting Washington funds, and \$7M in TIB funds.



Project Location

CONCEPT DEVELOPMENT





City of Kenmore Capital Improvement Program
Project Name: West Sammamish River Bridge Replacement
Project No. T- 37

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Pre-Design	\$ 18,828							\$ 18,828
Design	\$ 3,229,584		\$ -					\$ 3,229,584
ROW/ Acquisition	\$ 1,293,473		\$ -					\$ 1,293,473
Construction	\$ 10,894,012	\$ 17,145,094	\$ 7,764,330	\$ 893,176	\$ 9,759	\$ 9,759	\$ 78,632	\$ 36,794,762
Contingency		\$ 879,617	\$ 879,617					\$ 1,759,234
Total	\$ 15,435,897	\$ 18,024,711	\$ 8,643,947	\$ 893,176	\$ 9,759	\$ 9,759	\$ 78,632	\$ 43,095,881
Revenue								
REET								\$ -
City	\$ 296,167		\$ 1,041,913	\$ 852,770	\$ 9,759	\$ 9,759	\$ 78,632	\$ 2,289,000
BRAC*	\$ 8,307,144	\$ 3,692,856						\$ 12,000,000
STP	\$ 1,063,994							\$ 1,063,994
SW Fund	\$ 550,413	\$ 649,587						\$ 1,200,000
Connect. WA	\$ 2,033,417	\$ 9,619,546	\$ 6,306,631	\$ 40,406				\$ 18,000,000
TIB	\$ 2,054,574	\$ 3,650,023	\$ 1,295,403					\$ 7,000,000
Utilities	\$ 1,130,188	\$ 412,699						\$ 1,542,887
Total	\$ 15,435,897	\$ 18,024,711	\$ 8,643,947	\$ 893,176	\$ 9,759	\$ 9,759	\$ 78,632	\$ 43,095,881
* \$837 dollars charged by WSDOT for services and deducted from invoices.								

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Permitting																								
Right of Way																								
Construction																								
Closeout/Plant																								
Establishment/Mitigation																								



City of Kenmore Capital Improvement Program

Project Name: Lower Swamp Creek Bridge Replacement
Project No.: T-38

Project Location: NE 175th Street/Swamp Creek Crossing

Project Description: The bridge over Swamp Creek at NE 175th Street has reached its expected lifespan and is in need of replacement. An update of the alternatives analysis, cost estimates, funding alternatives will be conducted prior to design/construction.

Background: This structure is on NE 175th Street, adjacent to the Burke Gilman Trail and crosses Swamp Creek. This structure currently is wide enough for two way vehicle traffic. The existing structure is routinely evaluated by the King County Bridge Engineering group. Maintenance is provided to the structure as needed. King County recommended evaluation of the structure for rehabilitation vs. replacement. A study and alternatives analysis was performed in 2016 that recommended replacement of the bridge within the next 10 years.

Funding Status:

There is no funding set aside for design or construction for a new bridge. Local dollars are included to research and evaluate funding alternatives for the bridge.



Figure A: Existing Bridge

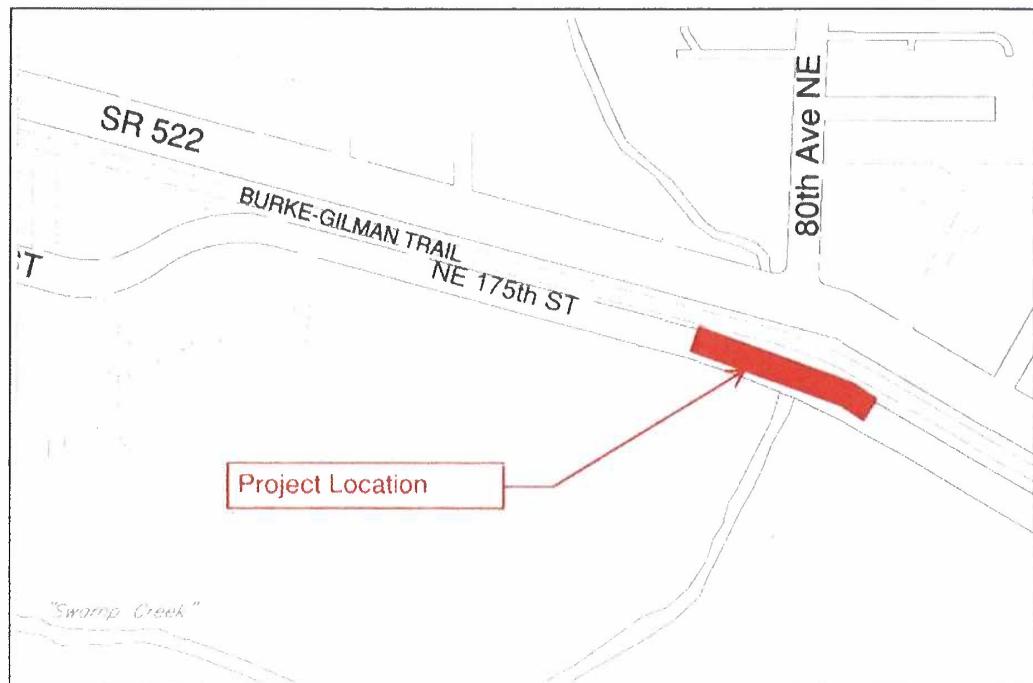


Figure B: Project Location



City of Kenmore Capital Improvement Program

Project Name: Lower Swamp Creek Bridge Replacement

Project No.: T-38

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Pre-Design	\$ 23,218		\$ 25,000	\$ 25,000				\$ 73,218
Design					\$ 175,000	\$ 175,000		\$ 350,000
ROW/ Acquisition						\$ 25,000		\$ 25,000
Construction							\$ 2,000,000	\$ 2,000,000
Contingency							\$ 200,000	\$ 200,000
Total	\$ 23,218	\$ -	\$ 25,000	\$ 25,000	\$ 175,000	\$ 200,000	\$ 2,200,000	\$ 2,648,218
Revenue								
Impact Fees								\$ -
REET	\$ 23,218							\$ 23,218
Other grant			\$ 25,000	\$ 25,000	\$ 175,000	\$ 200,000	\$ 2,200,000	\$ 2,625,000
Total	\$ 23,218	\$ -	\$ 25,000	\$ 25,000	\$ 175,000	\$ 200,000	\$ 2,200,000	\$ 2,648,218

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Pre-Design																								
Design/Permitting																								
Right of Way																								
Construction																								
Closeout																								



City of Kenmore Transportation Improvement Program

Project Name: Juanita Drive NE Pedestrian and Bicycle Improvements Project No. T-41

Project Location: Juanita Drive NE (NE 143 Street to NE 170 Street)

Project Description: This project provides continuous ADA accessible sidewalk and buffered bike lanes on Juanita Drive NE between NE 143 Street and NE 170 Street. Specific project components include:

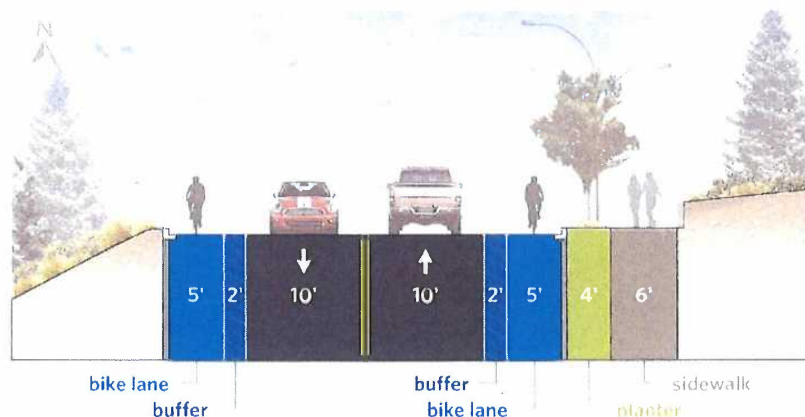
- Sidewalk along the east side of Juanita Drive NE where residential neighborhoods are located. Sidewalk improvements and pedestrian crossings on west side of street will be limited to bus stops only.
- Bike lanes with buffer on the east and west side of Juanita Drive NE;
- Additional or extensions of left turn lanes where warranted;
- Pedestrian crossing treatments to improve nonmotorized safety, connectivity, and comfort;
- Improved storm drainage, LED street lighting, landscaping and aesthetics and;
- Utility relocation and/or retaining structures, where necessary.

Background: Juanita Drive NE serves as a north-south critical link to the City's Downtown, SR 522 Corridor, Burke-Gilman Trail, Bastyr University, Kenmore Senior Center, Parks, and Arrowhead Elementary School for thousands of local residents and is part of the Lake Washington Loop, one of the region's most popular recreational cycling routes. Juanita Drive NE is an existing minor arterial roadway with mostly one travel lane in each direction and asphalt shoulders. The posted speed is 35 mph. This roadway experiences a high number of accidents per year and contains several geometric deficiencies including lack of continuous sidewalks and bicycle lanes. Up to 250 bicycles and 15,000 vehicles use this corridor daily.

Funding Status: This project is funded through the Walkways and Waterways bond measure, WSDOT Pedestrian and Bicycle Safety Program, Sound Transit System Access Fund, WA State Department of Ecology, WA State Department of Commerce, Northshore Utility District, and local City dollars.

Project Delivery Status: Construction began on July 6, 2020 and is expected to continue through 2021.

Typical Section – two lanes *(Looking North)*





City of Kenmore Transportation Improvement Program

Project Name: Juanita Drive NE Pedestrian and Bicycle Improvements

Project No. T-41

CURRENT DOLLARS

Year	Previous Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design	\$ 1,871,364							\$ 1,871,364
ROW/ Acquisition	\$ 666,808							\$ 666,808
Construction	\$ 4,050,004	\$ 9,897,233	\$ 358,699					\$ 14,305,936
Total	\$ 6,588,176	\$ 9,897,233	\$ 358,699					\$ 16,844,108
Revenue								
REET		\$ 1,100,000						\$ 1,100,000
Traffic Impact Fees	\$ 275,000	\$ 3,257,848	\$ 358,699					\$ 3,891,547
Walkways & Waterways Bond Measure	\$ 2,713,573	\$ 2,286,427						\$ 5,000,000
Northshore Utility Dist	\$ 1,099,253	\$ 76,958						\$ 1,176,211
WSDOT Ped/Bike Grant	\$ 821,100	\$ 1,704,000						\$ 2,525,100
Dept of Ecology (SFAP)	\$ 1,457,250	\$ -						\$ 1,457,250
Sound Transit	\$ 222,000	\$ 1,278,000						\$ 1,500,000
WA St Dept. Commerce	\$ -	\$ 194,000						\$ 194,000
Total	\$ 6,588,176	\$ 9,897,233	\$ 358,699					\$ 16,844,108

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Right-of-way																								
Construction																								
Closeout																								



City of Kenmore Transportation Improvement Program

Project Name: 68 Avenue NE Pedestrian and Bicycle Improvements Project No. T 42

Project Location: 68 Avenue NE / NE 202 Street

Segment a: West side of 68 Avenue NE from NE 182 Street to NE 185 Street

Segment b: East side of 68 Avenue NE from NE 185 Street to existing sidewalk

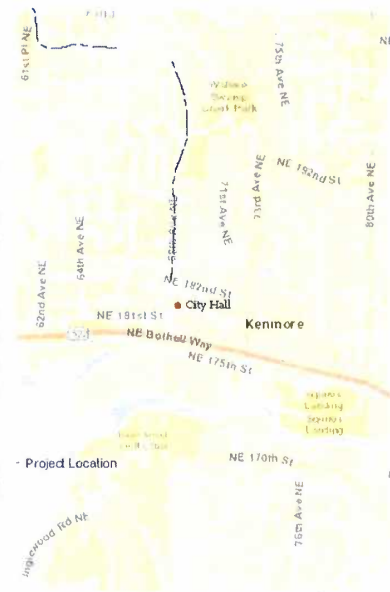
Segment c: West side of 68 Avenue NE from NE 185 Street to NE 201 Street

Segment d: North side of NE 202 Street from 66 Avenue NE to 61 Avenue NE

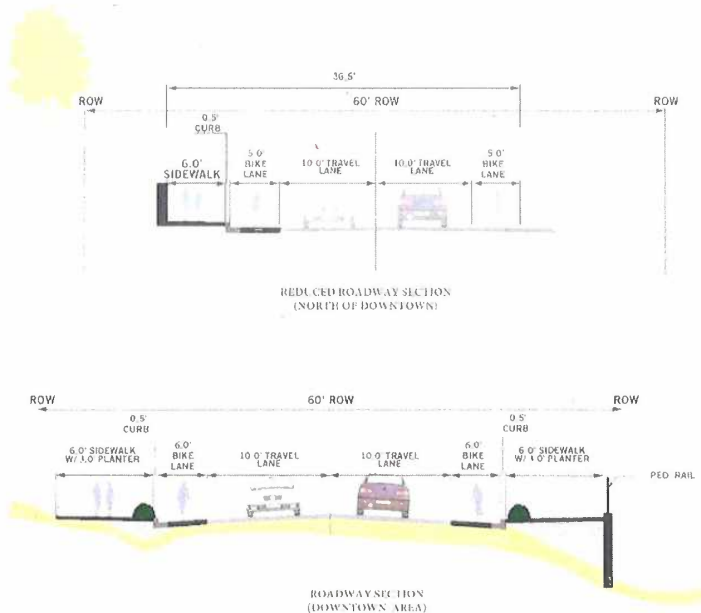
Project Description: This project provides continuous ADA accessible sidewalk and bike lanes on 68 Avenue NE and NE 202 Streets respectively between NE 182 Street and 61 Avenue NE. Other project components include new storm drainage, LED street lighting, landscaping in downtown area, RRFB ped crossing at NE185th Street, retaining walls and utility relocation where necessary.

Background: 68 Avenue NE / NE 202 Street is a collector arterial roadway that runs north/south through the City of Kenmore. This roadway serves as a primary connector to Downtown Kenmore and City Hall for residences and Kenmore Middle School. The current street configuration allows for only one travel lane in each direction and intermittent asphalt shoulders. The posted speed is 35 mph.

Funding Sources: This project is funded through the Walkways and Waterways bond measure, Department of Ecology grant, Northshore Utility District, and local dollars.



Proposed Improvements:





City of Kenmore Transportation Improvement Program

Project Name: 68 Avenue NE Pedestrian and Bicycle Improvements
Project No. T 42

CURRENT DOLLARS

Year	Previous Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design	1,092,236							1,092,236
ROW/ Acquisition	28,418							28,418
Construction		9,167,718	2,733,503					11,901,221
Total	1,120,654	9,167,718	2,733,503					13,021,875
Revenue*								
REET		1,845,050	1,000,000					2,845,050
Strategic Op. Fund		-	1,333,503					1,333,503
Northshore Utility District		2,688,372						2,688,372
Walkways & Waterways Bond Measure	1,078,267	3,621,733	400,000					5,100,000
Dept of Ecology (SFAP)	42,387	1,012,563						1,054,950
Total	1,120,654	9,167,718	2,733,503					13,021,875

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Right-of-way																								
Construction																								
Closeout																								



City of Kenmore Transportation Improvement Program

Project Name: 61st Avenue Sidewalk Replacement Project
Project No. T-44

Project Location: 61st Avenue NE (NE 190th Street north to 62nd Ave NE)

Project Description:

This project will update the alternatives analysis and include other possible scenarios. Sidewalk panels will be replaced as funding allows.

Background: 61st Avenue NE is an arterial that runs north to south (north of SR 522). The intersection with NE 193rd Street is a major intersection that could utilize additional control. The sidewalks north of NE 190th Street do not meet American with Disability Act (ADA) compliance and have suffered from street tree damage. In 2017, an alternatives analysis was completed evaluating options for replacement of the sidewalk in this area.

Funding Sources:

This project would be funded with a combination of City and grant resources. Future grants are shown below. If those future funds are not awarded, the project will be phased to accommodate the funding available.

Existing Conditions: Traffic volumes on 61st Avenue NE will continue to increase as regional traffic grows. Over 70 locations along this corridor are experiencing sidewalk uplift due to nearby trees and several other panels have shifted and pedestrians with accessibility issues are sometimes forced into the existing shoulder/travel lane.





City of Kenmore Transportation Improvement Program

Project Name: 61st Avenue Sidewalk Replacement Project

Project No. T-44

CURRENT DOLLARS

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design	\$ 91,988	\$ 85,000	\$165,000	\$ -	\$ -	\$ -	\$ -	\$ 341,988
ROW/ Acquisition								
Construction			\$ -	\$ 4,674,265	\$ -	\$ -	\$ -	\$ 4,674,265
Total	\$ 91,988	\$ 85,000	\$165,000	\$ 4,674,265				\$ 5,016,253
Revenue								
REET	\$ 91,988	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 121,988
WSDOT Ped Bike		\$ 55,000	\$165,000	\$ 1,144,265				\$ 1,364,265
Future Grants				\$ 3,500,000				\$ 3,500,000
SWM Fund			\$ -	\$ 30,000	\$ -	\$ -	\$ -	\$ 30,000
Total	\$ 91,988	\$ 85,000	\$165,000	\$ 4,674,265				\$ 5,016,253

SCHEDULE

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Right-of-way																								
Construction																								
Closeout																								



City of Kenmore Transportation Improvement Program

Project Name: NE Arrowhead Drive Sidewalks

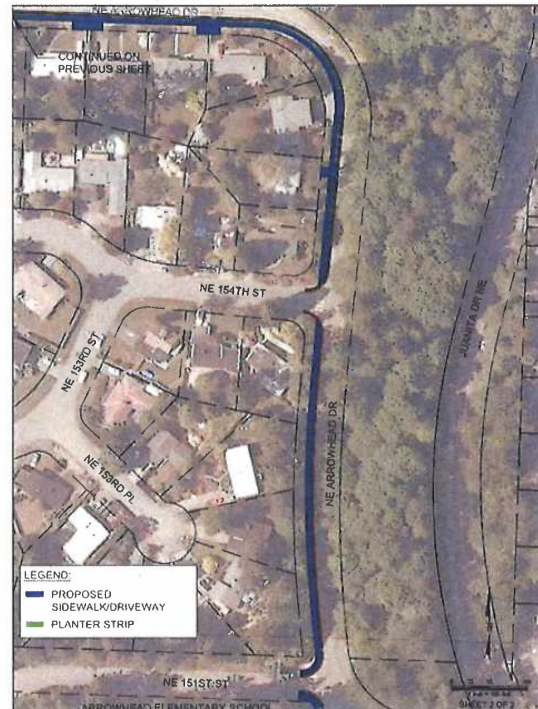
Project No.: T-47

Project Location: NE Arrowhead Drive between NE 151st Street and 64th Avenue NE.

Project Description: This project builds approximately 2,050 LF of new sidewalks on west side/south side of NE Arrowhead drive from NE 151st St to 64th Ave NE.

Background: NE Arrowhead Drive varies from 3-foot wide to 5-foot wide shoulder with two way traffic. NE Arrowhead Drive is a designated walking route for Arrowhead Elementary School students. Sidewalks along this road were identified as a high priority during the neighborhood meetings held for this area as part of the Neighborhood Transportation Program Plan and is listed as a high priority sidewalk in the Sidewalk Program.

Funding Sources: This project is currently unfunded. In May 2020, staff applied for a WSDOT Safe Route to Schools grant to fund this project. Grant results will be announced in the fall of 2020.



Proposed Improvements



City of Kenmore Transportation Improvement Program

Project Name: NE Arrowhead Drive Sidewalks

Project No.: T-47

Current Dollars:

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design		\$ 1,000	\$ 60,000	\$ 80,000				\$ 141,000
ROW/ Acquisition				\$ 5,900				\$ 5,900
Construction					\$ 980,348			\$ 980,348
Total		\$ 1,000	\$ 60,000	\$ 85,900	\$ 980,348			\$1,127,248
Revenue								
State		\$ 1,000	\$ 60,000	\$ 85,900	\$ 980,348			\$1,127,248
Total		\$ 1,000	\$ 60,000	\$ 85,900	\$ 980,348			\$1,127,248

Schedule:

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Right of Way																								
Construction																								
Closeout																								



City of Kenmore Transportation Improvement Program

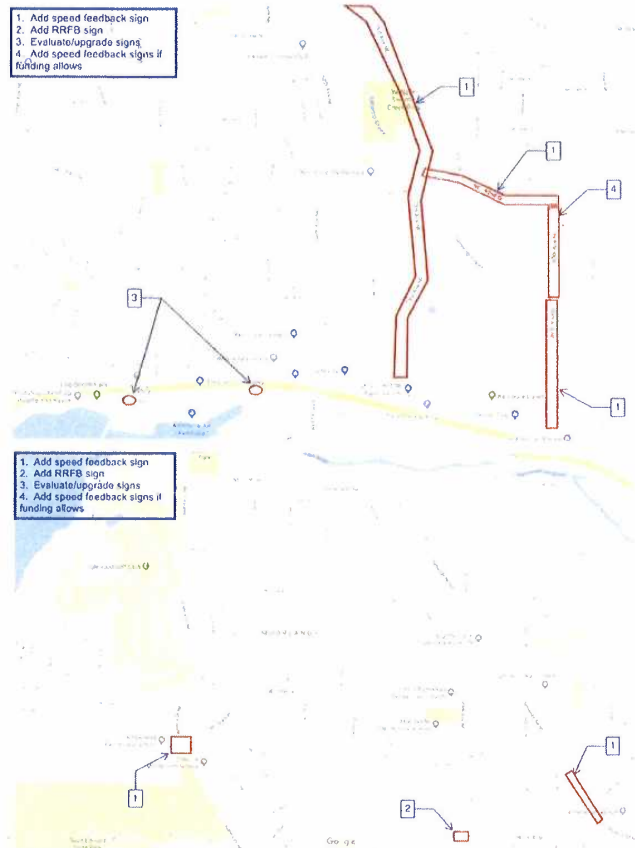
Project Name: 2018 Local Road Safety – Signing

Project No.: T-48

Project Location: Citywide

Project Description:

1. Install 10 radar speed feedback signs at the following locations:
 - a) 80th Av. NE northbound between NE 179th Pl. and NE 185th St.
 - b) 80th Av. NE southbound between NE 179th Pl. and NE 185th St.
 - c) Simonds Rd. NE northbound between 92nd Av. and NE 151st St.
 - d) Simonds Rd. NE southbound between 92nd Av. and NE 151st St.
 - e) 73rd Av. NE northbound between NE 181st St. and NE 204th St.
 - f) 73rd Av. NE southbound between NE 181st St. and NE 204th St.
 - g) Juanita Dr. NE northbound south of the intersection with NE Arrowhead Dr./NE 153rd Pl.
 - h) Juanita Dr. NE southbound south of the intersection with NE Arrowhead Dr./NE 153rd Pl.
 - i) NE 192nd St. eastbound between 80th Av. NE and 73rd Av. NE
 - j) NE 192nd St. westbound between 80th Av. NE and 73rd Av. NE
2. Add 2 pedestrian actuated rectangular rapid flashing beacon signs for the crosswalk on the south leg of the intersection at 84th Av. NE and NE 145th St.
3. Evaluate the intersection of NE 175th St. at the 61st Ave NE and 65th Ave NE:
 - a) Evaluate traffic flow patterns
 - b) Upgrade/modify signage as needed
 - c) Evaluate/modify striping and access
 - d) Evaluate sight distance
4. If funds allow, install 2 additional speed feedback signs at the following locations:
 - a) 80th Av. NE northbound between NE 192nd St and NE 185th St.
 - b) 80th Av. NE southbound between NE 192nd St and NE 185th St.



Background: In 2015, the Local Road Safety Plan was created to identify improvements to enhance safety for pedestrians and bicyclists. One of the most effective and visible traffic calming measures for arterials are speed feedback signs and flashing beacons. These signs and beacons can be mounted at the roadside with solar panel power. There are currently several of these signs and beacons throughout the City. The signs allow for tracking of the effectiveness of the speed limit signs, identify locations where speed may be a continuing problem and allow for coordination with the police for targeted enforcement to supplement the feedback sign's traffic calming effect.

Funding Sources: This project is primarily funded by the WSDOT Highway Safety Improvement Program grant with minimal city funds.



City of Kenmore Transportation Improvement Program

Project Name: 2018 Local Road Safety - Signing

Project No.: T-48

Current Dollars:

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design	\$ 67,800							\$ 67,800
ROW/ Acquisition								
Construction		\$ 292,000						\$ 292,000
Total	\$ 67,800	\$ 292,000						\$ 359,800
Revenue								
Impact Fees	\$ 13,800							\$ 13,800
HSIP	\$ 54,000	\$ 292,000						\$ 346,000
Other								
Total	\$ 67,800	\$ 292,000						\$ 359,800

Schedule:

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Permitting																								
Construction																								
Closeout																								



City of Kenmore Transportation Improvement Program

Project Name: 2018 Local Road Safety – Lighting

Project No.: T-49

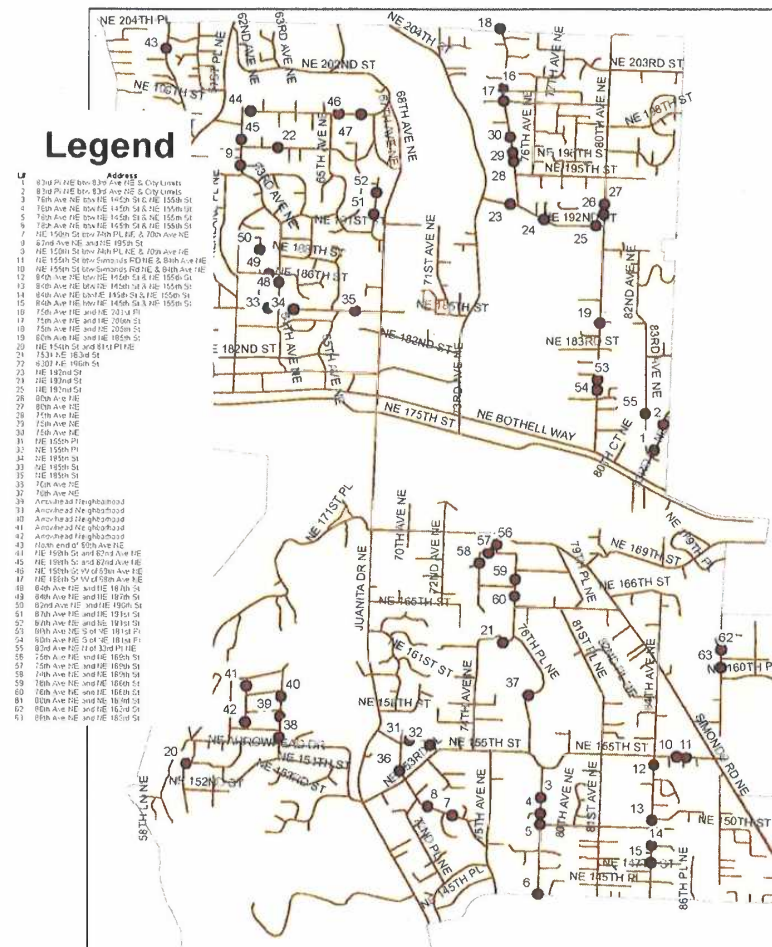
Project Location: Citywide

Project Description:

Add light emitting diode (LED) lighting to existing power poles (where lighting does not exist now) at approximately 60 locations throughout the city.

Background: A street lighting program involves a systematic review of street lighting on residential collector roadways. Roads lacking sidewalks, have frequent unlit intersections, horizontal or vertical curves or are heavily vegetated were considered higher priority candidates for street lighting.

Funding Sources: This project is primarily funded by the WSDOT Highway Safety Improvement Program grant with minimal city funds.





City of Kenmore Transportation Improvement Program

Project Name: 2018 Local Road Safety - Lighting

Project No.: T-49

Current Dollars:

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design	\$ 2,500							\$ 2,500
ROW/ Acquisition								
Construction		\$ 35,000						\$ 35,000
Total	\$ 2,500	\$ 35,000						\$ 37,500
Revenue								
Impact Fees	\$ 2,500	\$ 1,000						\$ 3,500
HSIP		\$ 34,000						\$ 34,000
Other								
Total	\$ 2,500	\$ 35,000						\$ 37,500

Schedule:

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Permitting																								
Construction																								
Closeout																								



City of Kenmore Transportation Improvement Program

Project Name: SR522 Gateway Sign East
Project No.: T-50

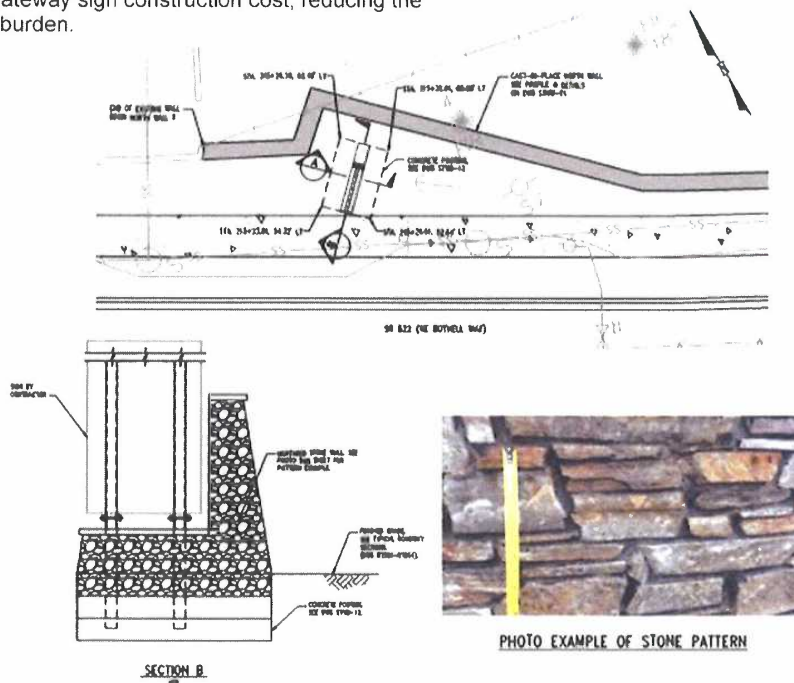
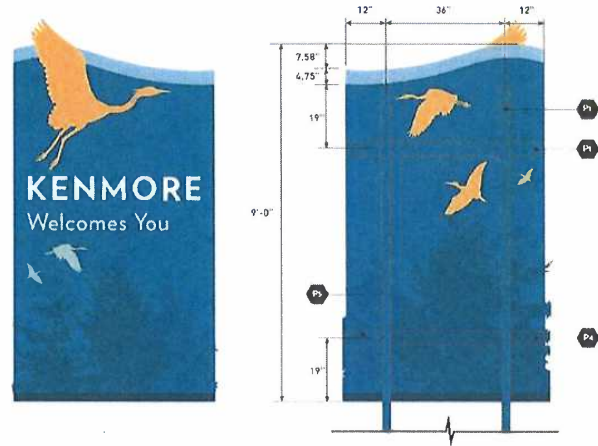
Project Location: SR522, East City Limits

Project Description:
 New monument gateway sign at entrance to City

Background: In 2011, standard templates for wayfinding signs, park signs, gateway and secondary entrance signs were developed.

The City of Bothell is constructing improvements to SR 522 (NE Bothell Way) as part of their SR 522 Stage 3 project. The SR 522 Stage 3 improvements extend approximately 375 feet into City of Kenmore limits. During PSRC's competitive grant funding process, the City sponsored Bothell and agreed to contribute \$50,000 towards the design of the SR 522 Stage 3 project improvements in Kenmore. In the later stages of design, city staff negotiated an interlocal agreement with Bothell to include a City of Kenmore's eastern gateway sign into the project.

Funding Sources: This project is funded by local dollars. Bothell's funding partner, Sound Transit, concluded that Kenmore's gateway sign is an eligible grant expenditure and committed to pay half of the Kenmore gateway sign construction cost, reducing the City's cost burden.





City of Kenmore Transportation Improvement Program

Project Name: SR522 Gateway Sign East

Project No.: T-50

Current Dollars:

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design	\$ 11,610							\$ 11,610
ROW/ Acquisition								
Construction		\$ 20,000						\$ 20,000
Total	\$ 11,610	\$ 20,000						\$ 31,610
Revenue								
Local	\$ 11,610	\$ 20,000						\$ 31,610
Total	\$ 11,610	\$ 20,000						\$ 31,610

Schedule:

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Permitting																								
Construction																								
Closeout																								



City of Kenmore Transportation Capital Improvement Program

Project Name: Burke-Gilman Trail/NE 175th St Wayfinding and Connectivity
Project No.: T-51

Project Location: NE 175th St

Project Description:

1. Install bike lanes between 65th Ave NE and 68th Ave NE.
2. Install green paint crossing treatments at 65th Ave NE and 68th Ave NE
3. Install wayfinding signs at the following locations:
 - a) 68th Ave NE intersection
 - b) Burke-Gilman Trail at 65th Ave NE
 - c) Burke-Gilman Trail just east of 73rd Ave NE
4. Install RRFB at 65th Ave NE intersection
5. Install pedestrian scale lighting at the 65th Ave NE intersection

Background: In 2015, the Local Road Safety Plan was created to identify improvements to enhance safety for pedestrians and bicyclists. There is limited connectivity with the Burke-Gilman Trail and other pedestrian/bicycle areas within the City. New bike lanes and sidewalks are under construction along 68th Ave NE and Juanita Dr. NE 175th St. experiences regular industry related traffic. This project will address the risk factors associated with the mixing of zones between the regionally significant Burke Gilman Trail and 68th Ave NE.

Funding Sources: This project is funded by the WSDOT Ped/Bike Program grant.





City of Kenmore Transportation Capital Improvement Program

Project Name: Burk-Gilman Trail/NE 175th St Wayfinding and Connectivity

Project No.: T-51

Current Dollars:

Year	Prior Years	2021	2022	2023	2024	2025	2026	Total
Expenses								
Design	\$ -	\$ 10,000	\$ 46,042					\$ 56,042
ROW/ Acquisition								
Construction			\$ 250,005					\$ 250,005
Total		\$ 10,000	\$ 296,047					\$ 306,047
Revenue								
WSDOT Ped/Bike	\$ -	\$ 10,000	\$ 296,047					\$ 306,047
Total		\$ 10,000	\$ 296,047					\$ 306,047

Schedule:

	2021				2022				2023				2024				2025				2026			
Project Timeline	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Design																								
Permitting																								
Construction																								
Closeout																								

**CITY OF KENMORE, WASHINGTON
SURFACE WATER CAPITAL IMPROVEMENT PROGRAM
PROPOSED FOR THE YEARS 2021-2026**

EXHIBIT D

Project Description	2021 Proposed	2022 Proposed	2023 Proposed	2024 Proposed	2025 Proposed	2026 Proposed	2021-2026 Totals
SW 8 190th St. Fish Passable Culvert	\$316,000	\$2,074,580	\$0	\$0	\$0	\$0	\$2,390,580
SW 8 Public Works Trust Fund Loan 20 year Repaymen	81,650	81,650	81,650	81,650	81,650	81,650	\$489,900
SW 17 Little Swamp Creek Relocation	0	0	0	0	800,000	814,300	\$1,614,300
SW 20 Small Works Projects	75,000	75,000	75,000	75,000	75,000	75,000	\$450,000
SW 29 Infiltration Tank Retrofit at 61st Ave NE/NE 1961	0	0	0	0	500,000	0	\$500,000
SW 31 Drainage Impr & Street Repair at 66th Ave NE /1	200,000	0	0	0	0	0	\$200,000
SW 32 61st Ave Stabilization	150,000	0	0	0	0	0	\$150,000
SW 34 Blueberry Creek Culverts	0	200,000	300,000	1,000,000	0	0	\$1,500,000
SW 34 Blueberry Creek Culverts Bank Note Repayment	0	0	0	0	120,000	120,000	\$240,000
T 44 61 Ave Sidewalk Replacement Project	0	0	30,000	0	0	0	\$30,000
192nd culvert replacement							\$0
T 37 West Samm Bridge (SWM Component)	649,587	0	0	0	0	0	\$649,587
Total Project Costs	\$1,472,237	\$2,431,230	\$486,650	\$1,156,650	\$1,576,650	\$1,090,950	\$8,214,367

Funding As Proposed:	2021 Proposed	2022 Proposed	2023 Proposed	2024 Proposed	2025 Proposed	2026 Proposed	2021-2026 Totals
Real Estate Excise Tax - Sidewalks							\$0
Reimbursement from Other Agencies	0	0	0	0			\$0
Public Works Trust Fund 20 Year 1.66% Loan (SW8)	\$316,000	\$912,000	\$0	\$0	\$0	\$0	\$1,228,000
Bank Note for Blueberry Creek Culverts (10 Yr 2.5%)	0	0	0	1,000,000	0	0	\$1,000,000
General Facility Charge	100,000	100,000	100,000	100,000	100,000	100,000	\$600,000
Reimbursement from Utilities							\$0
Surface Water Utility Funds	1,056,237	1,419,230	386,650	56,650	396,650	440,950	\$3,756,367
Flood Control District Resources	0	0	0	0	380,000	50,000	\$430,000
Grants	0	0	0	0	700,000	500,000	\$1,200,000
Total Project Funding	\$1,472,237	\$2,431,230	\$486,650	\$1,156,650	\$1,576,650	\$1,090,950	\$8,214,367

Project:	TRIBUTARY 0056 BOX CULVERT AT NE 190TH ST		ID: SW-008
Location:	61ST AVE NE and NE 190TH ST	Basin	Tributary 0056
Project Type:	☐ Water Quality ☒ Fish Passage ☐ Flow Control ☒ Erosion ☐ Drainage ☐ Flooding	Project Cost:	\$2,662,580
Problem:	Failing culvert, headwall and rockery causing erosion and safety concerns		
Narrative	Tributary 0056 flows from north to south along the east side 61st Ave NE. There are three primary problems beginning where Tributary 0056 crosses NE 190th St continuing approximately 155 feet south, including: • Rock wall headwalls are at the inlet and outlet of the culvert and protect 61st Ave NE from stream flow. Stream flows have eroded the existing slope and rock headwall north of NE 190th St, resulting in an unstable headwall. Stream flows have been observed bypassing the culvert. It is unknown where the bypassing water goes. • Sidewalk on the northeast side of NE 190th St. is being undermined by runoff from NE 190th St. Runoff concentrates where the sidewalk transitions to gravel, causing the sidewalk to be undermined • Stream channel bank erosion along a 50 foot section on the west side of Tributary 0056 adjacent to 61st AVE NE. Erosion has caused some of the rockery to collapse into the stream and ground penetrating radar (GPR) indicates that the stream is penetrating the rockery and eroding material under the sidewalk and street. The City confirmed some of the void locations during emergency repairs along 61st in 2015.		
Conceptual Design	• Removal of existing 60" diameter asphalt-lined pipe culvert (approximately 70 feet) and installation of new box culvert • Construction of new headwall at box culvert inlet • Re-grading of stream bed to match new culvert • Removal, repair and stabilization of adjacent rockeries along west side of Tributary 0056 south of the culvert for approximately 50 feet • Roadway and sidewalk repair/restoration		
Considerations for Implementation	• SEPA required • HPA (Fish and Wildlife) required • Army Corp of Engineer permit likely required • Stream bypass and fish exclusion required • Significant traffic control required • Significant erosion and sediment control required • Stream mitigation likely required		

2021-2026 Surface Water Capital Improvement Program
SW-008



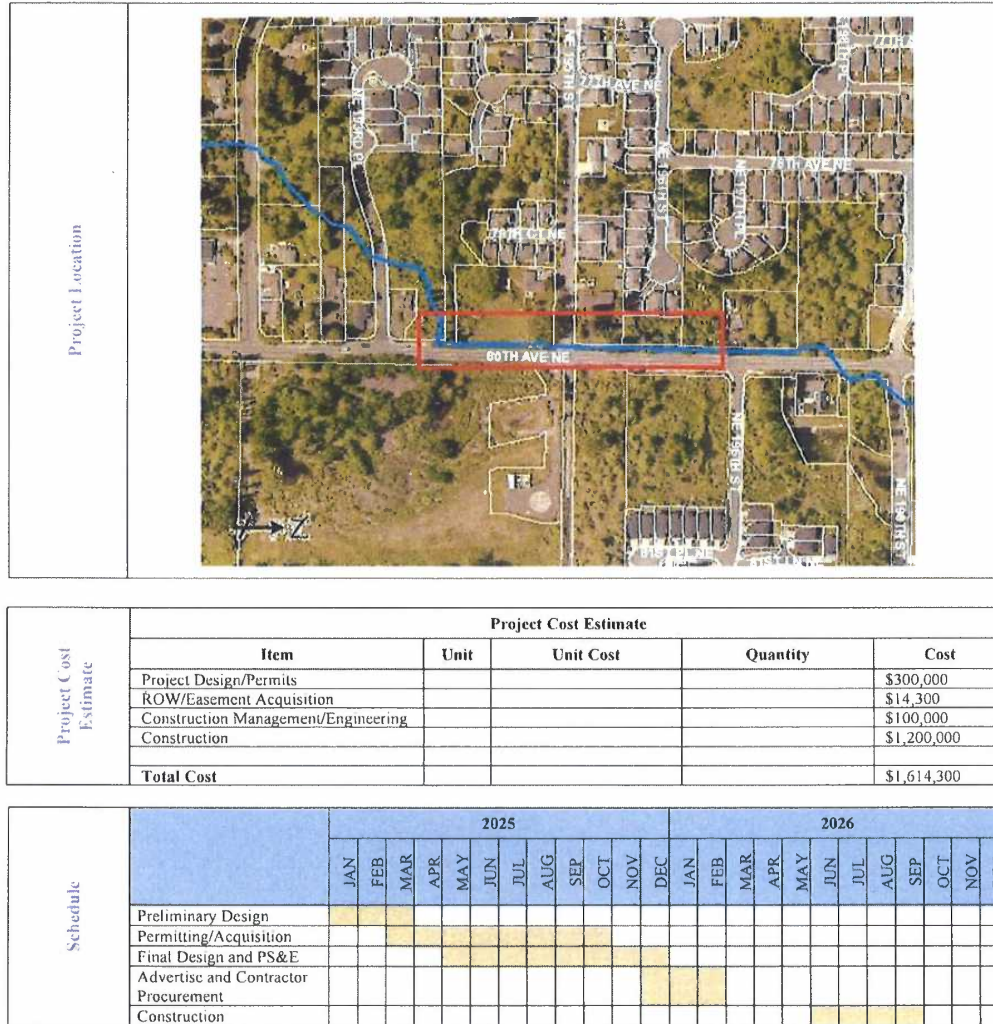
Project Cost Estimate	Item	Unit	Unit Cost	Quantity	Cost
	Designs/Permits/Acquisition				
	Engineering Design and Permit Coordination				\$474,380
	Permitting Fees				\$20,000
	City Staff Time and Overhead Costs				\$80,000
	Easement Acquisition				\$5,000
	Property Acquisition				\$160,000
	Construction				
	Construction Management and Engineering Support				\$154,000
	Site preparation, Stream Bypass, TESC and Misc. Costs				\$466,500
	Precast Culvert (includes culvert, wingwall, headwall, footer)				\$200,000
	Culvert Install				\$264,000
	Retaining Walls				\$82,500
	Stream Improvements				\$233,000
	ROW Improvements				\$169,300
	Construction Contingency				\$353,900
Total Cost					\$2,662,580

Schedule		2021												2022											
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
	Preliminary Design																								
	Permitting																								
	Final Design and PS&E																								
	Advertise and Contractor Procurement																								
	Construction																								

2021-2026 Surface Water Capital Improvement Program
SW-008

Project:	Little Swamp Creek Relocation Phase 1		ID:	SW-17
Location:	80th Ave NE, between NE 196th ST and NE 193rd PL	Basin:	Little Swamp Creek	
Project Type:	☒ Water Quality ☒ Fish Passage ☐ Flow Control ☒ Erosion ☐ Drainage ☒ Flooding ☒ Habitat	Preliminary Project Cost:	\$1,614,300	
Problem:	Stream flooding roadway, Degraded stream habitat			
Narrative	Little Swamp Creek (LSC) flows from north to south along 80th Ave NE before turning west on NE 192nd ST and connecting with Swamp Creek. LSC crosses from the east side of 80th AVE NE to the west side just south of NE 198th ST. LSC is confined to a roadside ditch from this location until just north of NE 193rd PL. In addition to the obvious lack of proper stream function and habitat, during rainy months, LSC reaches full capacity in the roadside ditch and overflows the culvert at NE 195th ST and floods the roadway. Culvert inlet capacity issues and debris clogging structures have been observed contributing to the flooding problems. This project was identified by City Council in 2002 and Resolution 02-061 required developers to leave one hundred feet along the west side of 80th AVE NE open and make it available to the City so that a project could eventually separate the stream from the roadside ditch and relocate it in a proper stream corridor. Issues as far north as NE 200th ST have been identified as part of this project overall, but this phase focuses on the segment of LSC contained within the roadside ditch on the west side of 80th AVE NE just south of NE 196th ST and just north of NE 193rd PL. The City would have liked to include all of LSC to the upstream culvert where it flows under 80th AVE NE, but the privately owned property at this location has indicated no interest in selling at this time.			
Conceptual Design	• Restore 800 feet of stream corridor along the west side of 80th AVE NE (additional floodplain, woody debris, meandering channel centered along dedicated 100-foot stream buffer) • Eliminate sharp stream bend at NE 193rd PL • Install fish passable culvert for the LSC at NE 195th ST • Upgrade the existing stormwater system along 80th AVE NE to meet current conveyance capacity requirements (potentially requiring new stormwater culvert under NE 195th ST)			
Considerations for Implementation	• Project will require environmental permitting including SEPA checklist, WDFW HPA, and Army Corps permits. • Kenmore Resolution 02-061 includes frontage improvement requirements funded through property owner reimbursement or Local Improvement District. • Easement or ROW acquisition. • Downstream analyses will need to be conducted to ensure nothing is adversely affected. Adverse affects to that project are not anticipated. • Temporary stream bypass and fish exclusion shall be used during construction. • Traffic control will be needed. • Potential water quality treatment along the west side of 80th AVE NE depending on scope of frontage improvements.			

2021-2026 Surface Water Capital Improvement Program
SW-17

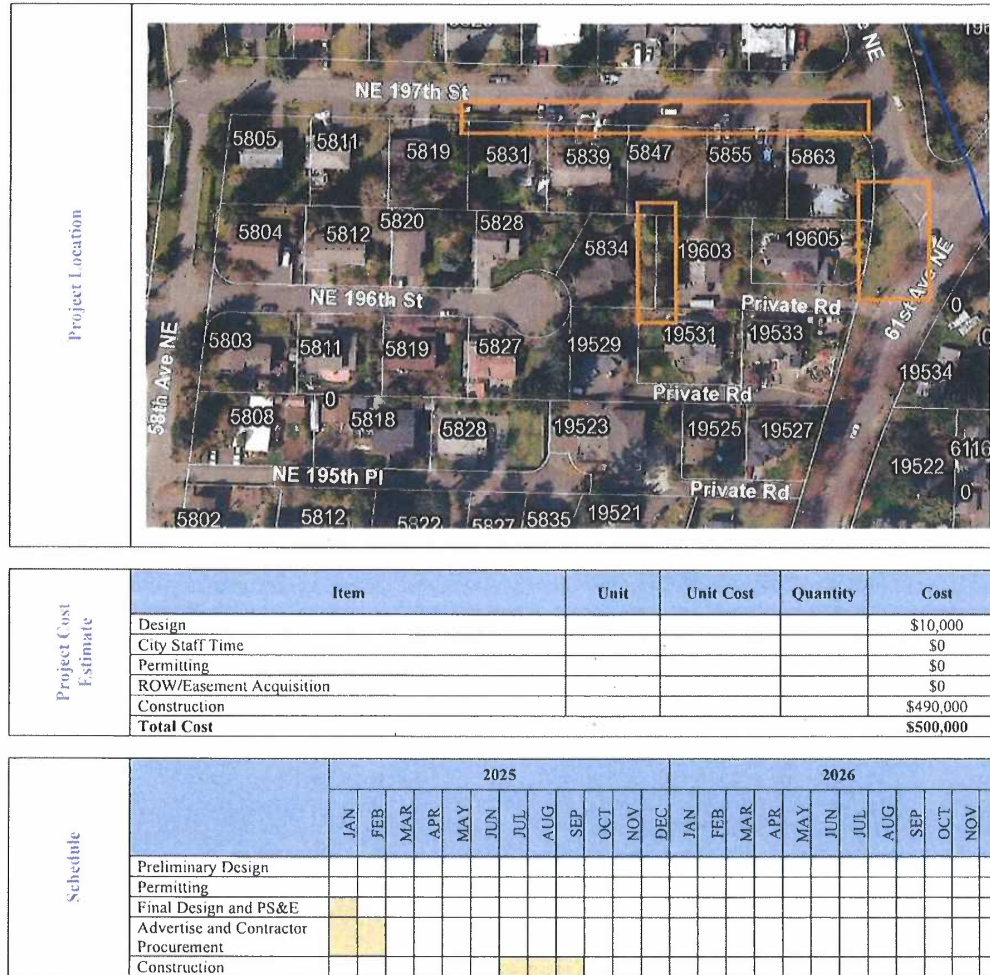


2021-2026 Surface Water Capital Improvement Program
SW-17

Project:	Small Works Projects		ID:	SW-020
Location:	VARIOUS	Basin:	VARIOUS	
Project Type:	☒ Water Quality Control ☐ Fish Passage ☒ Flow ☒ Erosion ☒ Drainage ☒ Flooding		Preliminary Project Cost:	\$75,000 per year
Problem:	Erosion and drainage problems at various locations			
Narrative	The annual small works projects will consist of an evolving list of projects. New problem areas will be identified each year and evaluated accordingly. Typical small works projects exceed the scope of basic maintenance, but don't meet the scope of a capital improvement project. City crews may be able to perform components of the work, but a contractor is required to complete these projects due. Small Works projects may also require design or technical evaluation by the City's on-call engineering consultant. The annual budget for these types of projects is \$75,000 per year.		Small Works Project Examples 	

Project:	Drainage Facility Retrofit – Kenmore Lane		ID:	SW-029
Location:	61 st Ave NE and NE 196 th St.	Basin	Tributary 0056	
Project Type:	☒ Water Quality ☐ Fish Passage ☒ Flow Control ☒ Erosion ☒ Drainage ☐ Flooding	Preliminary Project Cost:	\$500,000	
Problem:	Failing infiltration tank, failed control structure, difficult location, erosion issues with adjacent conveyance system			
Narrative	Kenmore Lane was developed in the late 1970s and this is the City's oldest public drainage facility. The infiltration tank is in poor condition and needs a complete reconstruction. Adjacent conveyance systems carry runoff from NE 197th ST and NE 196th ST and erosion has been observed in the open portions of those systems. The existing drainage facility is located within an easement on private property and access from 61st AVE NE is through a private road. Access for inspection and maintenance is difficult. The City has designed an option to replace the system at its current location, which would make access for inspection and maintenance easier as well as enhance the performance of the existing facility to near current standards. The design includes moving this facility into the right-of-way and altering adjacent conveyance systems to minimize private property impacts and reduce erosion. Currently, the project design is at 90% and will be finalized when budget allows construction in 2025.		 Existing control structure  Facility located in private backyard	
	Conceptual Design	• Remove existing infiltration drainage facility located within easement on private property • Install new facility in adjacent right-of-way location • Modify adjacent conveyance systems to reduce private property impacts and erosion issues • Utilize low impact development to retrofit this facility		
Considerations for Implementation	• Temporary construction easements • Utilities • Traffic control • Erosion and sediment control			

2021-2026 Surface Water Capital Improvement Program
SW-029



2021-2026 Surface Water Capital Improvement Program
SW-029

Project:	66TH AVE NE DRAINAGE IMPROVEMENT		ID: SW-031
Location:	66TH AVE NE & NE 196TH PL	Basin	Swamp Creek
Project Type:	☐ Water Quality ☐ Fish Passage ☐ Flow Control ☒ Erosion ☒ Drainage ☐ Flooding	Preliminary Project Cost:	\$200,000
Problem:	Road settlement and groundwater seeps		
Narrative	Settlement of 66TH AVE NE has been observed at this location and several groundwater seeps coupled with poor subgrade material have been identified as the likely sources of the issue. A new drainage system will be installed to collect and manage groundwater upstream of the curve and reconstruction of the curve will be required. Monitoring of subsurface conditions and movement will occur before construction and continue after construction.  Roadway cracking		
Conceptual Design	• Monitor ground movement under direction of geotech through winter • Install two new 12" perforated pipe west of curve under NE 196TH PL to capture groundwater. • Install new conveyance system to carry water from new perforated system to existing outfall. • Replace existing pipes at curve with new solid 12" pipes and connect to new Type 2 catch basins. • Remove existing asphalt, subgrade, soils and debris at curve and provide compacted subgrade and base course as needed to match existing grade with new asphalt		
Considerations for Implementation	• Subsurface monitoring by licensed geotechnical engineer will be needed • Excavation and haul of material will be needed • Traffic control will be needed • Erosion and sediment control will be needed • Continued monitoring will be needed		

2021-2026 Surface Water Capital Improvement Program
SW-031

Project Location

Project Cost Estimate	Item	Unit	Unit Cost	Quantity	Cost
	Design				\$25,000
	Erosion Sediment Control				\$10,000
	Traffic Control				\$5,000
	Construction				\$160,000
Total Cost					\$200,000

Schedule		2021												2022											
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	
	Preliminary Design																								
	Permitting																								
	Final Design and PS&E																								
	Advertise and Contractor Procurement																								
	Construction																								

2021-2026 Surface Water Capital Improvement Program
SW-031

Project:	61ST PL NE Slope Stabilization		ID:	SW-032		
Location:	61ST PL NE & 66TH AVE NE	Basin	Arrowhead Creek			
Project Type:	☐ Water Quality ☐ Fish Passage ☐ Flow Control ☒ Erosion ☒ Drainage ☐ Flooding		Preliminary Project Cost:	\$150,000		
Problem:	Road cracking with settlement					
Narrative	The cul-de-sac at the south end of 61ST PL NE near the 15000 block has experienced cracking and settlement, which consulting geotechnical engineers determined was the result of past subsurface land movement. The land movement is likely a result of poorly placed and compacted fill soil bearing on low-strength landslide deposits, which is negatively affected by groundwater within and on top of the low-permeability landslide and glaciolacustrine deposits. To remedy the issue, the roadway and slope will be stabilized with spiralnails. Spiralnails are relatively easy to install and are driven deep into the ground, securing the roadway and shallow soils to the more stable soils underground.		 61ST PL NE cul-de-sac at the 15000 block			
Conceptual Design	A geotechnical engineering analysis was conducted by Shannon & Wilson, Inc., and their recommendations include: - Spiralnails be considered for improving stability of this landslide. Based on previous experience with similar landslides, Spiralnails require comparatively little site preparation and can be installed quickly with minimal disturbance to traffic, residents, and utilities. Based on our analyses, landslide stability can be improved to an acceptable degree using 35-foot-long nails spaced 5 feet vertically and horizontally. In our opinion, the slope face could be treated using either spider hubs or other measures that would be relatively simple to construct. In our opinion, the Spiralnail alternative would provide a cost-effective means to provide landslide stability improvement. - Repairing the affected road shoulder by removing the distressed pavement, recompacting and regrading the subgrade and subbase, and repaving with appropriate seam seal treatment at the new pavement joint. We recommend that repair and repaving be completed after stability improvement measures have been constructed.					
Considerations for Implementation	- Excavation and haul of material will be needed - Traffic control will be needed - Erosion and sediment control will be needed					

2021-2026 Surface Water Capital Improvement Program
SW-032

Project Location																																																																																																																																																																															
Project Cost Estimate	<table border="1"> <thead> <tr> <th>Item</th><th>Unit</th><th>Unit Cost</th><th>Quantity</th><th>Cost</th></tr> </thead> <tbody> <tr> <td>Design</td><td>CY</td><td>\$10.00</td><td>2,555</td><td>\$15,000</td></tr> <tr> <td>Erosion Sediment Control</td><td>%</td><td>5%</td><td></td><td>\$5,000</td></tr> <tr> <td>Traffic Control</td><td>%</td><td>7%</td><td></td><td>\$5,000</td></tr> <tr> <td>Hydroseed</td><td>SY</td><td>\$6.00</td><td>3,407</td><td>\$125,000</td></tr> <tr> <td colspan="4"></td><td>\$150,000</td></tr> </tbody> </table>	Item	Unit	Unit Cost	Quantity	Cost	Design	CY	\$10.00	2,555	\$15,000	Erosion Sediment Control	%	5%		\$5,000	Traffic Control	%	7%		\$5,000	Hydroseed	SY	\$6.00	3,407	\$125,000					\$150,000																																																																																																																																																
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Construction																																																																																																																																																																															

2021-2026 Surface Water Capital Improvement Program
SW-032

Project:	Blueberry Creek Culvert Replacements		ID: SW-034
Location:	NE 202 ND ST & 62 ND AVE NE	Basin	Swamp Creek
Project Type:	☐ Water Quality ☒ Fish Passage ☐ Flow Control ☐ Erosion ☐ Drainage ☐ Flooding ☒ Habitat	Preliminary Project Cost:	\$1,500,000
Problem:	Flooding at low point in road		
Narrative	To mitigate stream impacts identified in the City's 68TH AVE NE Pedestrian and Bicycle Improvement Project (68TH Project), the City is replacing four existing driveway culverts on Blueberry Creek (identified as fish passage barriers) with fish passable culverts. This mitigation will improve fish habitat and fish access. Blueberry Creek is a tributary to Swamp Creek and flows into the City from Snohomish County along 61ST PL NE. The creek heads south on 62ND AVE NE and east along NE 202ND ST before meeting with Swamp Creek just north of Wallace Swamp Creek Park. Blueberry Creek is identified as a Type F stream and represents accessible habitat for coho salmon and cutthroat trout, but not for Endangered Species Act (ESA) listed species. The project is required to be completed before the expiration of the 68TH Project's Hydraulic Project Approval (HPA) in March 2025. The City plans to begin design no later than 2022 and complete construction no later than 2024.		
Conceptual Design	The project expects to utilize typical precast fish passable driveway culverts designed to convey the 100-year event without flooding or overtopping.		
Considerations for Implementation	• Environmental permitting including SEPA checklist, WDFW HPA, and Army Corps permits may be required. • Fish window limitations for construction will apply. • Temporary stream bypass and fish exclusion will be required during construction. • Traffic control will be needed. • These cost estimates have been derived during the conceptual phase of this project and are highly speculative. More precise estimates will be updated as design progresses in 2022 prior to the 2023-2024 biennium budget.		



Project Location

Project Cost Estimate

Item	Unit	Unit Cost	Quantity	Cost
Project Design/Permits				\$90,000
ROW/Easement Acquisition				\$20,000
Construction Management/Engineering Support				\$90,000
Construction				\$1,300,000
Total Cost				\$1,500,000

Schedule

	2021					2022					2023					2024								
	JAN	MAR	MAY	JUL	SEP	NOV	JAN	MAR	MAY	JUL	SEP	NOV	JAN	MAR	MAY	JUL	SEP	NOV	JAN	MAR	MAY	JUL	SEP	NOV
Preliminary Design																								
Permitting/Acquisition																								
Final Design and PS&E																								
Advertise and Contractor Procurement																								
Construction																								

2021-2026 Surface Water Capital Improvement Program
SW-034

EXHIBIT E

**CITY OF KENMORE, WASHINGTON
CITY FACILITY CAPITAL IMPROVEMENT PROGRAM
PROPOSED FOR THE YEARS 2021-2026**

Project Description	2021 Proposed	2022 Proposed	2023 Proposed	2024 Proposed	2025 Proposed	2026 Proposed	2021-2026 Totals
F 1 Public Works Shop Land Acquisition & Development	\$6,000,000	\$0	\$4,000,000	\$0	\$0	\$0	\$10,000,000
Consultant and Acquisition Costs.	\$100,000	\$0	\$0	\$0	\$0	\$0	\$100,000
F 2 Debt Repayment	0	641,000	639,000	636,000	638,000	639,000	\$3,193,000
Total Project Costs	\$6,100,000	\$641,000	\$4,639,000	\$636,000	\$638,000	\$639,000	\$13,293,000

Funding As Proposed:	2021 Proposed	2022 Proposed	2023 Proposed	2024 Proposed	2025 Proposed	2026 Proposed	2021-2026 Totals
Bank Note, 20 Years, 4.5% Interest	6,000,000	4,000,000	0	0	0	0	10,000,000
Transfer from SWM Fund	50,000	288,450	287,550	286,200	287,100	287,550	1,486,850
Transfer from Street Fund	0	128,200	127,800	127,200	127,600	127,800	638,600
Transfer from General Fund	50,000	160,250	159,750	159,000	159,500	159,750	848,250
Transportation Benefit District Fund	0	64,100	63,900	63,600	63,800	63,900	319,300
Total Project Funding	\$6,100,000	\$4,641,000	\$639,000	\$636,000	\$638,000	\$639,000	13,293,000

Exhibit F

CITY OF KENMORE, WASHINGTON
REET Fund Projection Worksheet
For The Years 2021-2026

DESCRIPTION	Actual 2018	Actual 2019	Actual 2020	Projected 2021	Projected 2022	Projected 2023	Projected 2024	Projected 2025	Projected 2026
Beginning Cash	\$2,413,982	\$771,264	\$1,439,728	\$1,995,415	\$897,644	\$681,462	\$1,446,277	\$1,878,739	\$1,878,739
Revenues:									
REET 1	742,364	761,940	857,275	1,000,000	1,000,000	800,000	800,000	800,000	800,000
REET 2	742,364	761,940	857,255	1,000,000	1,000,000	800,000	800,000	800,000	800,000
Interest Earnings	62,361	38,026	19,942	47,567	26,892	14,815	22,463	26,787	26,787
Transfer from impact fees NS									
Transfer from Park Capital Fund for overtransfer 2020				751,712					
Payback from Sammamish Bridge Fund for 2018 loan				0	2,000,000				
Total Revenues	\$1,547,089	\$1,561,906	\$1,734,472	\$2,799,279	\$4,026,892	\$1,614,815	\$1,622,463	\$1,626,787	\$1,626,787

Transfers Out for Parks :

P 6 Moorlands Park Imp	0	30,488	0	0	0	0	0	0	0
P 18a Rhody Park Float Mitigation	0	0	0	0	0	0	0	0	0
P 26 Squires Landing Float Mitigation	0	0	0	0	0	0	0	0	0
P 27 Squires Landing and Mitigation	0	0	0	0	1,006,161	0	0	0	0
P 28 Log Boom Mitigation		0	0	632,000	0	0	0	0	0
P 30 Rhododendron Boathouse Pavilion		12,800	0	0	0	0	0	0	0
P 31 Squires Landing Waterfront Land A	48,747	0	0	0	0	0	0	0	0
transfer in excess of exp. To be paid back		456,712	295,000	0	0	0	0	0	0
Subtotal - Transfers for Parks	48,747	500,000	295,000	632,000	1,006,161	0	0	0	0

Transfers Out for Roads:

T27 Sidewalks									
Sidewalk Gaps/ADA replacement	0	29,060	0	20,000	150,000	100,000	100,000	100,000	100,000
62nd Ave NE	56,388	0	0	0	0	0	0	0	0
T 35 Overlay	438,497	114,382	664,041	150,000	990,000	150,000	990,000	150,000	990,000
T 41 Juanita Dr Pedestrian & Bicycle Safety		0	59,250	1,100,000	0	0	0	0	0
T 42 68th Ave Ped & Bicycle Safety		0	0	1,845,050	1,000,000	0	0	0	0
T 43 SR522 Pedestrian Crossing Study	72	0	494	0	0	0	0	0	0
T44 61st Ave Sidewalk Replacement			0	30,000	0	0	0	0	0
T 50 SR522 Gateway Sign East		50,000	0	20,000	0	0	0	0	0
REET to Street Fund for Road Maintenance				100,000	100,000	100,000	100,000	100,000	100,000
T 37 West Samm Bridge		0	0	0	996,913	500,000	0	0	0
LOAN to Samm Bridge fund	2,000,000								
Subtotal - Transfers for Roads	3,041,060	193,442	723,785	3,265,050	3,236,913	850,000	1,190,000	350,000	1,190,000

Repayment to Strategic Opps Fund 2015/1	100,000	(200,000)	(160,000)	0	0	0	0	0	0
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Net Income/(Loss)	(1,642,718)	668,464	555,687	(1,097,771)	(216,182)	764,815	432,463	1,276,787	436,787
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Ending Cash	\$771,264	\$1,439,728	\$1,995,415	\$897,644	\$681,462	\$1,446,277	\$1,878,739	\$3,155,527	\$2,315,527
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CITY OF KENMORE, WASHINGTON

Exhibit G

Park Impact Fee Fund Projection Worksheet
For the Years 2021-2026

DESCRIPTION	Actual 2019	Actual 2020	Projected 2021	Projected 2022	Projected 2023	Projected 2024	Projected 2025	Projected 2026
Beginning Cash	\$590,514	\$295,198	\$338,409	\$732,415	\$241,421	\$332,172	\$414,714	\$448,973
Revenues:								
Interest Earnings	12,130	3,737	6,501	2,954	2,414	3,322	4,147	4,490
Park Impact Fees	92,554	106,474	163,000	87,462	88,337	89,220	90,112	91,013
Total Revenues	104,684	110,211	169,501	90,416	90,751	92,542	94,259	95,503
To be Transferred Out for Parks :								
P 1 Twin Springs Interim Use	23,235	0	76,000	0	0	0	0	0
P 2 Tolt Pipeline Trail Phase One	2,776	-2,776	0	0	0	0	0	0
P 18a Rhododendron Park Float Project Mitigation	17,664	-8,428	0	0	0	0	0	0
P 26 Twedt/Squires Float Modifications	19,879	-6,551	0	0	0	0	0	0
P 27 Tlahwadees Landing Park waterfront & mitig.	0	0	0	227,510	0	0	0	0
P 28 Log Boom Park	0	0	0	353,900	0	0	0	0
P 29 St Edward Ballfields EIS	88,250	17,946	0	0	0	0	0	0
P 30 Rhododendron Park Boathouse	14,500	0	0	0	0	0	0	0
P 32 Moorlands Park Lighting	0	0	0	0	0	10,000	60,000	290,000
transfer in excess of exp. To be paid back	233,696	66,809	0					
Subtotal - Transfers to Park Capital	400,000	67,000	76,000	581,410	0	10,000	60,000	290,000
Net Income/(Loss)	(\$295,316)	\$43,211	\$93,501	(\$490,994)	\$90,751	\$82,542	\$34,259	(\$194,497)
Transfer in from parks capital for overtransfer previous year			300,505					
Ending Cash Balance	\$295,198	\$338,409	\$732,415	\$241,421	\$332,172	\$414,714	\$448,973	\$254,476

CITY OF KENMORE, WASHINGTON

Exhibit H

Transportation Impact Fee Fund Projection Worksheet
For The Years 2021-2026

DESCRIPTION	Actual 2017	Actual 2018	Actual 2019	Actual 2020	Projected 2021	Projected 2022	Projected 2023	Projected 2024	Projected 2025	Projected 2026
Beginning Cash	\$1,148,347	\$1,281,170	\$2,711,967	\$3,197,747	\$2,602,601	\$107,191	\$204,749	\$359,026	\$662,910	\$874,930
Revenues:										
Interest Earnings	16,115	42,148	55,643	25,331	32,236	1,257	2,047	3,590	6,629	8,749
Transp. Impact Fees	466,708	1,102,660	430,137	470,969	500,000	500,000	505,000	\$10,050	\$15,151	\$20,302
Total Revenues	\$482,823	\$1,144,808	\$485,780	\$496,300	\$532,236	\$501,257	\$507,047	\$513,640	\$521,780	\$529,051
Transfers Out for Transp.										
T 41 Juanita Ped & Bicycle Safety			0	227,918	3,257,848	358,699	0	0	0	0
T 42 68th Ave Ped & Bicycle Safety			0	0	0	0	0	0	0	0
T45 NE 153rd				93,464	0	0	0	0	0	0
T 46 NE 181st 65-67 Sidewalk	0	0		312,178	0	0	0	0	0	0
T48 Local Road Safety-Signing				8,413	0	0	0	0	0	0
T49 Local Road Safety - Lighting				1,981	1,000	0	0	0	0	0
NE 202nd Sidewalk*	0	31,750	0	51,716	0	0	0	0	0	0
NE 153rd Sidewalk	0	29,707	0	0	0	0	0	0	0	0
T 37 West Samm Bridge	0	2,553	0	395,776	0	45,000	352,770	9,757	9,759	78,632
Subtotal	\$0	\$64,010	\$0	\$1,091,446	\$3,258,848	\$403,699	\$352,770	\$9,757	\$9,759	\$78,632
pay back from Samm Bridge Fund	(\$350,000)	\$350,000			\$231,202					
Pay SOF for T42 (2022 \$1.3m)					\$0	\$0	\$0	\$200,000	\$300,000	\$400,000
Net Income/(Loss)	\$132,823	\$1,430,798	\$485,780	(\$595,146)	(\$2,726,612)	\$97,558	\$154,277	\$303,883	\$212,021	\$50,419
Ending Cash Unreserved	\$1,281,170	\$2,711,968	\$3,197,747	\$2,602,601	\$107,191	\$204,749	\$359,026	\$662,910	\$874,930	\$925,350

Exhibit 1

CITY OF KENMORE, WASHINGTON
Strategic Opportunities Fund Projection Worksheet
For The Years 2021 - 2026

REVENUES

DESCRIPTION	2017 Actual	2018 Actual	2019 Actual	2020 Actual	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected	2026 Projected
Investment Interest	20,743	38,258	42,706	24,155	39,418	37,300	29,602	32,296	37,430	42,491
Incubator Leases	36,433	35,062	0	0	0	0	0	0	0	0
Repayment from REET for Sidewalks	100,000	100,000	200,000	160,000	0	0	0	0	0	0
Transfer from Trans Impact Fees for T42	0	0	0	0	0	0	0	200,000	300,000	400,000
Transfer from General Fund	0	0	624,000	0	1,000,000	0	0	0	0	0
Repayment of Private Contributions for P-32	0	0	0	0	250,000	150,000	150,000	110,000	0	0
Revenues	157,176	173,320	866,706	184,155	1,289,418	187,300	179,602	342,296	337,430	442,491

EXPENDITURES

Business Incubator Program	107,989	111,263	0	0	0	0	0	0	0	0
Advance of Private Funds for P-32	0	0	0	660,000	0	0	0	0	0	0
Air Quality/Emissions Consulting	0	0	0	0	60,000	60,000	0	0	0	0
Lakepointe Planned Action/Subarea Plan	0	0	0	0	150,000	150,000	0	0	0	0
Climate Action Initiative	0	0	0	0	70,463	29,200	0	0	0	0
DEI Plan and Implementation	0	0	0	0	120,000	30,000	0	0	0	0
Transfer to SWM Fund CAP Staffing	0	0	0	0	29,537	30,800	0	0	0	0
Transfer to Park Capital Projects	38,630	30,903	0	0	0	0	0	0	0	0
Transfer to Trans Capital Project T42	0	0	0	0	0	1,333,503	0	0	0	0
Expenditures	191,649	142,166	0	660,000	430,000	1,633,503	0	0	0	0

Net revenues (enpenditures) (34,473) 31,154 866,706 (475,845) 859,418 (1,446,203) 179,602 342,296 337,430 442,491

Beginning Fund Balance \$2,172,681 \$2,138,208 \$2,169,362 \$3,036,068 \$2,560,223 \$3,419,641 \$1,973,438 \$2,153,040 2,495,335 \$2,832,765

Ending Fund Balance \$2,138,208 \$2,169,362 \$3,036,068 \$2,560,223 \$3,419,641 \$1,973,438 \$2,153,040 \$2,495,335 \$2,832,765 \$3,275,257

Signature: 
 RKL Nov 24, 2021 12:36 PST

Email: rkarlinsey@kenmorewa.gov

AB - 2021-2026 CIP amendment-12-6-21

Final Audit Report

2021-11-24

Created:	2021-11-24
By:	Leticia Salcido (lsalcido@kenmorewa.gov)
Status:	Signed
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"AB - 2021-2026 CIP amendment-12-6-21" History

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City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic:

Approve Resolution No. 21-372 amending Resolution 21-367.
 Interfund Loan Authorization to extend term of the approved loan.

For Council Meeting Agenda of: December 6, 2021

Department: Finance & Administration

Prepared by: Leticia Salcido, Director of Finance & Administration

Proposed Council Action/Motion:

Approve resolution No. 21-372 amending Resolution 21-367 to extend the term of the approved interfund loan for an additional three (3) months.
 Original Resolution approved an interfund loans from the General Fund to the Public Works Shop Fund in an amount of up to \$2 million, a loan from the Strategic Opportunities Fund to the Public Works Shop Fund in an amount of up to \$2 million and a loan from the Surface Water Management Fund to the Public Works Shop fund in an amount of up to \$2 million. The loans shall accrue interest at .08% Annual Interest.

Date

Approved by Department Head:

Approved by City Attorney:

Approved by Finance Director:

Approved by City Manager:

Initial &









Exhibits/Attachments:

Resolution No. 21-372

Resolution No. 21-367 (original approved 7/12/21)

INFORMATION/BACKGROUND:

On July 12, 2021 Council approved an interfund loan to the Public Works Shop Fund from the General Fund, Surface Water Management Fund and the Strategic Opportunities Fund. The approval was for a transfer of \$2 million from each of the funds for a total of \$6 million. The purpose of the loan was for the acquisition of two properties for the future site of the public works shop. The City was securing permanent financing and it was believed at the time that the transaction would be completed by September 2021.

However the initial deposit on the first property, in the amount of \$250,000, was made on June 11, 2021 and the final payment on August 16, 2021. The financing for the first property closed on November 18, 2021 and the funds were received on November 19, 2021. An extension is required to cover this time period.

Budgeting and Accounting Requirements (BARS) specify that Council must pass a resolution or ordinance approving the interfund loan. Kenmore Municipal Code requires City Council to pass a resolution.

Kenmore Municipal Code requires that any extension of an interfund loan beyond the three-month period be approved by City Council Resolution. Therefore an amended resolution 21-367 is attached.

FISCAL CONSIDERATION:

Kenmore Municipal Code Section 3.60 provides authority for an interfund loan from one city fund to another city fund for periods not to exceed three month. The code also provides that interfund loans may be authorized without interest however the City practice (in compliance with BARS) has been to include interest at a rate that coincides with the State Government Investment Pool earnings rate. At this time that rate is 0.08%. A loan of up to \$2 million from the General Fund, \$2 million from the Strategic Opportunities Fund and \$2 million from the Surface Water Management Fund is recommended.

Fund Balance prior to loan:

General Fund Balance – approximately \$4.9 million
 Strategic Opportunities Fund – approximately \$2.5 million
 Surface Water Management Fund – approximately \$3.6 million

Fund Balance after loan:

General Fund Balance – approximately \$2.9 million
 Strategic Opportunities Fund – approximately \$500,000
 Surface Water Management Fund – approximately \$1.6 million

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Kenmore Municipal Code Section 3.60.010 provides Interfund loan authority & extension authority.

**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 21-372**

A RESOLUTION OF THE CITY OF KENMORE, WASHINGTON, AMENDING RESOLUTION NO. 21-367 TO EXTEND THE TERM OF THE APPROVED INTERFUND LOAN FROM THE GENERAL FUND TO THE PUBLIC WORKS SHOP FUND IN THE AMOUNT OF \$2,000,000, AN INTERFUND LOAN FROM THE STRATEGIC OPPORTUNITIES FUND TO THE PUBLIC WORKS SHOP FUND IN THE AMOUNT OF \$2,000,000, AND AN INTERFUND LOAN FROM THE SURFACE WATER MANAGEMENT FUND TO THE PUBLIC WORKS SHOP FUND IN THE AMOUNT OF \$2,000,000. ALL AT 0.08% ANNUAL INTEREST; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Public Works Shop Fund, as identified in the 2021-2022 City of Kenmore Biennial Budget, is temporarily in need of cash pending budgeted permanent financing; and

WHEREAS, the General Fund, Strategic Opportunities Fund and Surface Water Management Fund have excess cash sufficient to meet the needs of the Public Works Shop Fund; and

WHEREAS, interfund loans are authorized by Chapter 3.60 of the Kenmore Municipal Code (KMC); and

WHEREAS, on July 12, 2021, the City Council adopted Resolution No. 21-367, approving an interfund loan, and the City needs to extend the term of the interfund loan to December 11, 2021; and

WHEREAS, KMC 3.60.010 requires City Council approval by resolution of any interfund loan extension beyond three months, and Budgeting and Accounting Requirements (BARS) specify that Council must pass a resolution or ordinance approving the interfund loan; and

WHEREAS, the City Council desires to amend Resolution No. 21-367 to extend the interfund load approved therein to December 11, 2021;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Amendment. Section 1 of Resolution 21-367 is amended to read as follows:
Section 1. Interfund Loan Authorization. There is hereby authorized an interfund loan in the amount of \$2,000,000 from the General Fund to the Public Works Shop Fund, an interfund loan in the amount of \$2,000,000 from the Strategic Opportunities Fund to the Public Works Shop Fund, and an interfund loan from the Surface Water Management Fund to the Public Works

Shop Fund. The term of the loan shall be from June 2021 up to December 11, 2021. Interest shall accrue on the unpaid principal amount at the rate of .08 percent per annum. The principal amount, plus interest, shall be due and payable before December 11, 2021. There shall be no penalty for prepayment of the loan.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, AT A REGULAR MEETING THEREOF ON THE 6th DAY OF DECEMBER, 2021.

David Baker, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

Approved as to form:

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 21-367**

A RESOLUTION OF THE CITY OF KENMORE, WASHINGTON, PROVIDING FOR AN INTERFUND LOAN FROM THE GENERAL FUND TO THE PUBLIC WORKS SHOP FUND IN THE AMOUNT OF \$2,000,000, AN AN INTERFUND LOAN FROM THE STRATEGIC OPPORTUNITIES FUND TO THE PUBLIC WORKS SHOP FUND IN THE AMOUNT OF \$2,000,000, AND AN INTERFUND LOAN FROM THE SURFACE WATER MANAGEMENT FUND TO THE PUBLIC WORKS SHOP FUND IN THE AMOUNT OF \$2,000,000. ALL AT 0.08% ANNUAL INTEREST; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Public Works Shop Fund, as identified in the 2021-2022 City of Kenmore Biennial Budget, is temporarily in need of cash pending budgeted permanent financing; and

WHEREAS, the General Fund, Strategic Opportunities Fund and Surface Water Management Fund have excess cash sufficient to meet the needs of the Public Works Shop Fund; and

WHEREAS, interfund loans are authorized by Chapter 3.60 of the Kenmore Municipal Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Interfund Loan Authorization. There is hereby authorized an interfund loan in the amount of \$2,000,000 from the General Fund to the Public Works Shop Fund, an interfund loan in the amount of \$2,000,000 from the Strategic Opportunities Fund to the Public Works Shop Fund, and an interfund loan from the Surface Water Management Fund to the Public Works Shop Fund. The term of the loan shall be from June 11, 2021 up to September 15, 2021. Interest shall accrue on the unpaid principal amount at the rate of .08 percent per annum. The principal amount, plus interest, shall be due and payable before September 30 2021. There shall be no penalty for prepayment of the loan.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, AT A

- 1 -

REGULAR MEETING THEREOF ON THE 12th DAY OF JULY, 2021.



David Baker, Mayor

ATTEST/AUTHENTICATED:



Anastasiya Warhol (Jul 22, 2021 20:58 PDT)

Anastasiya Warhol, City Clerk

Approved as to form:



Dawn Reitan (Jul 22, 2021 12:39 PDT)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 7/10/21
PASSED BY THE CITY COUNCIL: 7/12/2012
EFFECTIVE DATE: 7/12/2021
RESOLUTION 21-367

Signature:



RGK (Nov 23, 2021 16:15 PST)

Email: rkarlinsey@kenmorewa.gov

AB-Amendment to Interfund loan ordinance 21-372

Final Audit Report

2021-11-24

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By:	Leticia Salcido (lsalcido@kenmorewa.gov)
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"AB-Amendment to Interfund loan ordinance 21-372" History

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Fund Balance prior to loan:

General Fund Balance – approximately \$4.2 million
Strategic Opportunities Fund – approx.. \$1.9 million
Surface Water Management Fund – approx.. \$900,000

Fund Balance after loan:

General Fund Balance – approximately \$3 million
Strategic Opportunities Fund – approx.. \$700,000
Surface Water Management Fund – approx.. \$500,000

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Kenmore Municipal Code Section 3.60.010 provides Interfund loan authority

**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 21-373**

A RESOLUTION OF THE CITY OF KENMORE, WASHINGTON, PROVIDING FOR AN INTERFUND LOAN FROM THE GENERAL FUND TO THE PUBLIC WORKS SHOP FUND IN THE AMOUNT OF \$1,200,000, AN INTERFUND LOAN FROM THE STRATEGIC OPPORTUNITIES FUND TO THE PUBLIC WORKS SHOP FUND IN THE AMOUNT OF \$1,200,000, AND AN INTERFUND LOAN FROM THE SURFACE WATER MANAGEMENT FUND TO THE PUBLIC WORKS SHOP FUND IN THE AMOUNT OF \$400,000, ALL AT 0.08% ANNUAL INTEREST; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Public Works Shop Fund, as identified in the 2021-2022 City of Kenmore Biennial Budget, is temporarily in need of cash pending budgeted permanent financing; and

WHEREAS, the General Fund, Strategic Opportunities Fund and Surface Water Management Fund have excess cash sufficient to meet the needs of the Public Works Shop Fund; and

WHEREAS, interfund loans are authorized by Chapter 3.60 of the Kenmore Municipal Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Interfund Loan Authorization. There is hereby authorized an interfund loan in the amount of \$1,200,000 from the General Fund to the Public Works Shop Fund, an interfund loan in the amount of \$1,200,000 from the Strategic Opportunities Fund to the Public Works Shop Fund, and an interfund loan from the Surface Water Management Fund in the amount of \$400,000 to the Public Works Shop Fund. The term of the loan shall be from December 1, 2021 up to March 31, 2022. Interest shall accrue on the unpaid principal amount at the rate of .08 percent per annum. The principal amount, plus interest, shall be due and payable before March 31, 2022. There shall be no penalty for prepayment of the loan.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, AT A REGULAR MEETING THEREOF ON THE 6th DAY OF DECEMBER, 2021.

David Baker, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

Approved as to form:

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

Signature: RGK
RGK (Nov 24, 2021 16:38 PST)

Email: rkarinsey@kenmorewa.gov

AB-Interfund Loan 2-PW

Final Audit Report

2021-11-25

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Transaction ID:	CBJCHBCAABAAVs5M9ASate0ZiQ64IUTLGs_njkdciFE

"AB-Interfund Loan 2-PW" History



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City Council Business Agenda Item City of Kenmore, WA

Subject/Topic: Squire's Landing (λ' a Xw a d i s) Park Waterfront & Natural Open Space Access Project – Construction Contract Award Proposed Council Action/Motion: Motion to authorize the City Manager to execute Contract 21-C2670 with Strider Construction Co., Inc. in the amount of \$6,472,518.06 to construct the Squire's Landing (λ' a Xw a d i s) Park Waterfront & Natural Open Space Access Project (P-27), and authorize 1% for the arts (\$64,725.18) and a 10% construction contingency (\$647,251.81) for a total contract authorization of \$7,184,495.06.	For Council Meeting Agenda of: 12/06/2021 Department: <u>Community Development</u> Prepared by: <u>Maureen Colaizzi, Parks Project Manager</u> To Be Presented By: <u>Maureen Colaizzi</u> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;"></th><th style="text-align: right;"><u>Initial & Date</u></th></tr> </thead> <tbody> <tr> <td>Approved by Department Head:</td><td style="text-align: right;"><u>DB 11/17/21</u></td></tr> <tr> <td>Approved by City Attorney:</td><td style="text-align: right;"><u>N/A</u></td></tr> <tr> <td>Approved by Finance Director:</td><td style="text-align: right;"><u>LS 11/17/21</u></td></tr> <tr> <td>Approved by City Manager:</td><td style="text-align: right;"><u>RK 11/18/21</u></td></tr> </tbody> </table> Exhibits/Attachments: N/A		<u>Initial & Date</u>	Approved by Department Head:	<u>DB 11/17/21</u>	Approved by City Attorney:	<u>N/A</u>	Approved by Finance Director:	<u>LS 11/17/21</u>	Approved by City Manager:	<u>RK 11/18/21</u>
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STAFF RECOMMENDATION: Staff recommends Council authorizes the City Manager to execute Contract 21-C2670 with Strider Construction Co., Inc. in the amount of \$6,472,518.06 to construct the Squire's Landing (renamed λ' a Xw a d i s once park improvements are completed)) Park Waterfront & Natural Open Space Access Project (P-27), and authorize 1% for the Arts (\$64,725.18), and a 10% construction contingency (\$647,251.81), for a total contract authorization of \$7,184,495.06. INFORMATION/BACKGROUND: Bid 21-C2670 was advertised for bids on October 5, 2021, and October 12, 2021. Bids were opened on Tuesday, November 9, 2021. The City received nine (9) bids. One was rejected and deemed an irregular proposal. See Table 1 for bid results from the remaining eight (8) bidders. The apparent, responsive, and responsible low bid was submitted by Strider Construction Co., Inc. in the amount of \$6,472,518.06. The low bid is \$803,612.74 above the engineer's construction cost estimate of \$5,668,905.32. The low bid amount plus 1% for the Arts (\$64,725.18) and an additional 10% contingency (\$647,251.81) results in a total contract authorization of \$7,184,495.06. Updated construction cost estimates were shared at the July 19th and September 13th City Council meetings which anticipated an increase of 25-30% (\$1 Mil +) from the CIP construction cost estimate (\$4,336,962.30) attributed to recent labor and material price increases for steel, concrete, wood, and plastics, plants, and environmental controls. Suppliers had stated that prices were fluctuating with uncertainty of material and labor availability. The construction cost estimate was updated again before bidding in October to reflect the final Engineer's Estimate of \$5,668,905.32 (Construction Cost Estimate plus Washington State Sales Tax). The Fiscal Consideration section below outlines staff's recommended revenue sources to match the increased expenditures of \$1,702,257 to update the 2021-2026 CIP project budget. See below and Table 1 for a summary of expenditures: 1- Construction: \$1,816,588 increase to the construction costs, and associated sales tax, contingency and 1% Arts; adjustments for construction management and engineering support services; signage costs outside of the Contract 21-C2670; Reallocating P28 Off-Site Mitigation Costs. 2- Permitting: \$86,446 increase in unanticipated permit and utility extension agreement fees.											

- 2- Design & Bid: \$9,210 increase in design fees to complete the bid documents.
 3- Admin: \$18,000 adjustment in Staff Administration costs.
 4- Monitor-Maintain: \$227,897 reflected in year 2026 for mitigation and monitoring for years 2027-34 moved out of 2021-26 CIP.

TABLE 1: EXPENDITURE COST INCREASE

2021-2026 Expenditure	Budget Cost Increase
Admin	\$18,000
Permitting	\$86,446
Design & Bid	\$9,210
Construction	\$1,816,588
Monitor-Maintain	(\$227,987)
Total	\$1,702,257

BID 21-C2670 RESULTS:

After opening Bid 21-C2670, Staff reviewed the low bid proposal and deemed the bid responsive and has reviewed the Contractor's qualifications and deemed Strider Construction Co, Inc. responsible. Refer to Table 2 below for the bid results. Schedule A-D include 10.1% Washington State Sales Tax. Added together, they equal the total Bid (Base Bid + B-D). The Bid Schedule listed below break down the necessary bid items to construct the complete project. All Schedules are included to award the construction contract.

Schedule A: Base Bid Items

Schedule B: Overwater/Inwater Structures + Excavation in Lagoon Bid Items

Schedule C: Wetland and Wetland Buffer Restoration Bid Items

Schedule D: Swamp Creek In-Water Mitigation (Onsite & Offsite) Bid Items

TABLE 2: BID RESULTS

Bidder	Base Bid (Schedule A)	Schedule B	Schedule C	Schedule D	Total Award (Base + B thru D)
Strider Construction Co.	\$ 4,536,338.00	\$ 1,209,999.00	\$ 459,012.41	\$ 267,168.66	\$ 6,472,518.06
*OMA Construction, Inc.	\$ 4,245,903.01	\$ 2,038,969.43	\$ 490,666.16	\$ 289,147.92	\$ 7,064,686.51
Tunista Construction	\$ 4,738,810.52	\$ 1,842,822.97	\$ 482,048.63	\$ 280,597.28	\$ 7,344,279.40
Road Construction Northwest, Inc.	\$ 4,739,225.65	\$ 2,021,711.25	\$ 446,639.15	\$ 266,012.94	\$ 7,473,588.99
Orion Marin Contractors	\$ 6,014,807.04	\$ 1,241,322.45	\$ 619,103.31	\$ 468,429.26	\$ 8,343,662.06
ACI - Active Construction, Inc.	\$ 5,772,827.88	\$ 2,107,980.11	\$ 510,801.24	\$ 255,482.92	\$ 8,647,092.15
CA Carey Corp	\$ 6,115,871.13	\$ 1,844,175.00	\$ 695,242.97	\$ 437,038.65	\$ 9,092,327.75
A-1 Landscaping & Construction	\$ 6,419,628.23	\$ 2,577,661.20	\$ 616,683.31	\$ 361,904.21	\$ 9,975,876.94
Engineer's Estimate	\$ 3,746,517.48	\$ 1,229,211.45	\$ 417,745.27	\$ 275,431.11	\$ 5,668,905.32

* To correct the record of bid opening done on November 9, 2021 at 2 p.m. The City announced that it had received 8 bids, the City located and confirmed that the OMA Construction, Inc. bid was timely submitted to the City via email at 1:43 p.m. However, the City's computer security system temporarily held the bid in abeyance until the City was notified of its existence. The bid from OMA Construction, Inc. is in the amount of \$7,064,686.51. The City has deemed that there was no advantage to OMA Construction, Inc. by the delayed bid opening caused by the City's computer security system, and deems this a de-minimis procedural irregularity.

SCHEDULE: In accordance with the bid documents, the City has 45 calendar days after the bid opening (November 9, 2021) to award the project. If awarded, construction is anticipated to begin late December/early January 2022 with completion anticipated before the end of 2023.

FISCAL CONSIDERATION: On 6/28/21 Council approved Ordinance 21-0526 amending the 2021-2026 six-year Capital Improvement Program (CIP) for the years 2021-2026. The Squires Landing (Xw a d i s) Park Waterfront & Natural Open Space Access Project (P27) 2021-2026 CIP expenditures were estimated at \$6,714,695 which included \$227,897 reflected in year 2026 for mitigation and monitoring for years 2027-34. Revenue sources included: \$3,709,712 bond funds, \$937,473 Swamp Creek Basin Funds, \$1,890,000 in grant revenues and \$177,510 park impact fees. Prior year expenditures of \$1,494,039 were covered by revenues of \$1,440,288 bond funds and \$53,751 of park impact fees. Total project budget of \$8,208,734.

Staff will be bringing forward six-year CIP amendments for Council consideration at the 12/6/21 Council meeting. To ensure there is sufficient revenue in the 2021-22 biennium budget to award the bid (plus contingency and 1% for the Arts) and construct the project as scheduled, a budget adjustment is required to increase the 2021-26 CIP project budget by \$1,702,257. The overall total project budget is \$10,207,050.71 which includes \$400,000 for mitigation monitoring and maintenance for 10 years after construction completion.

The following revenue sources have been identified for inclusion in the 2021-22 budget for the project:

- \$600,000 - Walkways & Waterway bond proceeds (These funds were originally allocated to P-28, the Log Boom Park Waterfront Access & Viewing Project budget but will instead be used for this Project)
- \$200,000 - KC trail levy revenue
- \$50,000 - Park Impact Fee Funds
- \$50,000 - Waterworks Grant Award (2022)
- \$24,083 - Public Art Fund
- \$1,006,161 - Real Estate Excise Tax Fund (REET)
- (\$227,987 Swamp Creek Basin Funds) - Reduction in year 2026 because the amount reflected in the previous CIP incorrectly included post 2026 expenditures.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Council 2021-2022 Priority #5: Implement the Walkways & Waterways Projects.

Subject/Topic: Amendments to City of Kenmore Tree Regulations Proposed Council Action/Motion: No formal action requested; provided feedback and direction on the items listed below.	For Council Meeting Agenda of: <u>December 6, 2021</u> Department: <u>Development Services</u> Prepared by: <u>Samantha Loyuk, Senior Planner & Bryan Hampson, Development Services Director</u> <table border="0"> <thead> <tr> <th></th> <th><u>Initial & Date</u></th> </tr> </thead> <tbody> <tr> <td>Approved by Department Head:</td> <td><u>BH 11/24/21</u></td> </tr> <tr> <td>Approved by City Attorney:</td> <td><u>N.A.</u></td> </tr> <tr> <td>Approved by Finance Director:</td> <td><u>LS 11/9/21</u></td> </tr> <tr> <td>Approved by City Manager:</td> <td><u>RGK 11/24/21</u></td> </tr> </tbody> </table> Exhibits/Attachments: Attachment #1: List 1 & 2 Attachment #2: PowerPoint Presentation on List 1		<u>Initial & Date</u>	Approved by Department Head:	<u>BH 11/24/21</u>	Approved by City Attorney:	<u>N.A.</u>	Approved by Finance Director:	<u>LS 11/9/21</u>	Approved by City Manager:	<u>RGK 11/24/21</u>
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INFORMATION/BACKGROUND: At the Kenmore City Council annual retreat on January 8th and 9th, 2021, tree preservation was discussed, and as such, Council requested to conduct a tree workshop. In response to the request made by City Council, on April 19, 2021, Development Services staff provided an informational PowerPoint presentation to summarize tree regulations in Kenmore. As part of the presentation, potential code amendments were provided to further preserve, protect, and enhance Kenmore's urban forest. These recommendations included short-term and long-term action items, referred to as List 1 and 2 (Attachment 1), respectively. Items on List 1 are considered achievable this year, while items on List 2 require additional staff resources and should be discussed in the context of future work plans. However, a graduate intern was hired this year and drafted policy papers for two items on List 2, a potential tree rebate program and an exceptional tree ordinance. At the September 20, 2021, City Council meeting, graduate intern Garrett Oppenheim presented policy papers on tree rebate programs and exceptional tree programs. Council agreed to proceed with a King Conservation District (KCD) 2021 Urban Forestry Health Management grant for a second city-wide urban tree canopy assessment and tree giveaway event. As for exceptional tree regulations, the consensus was to give direction on whether and when to proceed after the Climate Action Plan is finalized. During the April 19, 2021, City Council presentation, the City Council directed staff to bring tree preservation staff recommendations back to a future meeting for council action.											

On May 26, 2021, Development Services Staff further discussed staff recommendations (List 1 and 2) with Council. During that discussion, Council directed Staff to amend the code regulations in List 1 now and consider the items in List 2 on future work plans.

The following items were included on List 1 and will be discussed at the December 6, 2021, Council meeting (Attachment #2):

1. Change the definition of “significant tree” so it includes smaller diameter at breast height (DBH) trees.

KMC 18.20.2730

Current Regulation

“Significant tree” means an existing healthy tree that is not a hazard tree (i.e., a tree that does not have a high probability of imminently falling due to a debilitating disease or structural defect) and that, when measured four and one-half feet above grade, has a minimum diameter of:

A. Eight inches for evergreen trees; or

B. Twelve inches for deciduous trees.

Proposed Language

“Significant Tree” means an existing healthy *tree* that is not a *hazard tree* and that is at least six (6) inches in diameter at breast height (DBH) as measured at 4.5 feet from the ground. For trees with multiple leaders at four and one-half (4.5) feet height, the DBH shall be the combined cumulative total of branches greater than six (6) inches diameter at four and one-half (4.5) feet above the average grade. If a tree has been removed and only the stump remains that is below four and one-half (4.5) feet tall, the size of the tree shall be the diameter of the top of the stump.

2. Revise tree retention requirements so certain “nuisance species” (i.e., cottonwood, alder, and holly) do not receive credit for retention. This will encourage retention of preferred species that are expected to thrive long term.

KMC18.57.060 A

Current Regulation

Minimum Tree Density Requirement Established. A minimum tree density is required on each site. The tree density may consist of existing trees replacement trees, or a combination of existing and replacement trees.

Proposed Regulation

Minimum Tree Density Requirement Established. A minimum tree density is required on each site. The tree density may consist of existing trees (provided they are not cottonwood, alder, or holly trees), replacement trees, or a combination of existing and replacement trees.

3. Codify the tree removal application process for existing single-family residences (code clean up item).

KMC 15.25.070 B.2

Current Regulation

A formal application is currently not required for 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) and 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

Proposed Regulation

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) and based on the following table, provided an application for removal of a significant tree shall be filed by the owner of real property within the City on forms provided by the department for review and approval prior to removing the tree(s):

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

4. Update the removal penalty language for consistency (code clean up item).

Current Regulation

- KMC Chapter 15, Land Alterations is silent.
- KMC Chapter 18.57, Tree Management and Protection has this language:
An individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, removing a tree in violation of this chapter shall be assessed a monetary penalty in the amount of \$2,000 per inch in diameter at breast height of tree removed. For example, if a 20-inch tree is removed, then the penalty would be \$40,000.

Proposed Regulation

- Revise KMC 18.57.110 and add to 15.25.190 to have same language:
An individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, removing a tree in violation of this chapter shall may be assessed a monetary penalty up to in the amount of \$2,000 per inch in diameter at breast height of tree removed, but in no case shall the penalty be reduced to an amount less than \$500.00 for each violation found committed. For example, if a 20-inch tree is removed, then the maximum penalty would be \$40,000.

5. Have tree removal permits valid for a shorter period of time so replacement trees get into the ground faster.

KMC 15.25.120 A

Current Regulation

Stand-alone land alteration permits shall expire two years from the date of issuance. Land alteration permits issued and associated with another land use permit or approval shall expire in conjunction with the land use permit or approval. The city manager may approve a request for an extended expiration date where a construction schedule is provided by the applicant and approved prior to permit issuance.

Proposed Regulation

Stand-alone land alteration, except tree removal, permits shall expire two years from the date of issuance. Tree removal permits shall expire one year from the date of issuance. Land alteration permits issued and associated with another land use permit or approval shall expire in conjunction with the land use permit or approval. The city manager may approve a request for an extended expiration date where a construction schedule is provided by the applicant and approved prior to permit issuance.

No formal action is needed. However, staff is requesting discussion and direction on each of the topics listed above. Staff will return to Council later to seek approval of the revised regulations.

FISCAL CONSIDERATION: N/A

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED: Develop a Kenmore Climate Plan and promote Environmental Stewardship, including water, air, forest, and habitat restoration

List 1

1. Change the definition of “significant tree” so it includes smaller diameter at breast height (DBH) trees.
2. Revise tree retention requirements so certain “nuisance species” (i.e., cottonwood and alder) do not receive credit for retention. This will encourage retention of preferred species that are expected to thrive long term.
3. Codify the tree removal application process for existing single-family residences (code clean up item).
4. Update the removal penalty language for consistency (code clean up item).
5. Have tree removal permits valid for a shorter period of time so replacement trees get into the ground faster.

List 2

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Establish maximum floor area ratios (F.A.R.) to limit the size of single-family residences.
5. Create a tree fund for instances where replacement is infeasible (“fee in lieu”); could include tree rebate program for planting trees on single-family lots.
6. Establish an exceptional tree program.

KENMORE TREE REGULATIONS

Amendments

DEVELOPMENT SERVICES

SAMANTHA LOYUK
SENIOR PLANNER & CERTIFIED ARBORIST



TREE CODE REGULATIONS DISCUSSED AS “LIST I”

1. Change the definition of “significant tree” so it includes smaller diameter at breast height (DBH) trees.
2. Revise tree retention requirements so certain “nuisance species” (i.e., cottonwood, alder, and holly trees) do not receive credit for retention. This will encourage retention of preferred species that are expected to thrive long term.
3. Codify the tree removal application process for existing single-family residences (code clean up item).
4. Update the removal penalty language for consistency (code clean up item).
5. Have tree removal permits valid for a shorter period of time so replacement trees get into the ground faster.

#1 SIGNIFICANT TREE

KMC 18.20.2730

Current Regulation

“Significant Tree” means an existing healthy tree that is not a hazard tree (i.e., a tree that does not have a high probability of imminently falling due to a debilitating disease or structural defect) and that, when measured four and one-half feet above grade, has a minimum diameter of:

- 8” for evergreen trees
- 12” for deciduous trees

Proposed Language

“Significant Tree” means an existing healthy tree that is not a *hazard tree* and that is at least six (6) inches in diameter at breast height (DBH) as measured at 4.5 feet from the ground. For trees with multiple leaders at four and one-half (4.5) feet height, the DBH shall be the combined cumulative total of branches greater than six (6) inches diameter at four and one-half (4.5) feet above the average grade. If a tree has been removed and only the stump remains that is below four and one-half (4.5) feet tall, the size of the tree shall be the diameter of the top of the stump.

#2 DO NOT ALLOW NUISANCE SPECIES TO RECEIVE CREDIT FOR RETENTION

KMC 18.57.060 A

Current Regulation

Minimum Tree Density Requirement Established. A minimum tree density is required on each *site*. The tree density may consist of existing *trees* replacement *trees*, or a combination of existing and replacement *trees*.

Proposed Language

Minimum Tree Density Requirement Established. A minimum tree density is required on each *site*. The tree density may consist of existing *trees* (provided they are not cottonwood, alder, or holly trees), replacement *trees*, or a combination of existing and replacement *trees*.

#3 CODIFY THE TREE REMOVAL APPLICATION PROCESS FOR EXISTING SINGLE-FAMILY RESIDENCES

KMC 15.25.070 B.2

Current Regulations

A formal application is currently not required for 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) and 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

Proposed Language

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) and based on the following table, provided an application for removal of a significant tree shall be filed by the owner of real property within the City on forms provided by the department for review and approval prior to removing the tree(s):

#4 UPDATE THE REMOVAL PENALTY LANGUAGE FOR CONSISTENCY

Current Regulations

- KMC Chapter 15, Land Alterations is silent.
- KMC Chapter 18.57, Tree Management and Protection has this language:

An individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, removing a *tree* in violation of this chapter shall be assessed a monetary penalty in the amount of \$2,000 per inch in *diameter at breast height of tree removed*. For example, if a 20-inch *tree* is removed, then the penalty would be \$40,000.

Propose Language

- Revise KMC 8.57.110 and add to 15.25.190 to have same language:

An individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, removing a *tree* in violation of this chapter ~~shall~~ may be assessed a monetary penalty up to in the amount of \$2,000 per inch in *diameter at breast height of tree removed*, but in no case shall the penalty be reduced to an amount less than \$500.00 for each violation found committed. For example, if a 20-inch *tree* is removed, then the maximum penalty would be \$40,000.

#5 TREE REMOVAL PERMITS VALID FOR A SHORTER PERIOD

KMC 15.25.120 A

Current Regulations

Stand-alone *land alteration* permits shall expire two years from the date of issuance. *Land alteration* permits issued and associated with another land use permit or approval shall expire in conjunction with the land use permit or approval. The *city manager* may approve a request for an extended expiration date where a construction schedule is provided by the *applicant* and approved prior to permit issuance.

Proposed Language

Stand-alone *land alteration*, except tree removal, permits shall expire two years from the date of issuance. Tree removal permits shall expire one year from the date of issuance. *Land alteration* permits issued and associated with another land use permit or approval shall expire in conjunction with the land use permit or approval. The *city manager* may approve a request for an extended expiration date where a construction schedule is provided by the *applicant* and approved prior to permit issuance.



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

Subject/Topic: Photo Enforcement Program Discussion Proposed Council Action/Motion: No Action/Motion. This is the second of several discussions on a proposed new traffic photo enforcement program. Provide questions and feedback, including feedback on proposed locations and fines.	For Council Meeting Agenda of: 12/06/2021 Department: <u>Engineering – Public Works</u> Prepared by: <u>Tobin Bennett-Gold, Traffic Engineer</u> Approved by Department Head: <u>Initial & Date</u> <u>JFV 11/30/2021</u> Approved by City Attorney: <u>N/A</u> Approved by Finance Director: <u>N/A</u> Approved by City Manager: <u>RGK 11/29/2021</u> Exhibits/Attachments: Attachment A: Changelog for Photo Enforcement Technical Memorandum Attachment B: Photo Enforcement Technical Memorandum (Revised Draft) Attachment C: Draft KMC Language
<u>INFORMATION/BACKGROUND:</u> Kenmore City Council included automated photo enforcement as part of the 2020 Financial Sustainability Plan (FSP), and photo enforcement was a safety recommendation of the 2014 Pedestrian and Bicycle Safety Task Force. In the state of Washington, automated photo enforcement is permitted for use only to enforce red-light violations and school zone speeding violations. If implemented correctly, photo enforcement can be an effective tool for reducing crash risk for all road users as well as providing a stable, long-term revenue source for investment in our transportation infrastructure. Careful attention to the details of program implementation can help create a program that not only reduces crash risk in areas where photo enforcement is implemented, but also promotes equity and travel safety city-wide through judicious application of the revenue generated. At the November 8th City Council meeting, staff discussed high level program goals: 1. Increased Safety: Reducing crash risk in the City of Kenmore, particularly for vulnerable road users in school zones and crosswalks, supports the City’s Target Zero resolution and the City’s Target Zero Goal of having no pedestrian or bicycle deaths or serious injuries resulting from collision with a motorized vehicle by the year 2025. Furthermore, automated photo enforcement is a proactive measure to reduce crash risk in high-risk areas in order to prevent crashes before serious and fatal injury crashes can occur. The additional specific considerations for each type of automated photo enforcement are as follows: a. School Zone Speed Reduction: Travel speeds are significantly reduced in school zones where automated speed enforcement is implemented. Reducing travel speed can reduce risk of crashes by over 50% and reduce risk of fatal crashes by over 85% (based on observed travel speeds but varying depending on location). Pedestrians and cyclists especially benefit from lower vehicle speeds—their survivability of a crash with a car goes up exponentially as vehicle speed goes down. b. Pedestrian Crossing Safety: A high frequency of pedestrian conflicts, where the pedestrian must alter their path to avoid being hit by a vehicle, is an indicator of a location where	

pedestrian crashes are likely to occur. Pedestrian crossing conflicts due to red-light violations are reduced at signalized intersections where photo enforcement is implemented. Rates of pedestrian-vehicle conflicts exceeding 80% of peak-hour crossings have been observed due to red-light violations, compared to a baseline of 0%-5% at locations without similar red-light violations.

2. **City-Wide Safety and Pavement Maintenance Investment:** The revenue generated by photo enforcement will support the continued investment in transportation safety improvements and pavement maintenance throughout the City of Kenmore.
3. **Public Buy-In and Program Transparency:** The implementation and continued operation of the program includes clear and consistent public communication regarding program processes, safety value, and revenue allocation. Information regarding the program will be communicated to the public through a variety of outreach channels in advance of implementing the program, and throughout the continued operation of the program.
4. **Fair Enforcement Practices:** Presence of photo enforcement is clearly signed for both automated red-light enforcement and automated speed enforcement. School-zone speed limits are clearly signed and active enforcement times are clearly indicated with high-visibility school-zone flashers. As another example of fairness, the RCW requires that yellow phase duration at photo enforced traffic signals may not be shortened. All traffic movements identified as likely violations are reviewed by police before a notice of infraction is issued. A proposed minimum of a two-month warning period (where warnings are issued by mail instead of notices-of-infraction) is implemented for all new photo enforcement locations.

Equitable Program Practices: The photo enforcement program clearly and unequivocally supports the City of Kenmore's social and economic equity values and goals, including but not limited to the financial impact on drivers, driver interaction with law enforcement and court systems, and infrastructure investment from revenue generated by photo enforcement. Detection of violations is done absent of any identifying information which could be subject to explicit or implicit bias. Road users most likely to incur fines are drivers of personal vehicles, a group which has a disproportionately low representation of individuals belonging to economically vulnerable households (PSRC 2019 Travel Survey).

The attached photo enforcement technical memorandum will be used to draft program policies and procedures which will be submitted to council for final approval. Aspects of the program for which specific council feedback is requested are the following:

- Initial locations for automated photo enforcement
- Fine schedule for violations detected by automated photo enforcement

Discussion of site selection criteria and recommendations and discussion of fine schedule considerations and recommendations can be found in the attached technical memorandum and in the contents of the November 8th Agenda Bill; the discussion included in that agenda bill, as well as the proposed timeline, are reproduced here for convenience. Also attached for review is the proposed draft language for adding photo enforcement into the Kenmore Municipal Code.

Site Selection Criteria

A photo enforcement program is not a subtle measure for improving transportation safety or for generating revenue, and it should not be the solution of first resort when other less impactful options are likely to be effective. To this end, sites considered for photo enforcement were limited by criteria specific to each type of photo enforcement.

For automated red-light enforcement, consideration was limited to sites which met all of the following criteria:

- Crash analysis or pedestrian or bicycle conflict study has been conducted for the intersection and has identified an elevated risk of crashes which can be reduced by automated red-light enforcement.
- In-person enforcement by law enforcement officers has demonstrated that the presence of enforcement is an effective correction for the hazard identified.
- Intermittent enforcement has been shown to not effectively correct the hazard in a consistent and sustainable manner.

For automated school-zone speed enforcement, consideration was limited to sites which met all of the following criteria:

- The site is a roadway segment within a school zone.
- A speed study shows that during active school-zone hours there is excessive speeding present such that the site would meet the criteria for traffic calming on the basis of the 20 mph school-zone speed limit (i.e. mean speed exceeding 25 mph or 85th percentile speed exceeding 30 mph).
- The site is on an arterial or collector road, or within the past five years the site has experienced crashes within the school zone (during active school-zone hours or not).

Of the sites that met these criteria, the reduction in crash frequency was estimated for each site based on the crash history of the site and the expected reduction in travel speed or expected reduction in red-light violations. It is recommended that the sites with the highest expected crash reduction, in terms of crashes per year, be prioritized for photo enforcement.

Based upon the data using the above site selection criteria, the following three locations rate highest for photo enforcement:

1. Automated red-light enforcement for east-bound left-turn movements at the intersection of 61st Avenue and Bothell Way (SR 522)
2. Automated speed enforcement in the Arrowhead Elementary school zone on Juanita Drive near Arrowhead Drive
3. Automated speed enforcement in the Kenmore Elementary school zone on 73rd Avenue near 71st Avenue

Proposed Fine Schedule

For in-person enforcement, a fine for a school zone speed violation is a minimum of \$217 for 1-5 mph above the school-zone speed limit, \$237 for 6-10 mph above the speed limit, and \$299 for 11-15 mph above the speed limit, with higher fines still at further increments of 5 mph. The fine for failing to stop at a red light is \$139. Because automated enforcement is highly effective and identifies nearly all violations which occur, it carries a risk of exacting a higher financial burden on drivers than intermittent enforcement as performed by in-person officers. To avoid presenting a disproportionate fine to drivers engaging in “accidental” or “inattentive” speeding, and to mitigate the risk of presenting an onerous fine to drivers belonging to households with economic insecurity, a graduated fine system is proposed that would allow for substantially lower fines for lower speed offenses, while still reserving punitive fines for reckless and egregious behavior. The recommended fine schedule for automated enforcement fines is the following:

Automated Red-Light Enforcement

\$100	Failure to Stop at a Red Light
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Automated School-Zone Enforcement

\$100 Exceeding the School Zone Speed Limit by 6+ MPH When School Zone is Active

\$250 Exceeding the Regulatory Speed Limit 6+ MPH When School Zone is Active

Proposed Timeline

Nov '21 – Dec '21	Council discussion on proposed new traffic photo enforcement program
Jan '22	Public hearing, and council vote to approve photo enforcement program
Jan '22 – Feb '22	RFP and selection of contractor for lease and operation of cameras
Feb '22	Council award of photo enforcement contract
Mar '22	Installation of advanced warning signs for photo enforcement locations, installation of photo enforcement cameras
Apr '22	Start of warning period: photo enforcement cameras become active and warnings are issued in lieu of notices of infraction.
Summer '22	Automated red-light enforcement warning period ends no sooner than 2 months after cameras become active. School-zone speed enforcement cameras not active during summer.
Fall '22	Automated speed enforcement warning period ends, cameras begin issuing fines at start of school year. Photo enforcement program is now fully implemented.

FISCAL CONSIDERATION:

Low-range for estimates based on the recommended locations all meet or exceed \$1.7M net revenue annually, meeting or exceeding estimates included in the 2020 Financial Sustainability Plan approved by Council.

Exclusion of photo enforcement revenue from the City budget would leave a \$1.7M shortfall in traffic engineering, traffic safety, and pavement preservation budgets.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Goal #6: Focus on and emphasize multimodal transportation in the City of Kenmore with a specific focus on pedestrian, bicycle, and other means of travel.



City Of Kenmore, Washington

Technical Memorandum

TO: City of Kenmore City Council

FROM: Tobin Bennett-Gold, PE
City of Kenmore Traffic Engineer

DATE: November 19th, 2021

SUBJECT: Changelog for Photo Enforcement Technical Memorandum

11/19/2021

- P1 Date of memorandum updated to November 19, 2021
- P12 Bullet and footnote added regarding warning period at beginning of school year



City Of Kenmore, Washington

Technical Memorandum

TO: City of Kenmore City Council

FROM: Tobin Bennett-Gold, PE
City of Kenmore Traffic Engineer

DATE: November 19th, 2021

SUBJECT: Proposed Photo Enforcement Policy and Program Structure

Executive Summary

Kenmore City Council included automated photo enforcement as part of the 2020 Financial Sustainability Plan (FSP), and photo enforcement was a safety recommendation of the 2014 Pedestrian and Bicycle Safety Task Force. In the state of Washington, automated photo enforcement is permitted for use only to enforce red-light violations and school zone speeding violations¹. If implemented correctly, photo enforcement can be an effective tool for reducing crash risk for all road users as well as providing a stable, long-term revenue source for investment in our transportation infrastructure. Careful attention to the details of program implementation can help create a program that not only reduces crash risk in areas where photo enforcement is implemented, but also promotes equity and travel safety city-wide through judicious application of the revenue generated.

Historically the largest obstacle to photo enforcement programs is lack of public buy-in, and so the implementation of a successful and long-lived photo enforcement program will require explicit measures to promote fair practices, transparency, and communication. If done well, the photo enforcement program can be an instrument of positive public safety and equity in the City as a whole. If done poorly, the City is at risk of implementing a program that is unpopular, short-lived, and closes the door to future attempts at photo enforcement when trust is lost between City Hall and Kenmore residents.

The proposed photo enforcement timeline includes extensive council discussion and input before voting whether to approve a proposed photo enforcement program. The activation of photo enforcement cameras can be completed by April of 2022, followed by a warning period during

¹ Other use-cases are permitted for conditions which do not exist the City of Kenmore, e.g. railroad crossings.

which warnings will be issued in lieu of notices of infraction. After the conclusion of the warning period, notices of infraction will be issued and revenue will be generated from fines consistent with projections made in the FSP. Every step of program implementation will be accompanied by extensive public outreach and communication.

Legal Framework and Regional Precedent for Photo Enforcement

The restrictions and requirements of the use of photo enforcement in the State of Washington are set forth by the Revised Code of Washington (RCW) 46.63.170 which restricts use of photo enforcement (“traffic safety cameras” in the language of the RCW) for issuance of notices of infraction for red-light violations at signalized intersections of two or more arterial streets, and for issuance of notices of infraction for school speed zone violations. Other requirements that a program must meet are the following:

- The city must prepare an analysis of the locations where automated photo enforcement is proposed to be located.
- The city must enact an ordinance allowing for the use of traffic safety cameras.
- Locations where photo enforcement is to be installed must be clearly marked thirty days prior to activation of cameras.
- The city must post an annual report which at minimum states the number of notices of infraction issued and the number of crashes which occurred for each location where traffic safety cameras are in use.
- For automated red-light enforcement, yellow-phase intervals must be at least as long as the minimums set by the Manual on Uniform Traffic Control Devices, and the interval may not be shortened after photo enforcement is implemented.

Per the process outlined in the RCW, all violations must be reviewed by a law enforcement officer, and it is the law enforcement officer who then issues the notice of infraction. The RCW additionally states that the notice of infraction is to be mailed to the registered owner of the vehicle within 14 days of the violation, and includes requirements for what documentation will be provided to the registered owner of the vehicle. The RCW also stipulates the process by which the vehicle’s registered owner may overcome presumption of fault². Though it is not stated in the RCW, instructions for contesting the violation or for overcoming the presumption of fault are

² Primarily, reference is made to RCW 46.63.075(2) which states “This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.”

often included in the documentation provided to the vehicle's registered owner along with the notice of infraction.

The RCW additionally states that Infractions generated by photo enforcement may not become part of a driver or vehicle owner's driving record, and must be processed in the manner of parking fines. The implications of this are that red-light violations and speeding violations are not treated as moving violations when identified through a photo enforcement program, and as such do not contribute to the suspension of a person's drivers license. Additionally, collections of outstanding fines and reporting of outstanding fines for the purpose of placing a hold on vehicle registration are at the discretion of the city³ and may be subject to the city's policy on reporting outstanding tickets to the Department of Licensing.

Although not mentioned in the RCW with regards to photo enforcement, flashing school zone beacons (which are active exclusively during times when the school-zone speed limit is in effect) have become established regional precedent for signaling drivers when automated enforcement is active for school zones (in addition to standard signing which is required by the RCW).

Cities with Photo Enforcement	School Zone Hours per Day
Bellevue	1.50
Issaquah	9.00
Kenmore	3.00
Kent	2.00
Kirkland	2.00
Lake Forest Park	8.50
Renton	3.25
Seattle	2.75

Hours during which school-zone speed limits are active are the discretion of the city, and school-zone speed limit hours vary widely across the region. School zone hours for Kenmore are currently 75 minutes before start of classes until 15 minutes after start of classes, and 15 minutes before dismissal until 75 minutes after dismissal, for a total of 90 minutes twice per day. These cover 15 minutes of school commute activity before the start of the earliest campus activities until 15 minutes after most after-school campus activities have ended.

Fines for violations detected by photo enforcement and threshold speed for issuing a notice of infraction are also at the discretion of the city, as is the fine structure (fixed value or graduated by speed). The RCW states that the

City	Speed Threshold	Fine Schedule	Fine Amount
Bellevue	28 mph	Fixed	\$124
Des Moines	26 mph	26-30 31+	\$210 \$250
Edgewood	24 mph	24-30 31+	\$166 \$250
Federal Way	26 mph	26-30 31+	\$210 \$250
Issaquah	27 mph	Fixed	\$124
Kent	26 mph	26-30 31+	\$136 \$248
Kirkland	26 mph	26-30 31+	\$136 \$250
Lake Forest Park	26 mph	Fixed	\$136
Lynwood	26 mph	26-35 36+	\$124 \$250
Renton	28 mph	26-35 36+	\$124 \$250
Seattle	26 mph	Fixed	\$237

³ The jurisdictional agency for a photo enforcement program in the State of Washington is not required to be a city, but for the sake of brevity the jurisdictional agency will be referred to as "the city" for the purposes of this memorandum.

maximum permissible fine for infractions issued by photo enforcement may not exceed the value of fines issued for parking infractions⁴, although regionally fines do not typically exceed \$250.

The city operating the photo enforcement program retains 100% of all fines collected. The contractor selected to install and operate the photo enforcement system will be paid a fixed fee; the RCW explicitly prohibits compensation paid to contractors based upon a portion of the revenue generated. Although not paid directly from the fine amount, the increase in court services amounts to a cost of approximately \$30 per infraction processed, on average. Across programs regionally, a non-payment rate of roughly 30% is typical, either through failure to respond to a notice of infraction, or through successful contestation of the infraction, or by overcoming the presumption of fault. The cost of court services related to forms of non-payment are included in the estimated cost of court services per notice of infraction issued.

The following is the proposed fine schedule for an automated photo enforcement program in Kenmore:

Automated Red-Light Enforcement

\$100 Failure to Stop at a Red Light

Automated School-Zone Enforcement

\$100 Exceeding the School Zone Speed Limit by 6+ MPH When School Zone is Active

\$250 Exceeding the Regulatory Speed Limit 6+ MPH When School Zone is Active

In this graduated fine structure, the lower tier fine would be triggered when traveling at 26+ mph through any active school zone with photo enforcement⁵, and the higher tier fine would be triggered by traveling 31+ mph through an active school zone on a road with a 25 mph regulatory speed limit, 36+ mph on a road with a 30 mph regulatory speed limit, and 41+ mph on a road with a 35 mph regulatory speed limit. Speed limits in the City of Kenmore are representative of land use, mobility, and infrastructure context, and thereby serve well as relative-risk indicators for determining what constitutes reckless and egregious speeding behavior. By contrast, the lower tier fines for speeding at 6+ mph in excess of the school zone speed limit and for failing to stop at a red light (which most frequently occurs shortly after the yellow-light phase) correspond to more commonly occurring violations and violations associated with inattention to speed control, poor judgment of signal control, or low respect for compliance with signal control. Setting a relatively low value for the fines which impact the most drivers reduces the risk of placing undue financial burden on individuals belonging to economically vulnerable households. Lower values for the fines which will impact most drivers will also be more favorable for soliciting buy-in from residents and road users, and help to explicitly demonstrate the intention of the City

⁴ In Kenmore, the highest fine for a parking infraction is \$450, which corresponds to "Parking in a Disabled Zone without a Disabled Placard/Plate".

⁵ All school zones speed limits are 20 mph per the RCW.

to minimize the impact and the burden placed on drivers who are issued notices of infraction by the photo enforcement system.

Low-end revenue estimates for implementing automated photo enforcement at three locations within Kenmore indicate that the revenue expectations set in the FSP and the biennium budget are met under the proposed fine schedule even given conservative assumptions for number of notices of infraction issued and rates of non-payment.

Crash Risk Reduction

Crash Risk Reduction from Automated Speed Enforcement

Reducing the mean speed of travel on a roadway is directly effective at reducing the risk of crashes occurring and reducing the risk of injury in crashes that do occur. Lower travel speeds result in drivers having more time to perceive and react to hazards or conflicts in order to avoid or reduce the severity of crashes, and vehicles traveling at lower speeds carry less kinetic energy, which in turn reduces the distance and braking power required to bring a vehicle to a stop and reduces the amount of energy dissipated destructively by vehicles and victims in the event that a crash does occur. A substantial body of research exists which shows that reducing the mean speed of a roadway will result in a proportional reduction in expected crash frequency, a reduced risk of crash injury proportional to the square of the speed reduction, and a reduction in risk of fatal crash injury even more substantially.⁶ A reduction in mean speed from 35 mph to 20 mph (approximately a speed reduction of 40%) for example would result in roughly a 40% reduction in expected crash frequency, a 70% reduction in expected frequency of injury crashes, and a 90% reduction in expected frequency of fatal crashes.

This reduction in crash risk and risk of crash injury is a benefit to the safety of all road users traveling in a reduced speed environment, but the road users most vulnerable to severe and fatal injury during a crash are cyclists and pedestrians, and young students walking or biking to and from school are more vulnerable still. In crashes where a pedestrian is struck by a vehicle, the pedestrian will suffer fatal injury in roughly two out of three crashes when the vehicle is traveling 35 mph, but a pedestrian will suffer fatal injury in roughly only one out of ten crashes when the vehicle is traveling 20 mph.

Although the safety benefit of photo enforcement is most appropriately described in terms of reduced mean travel speed, the criteria by which photo enforcement programs are measured is most commonly in terms of the reduction in violations in the enforcement area. The typical effectiveness of automated speed enforcement regionally is that school zones in which photo enforcement is implemented experience a 40% reduction in school-zone speeding violations in the first year of implementation, and then a further 40% reduction in school-zone speeding

⁶ Elvik, R. (2005). Speed and Road Safety: Synthesis of Evidence from Evaluation Studies. Transportation Research Record, 1908(1), 59–69.

violations over the following several years, resulting in an overall long-term reduction in school-zone speeding violations of around 64%.

To estimate the safety benefit of a specific site, a conservative assumption is that the mean speed is reduced only enough to reduce the frequency of school-zone speeding violations by 64%, and only for the vehicles which would exceed the threshold for enforcement, while the speed of other vehicles is assumed to remain unchanged. It is proposed that sites in Kenmore should be considered for automated speed enforcement if they meet at least one of two criteria: school zones which are on arterial or collector streets, and school zones which have experienced at least one crash in the past five years. The safety benefit of implementing photo enforcement at these sites is expressed as the estimated absolute reduction in expected crashes per year. The sites that would meet these criteria for consideration and the estimated safety benefit of implementing automated speed enforcement are as follows:

Location	Current Mean Speed	Estimated Mean Speed Reduction	Estimated Reduction in Crash Risk All / Injury / Fatal	Historical Observed Annual Crashes ⁷	Expected Annual Crash Reduction ⁸
Juanita Dr near 153rd Pl	37.0 mph	20%	5% / 7% / 11%	2.2	0.11
153rd Pl east of Juanita Dr	29.9 mph	10%	3% / 4% / 6%	0.4	0.01
84th Av north of 150th St	32.7 mph	14%	4% / 5% / 9%	0.2	0.01
71st Av south of Kenmore Elem.	24.0 mph	3%	2% / 3% / 6%	0.2	0.00
73rd Av south of 192nd St	30.4 mph	11%	3% / 4% / 7%	1.0	0.03
192 nd St east of 73 rd Av	24.0 mph	3%	2% / 3% / 6%	0.4	0.01
202nd St west of 68th Av	34.7 mph	18%	4% / 6% / 10%	0.4	0.02

Based on total crash reduction, it is proposed that automated speed enforcement be implemented initially at two locations:

1. Arrowhead Elementary school zone on Juanita Drive near Arrowhead Drive
2. Kenmore Elementary school zone on 73rd Avenue near 71st Avenue

It is worth noting that school-zone speed limits are in effect only during a short number of hours per day, only during weekdays, and only during the school year. Most school zones in Kenmore are active a total of three hours per school day, which amounts to just below 7% active time overall annually, affecting approximately 20% of daily traffic volume on school days and approximately 10% of the traffic volume traversing the facility each year. Current school zone

⁷ Based on crashes which occurred within school-zone extents in the 5 year period from 2015 through 2019.

⁸ In the case of automated speed enforcement, the safety benefit of speed reduction is prorated according to the hours when school zone speed limits are in effect.

hours are scheduled to cover times when parent and student school commute traffic is most likely to be present in the school zone, but adjusting the active times for school-zone speed limits can have dramatic effects on the safety benefit provided to other road users, and to vulnerable road users that may be present in the facility outside of school commute hours.

Also worth noting is that speed reduction measures during times of high traffic volumes have a magnified effect: Unless passing is possible, drivers can only travel as fast as the vehicle in front of them. In this case, successfully slowing one vehicle can slow an entire platoon of vehicles and extend the speed reduction effects far beyond the immediate area where the speed reduction treatment has been applied. The estimates for speed reduction and crash reduction do not factor in magnified effects of speed reduction during higher volume hours and so these estimates are likely to be conservative with regards to the geographic area which will benefit from speed reduction and crash risk reduction.

Crash Risk Reduction from Automated Red-Light Enforcement

A red-light violation occurs when a driver enters a signalized intersection after the traffic signal controlling their lane has turned red. Vehicles which already occupy the intersection when the signal transitions from yellow to red are not committing a red-light violation. The most common types of red-light violations are ones in which queued traffic continues to enter the intersection through the yellow-light phase and continuing into the red-light phase (sometimes with multiple consecutive vehicles continuing to enter the intersection into the red-light phase), and ones which happen very shortly after the signal transition from yellow to red (within 2 seconds or less) when drivers attempting to enter during a yellow phase misjudge the timing and instead enter during the red phase. Crashes caused by red-light violations are often angle-crashes and turning-crashes, both of which carry the highest risk of severe and fatal injury of any crash by type (compared to, for example, rear-end crashes and side-swipe crashes, which have very low relative risk of fatal and serious injury compared to crashes of other types).

The specific geometry and signal phasing of an intersection can also affect the crash risk associated with red-light violations. In the case of 61st Avenue and Bothell Way, a high frequency of red-light violations for left-turn traffic on eastbound Bothell Way presents a high frequency of conflicts with pedestrians entering the crosswalk during the protected pedestrian crossing phase on the north leg of the intersection. A pedestrian conflict is defined as when a legally-crossing pedestrian must alter their path to avoid a vehicle (either by stopping in their path or accelerating to clear the conflict area). Pedestrian conflicts represent “near-misses” which, in unluckier circumstances, may have escalated to pedestrian crashes; in areas where pedestrian conflicts are frequent, the risk of pedestrian crashes is high. A pedestrian conflict study conducted in 2019 at the intersection of 61st Avenue and Bothell Way indicated that during peak volume hours pedestrian conflicts were experienced by over 80% of pedestrians crossing the north leg of the intersection. The baseline rate for pedestrian conflicts at a signalized or stop controlled intersection is very low – other studies conducted in the City of Kenmore typically show pedestrian crossing conflicts at a rate of 0% to 5% during the peak volume hours.

Automated red-light enforcement has been shown to be very effective at reducing red-light violations, varying from a 40% reduction in red-light violations that occur within 0.5 seconds of the light transitioning to an 86% reduction in red-light violations which occur 1.5 seconds or more after the light transitioning. Although studies show that automated red-light enforcement unequivocally reduces the frequency of red-light violations and the frequency of crashes related to red-light violations, there is also consistent evidence showing that automated red-light enforcement increases the frequency of rear-end crashes (as might be related to sudden braking to avoid a red-light violation). The safety value of implementing red-light cameras therefore is based on the difference between the value of the crashes prevented and the cost of the crashes which may be introduced. For this reason, automated red-light enforcement is not a one-size-fits-all solution for improving intersection safety, and careful engineering analysis is required to determine where and how automated red-light enforcement can be applied to best improve intersection safety. The following criteria must be assessed when considering whether automated red-light enforcement is appropriate for a given location:

- Whether or not there is an elevated risk of crashes associated with red-light violations.
- To what degree is the implementation of automated red-light enforcement likely to increase rear-end collisions.
- To what degree are the types of red-light violations observed at this location likely to be correctable by photo enforcement.

In the case of the 61st Avenue and Bothell Way intersection, although there is a high frequency of pedestrian conflicts observed directly relating to right-light violations, the crash history of the intersection does not suggest that red light violations are contributing to other types of crash risk. Observation of the intersection indicates that red light violations occur almost exclusively due to queueing in the eastbound left-turn lane when drivers continue to make eastbound-to-northbound left-turns even after the signal has changed. When police presence was dispatched to address the concern, the occurrence of red-light violations stopped completely, though only when police were conspicuously present. Based on these factors, there is an opportunity to precisely right-size photo enforcement for this intersection by applying automated red-light enforcement only to the eastbound-to-northbound left-turn lane where the occurrence of red-light violations is high, but because of the nature of queued traffic being slow-moving the risk of increasing the frequency of rear-end crashes is very low. Because of the driver response to conspicuous enforcement, it is expected that photo enforcement at this location would be near-completely effective at eliminating pedestrian conflicts, providing substantial safety value and greatly reducing the risk of a pedestrian crash due to red-light violations occurring at this location in the future.

Based on these factors, it is proposed that automated red-light enforcement be initially implemented for east-bound left-turn movements at the intersection of 61st Avenue and Bothell Way (SR 522).

Other locations in Kenmore may also be suitable for implementation of automated red-light enforcement, for the purposes of reducing risk to vulnerable road users, to motor vehicle traffic, or both. The changes to traffic patterns and travel volumes which accompanied the COVID-19 pandemic, however, have made it impossible to determine where these problems may be occurring under normal traffic conditions.⁹ As travel volumes continue to recover other locations suitable for automated photo enforcement may become apparent through continued study and observation of signalized intersections in the City of Kenmore.

Fairness, Transparency, and Public Buy-In

The single characteristic which is almost universally prevalent in failed photo enforcement programs is lack of public buy-in. Either through working with their council or legislature representation or through voter-driven initiatives, countless photo enforcement programs regionally and nationally have been ended by grass-roots political action spearheaded by residents who feel that photo enforcement does not serve their interests or impacts them unfairly. In some cases the residents taking issue with photo enforcement programs may have well-founded concerns with how the program is being delivered, but many well-intentioned programs have also been toppled by misinformation, poor communication, and insufficient transparency. If the City of Kenmore is to put in place a photo enforcement program that is well intentioned and well implemented, it is still critical that communication with residents address the concerns that residents have and communicate the benefits they receive in order for the program to have the public buy-in required for its long-term success.

One of the most ubiquitous criticisms of photo enforcement is that it is used as a fundraising tool while disingenuously being presented as a traffic safety program. The traffic safety benefits of photo enforcement programs are well documented regionally, nationally, and world-wide, and the benefits of implementing a photo enforcement program in Kenmore will be evident in the changes in driver behavior and reduction in crash frequency in the years following implementation. The minimum reporting requirements by state law are that a city using photo enforcement publish the number of crashes and number of notices of infractions issued in photo enforcement areas annually. Above and beyond this requirement, city staff has already created a website detailing the timeline and progress leading up to photo enforcement implementation,

⁹ Important to note is that under pandemic traffic conditions the extensive queueing and high frequency of red-light violations and subsequent pedestrian conflicts at 61st Avenue and Bothell Way has all but evaporated. Because the volume of traffic has been the only change to this intersection, however, it is reasonable to expect that when higher traffic volumes return the problematic behavior will return as well.

and this website will serve as the nexus for all information related to photo enforcement within the City. Information available on this website will include at least the following:

- Detailed explanation of site selection process
- Annual frequency of speeding and red-light violations beginning at the time of photo enforcement implementation
- Travel speed statistics for school zones, including historical speed statistics from before the implementation of photo enforcement, and speed statistics from school zones not receiving photo enforcement
- Annual crash frequency and number of notices of infractions issued for photo enforcement areas per RCW reporting requirements
- Annual revenue generated by each photo enforcement location
- High-level overview accounting for how photo enforcement revenues are used
- List of projects planned and delivered using photo enforcement revenue

The revenue generated by photo enforcement can be substantial even when fines are modest, but implementation of photo enforcement as a means of generating revenue is a common thread in negative sentiment surrounding photo enforcement programs. There is evidence that Kenmore residents are open to a photo enforcement program part of the City's revenue plan; during the development of the Financial Sustainability Plan (FSP), the "Balancing Act Budget Simulator Tool" available on the City's website showed photo enforcement as the single most popular revenue enhancement strategy. This sentiment can be built upon – tying photo enforcement specifically to the maintenance of public roads and improvement of transportation safety throughout the City is an important facet of soliciting public buy-in and addressing concerns about photo enforcement as a revenue-generating tool by committing that revenue to furthering the goal of providing a safe and effective transportation environment for all road users. Covering these expenditures is the purpose for which the photo enforcement program was introduced into the FSP, and clear and consistent messaging can underscore the transportation safety and operational benefit residents are receiving from photo enforcement revenue.

The goal of effective photo enforcement is to reduce red-light violations or to reduce dangerous speeding behavior, but enforcement (including photo enforcement) is the tool of last resort for achieving these goals. When public buy-in is critical to the success of a program, it is important that drivers have every opportunity to avoid or self-correct problematic behavior or be otherwise deterred before being penalized with a fine. If photo enforcement is perceived to "create" the problem it is solving, for example by suddenly reducing the speed limit immediately before

issuing a fine for not traveling at the reduced speed, then photo enforcement will not be viewed as a tool for improving transportation safety but rather as a deceitful method of extracting revenue from drivers. The paradox of creating a photo enforcement program which solicits public buy-in is that the photo enforcement program must take all reasonable steps to minimize the number of violations issued by the program. In service of this goal, it is proposed that the City of Kenmore photo enforcement program take the following steps to allow drivers to self-correct problematic driving behavior before they are issued a notice of infraction by the photo enforcement program:

For all photo enforcement locations:

- New photo enforcement locations will be advertised widely using the City's available outreach tools, including but not limited to the City website, social media accounts, and quarterly newsletters.
- Advance signing will be present for all locations clearly indicating the presence of photo enforcement on the upcoming facility. Signing will be installed at least thirty days before equipment is activated (as required by the RCW) and will be marked with high-visibility flags for a period of at least thirty days after photo enforcement becomes active.
- After installation of photo enforcement devices, each new photo enforcement location will issue warning letters to violators in lieu of notices of infraction for a period of at least two months before notices of infraction and associated fines are issued to violators. For the initial implementation of photo enforcement in the City of Kenmore, warning periods will be substantially longer.
- All traffic movements which are detected as likely violations will be reviewed by Kenmore police officers before a notice of infraction is issued for the violation.

For automated school zone speed enforcement:

- All school zones with automated speed enforcement will be delimited with flashing school-zone beacons, and photo enforcement will be active exclusively at times during which the beacons are active.
- Speed feedback signs will be present in advance of school zones to notify drivers of their current speed and allow drivers to moderate their speed before approaching an automated enforcement area.
- A graduated fine system will issue a fine of \$100 for exceeding the school zone speed limit by more than 5 mph (i.e. fines beginning at 26 mph), and a \$250 fine for exceeding the regulatory speed limit by more than 5 mph (i.e. beginning at 41 mph if the regulatory

speed limit is 35 mph). The tiered fine structure allows for only moderate fines for “accidental” or “inattentive” speeding in school zones in order to facilitate driver awareness, while still allowing punitive fines for reckless speeding more in line with what would be issued by in-person enforcement for school zone offenses.

- Automated school zone speed enforcement will issue warnings for the calendar week which includes the first day of school for the Fall semester each year.¹⁰

For automated red-light enforcement:

- Stop bars for photo-enforced lanes will be clearly marked.
- Actuation zones for red-light violations will be set at the point where the photo-enforced lane would enter a conflict with opposing traffic. In the case of eastbound left-turn traffic this is roughly one car-length past the stop bar, and in a case where there is a crosswalk present, this would include encroachment in the crosswalk. This allows for a more forgiving stop location than if enforcement were triggered just past the stop bar.
- The photo enforcement program will issue a fixed fine of \$100 for red-light violations, a value moderately lower than what would be issued by in-person enforcement for a first-time offense.

Providing substantial warning periods and public outreach, advanced signing indicating the presence of photo enforcement, advanced flashing beacons and speed feedback signs at entry to automated speed enforcement zones, forgiving enforcement zoning for red-light enforcement, police review before notices of infraction are issued, and moderate values for fine amounts will help underscore the position that revenue generated from photo enforcement is in support of creating a safe and effective traffic environment and not for the sole purpose of extracting fines from drivers.

Driver Impact and Equity

It is critical that the photo enforcement program clearly and unequivocally support the City of Kenmore’s social and economic equity values and goals in each way that it interacts with individuals as well as social and governance systems, including but not limited to the financial impact on drivers, driver interaction with law enforcement and court systems, and infrastructure

¹⁰ The first day of school is typically the first Wednesday in September; this accommodation means that notices of infraction would not be issued for the Wednesday, Thursday, and Friday of the week when school starts for the Fall semester. Notices of infraction will be issued per normal beginning the following week. This special warning period will recur each year, and is not limited to the year the site first received automated photo enforcement.

investment from revenue generated by photo enforcement. The nature of photo enforcement has several intrinsic characteristics which are positive for equity:

- Road users most likely to incur fines are drivers of personal vehicles, a group which has disproportionately low representation of individuals belonging to economically vulnerable households.¹¹
- Detection of violations and issuance of notices of infraction are done based on objective criteria and without access to personally identifying information, removing the most substantial avenues for introduction of implicit bias into enforcement practices.
- Notices of infraction are processed in the manner of parking tickets, rather than moving violations; photo enforcement therefore will not contribute to a driver's license suspension and risk impacting that driver's access to transportation and mobility.

In addition to these characteristics which are intrinsic to any photo enforcement program which meets the requirements stated in the RCW, other practices which support equity can be explicitly included in the City of Kenmore's photo enforcement policies and practices.

- The fine schedule can be set such that fines most commonly incurred by drivers are set at a level that does not present undue financial burden for individuals belonging to economically vulnerable households.
- The revenue generated by photo enforcement can be used to provide traffic safety improvements in areas which do not directly benefit from the crash reduction effect of photo enforcement.

¹¹ Puget Sound Regional Council (PSRC) Spring 2019 Travel Survey. As a percentage of trips, households with an income of \$25,000 or less have the lowest rate of personal vehicle usage by percent-of-trips, with 75% of trips (cont'd on p13)

(cont'd from p 12)

made by car, compared to 85% of trips made by car for households with an income of \$25,000 to \$74,999, and 80% of trips by car made by households with an income of \$75,000+. Although this still represents a high percent of trips completed by personal vehicle for lower- and middle-income groups, higher-income households (with household income of \$100,000 or more) are responsible for approximately 50% of all trips made regionally, and responsible for more than three times the number of trips as lower-income households (with household income less than \$50,000). On a statistically representative road, it can be expected that slightly more than half of all personal vehicle trips are made by drivers belonging to households with incomes of \$100,000 or more, and less than 20% of personal vehicle trips are made by drivers with incomes below \$50,000. Households with incomes of \$100,000 or more make up 40% of the households included in the PSRC Travel Survey, while households with incomes less than \$50,000 make up 24% of households included in the survey, indicating that in addition to being the majority share of personal vehicle drivers on the road, higher-income households are also over-represented in personal vehicle travel (50% of car trips made by 40% of households), while lower-income households are under-represented (20% of car trips made by 24% of households).

- For city expenses which must be funded and which may be funded by photo enforcement revenue, photo enforcement revenue can replace the need to enact other fundraising measures which may have regressive impacts on lower-income households.

Importantly, the substantial revenue generated by photo enforcement is a lever for implementing traffic safety and infrastructure maintenance throughout the City, and the application of that revenue can be employed dynamically as the equity needs of the City shift and evolve throughout the life of the photo enforcement program. If careful attention is given to the direct impact on drivers by the inception of the photo enforcement program, and continued attention is given to equitable use of the revenue generated by photo enforcement, then the proposed photo enforcement program can be an instrument of positive public safety and equity in the City as a whole.

Proposed Photo Enforcement Timeline and Public Outreach

The proposed timeline for implementation of photo enforcement is as follows:

Nov '21 – Dec '21	Council begins discussion on proposed new traffic photo enforcement program
Jan '22	Public hearing, and council vote to approve photo enforcement program
Jan '22 – Feb '22	RFP and selection of contractor for lease and operation of cameras
Mar '22	Council award of photo enforcement contract
Mar '22	Installation of advanced warning signs for photo enforcement locations, installation of photo enforcement cameras
Apr '22	Start of warning period: photo enforcement cameras become active and warnings are issued in lieu of notices of infraction.
Summer '22	Automated red-light enforcement warning period ends no sooner than 2 months after cameras become active. School-zone speed enforcement cameras not active during summer.
Fall '22	Automated speed enforcement warning period ends, cameras begin issuing fines at start of school year. Photo enforcement program is now fully implemented.

Each step in the proposed timeline will be accompanied by updates to the photo enforcement website which will reflect the most current photo enforcement news and timeline. Public hearing and council approval will be accompanied by a press release. A city-wide mailer describing photo

enforcement program and schedule will be sent out prior to cameras becoming active. The beginning of warning period, end of warning period for automated red-light enforcement, and end of warning period for automated speed enforcement will each be accompanied by social media release. Each monthly E-news and Kenmore Quarterly will have updates regarding the state of photo enforcement information. Already, several photo enforcement updates have been released in E-news and Kenmore Quarterly publications this year, and a social media release was made regarding the launch of the photo enforcement website.

The website for photo enforcement was created in May '21 and is currently active; the website is updated frequently with changes to the photo enforcement timeline. In addition to the estimated timeline, the website contains frequently-asked-questions (FAQ) regarding the City's purpose for photo enforcement, ticketing practices, site selection, and common concerns addressing misinformation about photo enforcement programs. The FAQ will continue to be updated as more common concerns are brought to the City. Details on site selection will be available on the website after they are presented to council. Once cameras are active, the photo enforcement website will also describe the process for responding to a notice of infraction. Once the program is active, information will be available for each photo enforcement location including at the least information about crash frequency and number of notices of infractions issued.

Chapter 10.45
AUTOMATED TRAFFIC SAFETY CAMERAS

Sections:

10.45.001	Purpose
10.45.010	Authorized use of automated traffic cameras
10.45.020	Notice of infraction
10.45.030	Adjudication of infraction – Procedures
10.45.040	Violation - presumption
10.45.050	Infractions processed
10.45.060	Nonexclusive enforcement
10.45.070	Definition of automated traffic safety camera.
10.45.080	Penalties.
10.45.090	Authorization for use of electronic signatures.

10.45.001 Purpose.

The City recognizes the value of implementing an automated traffic enforcement program in furtherance of city goals of creating safer environment for its citizens.

10.45.010 Authorized use of automated traffic safety cameras.

A. Law enforcement officers of the City of Kenmore and persons commissioned by the police chief are authorized to use automated traffic safety cameras and related automated systems to detect one or more of the following:

1. Stoplight violations; and
2. School speed zone violations.

B. The use of automated traffic safety cameras is subject to the following restrictions:

1. Use of automated traffic safety cameras is restricted to intersections of two or more arterials, and school speed zones.
2. Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. Pictures taken by the automated traffic safety camera may not reveal the face of the driver or of passengers in the vehicle.

C. The City shall clearly mark all locations where automated safety cameras are in use by placing signs in locations that clearly indicate to a driver that the driver is entering a zone where traffic laws are enforced by an automated traffic safety camera.

10.45.020 Notice of infraction.

A. A notice of infraction must be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of the vehicle within 14 days of establishing the renter's name and address under subsection (B) of this section.

B. If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction is issued, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the issuing agency by return mail:

1. A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or
2. A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or
3. In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty. Timely mailing of this statement to the issuing law enforcement agency relieves a rental car business of any liability under this chapter for the notice of infraction.

C. The law enforcement officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter.

D. All photographs, microphotographs, or electronic images, or any other personally identifying data prepared under this chapter are for the exclusive use of law enforcement in the discharge of duties under this chapter and, as provided in RCW 46.63.170(1)(g), are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this chapter. No photograph, microphotograph, or electronic image, or any other personally identifying data may be used for any purpose other than enforcement of violations under this chapter nor retained longer than necessary to enforce this chapter.

10.45.030 Adjudication of infraction – Procedures.

A. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail or request a hearing. The King County District Court shall adjudicate all requests for a hearing to mitigate or contest the notice of infraction.

B. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction.

10.45.040 Violation - presumption.

A. In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera under this chapter and/or RCW 46.63.170, proof that the particular vehicle described in

the notice of traffic infraction was in violation of this chapter and/or RCW 46.63.170, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

B. This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.

10.45.050 Infractions processed.

Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this chapter shall be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(2) .

10.45.060 Nonexclusive enforcement.

Nothing in this chapter prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1)(a), (b), or (c).

10.45.070 Definition of automated traffic safety camera.

For the purposes of this ordinance, "automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, micro-photographs, or electronic images of the rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal, or exceeds a speed limit in a school zone as detected by a speed measuring device.

10.45.080 Penalties.

A. The penalty for red-light infractions committed pursuant to the provisions of this chapter shall be \$100.00.

B. The penalty for school speed zone infractions committed pursuant to the provisions of this chapter shall be as follows:

Speed of Violation	Fine Amount
Exceeding the School Zone Speed Limit by 6+ MPH	\$100.00
Exceeding the Regulatory Speed Limit 6+ MPH	\$250.00

C. Fees and penalties for failure to respond shall follow the standard court schedule for infractions.

10.45.090 Authorization for use of electronic signatures.

In connection with the traffic safety camera program, the police chief, or his or her designee, is authorized to utilize electronic signatures in accordance with the provisions of Kenmore Resolution No. 20-351, and the Uniform Electronic Transactions Act.



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Discussion Relating to Holding In-Person Public Meetings During COVID-19 Proposed Council Action/Motion: Discussion of holding in-person public meetings during COVID-19.	For Council Meeting Agenda of: December 6, 2021 Department: City Manager's Office Prepared by: Dawn Reitan & Rob Karlinsey <u>Initial & Date</u> Approved by Department Head: Approved by City Attorney: DR via email Approved by Finance Director: LS via email Approved by City Manager: RGK Exhibits/Attachments: 1. Governor Inslee's Proclamation 20-28.14 2. Miscellaneous Venues Guidelines 3. State Department of Health Order 20-03.6 Statewide Face Coverings 4. Governor's Proclamation 20-25.17 "Washington Ready"
<u>INFORMATION/BACKGROUND:</u> At the November 22, 2021, City Council meeting, Council passed a motion directing staff to bring back for discussion the topic of holding "in-person" public meetings, rather than holding them entirely online. Normally, the Open Public Meeting Act, codified at Chap. 42.30 RCW would establish the procedures for holding an in-person public meeting. However, because the State of Washington is still under a state of emergency due to the COVID-19 pandemic, certain emergency proclamations and rules apply to the City holding an "in-person" meeting. Those rules are contained in: • Governor's Proclamation 20-28.14 (12/8/20)¹ • Miscellaneous Venues Guidelines (8/31/21) • DOH 20-03.6 Statewide Face Coverings (9/24/21) • Governor's Proclamation 20-25.17 "Washington Ready" (9/13/21) These "COVID-19 Rules" provide a framework for holding in-person meetings during the pandemic.	

¹ Proclamation 20-28.15 extended Proc. 20-28.14 until the state of emergency order is rescinded.

While the COVID-19 Rules provide the legal framework for holding “in-person” meetings, they also raise significant operational issues. The discussion tonight will focus on the required procedures and operational issues that staff anticipates relating to in-person public meetings during the COVID-19 state of emergency.

Governor’s Proclamation 20-28.14 OPMA: Under the proclamation, public meetings are generally prohibited unless:

- a) the meeting is not conducted in-person and instead provides an option(s) for public to attend the proceedings through, at a minimum, telephonic access, and may include other electronic, internet, or other means of remote access, and
- b) provides for all persons attending the meeting to hear each other at the same time

The general prohibition only allows public meetings if they are “not conducted in-person”. But, under an exception, the City Council may, at its option, and in addition to hosting the remote meeting elements hold an in-person component if:

1. The public meeting complies with guidelines for “business meetings” in “Miscellaneous Venues” guidance;
2. Any person wishing to attend in person a public meeting with in-person component must be able to do so at a physical location meeting the requirements herein, either in a primary meeting location or an overflow physical location that provides the ability for all persons attending to hear each other at the same time;
3. If at any time during a public meeting the in-person component cannot comply with each of the requirements herein, the public meeting (to include the telephonic/remote access portions) must be recessed until compliance restored or if compliance cannot be restored, adjourned, continued or terminated; and
4. The public agency holding an in-person public meeting must accommodate, to the extent practicable, those wishing to participate in and/or attend the public meeting by allowing persons to attend the meeting by listening and speaking through operable telecommunication devices (examples include using attendee’s as cell phone with service to connect to a conference calling service, or allowing persons to call in using an attendee’s cell phone with service).

The exception allows an in-person component in addition to the online component, if all requirements are met.

Miscellaneous Venues Guidelines: The “Miscellaneous Venues” guidelines apply to governing bodies of public agencies opting to host in-person public meetings under the OPMA. The guidelines:

- Do not restrict capacity.
- Do not require physical distancing requirements.
- Require public agency to follow current applicable face covering requirements outlined in: Proclamation 20-25, *et seq.*, Secretary of Health Order 20-03.2 (now 20-03.6), and LNI Publication F414-179

DOH 20-03.6 Statewide Face Coverings: The rule requires every person in Washington to “wear a face covering that covers their nose and mouth when they are in a place where any person from outside their household is present or a place generally accessible to any person from outside household”. People are not required to wear face coverings in the following (relevant) situations:

- At a small indoor gathering in a place not generally open to the public;
- While engaged in act of eating or drinking;
- To confirm identification;
- When unable to put on a face covering due to an emergency.

- When outdoors, except at outdoor events or gatherings attended by 500 or more people. The DOH strongly recommends that all people, regardless of vaccination status, wear face coverings in any crowded outdoor setting when it is not feasible to keep adequate distance from others outside of one's household

The face covering rule does not apply to children younger than 5, and people with medical conditions, mental health condition, developmental or cognitive condition or disability prevents wearing a face covering.

Governor's Proclamation 20-25.17 - "Washington Ready": Certain sections of the proclamation are relevant to public meetings, as it:

- Prohibits any individual from failing to wear a face covering as required by SOH face covering order, and any amendments.
- Prohibits any governmental entity from allowing any individual to enter or remain in any indoor space under their control unless the individual is in compliance with SOH face covering order.

Operational impacts

As required by the Covid Rules above, an in-person meeting must also include an online component. If an in-person component is provided, then a physical location must be provided for all persons wishing to attend the meeting, and it must allow all persons attending in-person and online to simultaneously hear persons speaking at the meeting. In addition, all persons must comply with the face covering rules of the State DOH. This raises the following operational issues:

1. Audio challenges (both online and in-person)
2. Technical issues relating to offering both online and in-person components, including Zoom screen management for hybrid attendance by the City Council and staff
3. Mask mandate enforcement. The City should have a plan for the possibility noncompliance with the mask mandate

Other Potential Policy Issues

Vaccine requirement for in-person attendance. The Council may choose to require all in-person attendees to show proof of vaccination. Issues to consider include how vaccine status is checked and verified and a plan for noncompliance.

COUNCIL PRIORITY BEING ADDRESSED:

Council Priority #4: Respond to the Pandemic

JAY INSLEE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR
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**PROCLAMATION BY THE GOVERNOR
AMENDING AND EXTENDING
PROCLAMATIONS 20-05 and 20-28, et seq.**

20-28.14

Open Public Meetings Act and Public Records Act Proclamations

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued several amendatory proclamations, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, I issued Proclamations 20-25, et seq., first entitled *Stay Home – Stay Healthy*, which initially prohibited all people in Washington State from leaving their homes except under certain circumstances, and which I later amended to *Safe Start – Stay Healthy” County-By-County Phased Reopening*, gradually relaxing those limitations based on county-by-county phasing; and, on November 16, 2020 I again amended 20-25, et seq., to *Stay Safe– Stay Healthy - Rollback of County-By-County Phased Reopening Responding to a COVID-19 Outbreak Surge*, in response to a large surge of new cases of COVID-19, increased hospitalizations and ongoing COVID-19 related deaths in Washington State; and

WHEREAS, to enable public meetings to occur while maintaining the social distancing and limitations on in-person interactions necessary to curtail the spread of COVID-19, on March 24, 2020, I issued Proclamation 20-28, prohibiting in-person meetings and waiving and suspending laws and rules concerning RCW 42.56, the Public Records Act, and RCW 42.30, the Open Public Meetings Act that hindered conducting public meetings remotely; and

WHEREAS, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamation 20-28, et seq., have been periodically extended by the leadership of the Washington State Senate and House of Representatives, and which I have acknowledged and similarly extended the prohibitions therein in subsequent sequentially numbered proclamations, which proclamations also contained modifications and guidance regarding the waivers, suspensions, and prohibitions; and

WHEREAS, on December 7, 2020, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions in Proclamation 20-28, et seq., were again extended by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or 11:59 p.m. on January 19, 2021, whichever occurs first; and

WHEREAS, to provide greater opportunity for the public to engage its governing bodies when public health circumstances safely allow, while continuing to maintain critical social distancing and other requirements to prevent further spread of the virus, it is necessary that I amend the prohibition on open public meetings to exempt from this prohibition all meetings as allowed in guidelines for “business meetings”, found in the “Miscellaneous Venues” guidance, and as incorporated into the Proclamation 20-25 et seq., *Stay Safe – Stay Healthy - Rollback of County-By-County Phased Reopening Responding to a COVID-19 Outbreak Surge*; and

WHEREAS, to fully extend Proclamations 20-28, et seq., it is also necessary for me to extend the prohibitions provided therein; and

WHEREAS, to assist in the implementation of Proclamation 20-28, et seq., it is appropriate to restate in one document the prohibitions and the statutory waivers and suspensions currently in effect; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to address the impacts and long-term effects of the emergencies on Washington State and its people.

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situations, and under RCW 38.08, 38.52, and 43.06, do hereby proclaim that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05 and all amendments remain in effect, and that the prohibitions in Proclamations 20-28, et seq., are amended to (1) recognize the extension of the statutory waivers and suspensions of RCW 42.56 and RCW 42.30 restated herein by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID19 State of Emergency or 11:59 p.m. on January 19, 2021, whichever occurs first, (2) similarly extend the prohibitions herein until the termination of the COVID-19 State of Emergency or 11:59 p.m. on January 19, 2021, whichever occurs first, and (3) amend a prohibition herein as set out below.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic and wildfires.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Additionally, I continue to direct the Department of Health, the Washington State

Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

FURTHERMORE, based on the above situation and under the provisions of RCW 43.06.220(1)(h), I find that RCW 42.30, as applied to all public agencies statewide, involves the conduct of state business, and to help preserve and maintain life, health, property or the public peace, and I hereby amend Proclamation 20-05, and 20-28 et seq., to prohibit public agencies as follows:

Prohibition:

Any public agency subject to RCW 42.30 is prohibited from conducting a public meeting subject to RCW 42.30 unless (a) the meeting is not conducted in-person and instead provides an option(s) for the public to attend the proceedings through, at minimum, telephonic access, and may also include other electronic, internet or other means of remote access, and (b) provides the ability for all persons attending the meeting to hear each other at the same time.

Exemption from Prohibition:

As an exception to the above prohibition, public agencies holding public meetings may, at their option and in addition to hosting the remote meeting elements described above, include an in-person component to a public meeting if all of the following requirements are met:

1. The open public meeting complies with the guidelines for “business meetings”, found in the “Miscellaneous Venues” guidance [here](#), as incorporated into the Proclamation 20-25 et seq., *Stay Safe – Stay Healthy - Rollback of County-By-County Phased Reopening Responding to a COVID-19 Outbreak Surge*; and
2. Any person wishing to attend in person a public meeting with an in-person component must be able to do so at a physical location meeting the requirements herein, either in a primary meeting location or an overflow physical location that provides the ability for all persons attending the meeting to hear each other at the same time; and
3. If at any time during a public meeting the in-person component cannot comply with each of the requirements herein, the public meeting (to include the telephonic/remote access portions) must be recessed until compliance is restored or if compliance cannot be restored then adjourned, continued, or otherwise terminated; and
4. The public agency holding an in-person public meeting shall accommodate, to the extent practicable, those wishing to participate in and/or attend the public meeting (to include the press) by allowing persons to attend the meeting by listening and speaking through operable telecommunications devices (examples include using an attendee’s cell phone with service to connect to a conference calling service, or allowing persons to call in using an attendee’s cell phone with service); and

5. County and other local election canvassing boards performing operations related to the 2020 general election are exempt from the prohibitions set forth in this Proclamation to allow them to perform their operations openly and transparently, provided that such boards must (a) permit all persons entitled by law to observe such operations access sufficient to conduct such observation, and (b) follow Department of Health and Department of Labor and Industries guidelines related to facial coverings, social distancing, sanitizing, and other protective measures enacted in response to the COVID-19 pandemic.

FURTHERMORE, based on the above noted situation and under the provisions of RCW 43.06.220(2)(g), I continue to find that strict compliance with the following portions of statutory and regulatory obligations or limitations will prevent, hinder, or delay necessary action for coping with the COVID-19 State of Emergency by bringing people in contact with one another at a time when the virus is rapidly spreading, and that the language of each statutory provision specified below is hereby waived and suspended:

- RCW 42.30.030 – the following words only:
“and all persons shall be permitted to attend any meeting of the governing body of a public agency, except as otherwise provided in this chapter”
- RCW 42.30.040 – in its entirety;
- RCW 42.30.050 – as to the following word only: “room” in the first sentence
- RCW 42.30.070 – as to the following word only: the first usage of “site” - in the fourth sentence
- RCW 42.30.075 – as to the following words only:
“Notice of any change from such meeting schedule shall be published in the state register for distribution at least twenty days prior to the rescheduled meeting date.”
- RCW 42.30.080(2)(c) – as to the following words only:
“Prominently displayed at the main entrance of the agency's principal location and the meeting site if it is not held at the agency's principal location.”
- RCW 42.30.090 – as to the following words only:
“on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held.”

FURTHERMORE, based on the above noted situation and under the provisions of RCW 43.06.220(2)(g), I find that RCW 42.56, as applied to all public agencies statewide involves the conduct of state business and I also continue to find that strict compliance with the following statutory and regulatory obligations or limitations will prevent, hinder, or delay necessary action for coping with the COVID-19 State of Emergency in responding to public records requests by bringing people in contact with one another at a time when the virus is rapidly spreading, and that the language of each statutory provision specified below is hereby waived and suspended

- RCW 42.56.080(2), as to the following words only:
 - “Agency facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency.”
 - “in person during an agency's normal office hours, or”
- RCW 42.56.090, as to the first sentence only

- RCW 42.56.100, as to the following word only in the first sentence: “full”
- RCW 42.56.520(1), as to the following words only in the second sentence:
 - “Within five business days of receiving a public records request,”
 - This statutory suspension at 42.56.520(1) does not apply to requests for public records received by an agency electronically.

Violators of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5).

Signed and sealed with the official seal of the state of Washington on this 8th day of December, A.D., Two Thousand and Twenty at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/

Secretary of State

Miscellaneous Venues

COVID-19 Requirements

As of June 30, 2021 the following apply to governing bodies of public agencies opting to host in-person public meetings under the Open Public Meetings Act, as permitted under Emergency Proclamation 20-28, et seq.:

- No restrictions on capacity.
- No physical distancing requirements.
- Follow current applicable face covering requirements as outlined in: Proclamation 20-25, et seq., Secretary of Health Order [20-03.4](#), and LNI Publication [F414-164-000](#).



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

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**ORDER OF THE SECRETARY OF HEALTH
AMENDING ORDER 20-03**

20-03.6

Face Coverings - Statewide

WHEREAS, Washington State Governor Jay Inslee has issued Proclamation 20-05, subsequently amended and extended, proclaiming a statewide State of Emergency due to an outbreak of coronavirus disease 2019 (COVID-19) in the United States and community spread of COVID-19 in Washington State; and

WHEREAS, COVID-19 spreads mainly from person to person through respiratory droplets when infected people, many of whom do not exhibit COVID-19 symptoms, cough, sneeze, or talk, and evidence shows that wearing a cloth face covering reduces an infected person's chance of spreading the infection to others and may protect uninfected persons from larger droplets from infected people around them; and

WHEREAS, the Washington State Department of Health (DOH), the United States Centers for Disease Control and Prevention (CDC), and the World Health Organization (WHO) recommend that people wear cloth face coverings when they are gathered with non-household members or in public settings, given the substantial number of cases of COVID-19 infection, these precautions must be mandatory; and

WHEREAS, although many Washingtonians wear face coverings voluntarily when in public, requiring all Washingtonians to wear cloth face coverings in public, subject to certain exceptions, helps control and prevent the spread of COVID-19 in Washington State; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continue to constitute an emergency threatening the safety of the public health, demanding action by the Secretary of Health, and only a small number of Washington's local health officers have issued orders requiring the general public in their jurisdictions to wear cloth face coverings in public; and

WHEREAS, on June 24, 2020, Order of the Secretary of Health 20-03 was issued, directing every person in Washington State to wear a face covering when in any indoor or outdoor public setting, subject to certain exceptions; and

WHEREAS, on July 24, 2020, Order of the Secretary of Health 20-03.1 was issued, directing every person in Washington State to wear a face covering when outside of their dwelling unit, subject to certain exception; and

WHEREAS, on May 17, 2021, Order of the Secretary of Health 20-03.2 was issued, exempting fully vaccinated people in Washington state from the requirement to wear face coverings in public, except in certain limited settings; and

WHEREAS, on June 29, 2021, Order of the Secretary of Health 20-03.3 was issued, permitting people to be outdoors without face coverings and without maintaining physical distancing, while encouraging masks for the unvaccinated in crowded outdoor settings, such as at sporting events, fairs, parades, concerts, and similar settings where it's harder to maintain physical distance; and

WHEREAS, after months of improving COVID-19 epidemiological conditions in Washington State, the emergence of highly contagious COVID-19 variants, including the Delta variant that is at least twice as transmissible as the virus that emerged in late 2019, coupled with the continued significant numbers of unvaccinated people, have caused COVID-19 cases and hospitalizations to rise sharply among unvaccinated populations and have resulted in breakthrough infections in some fully vaccinated individuals; and

WHEREAS, the CDC modified its guidance to recommend that people in areas of substantial or high transmission, which currently include every county in Washington State, wear a mask indoors in public regardless of their vaccination status to maximize protection from the Delta variant and prevent possibly spreading it to others; and

WHEREAS, all 35 local health officers in the state of Washington recently recommended all residents wear facial coverings when in indoor public settings where the vaccination status of those around you is unknown; and

WHEREAS, the same 35 local health officers urged decisive and effective action to implement a statewide mandate consistent with the CDC and state recommendations on August 15, 2021, for all residents to wear facial coverings when in indoor public settings or outdoor settings when physical distancing is not possible; and

WHEREAS, for the reasons stated above, requiring people, to wear face coverings when in a place where non-household members are present or generally accessible to non-household members will help control and prevent the spread of COVID-19 in Washington State; and

WHEREAS, on August 19, 2021, Order of the Secretary of Health 20-03.4 was issued, reinstituting a requirement for people to wear face coverings, regardless of their vaccination status, when in a place where any person from outside their household is present or in a public place, with limited exceptions; and

WHEREAS, on September 13, 2021, Order of the Secretary of Health 20-03.5 was issued, requiring people to wear face coverings at outdoor events or gatherings attended by 500 or more people; and

WHEREAS, it is appropriate to amend the face covering order to clarify that people are not required to wear face coverings on the field of play or the sidelines or similar areas at outdoor sports settings unless they are spectators; and

WHEREAS, given that hospitalization and infection rates remain at concerning levels, the CDC recommends that people wear face coverings, regardless of their vaccination status, in crowded outdoor settings, and multiple local jurisdictions have issued orders implementing the CDC's

guidance, it is appropriate to amend the face covering order to require statewide that people wear face coverings, regardless of their vaccination status, when attending large outdoor gatherings.

NOW, THEREFORE, I, Umair A. Shah, MD, MPH, Washington State Secretary of Health, as a result of the above-noted situation, and under RCW 43.70.130, RCW 70.05.070, WAC 246-100-036, and any other applicable authority, do hereby amend Orders 20-03, 20-03.1, 20-03.2, 20-03.3, and 20-03.4 and order as follows:

General Face Covering Requirement

Every person in Washington State must wear a face covering that covers their nose and mouth when they are in a place where any person from outside their household is present or in a place that is generally accessible to any person from outside their household, subject to the exceptions and exemptions below.

- If a person lives in a congregate living setting where they share living facilities with other residents, their household includes only the people who regularly reside in their bedroom. They must wear a face covering when they are outside their bedroom in any common area inside the building, subject to the exceptions and exemptions below.

Exceptions to General Face Covering Requirement

People are not required to wear face coverings in any of the following situations:

- When outdoors, except that face coverings are required at outdoor events or gatherings attended by 500 or more people. DOH strongly recommends that all people, regardless of vaccination status, wear face coverings in any crowded outdoor setting when it is not feasible to keep adequate distance from others outside of one's household;
- While working indoors in areas not generally accessible to the public and when no customers, volunteers, visitors, or non-employees are present, but only if the worker is fully vaccinated against COVID-19;
- While working alone indoors. A person is working alone if they are isolated from interactions with others and have little or no expectation of in-person interruptions. Examples include a sole occupant in an office with a closed door who is unlikely to be visited, a crane operator isolated in an enclosed cab, delivery drivers with no face-to-face interaction with others when picking up or dropping off packages, or a lone janitor in a building;
- At a small indoor gathering in a private residence;
- While on the field of play or on the sidelines or in a similar area at an outdoor sports setting, unless present as a spectator;
- While actively playing or training for, coaching, or officiating indoor sports in a K-12, recreational, major junior hockey, part-time professional, collegiate, or professional sports setting. This exception does not apply while the athlete, coach, or official is not actively engaged in the sporting, coaching, or officiating activity or to indoor gyms and other fitness facilities, such as dance, yoga, and martial arts facilities;
- While swimming or engaged in other water sports or recreation;
- While actively engaged in a performing arts performance, leading religious services, or engaged in other similar activities, subject to the authorization and requirements of the Department of Health, including any vaccination requirements;
- While engaged in the act of eating or drinking;

- While showering, bathing, or engaging in other personal hygiene or grooming activities that require the removal of the face covering;
- When any party to a communication is deaf or hard of hearing and not wearing a face covering is essential to communication;
- While obtaining a service or engaged in a transient activity that requires temporary and very brief removal of the face covering;
- While sleeping;
- When necessary to confirm the person's identity;
- When federal or state law prohibits wearing a face covering or requires the removal of a face covering; or
- When unable to put on a face covering due to an emergency.

People Exempt from General Face Covering Requirement

The following people are exempt from the requirement to wear a face covering:

- Children younger than five years old;
 - Children who are younger than two years old should never wear face coverings due to the risk of suffocation.
 - Children who are two, three, or four years old, with the assistance and close supervision of an adult, are strongly recommended to wear a face covering at all times in public settings when around non-household members; and
- People with a medical condition, mental health condition, developmental or cognitive condition, or disability that prevents wearing a face covering. This includes, but is not limited to, people with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance.

Additional Provisions

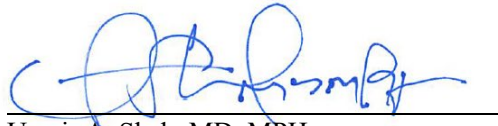
- Any frequently asked questions or other guidance explaining or interpreting this order issued by DOH is automatically incorporated herein.
- Types of face coverings permitted.
 - For purposes of this order, a face covering must:
 - Fit snugly against the sides of the face;
 - Completely cover the nose and mouth;
 - Be secured with ties, ear loops, elastic bands, or other equally effective method; and
 - Include at least one layer of tightly woven fabric without visible holes, although multiple layers are strongly recommended.
 - A face covering may also be a mask or face covering that provides a higher level of protection than a cloth face covering, such as a medical procedure/surgical mask, a KN95 mask, or an N95 mask.
 - Clear masks or cloth masks with a clear plastic panel may be used when interacting with people who are deaf or hard of hearing, young children or students learning to read, students learning a new language, people with disabilities, and people who need to see the proper shape of the mouth for making appropriate vowel sounds.
- A person is fully vaccinated against COVID-19 two weeks after they have received the second dose in a two-dose series (Pfizer-BioNTech or Moderna) or two weeks after they have received a single-dose vaccine (Johnson and Johnson (J&J)/Janssen).

- Face covering requirements imposed by other public agencies or officials.
 - Face covering requirements lawfully imposed by another public agency or official are to be followed if they are more protective than the requirements in this order. If they are less protective, then this order must be followed.
 - Notwithstanding the foregoing, any face covering requirements imposed pursuant to an order of the Governor take precedence over this order.

This order shall take effect immediately and remain in effect until rescinded or superseded by a subsequent order of the Secretary of Health or until the Governor issues a proclamation declaring the termination of the State of Emergency declared by Proclamation 20-05, as amended and extended by subsequent amendatory proclamations, whichever is earlier.

Members of the public are required by law to comply with this order, and violators may be subject to enforcement action pursuant to RCW 43.70.130(7), RCW 70.05.120(4), and WAC 246-100-070(3).

Signed this 24th day of September, 2021.



Umair A. Shah, MD, MPH
Secretary of Health



STATE OF WASHINGTON
— OFFICE OF GOVERNOR JAY INSLEE —

**PROCLAMATION BY THE GOVERNOR
AMENDING PROCLAMATIONS 20-05 and 20-25, et seq.**

20-25.17

“WASHINGTON READY”

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations and our health care system, I have subsequently issued several amendatory proclamations, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations, including issuance of Proclamation 20-25, et seq., which limits Washingtonians’ ability to participate in certain activities unless certain conditions are met; and

WHEREAS, during early stages of the COVID-19 pandemic, health professionals and epidemiological modeling experts indicated that the spread of COVID-19, if left unchecked, threatened to overwhelm portions of Washington’s public and private health-care system; and

WHEREAS, although COVID-19 continues to be an ongoing and present threat in Washington State, the measures we have taken together as Washingtonians over the past 18 months, including the willingness of many eligible Washingtonians to take advantage of the remarkable, life-saving vaccines being administered throughout the state, have made a difference and have altered the course of the pandemic in fundamental ways; and

WHEREAS, as of August 16, 2021, at least 69.3 percent of people 12 years of age and older and 59.1 percent of the total population have initiated vaccination, and at least 63.1 percent of people 12 years of age and older and 53.8 percent of the total population are fully vaccinated; and

WHEREAS, after months of improving COVID-19 epidemiological conditions in Washington State, the emergence of highly contagious COVID-19 variants, including the “Delta” variant that is at least twice as transmissible as the virus that emerged in late 2019, coupled with the continued significant numbers of unvaccinated people, has caused COVID-19 cases and hospitalizations to rise sharply among unvaccinated populations, has resulted in breakthrough infections in some fully vaccinated individuals, and continue to rise; and

WHEREAS, over the past 18 months, health experts and epidemiological modeling experts, including those at the Department of Health, the United States Centers for Disease Control and

Prevention (CDC), and our state universities, have gained critical knowledge regarding the spread of COVID-19, including a better understanding of the risks associated with certain activities and the measures that can be taken to reduce those risks; and

WHEREAS, we now know that several factors increase the risk for person-to-person COVID-19 transmission; such factors include (1) the more that people and groups interact, (2) the longer those interactions last, (3) the closer the contact between individuals, (4) the denser the occupancy for indoor facilities, and (5) the lack of use of face coverings; and

WHEREAS, the CDC updated its face covering guidance on July 27, 2021 to recommend the use of face coverings indoors in areas of the U.S. where community transmission of the virus was considered high or substantial, and as of August 16, 2021 at least 85 percent of U.S. counties and all counties in Washington state meet the CDC criteria for high or substantial transmission; and

WHEREAS, the health officers representing all 35 local health jurisdictions in Washington state have joined together to recommend that all residents wear facial coverings when in indoor public settings where the vaccination status of those around you is unknown, to reduce the risk of COVID-19 to the public, including customers and workers, to help stem the increase in COVID-19 cases and hospitalizations in many parts of the state and decrease the spread of the highly contagious Delta variant; and

WHEREAS, on August 20, 2021, I issued Proclamation 20.25.15 amending Proclamation 20-25, et. seq., by reinstating prohibitions against use of indoor spaces without the use of a face covering; and

WHEREAS, on September 3, 2021, I issued Proclamation 20-25.16 amending Proclamation 20-25, et. seq., to clarify that local government agencies, officials, and authorities and landlords are prohibited from preventing or prohibiting any person or business or other entity in their jurisdictions and tenants in their properties, respectively, from imposing face covering requirements on or requiring proof of vaccination from any worker, customer, or other person or taking or threatening to take any adverse action of any kind against any person or business or other entity or tenant for imposing face covering requirements on or requiring proof of vaccination from any worker, customer, or other person; and

WHEREAS, given the substantial increase of community transmission of COVID-19, the spread of COVID-19 attributable to large outdoor events, and the Secretary of Health's issuance of an amended face covering order requiring face coverings to be worn at outdoor events and gatherings attended by 500 or more people, it is necessary to amend Proclamation 20-25, et. seq. to incorporate the Secretary of Health's outdoor face covering requirements;

WHEREAS, the worldwide COVID-19 pandemic and its persistence in Washington State continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace; and

WHEREAS, the Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the state Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people; and

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above noted situation, and under Chapters 38.08, 38.52, and 43.06 RCW, do hereby proclaim and order that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05, as amended, remains in effect, and that, to help preserve and maintain life, health, property or the public peace pursuant to RCW 43.06.220(1)(h), Proclamation 20-25, et seq., remains in full force and effect, except as specifically amended by this Proclamation 20-25.16, as set out below.

FURTHERMORE, I hereby amend the provisions in 20-25, et seq., as they relate to face coverings to prohibit any individual from failing to wear a face covering as required by the Secretary of Health's face covering [order](#) and any subsequent amendments. I further prohibit any governmental, commercial, or nonprofit entity or private party from allowing any individual to enter or remain in any indoor space under their control unless the individual is in compliance with the Secretary of Health's face covering [order](#) and any subsequent amendments. I further prohibit any organizer of an outdoor event or gathering attended by 500 or more people from allowing any individual to be in attendance unless the individual is in compliance with the Secretary of Health's face covering [order](#) and any subsequent amendments.

ADDITIONALLY, in furtherance of these prohibitions, and for general awareness:

1. The face covering requirements in prior versions of Proclamation 20-25 are hereby rescinded and replaced with the requirements imposed in and pursuant to this version of Proclamation 20-25. The Secretary of Health's face covering [order](#) and any subsequent amendments are incorporated by reference.
2. Employers must comply with all conditions for operation required by the Washington State Department of Labor & Industries, including interpretive [guidance](#), regulations and rules and Department of Labor & Industries-administered statutes.
3. Employers must notify their local health jurisdiction within 24 hours if they suspect COVID-19 is spreading in their workplace, or if they are aware of two or more employees who develop confirmed or suspected COVID-19 within a 14-day period.
4. Everyone is required to cooperate with public health authorities in the investigation of cases, suspected cases, outbreaks, and suspected outbreaks of COVID-19 and with the implementation of infection control measures pursuant to State Board of Health rule in WAC 246-101-425.

5. All mandatory guidelines for specific businesses and activities, which remain in effect except as modified by this Proclamation, may be found at the Governor's Office [website](#), [COVID-19 Resources and Information](#), and at [COVID-19 Reopening Guidance for Businesses and Workers](#). Existing guidelines that require proof of vaccination for certain settings and activities remain in effect until such time as those guidelines are expressly modified.

ADDITIONALLY, in support and clarification of this proclamation:

1. **General rule:** General face covering requirements are found in the Secretary of Health's face covering [order](#), and any subsequent amendments, as incorporated herein by reference.
2. **Additional local restrictions may apply:** Nothing in this proclamation or in the Secretary of Health's face covering order prevents any other individual or entity from imposing more restrictive face covering or additional restrictions or requirements in businesses or other locations within the scope of their legal authority. In addition, local government agencies, officials, and authorities and landlords are prohibited from preventing or prohibiting any person or business or other entity in their jurisdictions and tenants in their properties, respectively, from imposing face covering requirements on or requiring proof of vaccination from any worker, customer, or other person **and are further prohibited from taking or threatening to take any adverse action of any kind against any person or business or other entity or tenant for imposing face covering requirements on or requiring proof of vaccination from any worker, customer, or other person.** Adverse actions prohibited by this section include, but are not limited to, denying, suspending, withholding, or terminating a contract, patronage, funding, or benefits, declining to rent or lease property, increasing rental rates, and eviction.
3. **Customers:** Governmental, commercial, and nonprofit entities and private parties are prohibited from allowing customers to enter or remain in any indoor space under their control unless the customer is wearing a face covering if required by the Secretary of Health's face covering order. Organizers of outdoor events or gatherings attended by 500 or more people are prohibited from allowing any individual to be in attendance unless the individual is wearing a face covering if required by the Secretary of Health's face covering order. The entity, private party, or organizer must post signage in a prominent location visible to customers at each entry informing customers of the face covering requirement.
4. **Employees:** All employees are required to comply with the Secretary of Health's face covering order at the employee's worksite. Unless additional restrictions are imposed by the employer or a state or local authority, or face coverings are legally required at the specific worksite regardless of vaccination status, an employee may work outdoors without wearing a face covering unless they are working at an outdoor event or gathering attended by 500 or more people, and a fully vaccinated employee may work

indoors without wearing a face covering at the employer's worksite in areas not generally accessible to the public and when no customers, volunteers, visitors, or non-employees are present as permitted by the Secretary of Health's face covering order, but only after the employee has either provided (a) proof of vaccination to the employer; or (b) a signed document attesting to the employee's fully vaccinated status, *except as otherwise prohibited in Proclamation 21-14 et seq. (Vaccination Requirement)*. The option, if applicable, to provide a signed self-attestation may be done in hard copy or electronically.

5. **Employers:** Employers are required to provide a safe and healthy workplace and must assess hazards in their workplace and take appropriate steps to protect workers. COVID-19 remains a recognized hazard that continues to pose a significant risk to the health and life of employees. Employers must require that employees wear a face covering in accordance with the Secretary of Health's face covering order, to that end, employers:
 - a. Must choose a method of proof of vaccination, documented proof of vaccination or self-attestation (*except as otherwise prohibited in Proclamation 21-14 et seq. (Vaccination Requirement)*), and require such proof from every employee before those employees are permitted to work without wearing a face covering at the employer's worksite in areas not generally accessible to the public and when no customers, volunteers, visitors, or non-employees are present as permitted by the Secretary of Health's face covering order referenced above;
 - b. Notwithstanding (a) above, may require that employees wear a face covering while at the worksite in all areas regardless of vaccination status; and
 - c. May require vaccination as a condition of employment, except as prohibited by state or federal law.

ADDITIONALLY, in addition to guidance issued by the Department of Health and the Department of Labor & Industries, additional guidance for businesses, employees, and customers may be found [here](#) and is incorporated by reference, and such guidance may be updated periodically and all such updates are also incorporated by reference.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as

directed by competent authority of the Washington State Military Department in addressing the outbreak.

Additionally, I continue to direct the Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

Violators of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5). Further, if people fail to comply, I may be forced to reinstate additional prohibitions established in earlier proclamations.

This order is effective immediately. Unless extended or amended, or upon termination of this amendatory proclamation, the provisions of Proclamation 20-25, et seq., will continue to be in effect until the state of emergency, issued on February 29, 2020, pursuant to Proclamation 20-05, is rescinded.

Signed and sealed with the official seal of the state of Washington on this 13th day of September, A.D., Two Thousand and Twenty-One at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State