

City of Kenmore



City of Kenmore - 18120 68th Avenue NE - PO Box 82607, Kenmore WA 98028 - Phone: 425-398-8900 - Fax: 425-481-3236

CITY OF KENMORE
REVISED 1/18/2012
CITY COUNCIL EXECUTIVE SESSION
6:00 p.m., Monday, January 23, 2012
PURSUANT TO
RCW 42.30.110(1)(i) - Litigation
Kenmore City Hall
18120 68th Ave. NE, Kenmore, WA 98028

CITY OF KENMORE
CITY COUNCIL REGULAR MEETING
7:00 p.m., Monday, January 23, 2012
Kenmore City Hall
18120 68th Ave. NE, Kenmore, WA 98028

AGENDA ITEMS ARE SUBJECT TO CHANGE up to and including the time of the meeting; items may be added or dropped. Please call the City Clerk if you have any questions or to confirm the agenda items prior to the meeting at (425) 398-8900, or stop by City Hall at 18120 68th Avenue NE, Kenmore. The agendas are also available on our website at: www.kenmorewa.gov. We are trying to make our public meetings accessible to all members of the public. If you require special accommodations, please call the City Clerk at least three (3) business days prior to the meeting.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. FLAG SALUTE

IV. AGENDA APPROVAL

V. CONSENT AGENDA

- A. Minutes of the November 28, 2011 Regular Council Meeting; December 5, 2011 Special Council Meeting; December 6, 2011 Special Executive Session Council Meeting; and December 21, 2011 Special Regular Council Meeting.
- B. Approval of Claim Nos. 25156 - 25235 in the Amount of \$336,968.96 for the Period Ending December 31, 2011.
- C. Motion to Adopt Resolution No. 12-195 Providing Authorization for the Duly Appointed Administering Agency for a Regional Coalition For Housing (ARCH) to Execute All Documents Necessary to Enter Into Agreements for the Funding of Affordable Housing Projects, As Recommended by the ARCH Executive Board, Utilizing Funds from the City's Housing Trust Fund - Fred Stouder, City Manager

V. CONSENT AGENDA

- D. Motion to Approve the A Regional Coalition for Housing (ARCH) 2012 Work Program and 2012 Administrative Budget - Fred Stouder, City Manager
- E. Motion to Adopt Resolution No. 12-196 Approving the Canyon View Estates Subdivision - Bryan Hampson, Director of Land Development and Permitting

VI. CITIZEN COMMENTS

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

VII. BUSINESS AGENDA

- A. Resolution No. 12-194 of the City of Kenmore, Washington, Adopting the City of Kenmore, Washington 2012 Fee Schedule - Bryan Hampson, Director of Land Development and Permitting
- B. Motion to Adopt Ordinance No. 12-0333 Amending the Building and Construction Appeals Process from a Board of Appeals to a Hearing Examiner Appeals Process - Bryan Hampson, Director of Land Development and Permitting

VIII. CITY COUNCILMEMBER COMMENTS/REPORTS

IX. ADJOURNMENT

UPCOMING MEETINGS:

February 13, 2012 Monday 7:00 p.m. Regular Council Meeting

February 20, 2012 Regular Council Meeting (**Tentative due to Legal Holiday**)

City of Kenmore
City Council Regular Meeting
Minutes
November 28, 2011

CALL TO ORDER - Mayor David Baker called the meeting to order at 7:00 p.m.

Councilmembers present: Mayor David Baker, Deputy Mayor Milton Curtis, Councilmembers Bob Hensel, *John Hendrickson, Laurie Sperry, Allan Van Ness, and Glenn Rogers.

*Councilmember John Hendrickson arrived at 7:04 p.m.

Staff present: Fred Stouder, City Manager; Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance Director; Ron Loewen, City Engineer; Cliff Sether, Police Chief; Rod Kaseguma, City Attorney; and Lynn Suskin, City Clerk

FLAG SALUTE - Kenmore Police Chief Cliff Sether led the flag salute.

AGENDA APPROVAL - The agenda was approved as submitted.

CONSENT AGENDA

Councilmember Glenn Rogers moved to approve the consent agenda as submitted. Deputy Mayor Milton Curtis seconded the motion to approve the Minutes of the November 14, 2011 Regular Council Meeting; Approval of Claim Nos. 24874 - 24962 in the Amount of \$752,200.31 for the Period Ending November 16, 2011; Accept October 2011 Financial Reports for the City of Kenmore; Authorize the City Manager to Execute a Settlement Agreement and Purchase and Sale Agreement to Acquire the 71,438 Square Foot Parcel at 18804 73rd Ave. NE with Surface Water Management Funds in the Amount of \$410,000; Authorize the City Manager to Execute Amendment No. 1 to Contract No. 09-C780 with Alcalde and Fay, Extending the Contract Duration Date to December 31, 2012 and Amending the Contract Amount to an Amount not to Exceed \$229,500; Authorize the City Manager to Execute Amendment No. 1 to Contract No. 09-C816 with Gordon Thomas Honeywell, Extending the Contract Duration Date to December 31, 2012 and Amending the Contract Amount to an Amount not to Exceed \$128,700. The motion passed 6-1 with Councilmember John Hendrickson voting no.

CITIZEN COMMENTS

Dave Crawford, 7534 NE 175th St., Kenmore, was present to state his concerns relating to his public record requests.

Dennis Mendrey, 6410 NE 182nd, Kenmore, was present to clarify the statements he made at the last Council meeting and he stated that here is an exemption for the SR 520 project.

Jack Bunnell, 6428 NE 182nd, Kenmore, was present to state that there should have been more notice that the North Precinct King County Sherriff's Office was going to close.

PUBLIC HEARINGS

Public Hearings on Fixing the Amount of Tax Levies Necessary to Meet Authorized Tax Supported Estimated Expenses for the Year 2012 and Proposed Mid-Biennial Modifications to the 2011-2012 Budget – Joanne Gregory, Finance Director, gave a presentation in which she provided an overview of the 2011-2012 proposed Mid-Biennium Adjustments and the tax levy calculations. She was also available to answer any questions.

Mayor David Baker opened the public hearing to receive public testimony at 7:25 p.m.

Jack Bunnell, 6428 NE 182nd, Kenmore, was present to state that he does not support any property tax increase.

Hearing no further testimony, Mayor David Baker closed the public hearing at 7:27 p.m.

BUSINESS AGENDA

Presentation and Discussion of Final Report on King County Sheriff Police Services Contract – Fred Stouder, City Manager, was present to provide a brief report in which he stated that this evening there will be discussion on the King County Contract Police Services evaluation report prepared by Matrix. He was also available to answer any questions.

Greg Mathews, Matrix Consulting, provided a presentation in which he provided an overview of the Phase II and Phase II Police Services Report. He was also available to answer any questions.

Mayor David Baker thanked the representatives from other jurisdictions and Greg Goode, Bastyr University, for their participation on the Police Services Evaluation Committee.

Discussion followed.

Adoption of Ordinance No. 11-0332 of the City of Kenmore, Washington, Relating to the 2012 Regular Property Tax Levy; Providing for Severability; and Establishing an Effective Date – Joanne Gregory, Director of Finance, was present to provide a brief report. She was also available to answer any questions.

Councilmember Laurie Sperry moved to Adopt Ordinance No. 11-0332 of the City of Kenmore, Washington, Relating to the 2012 Regular Property Tax Levy with a 0% Increase; Providing for Severability; and Establishing an Effective Date. Councilmember Glenn Rogers seconded the motion. The motion passed unanimously.

Adopt Ordinance No. 11-0331 of the City of Kenmore, Washington, Amending Ordinance No. 10-0319, Adopting the 2011-2012 Biennial Budget; To Adjust Revenues and Appropriations for the General Fund, the Street Fund, the Arterial Street Fund, the Transportation Impact Fee Fund, the Municipal Capital Fund, the Capital Projects Fund, and the Surface Water Management Fund – Joanne Gregory, Director of Finance, provided a brief report. She also was available to answer any questions.

Discussion followed on setting up a new proposed Capital Project Emergency Fund.

It was the consensus that the discussion on the proposed Capital Project Emergency Fund be continued to the upcoming Council Retreat on January 20 and January 21, 2012 for further consideration.

Councilmember Glenn Rogers moved to adopt Ordinance No. 11-0331 of the City of Kenmore, Washington, Amending Ordinance No. 10-0319, Adopting the 2011-2012 Biennial Budget; To Adjust Revenues and Appropriations for the General Fund, the Street Fund, the Arterial Street Fund, the Transportation Impact Fee Fund, the Municipal Capital Fund, the Capital Projects Fund, and the Surface Water Management Fund. Deputy Mayor Milton Curtis seconded the motion. The motion passed 6-1 with Councilmember John Hendrickson voting no.

COUNCILMEMBER COMMENTS/REPORTS

Councilmember John Hendrickson stated that the paperwork agrees with what he has been saying during his campaign, we need to increase our property tax levy. He stated that he has concerns with the proposed Council Rules and Procedures.

Councilmember Laurie Sperry announced that Lake Forest Park has a newly elected Mayor, Mary Ann Goss. She suggested having some type of get-together.

Councilmember Glenn Rogers announced that November 30th is the final day for the King County Elections. He stated how pleased he is to be serving another 4-year term on the Council.

Deputy Mayor Milton Curtis announced that there is a Special Council meeting scheduled for December 5th to discuss the current draft of the Council Rules and Procedures. He stated that should any of the Council have any questions and/or comments, that he would like them submitted in advance of the December 5th Special Council meeting.

Mayor stated that Stacy Denuski is actively seeking support for the families of children that attend the Kenmore Elementary School. He briefly discussed that the Wenatchee Public Utility District does not have the funds to pay a note that is due and how that could affect the rest of us.

ADJOURNMENT

Mayor David Baker adjourned the regular meeting at 9:00 p.m.

Mayor David Baker

ATTEST:

Lynn Suskin, City Clerk

City of Kenmore
City Council Special Regular Meeting
Minutes
December 5, 2011

CALL MEETING TO ORDER - Mayor David Baker called the meeting to order at 7:00 p.m.

Councilmembers present: Mayor David Baker, Deputy Mayor Milton Curtis, and Councilmembers Bob Hensel, Allan Van Ness, and Glenn Rogers

Councilmembers excused: Councilmember John Hendrickson and Councilmember Laurie Sperry

Staff present: Fred Stouder, City Manager; Cliff Sether, Police Chief and Lynn Suskin, City Clerk

BUSINESS AGENDA

Discussion and Possible Direction Regarding the Draft City of Kenmore, WA, City Council Rules and Procedures.

Deputy Mayor Milton Curtis, Chair of the Council Rules and Procedures, was present to review the latest draft of the Council Rules and Procedures with the other members of the Council. He requested that Council provide their comments/suggestions as they review and discuss each section of the draft Council Rules and Procedures.

Review and discussion followed.

Mayor David Baker announced that there is an executive session, tomorrow, December 6th, 6:15 p.m., pursuant to RCW 42.30.110(1)(i) Potential Litigation and RCW 42.30.110(1)(c) Property Acquisition.

City Manager Fred Stouder presented plaques in appreciation to Mayor David Baker and Deputy Mayor Milton Curtis for serving as Mayor and Deputy from January 1, 2010 through December 31, 2011.

Mayor David Baker invited everyone present to stay after the Council Meeting is adjourned, for a social gathering recognizing outgoing Councilmember John Hendrickson, new Councilmember Brent Smith, Deputy Mayor Milton Curtis and Mayor David Baker for serving as Deputy Mayor and Mayor for the years 2010 and 2011.

ADJOURNMENT

Mayor David Baker adjourned the special regular meeting at 8:50 p.m.

Mayor David Baker

ATTEST:

Lynn Suskin, City Clerk

**City of Kenmore, Washington
City Council Special Executive Session Meeting
Minutes
December 6, 2011**

CALL MEETING TO ORDER – Mayor David Baker called the meeting to order at 6:15 p.m.

Councilmembers present: Mayor David Baker, Deputy Mayor Milton Curtis, Councilmembers Bob Hensel, Laurie Sperry, Allan Van Ness, and Glenn Rogers

Councilmembers excused: Councilmember John Hendrickson

Staff present: Fred Stouder, City Manager; Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance Director; and Rod Kaseguma, City Attorney

EXECUTIVE SESSION – Mayor David Baker adjourned the special meeting at 6:15 p.m. to an executive session to discuss Litigation pursuant to RCW 42.30110(1)(i) and Property Acquisition RCW 42.30.110(1)(c). He stated that the executive session will last for approximately 1.45 hours and action may be taken when the meeting is reconvened back to regular session.

RECONVENE BACK TO REGULAR SESSION – Mayor David Baker reconvened the meeting back to regular session at 8:00 p.m.

Councilmember Glenn Rogers moved to Authorize the City Manager to Execute Architectural and Engineering Professional Contract with ORB Architects to Prepare Detailed Design and Permit Drawings Including Construction Documents, Specifications and a Bid Package, in an Amount Not to Exceed \$147,000, for the Property Identified by King County as Parcel Number 618170-0456. Councilmember Allan Van Ness seconded the motion. The motion passed unanimously.

ADJOURNMENT

Mayor David Baker adjourned the special meeting at 8:02 p.m.

Mayor David Baker

ATTEST:

Lynn Suskin, City Clerk

City of Kenmore
City Council Special Regular Meeting
Minutes
December 21, 2011

CALL MEETING TO ORDER - Mayor David Baker called the meeting to order at 6:00 p.m.

Councilmembers present: Mayor David Baker, Deputy Mayor Milton Curtis, Councilmembers Bob Hensel, Laurie Sperry, and Glenn Rogers

Councilmembers excused: Councilmember John Hendrickson and Councilmember Allan Van Ness

Staff present: Fred Stouder, City Manager; Nancy Ousley, Assistant City Manager; and Joanne Gregory, Finance Director

FLAG SALUTE - Mayor David Baker led the flag salute.

Mayor David Baker called for a recess at 6:05 p.m. to await the arrival of Congressman Jay Inslee.

Mayor David Baker called the meeting back to order at 6:45 p.m.

PRESENTATION

Presentation of LEED Gold Certification for Kenmore City Hall - Congressman Jay Inslee

Mayor David Baker reviewed that earlier this year the City received word that the City Hall Project was certified for Leadership in Energy and Environmental Design (LEED) Gold Level. He stated that we are all honored that Congressman Jay Inslee is with us tonight to formally present the certificate to the City.

Mayor David Baker recognized the following attendees: Representative Ruth Kagi; Representative Cindy Ryu; King County Executive Dow Constantine; Patti Southard, Green Building Program; Chief Deputy Steve Strachan, King County Sheriff's Office, King County Councilmember Bob Ferguson; Paula Rhyne, Legislative Intern; Greg Goode, Bastyr University Chief of Staff; Joel Sisolak, Cascadia Green Building Council; and members from the City Hall Project Team (Weinstein Architects, O'Brien & Company and OAC Services).

Congressman Jay Inslee congratulated the City and presented the LEED Gold Certification for the Kenmore City Hall to Mayor David Baker, and he accepted on behalf of the entire Council and the citizens of Kenmore.

Joel Sisolak, Cascadia Green Building Council, congratulated the City of Kenmore for receiving the LEED Gold Certification.

BUSINESS AGENDA

Approval of Claim Nos. 24963 - 25016 in the Amount of \$901,693.41 for the Period Ending December 2, 2011 and Approval of Claim Nos. 25017 - 25104 in the Amount of \$225,793.73 for the Period Ending December 16, 2011 - Joanne Gregory, Finance Director, was present to provide a brief report. She was also available to answer any questions.

Councilmember Glenn Rogers moved to approve Claim Nos. 24963 - 25016 in the Amount of \$901,693.41 for the Period Ending December 2, 2011 and approve of Claim Nos. 25017 - 25104 in the Amount of \$225,793.73 for the Period Ending December 16, 2011. Deputy Mayor Milton Curtis seconded the motion. The motion passed unanimously.

ADJOURNMENT

Mayor David Baker adjourned the special regular meeting at 7:00 p.m.

Mayor David Baker

ATTEST:

Lynn Suskin, City Clerk

City of Kenmore
Voucher Certification and Approval

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the following claims, paid by checks 25156 - 25236 which total \$333,722.78 are just, due, and unpaid obligations against the City of Kenmore/King County/Washington, and that I am authorized to authenticate and certify to said claims.


 City Manager Date


 Finance Director Date

Check #	Vendor Name	Description	Check Amt
25156	DURRANT, JEFF	Travel Expense	\$ 322.00
25157	MINZGHOR, NICHOLAS	Travel Expense	322.00
25158	AWC EMPLOYEE BENEFITS	Payroll Entry	35,631.43
25159	BANNER BANK	Registration, Meals, Lodging	2,019.39
25160	BANNER BANK NO	Registration, Training, Parking	950.00
25161	BANNER BANK KENMORE	Meals, Lodging, Transportation	1,420.04
25162	BANNER BANK JGORDON	Training, Registration, Supplies	1,435.21
25163	NATIONWIDE FINANCIAL 401a	Payroll Entry	10,376.82
25164	NATIONWIDE RETIREMENT SOLUTIONS 457	Payroll Entry	1,570.00
25165	ICMA RETIREMENT TRUST 457 - 304745	Payroll Entry	2,003.84
25166	DRS 457	Payroll Entry	1,737.50
25167	CITY OF KENMORE FS	Payroll Entry	176.96
25168	BANK OF AMERICA 941	Payroll Entry	11,035.71
25169	DEPARTMENT OF RETIREMENT SYSTEMS	Payroll Entry	9,133.71
25170	STATE OF FLORIDA DISBURSEMENT UNIT	Payroll Entry	275.00
25171	ESA ADOLFSON	Squire's Landing Prof Svc/ Nov.	175.00
25172	CARLSON, THOMAS G.	Qtr 3 2011 Sales Tax Conversion	219.46
25173	CASCADE PEST CONTROL	Rhododendron Park Rodent Svc.	142.35
25174	CATHOLIC COMMUNITY SERVICES	4th Qtr 2011 (EAP Program)	1,500.00
25175	CENTER FOR HUMAN SERVICES	Qtr 4 2011 Northshore Family Ctr.	7,900.00
25176	CITY OF BELLEVUE	4th Qtr Pooled Human Svcs Prog	22,279.00
25177	CITY OF LAKE FOREST PARK	Dec. Billing, Backhoe & Materials	59,661.36
25178	CLYDE/WEST	Street Sweeper Parts	59.93
25179	CONSEJO COUNSELING & REF	4th Qtr 2011 Domestic Violence	875.00
25180	ALLIED WASTE SERVICES #172	Solid Waste Svc - Parks - 12/2	730.05
25181	EVERGREEN PRINT SOLUTIONS	Treasurer's Receipt Books	474.59
25182	FRUHLING SAND & TOPSOIL	Brush & Asphalt Dumping	180.00
25183	FULL MAINTENANCE GARDENING	11/19-12/23/11 Landscaping	373.40
25184	GEOENGINEERS INC	10/8-12/2/11 Consult/ Feasel Stairs	1,060.00
25185	GRAY & OSBORNE, INC	Prof. Svcs. 11/13-12/10/11	5,065.22
25186	HOPELINK	Qtr 4 2011 Housing/ Emerg Shelter	11,730.00
25187	INSTITUTE FOR FAMILY DEVELOPMENT	4th Qtr 2011 (PACT)	3,000.00

25188	KING COUNTY ANIMAL SVCS	Animal Licensing Dec. 2011	210.00
25189	KING COUNTY FINANCE	Nov. Adult Detention Work Prog.	24,161.45
25190	KING COUNTY SHERIFF	Kenmore Schools O.T. Nov. 2011	7,705.77
25191	LIGHTHOUSE CONSULTING INC	Nov. 2011 Anti-Spam/ Anti-Virus	1,521.50
25192	NEXTEL COMMUNICATIONS	Cell Phones 11/25-12/24/11	897.83
25193	NORTHSHORE FIRE DEPT	Dec. Fire Marshal Review Svc.	40.00
25194	NORTHSHORE SENIOR CENTER	Qtr 2 2011 Senior Program	5,500.00
25195	NORTHSHORE YMCA	Qtr 1 - 4, 2011 School Age Program	7,096.00
25196	NORTHSHORE YOUTH & FAMILY SERVICES	Qtr 4 2011 Counseling Svcs.	7,500.00
25197	OFFICE MAX	Office Supplies	1,031.10
25198	OFFICE TEAM	Temp. Employee Dec. 2011	667.82
25199	OTAK	Professional Services thru 12/2/11	8,197.64
25200	PACIFIC TOPSOILS	11/28-12/21/11 Materials Disposal	378.41
25201	PUGET SOUND ENERGY	School Zone Sign 11/16-12/14/11	10,189.12
25202	CEMEX	Juanita & 181st Repairs 12/16/11	191.63
25203	SEATTLE TIMES	Advertising Dec. 2011	457.52
25204	STAPLES ADVANTAGE	Self Inking Stamps	197.10
25205	STEWART BEALL MACNICHOLS	Public Defender Svc. Dec. 2011	3,000.00
25206	TOTAL LANDSCAPE CORP	Parks & Facility Landscaping	6,404.21
25207	WASHINGTON STATE DEPT OF INFO SERV	Dec. 2011 List Serv	210.00
25208	WA STATE DEPT OF TRANSPORTATION	61st Signal Design	120.39
25209	VOID	VOID	VOID
25210	WONDERLAND DEVELOPMENT	4th Qtr 2011	2,875.00
25211	KING COUNTY RECORDER'S OFFICE	Recording Fee - Code Violation	68.00
25212	VOID	VOID	VOID
25213	MAIL FINANCE	Postage Machine Lease	250.76
25214	KONICA MINOLTA BUSINESS SOLUTIONS	4th Qtr 2011	2,185.75
25215	SOUND LAW CENTER	Fuhrwerk Prof. Svcs Dec. 2011	570.50
25216	AT WORK	4th Qtr 2011 11-C914	625.00
25217	DIGITAL REPROGRAPHICS SERVICES INC.	Printing Charges	566.00
25218	QUALITY BUSINESS SYSTEMS	Dec. Copier Use	37.74
25219	GRAINGER	Facility Maintenance Supplies	29.24
25220	COMMERCIAL SOUND, INC.	Wireless Microphone	702.26
25221	GORDON, JENNIFER	Reimburse Mileage 12/20/11	33.86
25222	UNIVERSAL FIELD SERVICES	Nov. 2011 Abagobez Acquisition	1,535.20
25223	ALLIANCE OF PEOPLE W/ DISABILITIES	4th Qtr 2011 Youth in Transition	750.00
25224	COASTAL WEAR PRODUCTS INC	Street Sweeper Brooms	1,239.00
25225	PASSPORT TRAVEL AND TOURS	Council Travel - WA DC/ MN/ AZ	2,127.10
25226	GORDON THOMAS HONEYWELL	Dec. 2011 Govt. Affairs Svcs.	3,064.26
25227	ESPRESSO WORKS	10/21 & 12/21/11 Meetings	150.00
25228	SARAH ROBERTS	Dec., 2011 Prosecution Svcs.	9,300.00
25229	FRONTIER	Dec. City Hall Phone Svc	741.60
25230	PAWS	Animal Sheltering Dec. 2011	640.00
25231	INDEPENDENT STATIONERS	Paper	432.36
25232	SNOHOMISH COUNTY SHERIFF'S OFFICE	Jail Service Fees for Dec. 2011	22,514.00
25233	NORTH COAST ELECTRIC	Ballasts for Garage Lights	854.52
25234	BROADCAST MUSIC, INC.	Licensing Agreement	309.00
25235	SESAC	Licensing Agreement	296.00
25236	COLUMBIA RIDGE LANDFILL		2,313.17
			<u>\$ 333,722.78</u>

VB. Approval of Claim Nos. 25156 - 25235 in the Amount of \$336,968.96 for the Period Ending December 31, 2011.

PRIOR VENDOR ACTIVITY**Previous YTD**

3CMA	\$	375.00
A+ CONFERENCING		267.95
AA PARTY RENTALS		3,445.41
ABBOTT, CARRIE		250.00
ACTION ENTERTAINMENT		1,090.00
ACTIVE SHOOTER TRAINING LLC		815.90
ADT SECURITY SERVICES		1,373.26
ADVANCE TESTING & SERVICE INC		459.00
AFLAC		11,088.34
ALCALDE & FAY		75,594.62
ALLIANCE OF PEOPLE W/ DISABILITIES		2,636.25
ALLIED WASTE SERVICES #172		10,001.32
ALPHA COURIER SERVICES		33.60
ALTA MAXINE MELVIN		85,200.00
AM TEST, INC		1,620.00
AMERICAN ASSOC OF CODE ENFORCEMENT		75.00
AMERICAN GENERAL		5,630.29
AMERICAN PLANNING ASSOCIATION		1,501.00
AMERICAN PUBLIC WORKS ASSOCIATION		1,035.42
AMERICAN REPROGRAPHICS COMPANY		127.43
AMERICAN SOCIETY OF COMPOSERS		305.00
AMES2BFIT		100.00
ANDERSON, LAURI		193.19
ANDONIADIS INC		1,742.90
APPLIED PROFESSIONAL SERVICES INC		1,536.93
ARGENS		15.88
ARTS OF KENMORE		500.00
ASP, ANGELA		210.00
ASSOCIATION OF WA CITIES		13,970.00
AT WORK		1,855.25
AURORA RENTS		2,518.04
AWC EMPLOYEE BENEFITS		401,319.68
BABB, MICHELLE		186.92
BADGLEY'S LANDSCAPE LLC		2,190.00
BAKER, DAVID		3,128.45
BANK OF AMERICA 941		317,263.75
BANNER BANK BH		931.61
BANNER BANK CS		7,749.45
BANNER BANK DB		2,296.84
BANNER BANK JG		8,219.69
BANNER BANK JGORDON		13,492.43
BANNER BANK KENMORE		32,784.66
BANNER BANK LB		2,120.28
BANNER BANK LD		7,827.58
BANNER BANK NO		5,882.96
BARCLAY DEAN ARCHITECTUAL PRODUCTS		711.75

VB. Approval of Claim Nos. 25156 - 25235 in the Amount of \$336,968.96 for the Period Ending December 31, 2011.

BASTYR UNIVERSITY	220,783.70
BAUER, ANDREW	884.68
BAYLES, GREGORY	50.00
BEEGEE TOLPA	700.00
BEKINS NORTHWEST	303.45
BENNETT, STUART	29.36
BERKEY SUPPLY INC	18.52
BIG BUBBA DOG LLC	1,500.00
BIS	4,685.00
BLACKBAUD	4,956.23
BLUE WAVE CONSTRUCTION, INC	24,671.83
BODINE CONSTRUCTION SERVICES, INC	383.25
BOTHELL SKI & BIKE	120.44
BOWHEAD ENVIRONMENTAL & SAFETY	414.59
BRABEC, MARY	3,500.00
BRADY, DAVID	84.00
BRAVO ENVIRONMENTAL SERVICE	153,410.05
BUILDERS EXCHANGE OF WASHINGTON INC	97.75
BULGER SAFE & LOCK, INC.	98.55
C. ANDERSON & CO.	1,209.98
CALIBRE HOMES, INC	7,500.00
CALPORTLAND COMPANY	4,932.85
CANOPIES BY FRED	647.15
CARLSON, THOMAS G.	1,193.31
CASCADE PEST CONTROL	1,954.61
CATHOLIC COMMUNITY SERVICES	6,012.75
CEMEX	7,485.03
CENTER FOR HUMAN SERVICES	31,940.00
CHAMPION COURIER	91.96
CHILDERS, MARK	1,069.96
CITY OF BELLEVUE	527,542.29
CITY OF CLYDE HILL	583.00
CITY OF KENMORE FS	4,849.79
CITY OF LAKE FOREST PARK	724,778.87
CITY OF RENTON	980.00
CITY OF SHORELINE	1,676.97
CLARITY SIGNS	2,788.43
CLUB NORTHWEST	30.00
CLYDE/WEST	1,215.87
COASTAL WEAR PRODUCTS INC	2,701.02
COASTWIDE LABORATORIES	6,328.93
CODE 4 PUBLIC SAFETY EDUCATION	198.00
CODE PUBLISHING COMPANY	547.50
COFFMAN, JON	183.00
COLUMBIA BANK	11,099.56
COLUMBIA FORD	26,352.28
COLUMBIA RIDGE LANDFILL	23,590.45
COMCAST	1,538.60
COMMERCIAL SOUND, INC.	17,539.67

COMPASS POINTE CONDOMINIUM HOA	750.00
CONSEJO COUNSELING & REF	3,875.00
CONSOLIDATED PRESS	5,043.08
CONTECH STORMWATER SOLUTIONS, INC	15,444.98
CORCORAN, JOHN	1.55
CORNERSTONE ROOFING	98.50
COSTCO RETAIL SERVICES	27.62
COX PRINTING & SIGNS	533.82
CPSWQ	100.00
CROWN PRODUCTS	2,042.85
CSAT, LLC	1,600.00
CURRY, ROSS	183.00
CUSTER SPORTSMEN'S CLUB, INC	150.00
DAILY JOURNAL OF COMMERCE	1,772.20
DANSOUND INC	7,144.89
DAS MANUFACTURING, INC.	10,413.75
DBM CONTRACTORS, INC	215,717.62
DELL MARKETING L.P.	4,275.06
DEPARTMENT OF ECOLOGY	10,373.34
DEPARTMENT OF LABOR AND INDUSTRIES	38,169.11
DEPARTMENT OF LICENSING	10.00
DEPARTMENT OF RETIREMENT SYSTEMS	222,624.86
DEVRIES, DENIS	253.20
DIAMOND TRAFFIC PRODUCTS	190.36
DIGITAL REPROGRAPHICS SERVICES INC.	1,591.79
DISSTON, GALEN	1,500.00
DOWL HKM	12,595.00
DRS 457	43,414.66
DUNN LUMBER COMPANY	1,759.14
DURRANT, JEFF	879.25
EARTHCORPS	15,204.18
EAST JORDAN IRON WORKS	1,152.48
EDGE CONCRETE CONSTRUCTION, LLC	1,250.00
EFFICIENCY INC	949.37
EMERGENCY FEEDING PROGRAM	3,750.00
EMERGENCY SERVICE COORDINATING AGCY	56,137.00
EMPLOYMENT SECURITY DEPT	5,357.02
ENTERTAINMENT FIREWORKS INC	12,025.00
ENVIRONMENTAL SYSTEMS RESEARCH INST	2,554.01
ESA ADOLFSON	12,384.89
ESPRESSO WORKS	75.00
EVANS, C. WILLIAM	5,247.00
EVERETT STEEL	191.98
EVERGREEN PRINT SOLUTIONS	655.54
EVERGREEN SAFETY COUNCIL	175.00
EVER-MARK, LLC	2,121.98
EXTREME PROMOTIONS	860.00
FAZZARI MARKETING	1,689.29
FEARON, CLINTON	2,000.00

FEASEL, ROBERT	665.00
FEDEX OFFICE	26.61
FERGUSON ENTERPRISES INC	19,637.23
FIRE PROTECTION, INC	3,506.16
FIRST AMERICAN TITLE	1,171.12
FPOD LLC	7,500.00
FRONTIER	62,550.13
FRUHLING SAND & TOPSOIL	2,615.37
FULL MAINTENANCE GARDENING	4,554.30
GATES, JANICE	71.96
GEOENGINEERS INC	40,853.30
GIBBONS & RIELY, PLLC	750.00
GORDON DERR	11,454.89
GORDON THOMAS HONEYWELL	40,058.12
GOVERNMENT FINANCE OFFICERS ASSOC	190.00
GRAHAM CONTRACTING LTD.	443,599.44
GRAINGER	6,966.03
GRAY & OSBORNE, INC	24,812.16
GREGORY, JOANNE	1,151.60
GREYSTONE COMMERCIAL SERVICE LP	174.79
GRIESEL, LEONARD	5,849.50
H.W. LOCHNER, INC.	275,120.74
HAMMOND COLLIER WADE LIVINGSTONE	1,770.00
HANSON CONSULTING SERVICES	1,269.00
HARRIS COMPUTER SYSTEMS	6,317.06
HARRIS, LESLIE	864.67
HDR	200,626.61
HEARTLAND	22,920.97
HEATERMEALS	1,193.21
HEISSLER, ANDREW	1,800.00
HERO HOUSE	1,548.75
HICKS, KATHLEEN	97.64
HOME DEPOT CREDIT SERVICES	1,434.37
HONEY BUCKET	1,020.40
HOPELINK	52,105.25
HOPKINS, CRAIG	557.31
HORIZON DISTRIBUTORS INC	680.48
HULQUIST HOMES	7,500.00
ICMA RETIREMENT TRUST 457 - 304745	60,684.33
ICOMPASS TECHNOLOGIES, INC.	16,600.00
INDEPENDENT STATIONERS	5,730.38
INFRASOURCE CONTRACTING LLC	29.36
INGLEWOOD GOLF COURSE	2,475.00
INSLEE, BEST, DOEZIE & RYDER, P.S.	277,552.16
INSTITUTE FOR FAMILY DEVELOPMENT	12,938.00
INSTRUMENTATION NORTHWEST INC.	1,560.58
INTEGRA TELECOM	10,420.22
INTERNATIONAL CITY/CNTY MGMT ASSOC	2,154.43
INTERNATIONAL INST OF MUNI CLERKS	560.00

IRIS WINDOW COVERINGS NW, INC.	1,382.81
IWORQ SYSTEMS	8,600.00
J&K ASSOCIATES	10,789.04
J. MURPHEY CONSTRUCTION	42.67
JACOBSON, BETTS & COMPANY	6,533.12
JBS INSTRUMENTS	3,360.75
JET CITY PRINTING	4,439.65
JOHN E. REID & ASSOCIATES	580.00
JONES & STOKES	129.31
JORVE CORPORTATION	46,509.16
JRW ENTERPRISES	413.36
JURASSIC PARLIAMENT	3,306.07
KCDA PURCHASING COOP	9,328.55
KEEP POSTED INC	173.00
KELLY PRINTING & GRAPHICS	6,908.93
KELLY THOMAS, INC.	11,587.29
KENMORE AIR	275.00
KENMORE ELEMENTARY PTA	5,666.67
KENMORE HERITAGE SOCIETY	25.00
KENYON DISEND, PLLC	14,104.37
KEY EQUIPMENT FINANCE	2,697.00
KING COUNTY	1,672.65
KING COUNTY W.L.R.D.	352,832.05
KING COUNTY ANIMAL SVCS	5,870.00
KING COUNTY ARCHIVES	82.90
KING COUNTY DEPT OF CONST PROP SVCS	1,503.57
KING COUNTY DISTRICT COURT	35,497.00
KING COUNTY FINANCE	1,319,984.66
KING COUNTY FIRE DISTRICT	850.00
KING COUNTY FLEET ADMIN	441.31
KING COUNTY LIBRARY SYS	33,440.00
KING COUNTY OFFICE PUBLIC DEFENSE	1,568.36
KING COUNTY PARKS	5,339.21
KING COUNTY PUBLIC DEFENSE	9,329.94
KING COUNTY RADIO COMM SERVICES	9,704.05
KING COUNTY RECORDER'S OFFICE	751.00
KING COUNTY SHERIFF	3,207,036.81
KING COUNTY TREASURY	38,810.75
KOMPAN, INC	345.64
KONICA MINOLTA BUSINESS SOLUTIONS	7,876.41
KUKER-RANKEN INC	536.98
KUSTOM SIGNALS, INC.	500.33
LACHAPPELLE, NATALIE	300.00
LEE, MYUNG	2,252.00
LIGHTHOUSE CONSULTING INC	33,651.32
LOEWEN, RON	76.00
LONGFELLOW, JONATHAN	420.00
LORBIECKI, GLENN	50.00
LYONS, KEN	6,687.40

MAACO	368.96
MAAS, NORMAN	2,520.00
MAGEE, STEVEN	9,192.00
MAIL FINANCE	3,272.42
MATRIX CONSULTING GROUP	40,000.00
McKEE & SCHALKA	5,500.00
MCNAMARA SIGNS	191.63
MICHAEL TERRY'S TRAPPING	960.00
MIDMOUNTAIN CONTRACTORS, INC	827,157.45
MILNE ELECTRIC, INC	24,991.83
MINZGHOR, NICHOLAS	1,495.68
MOBILE ELECTRICAL DISTRIBUTORS INC	35.30
MR. T'S TROPHIES	1,550.33
NAMI EASTSIDE	400.00
NATIONAL ALLIANCE ON MENTAL ILLNESS	1,481.50
NATIONAL ASSOC OF PARLIAMENTARIANS	85.00
NATIONAL BARRICADE CO	2,943.91
NATIONAL LEAGUE OF CITIES	5,439.00
NATIONAL LIFE OF VERMONT	4,818.81
NATIONWIDE FINANCIAL 401a	260,989.54
NATIONWIDE RETIREMENT SOLUTIONS 457	35,210.00
NEBC	195.00
NetVersant	9,959.70
NEXTEL COMMUNICATIONS	10,733.61
NEXXPOST	287.31
NORTH COAST ELECTRIC	1,642.61
NORTH CREST DEVELOPMENT CORP.	1,794.00
NORTHSHORE FIRE DEPT	8,582.60
NORTHSHORE PAVING INC	537.90
NORTHSHORE SCHOOL DISTRICT	1,364.45
NORTHSHORE SENIOR CENTER	18,250.00
NORTHSHORE UTILITY DIST	113,532.77
NORTHSHORE YOUTH & FAMILY SERVICES	32,500.00
OAC SERVICES, INC	46,354.71
OAKSTONE WELLNESS	128.07
OFFICE CLEANING CREW	7,862.85
OFFICE DEPOT	917.01
OFFICE MAX	320.09
OFFICE TEAM	13,715.91
OLYMPIC ENVIRONMENTAL RESOURCES	46,276.89
OM WORKSPACE	5,418.58
ORB ARCHITECTS	8,725.97
OSTROM DRUGS	557.40
OTAK	182,109.66
OUSLEY, NANCY	1,240.36
PACE ENGINEERS, INC.	3,057.50
PACIFIC NW TITLE CO OF WA, INC	1,171.00
PACIFIC TOPSOILS	14,907.04
PASSPORT TRAVEL AND TOURS	5,130.80

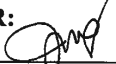
VB. Approval of Claim Nos. 25156 - 25235 in the Amount of \$336,968.96 for the Period Ending December 31, 2011.

PAWS	9,865.00
PENDLETON CONSULTING LLC	10,044.47
PEOPLES STORAGE	2,422.00
PERKINS COIE	10,805.59
PETTY CASH CUSTODIAN	1,985.56
PHOTOTAINMENT	876.00
PHSI PURE WATER FINANCE	1,509.45
PLATT	506.41
PRIME PACIFIC BANK	60.00
PROTHMAN COMPANY	9,053.25
PRO-VAC	15,817.98
PRSA	554.00
PRUDENTIAL	1,492.52
PSR MECHANICAL	735.84
PUGET SOUND BUSINESS JOURNAL	94.00
PUGET SOUND CLEAN AIR AGENCY	10,989.00
PUGET SOUND ENERGY	711,883.33
PUGET SOUND FINANCE OFFICERS ASSOC	125.00
PUGET SOUND REFRIGERATION	2,207.52
PUGET SOUND REGIONAL COUNCIL	7,390.00
PURDY, MICHAEL E.	150.00
PURE WATER TECH OF PUGET SOUND	136.88
QUALITY BUSINESS SYSTEMS	17,909.73
RANDALL, BRIAN	296.37
RCS VALUATION CORP	2,000.00
RICHARD & SHARON ARKLEY LIVING TRUS	2,300.00
RODGERS, MICHAEL	184.00
ROGERS, GLENN	2,512.74
RON KASPRISIN AIA	902.29
RONGERUDE, JOHN	150.00
ROUNDY, CASSANDRA	50.00
RUEB, DAVID	1,440.61
S & S UPHOLSTERY	2,135.25
SAFRIN, PATTY	979.57
SARAH ROBERTS	110,700.00
SCHINDLER ELEVATOR CORPORATION	2,106.01
SCHLOTZHAUER FIRM PS	13,080.00
SEATTLE TIMES	7,642.92
SEATTLE VISITING NURSE ASSOCIATION	112.00
SECRETARY OF STATE	55.00
SEES TREES AND EXCAVATION INC	4,479.84
SEMAIHMUO RESORT	1,041.12
SERVICE ELECTRIC	869.08
SHARAM FAMILY	19,444.40
SHATTUCK, NANCY	8,800.00
SHORELINE PUBLIC SCHOOLS	450.00
SHRED-IT	693.00
SIMPSON, ARTHUR	969.00
SKYLINE WINDOWS, INC.	134.69

SMITH, JARRETT	50.35
SNOHOMISH COUNTY	78,742.06
SNOHOMISH COUNTY SHERIFF'S OFFICE	95,262.13
SOUND LAW CENTER	16,177.00
SOUND PUBLISHING, INC.	6,207.30
SPECIAL ASPHALT PRODUCTS	5,996.09
SPERRY, LAURIE	250.00
ST EDWARD STATE PARK	9,465.22
STAPLES ADVANTAGE	7,273.19
STAR NORTHWEST, INC	56,941.47
STARLIGHT CHILDRENS FOUNDATION	190.00
STATE AUDITOR'S OFFICE	20,279.22
STATE OF FLORIDA DISBURSEMENT UNIT	2,750.00
STEPHENS, MARY	12,500.00
STEWART BEALL MACNICHOLS	44,300.00
STOUDER, FRED	1,359.01
STRIPE RITE, INC.	2,200.95
SUBURBAN CITIES ASSOC	11,919.87
SUNBELT	4,927.56
SUSKIN, LYNN	990.21
SUSSMAN/PREJZA & CO, INC	52,154.84
TACOMA SCREW PRODUCTS, INC.	159.70
TAYLOR, GARY	2,800.00
TELESYSTEMS WEST	2,271.31
THE KIPLINGER TAX LETTER	89.00
THE PIN CENTER	920.00
THE WILDERS	2,000.00
TIGER CONSTRUCTION & EXCAVATION	5,950.00
TIMEMARK INCORPORATED	106.76
TITAN OUTDOOR, LLC	862.00
TOTAL LANDSCAPE CORP	87,678.53
TOWN & COUNTRY FENCE, INC	427.05
TOWNE CENTRE HARDWARE	1,090.57
TRAFFIC COUNT CONSULTANTS, INC	5,250.00
TRAN, SHAUN & DINH LIEU	415.80
TRANE U.S. INC.	10,471.69
T-TRAN LANDSCAPING & CONCRETE	8,760.00
ULI/SEATTLE DISTRICT CNCL	45.00
UNITED STATES POSTMASTER	1,798.44
UNITED WAY OF KING COUNTY	1,495.00
UNIVERSAL FIELD SERVICES	21,222.34
UNIVERSITY OF WASHINGTON	1,210.00
UNIVERSITY OF WASHINGTON, BOTHELL	5,000.00
URBAN LAND INSTITUTE	225.00
US POSTAL SERVICE (HASLER)	8,228.32
VAN NESS, ALLAN	3,372.36
VAUGHAN, KENT	76.00
W.S.S.R.O.A.	450.00
WA ASSOC FOR FLOODPLAIN MANAGEMENT	100.00

WA ASSOC OF CODE ENFORCEMENT	40.00
WA CITIES INSURANCE AUTHORITY	124,502.00
WA FINANCE OFFICERS ASSOCIATION	450.00
WA GUARANTEED EDUCATION TUITION	5,602.50
WA RECREATION & PARK ASSOCIATION	129.00
WA STATE ASSOC OF PERMIT TECHNICIAN	35.00
WA STATE DEPARTMENT OF AGRICULTURE	33.00
WA STATE DEPT OF LABOR & INDUSTRIES	120.20
WA STATE DEPT OF RETIREMENT SYS	154.70
WA STATE DEPT OF TRANSPORTATION	5,772.57
WA STATE PARKS & RECREATION	2,700.00
WARDS NATURAL SCIENCE	1,237.95
WARNER, LOUIS	1.02
WASHINGTON CITY/COUNTY MGMT ASSOC	160.00
WASHINGTON ENERGY SERVICES	120.70
WASHINGTON MILITARY DEPARTMENT	5,009.34
WASHINGTON MUNICIPAL CLERKS ASSOC	75.00
WASHINGTON STATE DEPT OF INFO SERV	14,696.91
WASHINGTON STATE DEPT OF REVENUE	5,003.62
WASHINGTON STATE O.M.W.B.E.	200.00
WASHINGTON STATE OFFICE CASH MGMT	769.50
WASHINGTON TREE SERVICE INC	2,847.00
WEINSTEIN AU	22,005.11
WELLS FARGO BANK	2,483.66
WELLS FARGO FINANCIAL	5,312.50
WESTERN METAL ART & SIGN	244.74
WONDERLAND DEVELOPMENT	14,290.00
YAKIMA COUNTY DEPT. OF CORRECTIONS	59,400.05
YAMASATO, JON	1,750.00
YAZDIDOOST, KAMRAN	4,305.60
ZESBAUGH, INC.	423.77
ZONAR SYSTEMS	525.33
ZORNES, GARY	230.00
ZUMAR	494.77
	14,102,746.80

CITY OF KENMORE, WASHINGTON			
AGENDA BILL SUMMARY			
AGENDA TITLE			MEETING DATE
Motion to adopt Resolution 12-195 providing authorization for the duly appointed administering agency for A Regional Coalition for Housing (ARCH) to execute all documents necessary to enter into agreements for the funding of affordable housing projects, as recommended by the ARCH Executive Board, utilizing funds from the City's Housing Trust Fund			January 23, 2012
DEPARTMENT	DIRECTOR	CONTACT PERSON	PHONE
Executive	Frederick Stouder	Frederick Stouder	425-398-8900
COST OF PROPOSAL: \$152,501 from City's trust fund balance of \$216,135 held by ARCH administering agency City of Bellevue		ACCOUNT NUMBER: N/A	
AMOUNT BUDGETED: \$467,000 Capital Fund (\$317,000 accumulated annual contributions through 2010 plus \$150,000 committed in the 2011-2012 biennial budget).		NAME AND FUND #: N/A	
ATTACHMENT(S) TO AGENDA PACKET ITEM: Resolution 12-195 including Exhibit A memo dated 12/9/11 from the ARCH Executive Board regarding 2011 Housing Trust Fund Recommendations			
SUMMARY STATEMENT: A Regional Coalition for Housing (ARCH) is comprised of fifteen East King County cities (including Kenmore) and King County. Through the technical assistance to its members on housing policy and plan development and Housing Trust Fund investments, ARCH helps local jurisdictions meet the obligations of the Growth Management Act to provide for housing opportunities that are affordable to a wide range of household incomes. The City of Kenmore approved an Amended and Restated Interlocal Agreement with ARCH on 3/8/10 (Contract 10-C866) with an effective date of 7/1/10. One outcome of the Interlocal agreement was that the City of Bellevue would keep in trust and administer the accumulated funds annually set aside by the City of Kenmore, which totaled \$317,000 as of 12/31/2010. The \$317,000 was transferred to the City of Bellevue on January 27, 2011. The 2011-2012 adopted City of Kenmore biennial budget also includes an additional \$150,000 as a capital outlay contribution commitment to the ARCH Housing Trust Fund of which \$75,000 has already been transferred to the City of Bellevue. The ARCH Executive Board 2011 Housing Trust Fund recommendation (See Exhibit A attached to Attachment #1) includes funding for five projects, with a funding total of \$2,622,500. The actual amount will depend on final action by City Councils. The City of Kenmore requested funding contribution is \$152,501 to fund ARCH South Kirkland Transit Oriented Development in an amount not to exceed \$92,973, to fund Sophia Way – Sophia's Place in an amount not to exceed \$9,528, and to fund LIHI Bellevue Apartments in an amount not to exceed \$50,000. Staff recommends that Council adopt Resolution 12-195 providing authorization for the duly appointed administering agency for ARCH to execute all documents necessary to enter into agreements for the funding of affordable housing projects in the amount of \$152,501 as recommended by the ARCH Executive Board, utilizing funds from the City's Housing Trust Fund held by the City of Bellevue. This action has no budgetary impact as the funds have already been budgeted and transferred to the Housing Trust Fund at the City of Bellevue. The \$152,501 funding contribution would be withdrawn from the City's Housing Trust Fund, leaving a balance of \$63,634 at the end of 2011. This balance reflects the addition of \$1,635 in interest as well as \$177,500 paid out per the previously approved 2011 ARCH work plan and funding recommendations. There is also \$52,500 committed to projects but not yet paid which would reduce the Trust Fund Balance to \$11,134. However, this balance does not yet include the City's 2012 \$75,000 contribution committed in the adopted budget which has yet to be transferred to ARCH.			

CONSISTENT WITH OR COMPARISON TO PAST COUNCIL POLICIES, ORDINANCES, DIRECTION: City Council approval of ARCH Interlocal Agreement (Contract 10-C866) and approval of prior recommendations by the ARCH Executive Board regarding use of the Housing Trust Fund for funding housing projects. Consistent with adopted 2011-2012 Budget.		
RECOMMENDED CITY COUNCIL ACTION/SUGGESTED MOTION: Motion to adopt Resolution 12-195 providing authorization for the duly appointed administering agency for ARCH to execute all documents necessary to enter into agreements for the funding of affordable housing projects, as recommended by the ARCH Executive Board, utilizing funds from the City's Housing Trust Fund.		
REVIEWED BY FINANCE DIRECTOR: 	REVIEWED BY CITY ATTORNEY:	APPROVED BY CITY MANAGER: <i>Mike for F. Struder</i>
TODAY'S DATE: January 10, 2012	REVISION DATE(S): January 11, 2012	FILE NAME & PATH (HYPERLINK): i:\city clerk\agenda items\community development planning\2012 council meetings\january 23, 2012\agenda bill for arch 2011 trust fund recommendations resolution 12-195.doc

**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 12-195**

A RESOLUTION OF THE CITY OF KENMORE, WASHINGTON, AUTHORIZING THE DULY-APPOINTED ADMINISTERING AGENCY FOR A REGIONAL COALITION FOR HOUSING (ARCH) TO EXECUTE ALL DOCUMENTS NECESSARY TO ENTER INTO AGREEMENTS FOR THE FUNDING OF AFFORDABLE HOUSING PROJECTS, AS RECOMMENDED BY THE ARCH EXECUTIVE BOARD, UTILIZING FUNDS FROM THE CITY'S HOUSING TRUST FUND

WHEREAS, A Regional Coalition for Housing (ARCH) was created by interlocal agreement to help coordinate the efforts of Eastside cities to provide affordable housing; and

WHEREAS, the ARCH Executive Board has recommended that the City of Kenmore participate in the funding of certain affordable housing projects and programs hereinafter described; and

WHEREAS, the ARCH Executive Board has developed a number of recommended conditions to ensure that the City's affordable housing funds are used for their intended purpose and that projects maintain their affordability over time; and

WHEREAS, the City Council took action on March 8, 2010, approving the Amended and Restated Interlocal Agreement for ARCH; and

WHEREAS, the City Council desires to use \$152,501 from City funds as designated below to finance the projects recommended by the ARCH Executive Board;

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

Section 1. The City Council authorizes the duly-appointed administering agency of ARCH pursuant to the Amended and Restated Interlocal Agreement for ARCH to execute all documents and take all necessary actions to enter into Agreements on behalf of the City to fund the ARCH South Kirkland Transit Oriented Development in an amount not to exceed \$92,973, to fund the Low Income Housing Institute (LIHI) Bellevue Apartments in an amount not to exceed \$50,000, and to fund the Sophia Way – Sophia's Place in an amount not to exceed \$9,528

Section 2. The Agreements entered into pursuant to Section 1 of this resolution shall be funded in a combined amount not to exceed that set forth in Section 1. Such Agreements shall include terms and conditions to ensure that the City's funds are used for their intended purpose and that the project maintains its affordability over time. In determining what conditions should

be included in the Agreements, the duly-appointed administering agency of ARCH shall be guided by the recommendations set forth in the ARCH Executive Board's memorandum of December 9, 2011, a copy of which is attached hereto as Exhibit A.

**PASSED BY THE CITY COUNCIL OF THE CITY OF KENMORE,
WASHINGTON, AT A REGULAR MEETING THEREOF THIS 23RD DAY
OF JANUARY, 2012.**

CITY OF KENMORE

Mayor David Baker

ATTEST/AUTHENTICATED:

Lynn Suskin, City Clerk



Together Center Campus
16225 NE 87th Street, Suite A-3 ♦ Redmond, Washington 98052
(425) 861-3677 ♦ Fax: (425) 861-4553 ♦ WEBSITE: www.archhousing.org

M E M O R A N D U M

TO: City of Bellevue Council Members
City of Clyde Hill Council Members
Town of Hunts Point Council Members
City of Issaquah Council Members
City of Kenmore Council Members
City of Kirkland Council Members
City of Medina Council Members
City of Mercer Island Council Members
City of Newcastle Council Members
City of Redmond Council Members
City of Woodinville Council Members
Town of Yarrow Point Council Members

FROM: Frederick Stouder, Chair, and ARCH Executive Board

DATE: December 9, 2011

RE: 2011 Housing Trust Fund (HTF) Recommendation

The ARCH Executive Board (EB) has completed its review of eight applications for funding through the 2011 Housing Trust Fund round. The Executive Board at its June and November meetings considered these projects and recommends funding for five projects. Recommendations total \$2,622,500 as summarized in the attached table: Proposed Funding Sources. The actual amount will depend on final action by the City Councils.

Following is a summary of the applications, the CAB recommendation and rationale, and proposed contract conditions for the four proposals recommended for funding at this time. Also enclosed is an evaluation matrix for each proposal, an economic summary for the four projects recommended for funding, leveraging charts, project summary table, and a summary of funded projects to date.

1. ARCH – South Kirkland TOD

Funding Request: \$1,000,000 (Contingent Loan) Plus 14 Section 8 Vouchers
58 - 70 units

CAB Recommendation: \$940,367* (Contingent Loan) Plus 14 Section 8 Vouchers
See attached Funding Chart for distribution of City Funds

(* Reduced recommendation offset by increase funding award from King County.
Done to allow CDBG funds allocated through ARCH to fully fund two other projects)

Project Summary:

A Regional Coalition for Housing (ARCH) acting as stand-in developer for purposes of accessing funding in the current round, is proposing up to a 70 unit rental housing project as part of a larger transit oriented development at the South Kirkland Metro Park and Ride consisting of affordable and market-rate housing, commercial/retail space and structured parking for expanded capacity at the South Kirkland Park and Ride. Construction of the affordable units will be four stories of residential wood framed construction over structured parking with ground floor retail in a portion of the parking structure.

The site is served by numerous bus lines and is in close proximity to a range of in-town amenities such as stores, parks and recreational facilities, schools, and places of worship.

The affordable portion of project targets households earning below 30%, 40% and 60% of median income, 14 units (or 20% of the total) are being set aside for homeless housing with an additional 14 units for persons living with disabilities. A number of local agencies have indicated willingness to deliver services for those residents that they would refer to the set-aside units. The project will feature a range of unit sizes from studios to two bedroom units.

King County Metro has done an RFQ/RFP process for soliciting developer team proposals for the site, and selection of a preferred proposal is expected in October 2011. A partnership of Polygon and Imagine Housing has been selected by Metro as the preferred developer of the site. Imagine Housing has proposed rental housing with a similar unit and affordability mix as submitted by ARCH, but with potentially approximately 60 units instead of 70 units.

Funding Rationale:

The CAB supported the intent of this application for the following reasons:

- Supports implementation of a local housing/neighborhood plan. The creation of housing with an affordable component at the South Kirkland Park and Ride site has been a high priority for the City of Kirkland for a number of years.
- There is site control
- The project integrates very-low and low-income housing with market rate housing and retail/commercial in a gateway project for the Houghton neighborhood.
- The project has a portion of housing for homeless and disabled populations, which city has indicated an interest in providing on this site, and some of proposed funding sources state as priority needs.
- Proposal is an integral element of an overall TOD development
- The affordable component in an integral component of the overall plan to increase overall housing supply and expanded Park and Ride capacity on this site.
- Leverages funding from several other affordable housing sources, and also leverages federal funds to expand capacity of the Park and Ride.

Potential Conditions:

Special / Revised Conditions:

1. The funding commitment shall continue for **twenty-four (24) months** from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to City staff no later than sixty (60) days prior to the expiration date. At that time, the selected developer will provide a status report on progress to date, and expected schedule for start of construction and project completion. City staff will consider an extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion. At a minimum, the selected developer will demonstrate that all capital funding has been secured or is likely to be secured within a reasonable period of time. City staff will grant up to a 12 month extension. If necessary a second extension of up to 6 months may be requested by following the same procedures as the first extension.
2. Funds will be in the form of a **deferred, contingent loan**. Loan terms will account for various factors, including loan terms from other fund sources and available cash flow. Final loan terms shall be determined prior to release of funds and must be approved by City Staff. Based on the preliminary development budget, it is anticipated that loan payments will be based on a set repayment schedule, and begin after repayment of deferred developer fee (approximately year 10), with 1% interest. The terms will also include a provision for deferment of a payment if certain conditions are met (e.g. low cash flow due to unexpected costs). Any requested deferment of loan payment is subject to approval by City Staff, and any deferred payment would be repaid from future cash flow or at the end of the amortization period.
3. Until such time as the any deferred developer fee structured into the sources is fully repaid, all cash flow after payment of operating expenses and debt service, shall be used to repay the deferred developer fee or project reserves as approved by City Staff.
4. A covenant is recorded ensuring affordability for at least 50 years, with affordability for the number of units in the proportion as shown in the following table which is for 70 units. In the event less units are provided, affordability mix would be a similar proportion as in the table. Affordability levels will be defined using the requirements for tax credits, and utility costs will be based on King County Housing Authority allowances, unless otherwise approved by City Staff.

Median Income Level	Studio	1 Bedrm	2 Bedrm	Total
Very Low Income 30% AMI	15	12	8	35
Low Income 31-40% AMI	8	6	4	18
Moderate Income 40-60% AMI	7	6	4	17
Total	30	24	16	70 *

* Up to 14 of the units can be Section 8 units, with a minimum of 7 of the Section 8 units being in two or three bedroom units.

5. Selected developer will explore the feasibility of incorporating some three bedroom units into the property.
6. Based on the availability of adequate support services, up to 20% of the units will be set-aside for homeless, unless otherwise approved by City Staff.

7. The design should reflect a conscious integration of the affordable units with the overall site design, and design of the affordable structure complementing the market rate housing.
8. The Agency shall submit a property management plan prior to release of funds for review by City staff. At a minimum, the property management plan will address:
 - Resident selection procedures including marketing and outreach process, including local targeted marketing outreach to local businesses and community organizations.
 - A short and long term strategy for covering operating expenses.
 - Management procedures to address resident needs, a description of the relationship of residents referred by agencies to those agencies' programs and services.
 - Overall transportation demand management for the affordable units (e.g. transit education, availability of bus passes, bicycle storage,) and management policies related to adequately managing resident and staff parking based on the approved amount of parking.
 - Description of the coordination of the management of the affordable housing with management of the market rate housing, retail and, if applicable transit facilities.
 - A summary of the City affordability requirements and annual monitoring procedures.
9. Submit documentation of the City's approval of the provision of parking for the affordable housing and overall project.

Standard Conditions:

10. Funds shall be used by the Agency toward project construction related costs as approved by City Staff. Funds may not be used for any other purpose unless city staff has given written authorization for the alternate use.
11. The Agency shall submit evidence of funding commitments from all proposed public and private sources. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify city staff, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to city staff's review and approval. Prior to initiating construction, the Agency shall submit evidence of all public and private resources needed to complete the project.
12. The Agency shall provide a revised development budget based upon actual funding commitments, which must be approved by City staff. If the Agency is unable to adhere to the budget, City staff must be immediately notified and a new budget shall be submitted by the Agency for the City's approval. The City shall not unreasonably withhold its approval to a revised budget, so long as such new budget does not materially adversely change the Project. This shall be a continuing obligation of the Agency. Failure to adhere to the budgets, either original, or as amended, may result in withdrawal of the City's commitment of funds.
13. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements.
14. Submit monitoring reports quarterly through completion of the project, and annually thereafter. Submit a final budget upon project completion. If applicable, submit initial tenant information as required by the City.

2. Community Homes, Inc. (CHI) – 7th Residence

Funding Request: \$100,000 (Secured Grant)
5 beds

CAB Recommendation: \$100,000 (Secured Grant)
King County CDBG Funds

Project Summary:

CHI is proposing to acquire and rehabilitate a single family residence for use as a shared home for five developmentally disabled individuals at or below 30% of King County Median Income. The home would also provide accommodation for a live-in care provider. The arrangement is similar to their prior six homes, of which five included city funding allocated through ARCH.

Services to residents will be provided by the live-in care provider, funded through a separate contract with the State. Residents' 'housing' payments include allowances for food and toiletries.

A home has not been selected as of this time. CHI will proceed with seeking a home that is located near transit and services once all funding is in place.

Funding Rationale:

The CAB supported the intent of this application for the following reasons:

- Serves very low income developmentally disabled individuals
- Provides housing for a population (Special Needs housing) that currently is below long term ARCH Trust goals
- Property will have live in care provider
- Acquisitions to be done near transit and community amenities
- Developer has 15 year track record and good reputation with funders and Department of Developmental Disabilities
- Department of Commerce Trust Fund has a special needs set aside and King County has already awarded funds to the project

Potential Conditions:

Special / Revised Conditions:

1. The funding commitment shall continue for **six (6) months** from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to City staff no later than sixty (60) days prior to the expiration date. At that time, the applicant will provide a status report on progress to date, and expected schedule for start of construction and project completion. City staff will consider an extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion. At a minimum, the applicant will demonstrate that all capital funding has been secured or is likely to be secured within a reasonable period of time. City staff will grant up to a 12 month extension. If necessary a second extension of up to 6 months may be requested by following the same procedures as the first extension.
2. Funds shall be used by the Agency toward acquisition costs. Funds may not be used for any other purpose unless city staff has given written authorization for the alternate use.
3. CHI shall not proceed with searching for a home until all funding commitments have been received. The Agency shall only purchase unoccupied homes or owner occupied homes in order to not trigger local and federal relocation regulations.

4. Prior to acquisition, the Agency shall submit an appraisal by a qualified appraiser. The appraisal shall be equal to or greater than the purchase price.
5. Site control cannot be entered into until the completion of the HUD required Environmental Assessment. The option agreement shall contain language that addresses federal funds' "choice-limiting" restrictions.
6. Funds will be in the form of a **secured grant** with no repayment, so long as affordability and target population is maintained, and the service/care providers have a contract with DDD for funds necessary to provide services to this population.
7. A covenant is recorded ensuring **affordability for at least 50 years**, with five beds for developmentally disabled individuals at or below 30% of King County median income at move in.
8. Unless otherwise approved by City staff the development budget shall include:
 - The development budget will include a **minimum of \$16,200 of private sources** provided by the applicant.
 - \$694,000, combined for acquisition and construction cost. In the event that total acquisition and rehab costs, including contingency, exceeds this amount, additional costs shall be covered by private sources from the applicant.
 - Developer fee shall not exceed \$35,000 and Developer Consultant fee shall not exceed \$25,000.
9. Residents referred from DDD will not receive Section 8 assistance.
10. All cash flow after payment of operating expenses shall be placed into a project reserve account that can be used by the applicant for project related operating, maintenance or services expenses. Any other use of these reserves funds must be approved by City staff.
11. In the event that any operating support funding levels will be reduced, the Agency shall inform City Staff about the impacts the proposed reduction will have on the budget and plan for services to the DD clients, and what steps shall be taken to address the impacts. A new budget or services plan must be approved by the City.
12. The Agency will notify the City when they enter into an option or purchase and sale agreement for any home, providing information on the location of the home and terms for acquiring the home. No home considered for acquisition will be within two blocks of another home owned by Agency unless otherwise approved by City staff. The option and purchase and sales agreement shall contain language that addresses federal funds' "choice-limiting" restrictions.
13. Prior to closing on a home, an individualized outreach plan will be submitted to City staff for review and approval. The outreach plan will include provisions such as:
 - Provide written notification to neighbors upon mutual acceptance of the Purchase and Sales Agreement to include CHI's intention to purchase the house, description of the project, and information regarding CHI and the service provider that will include the website and contact number;
 - Provide an opportunity for neighbors to individually and/or as a group to meet with CHI and the service provider regarding the project; such as having an Open House after the tenants move-in and include invitations to the neighbors.
14. Once each home is selected the Agency shall include City Staff in the inspection of the property and development of the final scope of work for the rehab. The final scope of work for the basic construction budget shall include, at a minimum, all work necessary for licensing of the home and correction of substandard health and safety

conditions. Prior to start of construction, the Agency shall submit the final scope of work for City Staff approval, along with evidence that construction costs have been confirmed by a qualified contractor and are within the basic construction budget. All uses of construction contingency funds must be approved by City staff prior to authorization to proceed with such work.

15. Prior to release of funds, the Agency shall submit to City staff for review and approval drafts of all documents related to the provision of services to residents and management of the property, including the Memorandum of Understanding with the service provider, form of lease agreement with residents, and services agreement between DDD and the Service Provider. These documents shall at a minimum address: tenant selection procedures through DDD; management procedures to address tenant needs; services provided for or required of tenants; management and operation of the premises; community and neighbor relations procedures; a summary of City's affordability requirements as well as annual monitoring procedure requirements. The plan shall also detail policies and procedures regarding resident turnover with the express purpose placing new residents in available beds and limiting vacancies.
16. With future applications for funding, Community Homes shall provide ARCH with an update on strategies towards a agency plan to address aging of residents.
17. With future applications for funding, Community Homes shall provide ARCH with an analysis of a Capital Needs Assessment for its properties, and strategies for addressing these capital needs long term through a combination of capital reserves and ongoing fundraising efforts.

Standard Conditions:

18. The Agency shall provide revised development and operating budgets based upon actual funding commitments, which must be approved by city staff. **The operating budget will include \$2,500 for the first year with an annual increase of 3.5% per year for replacement reserves and \$1,500 for the first year with an annual increase of 3.5% per year for operating reserves.** If the Agency is unable to adhere to the budgets, city staff must be immediately notified and (a) new budget(s) shall be submitted by the Agency for the City's approval. The City shall not unreasonably withhold its approval to (a) revised budget(s), so long as such new budget(s) does not materially adversely change the Project. This shall be a continuing obligation of the Agency. Failure to adhere to the budgets, either original or as amended may result in withdrawal of the City's commitment of funds.
19. The Agency shall submit evidence of funding commitments from all proposed public sources. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify city staff, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to city staff's review and approval.
20. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements. CDBG funds may not be used to repay (bridge) acquisition finance costs.
21. The Agency shall maintain documentation of any necessary land use approvals and permits required by the city where the homes are located.
22. Submit monitoring reports quarterly through completion of the project, and annually thereafter. Submit a final budget upon project completion.

3. Friends of Youth – Youth Haven

Funding Request: \$272,500 (Secured Grant)
 10 beds (potential for 17)
 plus land banking for 4 group homes

CAB Recommendation: \$323,133 (Secured Grant) *
 King County CDBG Funds

(* Increased recommendation offset by decreased funding award from King County. Done to allow CDBG funds allocated through ARCH to fully fund two projects, including this project.)

Project Summary:

Friends of Youth (FOY) is a local agency providing counseling and shelter to homeless youth. Their application is for funding a consolidation of its two homeless shelters for that population (Youth Haven program). One, a five bed staffed residential home for boys is located in Bellevue, and a second, a five bed facility for girls, is in Kenmore. Maintaining and staffing two separate facilities has an impact on operating costs and staffing needs for the organization. They are proposing the consolidation of their shelters as a part of their strategic plan and to preserve current capacity and potentially expand capacity for runaway and homeless youth on the East and North side of King County. The Youth Haven program operates at a deficit and FOY must reduce costs and find efficiencies to continue to provide this service for youth.

Their proposal is for the acquisition of a 1.7 acre former church property located in the Kingsgate area of Kirkland and converting the existing facility to administrative offices and building a new 2 story, 10 bed group home (with capacity to expand to 17 beds) with living area, recreation rooms/studies, kitchen and dining and supporting office spaces along with laundry and bathroom facilities. The property also affords the future opportunity to develop four additional single family homes which could serve as group homes for young adults or other affordable housing. Costs for the acquisition and renovation for the administration building are financed separately.

The design focuses on creating a home-like environment where homeless youth can feel safe, grounded and allows them to develop a sense of belonging. At the new facility, a Program Manager provides oversight and supervision of the program and a Therapeutic Case Manager provides on-site individual, group and family counseling services. Reunification of the youth with their family is a primary goal of the program. If reunification is not appropriate, then the case manager works closely with the youth to identify other safe, alternative housing options, including transitional living programs or job corps.

Funding Rationale:

The CAB supported the intent of this application for the following reasons:

- This acquisition would consolidate in one site, two interim residences for youth aged 11 through 17, allowing agency to save staffing and other operating costs
- Developer is experienced and successful in serving this population
- Provides housing for a population (Special Needs housing) that currently is below long term ARCH Trust Fund goals, and in particular a population group youth/young adult that have only funded on a limited basis in the past
- Location of proposed project has good access to public transportation, hospital, schools, library and employment opportunities nearby
- The site and proposed building offer potential for additional housing for youth and young adult
- Forwards overall organizational objectives to consolidate facilities while also providing opportunities for growth to meet needs in the community. Is also a proactive solution to containing costs in order to deal with constricting resources

Potential Conditions:

Special Conditions:

1. The funding commitment shall continue for **twelve (12) months** from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to City staff no later than sixty (60) days prior to the expiration date. City staff will consider an extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion.
2. Funds shall be used by FoY (Agency) toward the acquisition. Funds may not be used for any other purpose unless city staff has given written authorization for the alternate use.
3. Funds will be in the form of a **secured grant** with no repayment, so long as affordability and target population is maintained, and the service funds necessary to provide services to this population are available.
4. A covenant is recorded ensuring affordability for ten (10) beds of homeless youth housing for at least fifty (50) years at 30% King County median income.
5. In the event that any operating support funding levels will be reduced, the Agency shall inform City Staff about the impacts the proposed reduction will have on the budget and plan for services to clients, and what steps shall be taken to address the impacts. A new budget or services plan must be approved by the City.
6. Site control cannot be entered into until the completion of the HUD required Environmental Assessment. The option agreement shall contain language that addresses federal funds' "choice-limiting" restrictions.
7. Prior to closing on the site, submit a community outreach plan to City staff for review and approval. The outreach plan will include provisions such as notification to neighbors and providing an opportunity for neighbors to individually and/or as a group to meet with FoY regarding the project; such as having an Open House.
8. The agency shall reserve future use of the undeveloped lots created through the development process for affordable housing. The intent is to utilize these parcels for additional housing for youth or young adult to be developed by FoY. In the event these parcels are not developed by FoY within 10 years, FoY shall consult with public funders regarding utilizing these parcels for other affordable housing that could be compatible with the other uses on the property. Assuming these parcels are developed with affordable housing, FoY shall make these parcels available as an equity contribution toward the overall budget. Sale of these parcels shall require approval from public funders, subject to some portion of any sale proceeds being returned to public funders.
9. Prior to release of funds, the Agency shall submit to City staff for review and approval drafts of all documents related to the provision of services to residents and management of the property, including any licensing-related management and service provider plans. These documents shall at a minimum address: management procedures to address tenant needs; services provided for or required of tenants; management and operation of the premises; community and neighbor relations procedures; a summary of City's affordability requirements as well as annual monitoring procedure requirements.

Standard Conditions

10. The Agency shall provide revised development and operating budgets based upon actual funding commitments, which must be approved by city staff. **The Operating budget will include \$5,950 for the first year with an**

annual increase of 2.5% per year for replacement reserves and \$2,000 for the first year with an annual increase of 2.5% per year for operating reserves. If the Agency is unable to adhere to the budgets, city staff must be immediately notified and (a) new budget(s) shall be submitted by the Agency for the City's approval. The City shall not unreasonably withhold its approval to (a) revised budget(s), so long as such new budget(s) does not materially adversely change the Project. This shall be a continuing obligation of the Agency. Failure to adhere to the budgets, either original or as amended may result in withdrawal of the City's commitment of funds.

11. Prior to the start of construction, the Agency shall submit evidence of funding commitments from all proposed public sources. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify city staff, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to city staff's review and approval.
12. Prior to acquisition, the Agency shall submit an appraisal by a qualified appraiser. The appraisal shall be equal to or greater than the purchase price.
13. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements. CDBG funds may not be used to repay (bridge) acquisition finance costs.
14. The Agency shall maintain documentation of any necessary land use approvals and permits required by the city where the homes are located.

4. Sophia Way – Sophia's Place

Funding Request: \$250,000 (Secured Grant)
20 beds

CAB Recommendation: \$250,000 (Secured Grant)
See attached Funding Chart for distribution of City Funds

Project Summary:

The Sophia Way is the only organization in East King County that provides emergency shelter to unaccompanied adult women who are homeless. They focus on the chronically homeless, currently providing them with shelter at night and then moving them into permanent housing as quickly as possible and supporting them with case management and referrals to help them remain successful in that housing. Some of that permanent is also provided through the program in addition to the shelter. The Sophia Way started in December 2008, housed in First Congregational Church of Bellevue, and currently serves 10 women at a time and turns away persons regularly for lack of capacity. The women who come into the shelter are often dealing with the aftermath of domestic violence, have mental illness or physical disabilities, or are suffering from the ramifications of substance abuse and generally do not have any income when they come into the shelter. In the current shelter, the shelter is nights only (7 pm to 7 am). During the day on weekdays, the women may take advantage of the co-located YWCA day center which opens at 9 and closes at 3. Hence the women must be away for extended periods of time during the weekday as well as 12 hours on the weekend days. Currently the women sleep on pads on the floor and have to set up each night and break down each morning. There is no private space for the women.

The new project would double the capacity, and create the potential to extend the shelter to a 24 hour shelter, seven days a week. It involves building out the existing daylight basement of St. Luke's church with bathrooms, kitchen, laundry, dining area, day space and a sleeping area for 20 sleeping carrels (low partitions, yet affording privacy and place to permanently keep possessions)) along with office and meeting space. At a minimum, the property will operate at the same hours as the current shelter and drop in center. Sophia Way is pursuing funding options with the goal to have full time access for residents. Even operating on the current schedule, with the new space, residents will be allowed to keep their personal possessions in their personal spaces at all times. The YWCA will partner with The Sophia Way to provide services.

Site control will be in the form of a long-term lease (15 years with ability to automatically renew for an extended period). The space is being offered rent-free by the church with Sophia Way paying its share of utilities.

Funding Rationale:

The CAB supported the intent of this application for the following reasons:

- Doubles women's shelter capacity in the community and increases the quality of life with semi-private sleeping areas, and potential for 24/7 operations
- The public funds leverage a substantial amount of private funding and in-kind donations
- Group is respected, and has been successful over nearly three years of operation in serving this population
- Location of proposed project has good access to public transportation, shopping, and other community amenities nearby. With the program co-located at the church, Sophia Way will likely benefit from their ongoing support.
- Relatively low per unit capital and ongoing operating costs. Significant operating cost savings per person with the expanded capacity at the same level of service.

Potential Conditions:

Special Conditions:

1. The funding commitment shall continue for **six (6) months** from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to City staff no later than sixty (60) days prior to the expiration date. City staff will consider an extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion.
2. Funds shall be used by Sophia Way toward the construction (including construction contingency and sales tax), environmental assessment, permits and hookups, insurance, development period utilities, replacement reserves and developer fee. Funds may not be used for any other purpose unless city staff has given written authorization for the alternate use.
3. In the final budget, a fixed amount will be identified for those costs to be paid from funds for non-construction related costs. Preliminarily, this figure is estimated to be \$22,000. The balance of the commitment of funds from ARCH will be used for construction/improvement costs. Funding up to this amount will be available for construction costs in excess of costs covered through in-kind contributions and donations. The final funding award will be reduced to the extent all of these funds are not needed for construction costs.
4. Funds will be in the form of a **secured grant** with no repayment, so long as affordability and target population is maintained, and the service funds necessary to provide services to this population are available. At the sole discretion of the City, in the first 15 years, should the facility no longer be used as a continuous homeless shelter, funds are subject to being repaid in full; and if the facility stops serving as a shelter between years 15 and 30, funds shall be subject to repayment less 1/30th the amount of the award for each year the shelter has operated. After 30 years, the entire obligation is forgiven.
5. A covenant is recorded ensuring affordability for twenty (20) beds of homeless housing for at least thirty (30) years at 30% King County median income.
6. In the event that any operating support funding levels will be reduced, the Agency shall inform City Staff about the impacts the proposed reduction will have on the budget and plan for services to clients, and what steps shall be taken to address the impacts. A new budget or services plan must be approved by the City.

Standard Conditions

1. The Agency shall provide revised development and operating budgets based upon actual funding commitments, which must be approved by city staff. **The operating budget will include \$8,000 for the first year with an annual increase of 2.5% per year for replacement reserves and \$12,000 for the first year with an annual increase of 2.5% per year for operating reserves.** If the Agency is unable to adhere to the budgets, city staff must be immediately notified and (a) new budget(s) shall be submitted by the Agency for the City's approval. The City shall not unreasonably withhold its approval to (a) revised budget(s), so long as such new budget(s) does not materially adversely change the Project. This shall be a continuing obligation of the Agency. Failure to adhere to the budgets, either original or as amended may result in withdrawal of the City's commitment of funds.
2. The Agency shall submit evidence of funding commitments from all proposed public sources. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify city staff, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to city staff's review and approval.

3. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements. CDBG funds may not be used to repay (bridge) acquisition finance costs.
4. The Agency shall maintain documentation of any necessary land use approvals and permits required by the city where the homes are located.
5. Submit monitoring reports quarterly through completion of the project, and annually thereafter. Submit a final budget upon project completion. If applicable, submit initial tenant information as required by the City.

5. Low Income Housing Institute (LIHI) Bellevue Apartments

Funding Request: \$1,000,000 (Contingent Loan) Plus 8 Section 8 Certificates
56 affordable rental units

CAB Recommendation: \$1,000,000 (Contingent Loan) Plus 8 Section 8 Certificates
See attached Funding Chart for distribution of City Funds

Project Summary:

The Low Income Housing Institute (LIHI) is proposing to build a 57-unit (56 affordable units, 1 unrestricted manager's unit) six story building on a quarter acre downtown Bellevue site which LIHI purchased in July of 2009. There will be five floors of residential above a ground level floor with common areas and underground parking for 23 cars.

The project targets households earning at 30%, 50% and 60% of median area income. Eight units at 30% of median will receive Section 8 assistance and are prioritized for homeless households supported with services through Sound Mental Health. In total 12 units will be set aside for households transitioning out of homelessness, and 12 units will be set aside for households with persons living with disabilities. Most of the units are studios or open one-bedroom units. This configuration was partly chosen to minimize the amount of required structured parking for the building. Common area features include a lobby, leasing office, computer room/library, community gathering room, children's play area and counseling offices.

Funding Rationale:

- The CAB supported this application for the following reasons:
- LIHI is an experienced developer and has capacity to front pre-development costs
- Developer owns the site
- The Project fits 9% Low Income Tax Credit criteria
- Project would provide new affordable units in Bellevue's downtown
- Project includes up to 12 homeless set-asides
- Project cash flows and could have ability to pay back public funds over time
- Site is near transit and downtown amenities
- ARCH request is relatively low per unit.

Recommended Conditions:

Special / Revised Conditions:

6. The funding commitment shall continue for twelve (12) months from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to City staff no later than sixty (60) days prior to the expiration date. At that time, the applicant will provide a status report on progress to date, and expected schedule for start of construction and project completion. City staff will consider an extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion. At a minimum, the applicant will demonstrate that all capital funding has been secured or is likely to be secured within a reasonable period of time. City staff will grant up to a 12 month extension. If necessary a second extension of up to 6 months may be requested by following the same procedures as the first extension.
7. Unless otherwise approved by Bellevue staff, funding is conditioned on written confirmation by Sound Transit and City of Bellevue before June 1, 2011 that project site will not be physically impacted by Sound Transit Light Rail alignment.
8. Funds will be in the form of a deferred, contingent loan. Loan terms will account for various factors, including loan terms from other fund sources and available cash flow. Final loan terms shall be determined prior to

release of funds and must be approved by City Staff. Based on the preliminary development budget, it is anticipated that loan payments will be based on set payment schedule and begin approximately in Year 12 after the project is placed in service, with 1% simple interest. For the period 2023 to 2030 payment can be deferred in whole or in part to the extent required so that net cash flow (cash flow after operating, reserves and financing expenses) is not less than \$10,000 (indexed for inflation) for an asset management fee to the Agency. After year 2030 at the sole discretion of the City, an annual repayment of City funds may be deferred, in whole or in part, if the economic vitality of the Project is threatened because annual project income is insufficient to pay all operating expenses, including reserves and pre-approved debt. Any deferred payment would be repaid from future cash flow or at the end of the amortization period.

9. Starting in the first year the project is placed in service; all cash flow will go towards paying the deferred developer fee. Once the deferred developer fee is paid off, all net cash flow after payment of operating and financing costs, including a \$10,000 annual asset management fee to the Agency, will be placed into a separate reserve account (Stabilization Fund) controlled by the Public Funders. Those reserves may be used to cover unanticipated property operating or capital costs, increase project reserves, or other project related costs approved by public funders. Starting in Year 12, and occurring every two years thereafter, Public Funders will meet jointly to determine if there are sufficient reserves in this account to apply any of the reserve for repayment of loans made by the Public Funders or to release funds to the Agency for designated (e.g. capital repair to a specific property or undesignated purposes..
10. City Funds shall be used by the Agency toward construction and, architectural fees, as approved by City or ARCH Staff. Funds may not be used for any other purpose unless City or ARCH Staff has given written authorization for the alternate use.

11. A covenant is recorded ensuring affordability for at least 50 years. Unit mix and affordability shall be:

Affordability (Percent of Median)	Studio	Studio+	2 Bedroom	3 Bedroom	Number of Units
30%	8*	16	2*	2*	28
50%	2	15	0	0	17
60%	0	5	3	3	11
Unrestricted (Manager Unit)		1			1
TOTAL	10	37	5	5	57

* 8 Section 8 Certificates to go to 4 30% AMI studio units and 2 each to the 30% AMI 2- and 3-Bedroom units. Proposed rental subsidies will go towards these units which are prioritized for those transitioning out of homelessness.

12. Based on the availability of adequate support services, up to 12 of the units will be set-aside for homeless, unless otherwise approved by City Staff.
13. Development costs and potential savings will be addressed as follows:
 - Unless approved by public funders, total construction costs, off-site improvements, environmental abatement, sales tax and equipment and furnishings shall not exceed \$8,946,910.
 - All Change Orders, expenditures of contingency funds and final construction costs are subject to review and approval by project funders.
 - Any changes to individual line items in the development budget are subject to review and approval by public funders.

- Any savings in construction, contingency, or other costs shall be documented prior to completion of the Final Cost Certification. All or a portion of any cost savings will be used to reduce funding commitments by public funders as determined by the public funders.
14. LIHI shall submit a parking management plan for review and approval by the public funders prior to funding. The plan shall address management of limited parking capacity through mechanisms such as screening residents for car ownership and assigning spaces. If at any time in the future fees are considered for parking, LIHI will get approval from the County and ARCH related to how parking fees are accounted for in determining affordable rent levels. LIHI shall also investigate the feasibility of making this a "Zipcar" location.
 15. LIHI shall prepare a marketing and management plan for review and approval by ARCH that includes addressing how the project can be staffed by an on-site property manager. Unless otherwise approved by public funders, the property shall have a resident manager. The Owner shall submit a complete management plan and updated operating budget for review and approval by Administering Agency or Designee staff. At a minimum the plan shall describe: (1) the physical plan including number and size of units, amenities, and accessibility; (2) the tenant population to be served; (3) description of housing programs and services available for residents, and a description of the relationship of residents to the program and services; (4) management and operation of the premises including description of management entity and staffing, tenant selection and eligibility determination, rules for operation of the premises, enforcement procedures, and maintenance and repair program; (5) An overall plan for marketing the units including local targeted marketing efforts to local businesses, community organizations and the broader community of prospective tenants, as well as a timeline for all marketing activities, including local outreach; (6) a short and long term strategy for covering operating expenses; (7) a summary of the ARCH annual monitoring procedures; and (8) a plan for initial outreach and ongoing communication with local residents (homeowner associations) and business groups. LIHI shall meet with the public funders to review the marketing and management plan before marketing activity commences.

Standard Conditions:

16. The Agency shall provide revised development and operating budgets based upon actual funding commitments, which must be approved by city staff. If the Agency is unable to adhere to the budgets, city staff must be immediately notified and (a) new budget(s) shall be submitted by the Agency for the City's approval. The City shall not unreasonably withhold its approval to (a) revised budget(s), so long as such new budget(s) does not materially adversely change the Project. This shall be a continuing obligation of the Agency. Failure to adhere to the budgets, either original or as amended may result in withdrawal of the City's commitment of funds.
17. The Agency shall submit evidence of funding commitments from all proposed public sources. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify city staff, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to city staff's review and approval.
18. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements. CDBG funds may not be used to repay (bridge) acquisition finance costs.
19. The Agency shall maintain documentation of any necessary land use approvals and permits required by the city where the homes are located.
20. Submit monitoring reports quarterly through completion of the project, and annually thereafter. Submit a final budget upon project completion.

6. Imagine Housing– Totem Lake Senior Apartments

Funding Request: \$0 and 8 Section 8 certificates
76 affordable rental units

CAB Recommendation: Welcome an application in a subsequent Funding Round for a project that addresses the issues listed below

Project Summary:

Imagine Housing (IH) is proposing a 76 unit new construction project adjacent to Francis Village (Phase 1) in the Totem Lake region of Kirkland. The building is four levels of wood construction over one level of structured parking and community, amenity and service space. It is designed to serve seniors, aged 55 or over, at 50%, 40% and 30% of King County Median Income. Twenty percent (15 units) will be restricted for seniors with disabilities and 6 units will be restricted to serve senior veterans who have faced homelessness.

The community space and residential units are designed according to the principles of universal design. It is intended that the residents will be able to continue living in the units even with physical deterioration and the units may be adapted (such as changing kitchen counter heights and adding grab bars) to meet their changing physical needs. The property will contain a rooftop garden that will provide passive recreational opportunities as well as gardening and educational opportunities.

Funding Rationale:

The CAB potentially supports the concept of the Imagine Housing proposal, it does not recommend making a funding recommendation at this time. The CAB acknowledges that the project would further advance city plans for residential development in Totem Lake, and the focus on seniors meets an area of need. The current proposal for this second phase at Totem Lake is structured on several funding sources for which the likelihood of being awarded funding at this point in time as currently proposed seems unlikely. The CAB would welcome an application in a future round. This would also provide an opportunity for Imagine Housing to further develop the proposal and address issues/questions raised with this application including the community life envisioned for this project. In the event Imagine Housing does provide an application to ARCH in the upcoming round, the application should address the following issues:

- Need to strengthen their concept of the community within the proposed building and across the two phases. Develop a strong logic for the population and proposed age levels of seniors that will be served with this building (i.e. age limit of 55 or 62).
- Further analysis and development of the building to ensure it is the best configuration for the targeted population mix of the entire project, including the use of rent subsidies
- What and how to pay for value of infrastructure improvements to the site provided through the public funding that went into the first phase
- On-site parking requirements and how parking will be managed

7. Foundations for the Challenged –Group Homes for Developmentally Disabled

Funding Request: \$100,000 (Secured Grant)
4 beds in ARCH sphere (21 beds total)

CAB Recommendation: The project is not recommended for funding at this time.

Project Summary:

FFC is proposing to acquire and remodel 6 three- and four-bedroom houses over three counties (3 of the homes would be in King County) that will serve up to twenty one (21) low-income individuals with developmental

disabilities. One of the homes in the ARCH sphere will be identified once all funding is committed. Tenants will be referred by the Division of Developmental Disabilities (DDD).

The residents will live in a shared living arrangement, and each of the tenants will have their own bedroom. There is no live-in care provider. However, all the tenants will receive 24/7 support services through an agency providing awake staffing at the site to ensure their health and safety. The support services are funded by and contracted through DDD. FFC will only be the owner of the homes, and will use Scioto Management as property manager.

There currently is no site control but each house will be remodeled to include accessibility features necessary for the initial tenants and for future tenants. FFC will be looking to acquire rambler-style houses with a level lot and an open floor plan or a floor plan that can easily be modified for accessibility.

Funding Rationale:

The CAB potentially supports the concept of the FFC proposal; but does not recommend making a funding recommendation at this time. The current proposal is structured on receiving a challenging combination of funding from multiple local and state funders serving a wide geographic area. There are also some changes in approach to funding operating and services costs that do not appear possible at this time. In the event FFC does provide an application to ARCH in an upcoming round, the application should address the following issues:

- Funding strategies for operations and capital replacements that are sustainable and work over scattered properties over a range of jurisdictions.
- Improvements to community outreach and community relations

8. Imagine Housing – Barron Ridge Apartments

Funding Request: \$1,500,000 (Contingent Loan) and 8 Section 8 certificates
69 affordable rental units

CAB Recommendation: The project is not recommended for funding

Project Summary:

Imagine Housing (IH) is proposing a 70 unit new rental housing project adjacent to its Andrew Heights project in the Factoria neighborhood of Bellevue. The proposed building is four levels of wood construction over one level of structured parking and community space. It will house persons at or below 30%, 40% and 50% of Median Income. Seventy-five percent of the units are set aside for persons transitioning out of homelessness. Twenty of those units would be for Veterans who have timed out of Imagine Housing's other Homeless Veterans units.

The included community space will have a flexible design allowing rooms to be used to meet the shifting needs and interests of the population. The amenity space will have several meeting/class rooms for support activities or group interest functions. Residents will be able to update work or school skills at the computer/business center. In addition to these community based opportunities, the amenity space will include a community kitchen for community meals and special events and a roof top garden. There will be a play structure on site for resident children. Structured and on grade parking for 38 cars is provided.

Services to homeless residents will be provided by referring agencies. The operating budget does not include services delivery, however Imagine Housing will provide certain resident services funded outside of the operating budget.

Funding Rationale:

The CAB does not recommend making a funding recommendation at this time for the following reasons:

- Imagine Housing withdrew its application for funding with the Department of Commerce so would not have the necessary sources of funding to proceed
- The proposal had several zoning related issues including not zoned for the number of units proposed and less parking than required by zoning, with no provisions currently in City code to reduce parking requirements
- The operating budget did not include services in a building predominantly serving persons who had experienced homelessness

**ARCH HOUSING TRUST FUND (HTF) APPLICATIONS
2011**

Applicant	Funds Requested (Grant/Loan) / Recommendation	Housing Type/ # of units/ bdrms	Income Served	Project Location	Duration of benefit	Total cost per unit	HTF cost per aff. unit	Project completion
ARCH - South Kirkland Transit Oriented Development (TOD)	\$1,000,000 (Deferred Loan) Plus 14 Section 8 Vouchers / \$940,367 Plus 14 Vouchers Recommended	New construction Family rental housing at Park and Ride, Affordable portion of a larger mixed-use, mixed-income development 58 - 70	50% @ 30% 25% @ 40% 25% @ 60% (20% Homeless set aside; 20% Disabled Set aside)	10610 NE 38 th Place, Kirkland	50 Years	\$249,305	\$13,434 - \$16,213	Fall 2014
Community Homes CH 7	\$100,000 (Secured Grant) / \$100,000 Recommended	Acq/Rehab of Group Home for Developmentally Disabled 5	5 at 30%	ARCH Sphere of Influence	50 Years	\$160,080/bed	\$20,000	June 2013
Friends of Youth Youth Haven	\$272,500 (Secured Grant) / \$332,133 Recommended	Acq/New Construction Housing for Youth under 18 10	10 @ 30%	13116 NE 132 nd St. Kirkland (Grace Chapel)	50 Years	\$208,588/bed	\$33,213	Jan 2013
Sophia Way Sophia Place at St. Luke's	\$250,000 (Secured Grant) / \$250,000 Recommended	Fit out Church Basement as Homeless Shelter 20 (Incremental Increase of 10)	20 @ 30%	3030 Bellevue Way NE Bellevue (St. Luke's Lutheran Church)	15 Years, 5 yr renewals	\$28,809	\$12,500	May 2012
Low Income Housing Institute (LIHI) - Bellevue Apartments	\$1,000,000 (Loan) Plus 8 Vouchers Recommended	New Construction 57	8 @ 30% (homeless), 35 @ 50%, 14 @ 60%	204 111th Ave NE Bellevue, WA 98004	50 Years	\$279,968	\$17,544	Fall, 2013

ARCH HOUSING TRUST FUND (HTF) APPLICATIONS
2011 (Continued)

Applicant	Funds Requested (Grant/Loan) / Recommendation	Housing Type/ # of units/ bdrms	Income Served	Project Location of Influence	Duration of benefit	Total cost per unit	HTF cost per aff. unit	Project completion
Foundation For the Challenged FFC - VI	\$100,000 (Secured Grant) / \$0 Recommended	Acq/Rehab of Group Home for Developmentally Disabled 4	4 @ 30%	ARCH Sphere of Influence	50 Years	\$121,905/bed	\$25,000	Nov 2012
Imagine Housing (Formerly St. Andrew's) - Barron Ridge	\$1,062,171 (Deferred Loan) 8 Section 8 Vouchers / \$0, No Vouchers Recommended	New Construction 71	19 @ 30% 36 @ 40% 16 @ 50% (75% Homeless set aside)	4049 129 th PL SE Bellevue (Adjacent to Andrew's Heights)	50 Years	\$256,989	\$14,960	Dec 2014
Imagine Housing (Formerly St. Andrew's) - Totem Lake Senior	\$0 8 Section 8 Vouchers / \$0, No Vouchers Recommended	New Construction 76	38 @ 30% 19 @ 40% 19 @ 50% (20% set aside for disabled, 6 units set aside for Homeless)	Adjacent to 12601 NE 124 th St Kirkland	50 Years	\$242,556	\$0	Sept 2013

2011 HOUSING TRUST FUND: PROPOSED FUNDING SOURCES

SOURCE	PROJECT					
	ARCH South Kirkland TOD	Community Homes 7	Friends of Youth - Youth Haven	Sophia Way - Sophia's Place	LIHI Bellevue Apartments	TOTAL
Request	\$ 1,000,000	\$ 100,000	\$ 272,500	\$ 250,000	\$ 1,000,000	\$ 2,622,500
CAB Recommendation	\$ 1,000,000	\$ 100,000	\$ 272,500	\$ 250,000	\$ 1,000,000	\$ 2,622,500
Swaps with County	\$ (59,633)	\$ -	\$ 59,633	\$ -	\$ -	\$ -
Adjusted Recommendation	\$ 940,367	\$ 100,000	\$ 332,133	\$ 250,000	\$ 1,000,000	\$ 2,622,500
Current Funding						
Sub-Regional CDBG		\$ 100,000	\$ 332,133			\$ 432,133
Bellevue						
CDBG						
General Fund	\$ 265,000			\$ 200,000	\$ 635,000	\$ 1,100,000
Issaquah						
General Fund	\$ 4,147			\$ 1,102	\$ 50,000	\$ 55,249
Kirkland						
General Fund	\$ 342,457			\$ 17,126	\$ 100,000	\$ 459,583
Mercer Is.						
General Fund	\$ 16,091			\$ 4,278	\$ 20,000	\$ 40,369
Redmond						
General Fund	\$ 184,753			\$ 8,675	\$ 100,000	\$ 293,428
Newcastle						
General Fund					\$ 9,600	\$ 9,600
Kenmore						
General Fund	\$ 92,973			\$ 9,528	\$ 50,000	\$ 152,501
Woodinville						
General Fund	\$ 9,875			\$ 2,625	\$ 16,399	\$ 28,899
Clyde Hill						
General Fund	\$ 12,061			\$ 3,207	\$ 15,000	\$ 30,268
Medina						
General Fund	\$ 7,892			\$ 2,098		\$ 9,990
Yarrow Point						
General Fund	\$ 3,123			\$ 830	\$ 1,501	\$ 5,454
Hunts Point						
General Fund	\$ 1,995			\$ 531	\$ 2,500	\$ 5,026
TOTAL	\$ 940,367	\$ 100,000	\$ 332,133	\$ 250,000	\$ 1,000,000	\$ 2,622,500
CDBG	\$ -	\$ 100,000	\$ 332,133	\$ -	\$ -	\$ 432,133
General Fund	\$ 940,367	\$ -	\$ -	\$ 250,000	\$ 1,000,000	\$ 2,190,367

ARCH HOUSING TRUST FUND, 2011
Leveraging Funds -- Projects Recommended for Funding

ARCH	South Kirkland TOD	Community Homes 7th Adult Family Home	Friends of Youth Youth Haven	Sophia Way Sophia's Place	Low Income Housing Institute Bellevue Apartments	TOTAL
	\$ 940,367	5% \$ 100,000	12% \$ 332,133	16% \$ 250,000	43% \$ 1,000,000	7% \$ 2,622,500
Local Public Loan Repayment - Historic King County						
HOF/HOME/CDBG 2060/2163	\$709,633	\$400,000	\$228,367	\$	\$2,289,752	\$3,627,752
Veterans/Human Services Other						
KC TOTAL	\$ 709,633	4% \$ 400,000	50% \$ 228,367	11% \$	0% \$ 2,289,752	15% \$3,627,752
WA HAP						
WA HTF	\$2,000,000	\$284,200	\$496,000			\$2,780,200
WA HFC (Equity Fund)						
WSHFC Washington Works						
WA TOTAL	\$ 2,000,000	11% \$ 284,200	36% \$ 496,000	24% \$	0% \$	0% \$2,780,200
Federal/HUD Section 811 McKinney Other (VA Per Diem)						
FEDERAL TOTAL	\$	0% \$	0% \$	0% \$	0% \$	0% \$0
Tax Credits	\$1,412,695	65%	0%	0%	0% \$10,044,076	67% \$21,456,771
TCAP		0%	0%	0%	0%	0% \$0
Bonds		0%	0%	0%	0%	0% \$0
Bank Loans	\$2,388,647	14%	0%	0%	0% \$ 1,220,692	0% \$3,609,339
Deferred Developer Fee		0%	0%	0%	0% \$ 350,000	0% \$350,000
Private		0%	2%	49%	39%	0% \$1,271,757
Other		0%	0%	0%	17%	0% \$100,000
TOTAL COST	\$ 17,451,342	100% \$ 800,400	100% \$ 2,085,879	100% \$ 576,178	100% \$14,904,520	89% \$35,818,319

ECONOMIC SUMMARY: ARCH SOUTH KIRKLAND TOD

1. Applicant/Description: ARCH / New construction of 58 – 70 affordable rental units including 20% of units are for homeless/very low income households
2. Project Location: 10610 NE 38th Place, Kirkland

3. Financing Information:

Funding Source	Funding Amount	Commitment
ARCH	\$940,367	Applied for Fall 2011
King County	\$709,633	Committed Fall 2011
Commerce Trust Fund	\$2,000,000	Committed Fall 2011
Tax Credits	\$11,412,695	To be applied for in December 2011
Private Debt	\$2,388,647	To be applied for in 2012
TOTAL	17,451,342	

4. Development Budget:

ITEM	TOTAL	PER UNIT	HTF
Acquisition	\$1,765,000	\$25,214	
Construction	\$12,826,735	\$183,239	\$940,367
Design	\$560,000	\$8,000	
Consultants	\$195,750	\$2,796	
Developer fee	\$870,000	\$12,429	
Finance costs	\$362,529	\$5,179	
Reserves	\$89,000	\$1,271	
Permits/Fees/Other	\$782,328	\$11,176	
TOTAL	\$17,451,342	\$249,305	\$940,367

5. Debt Service Coverage: Debt service payments will be finalized upon commitment. Basic terms will include a 50 year amortization, deferral of payments for a period of between 10 and 15 years, 1% interest, and ability to request a deferral of annual payment to preserve economic integrity of property.

6. Security for City Funds:

- A recorded covenant to ensure affordability and use for targeted population for 50 years.
- A promissory note secured by a deed of trust. The promissory note will require repayment of the loan amount upon non-compliance with any of the loan conditions.

7. Rental Subsidy: 14 Section 8 Vouchers

ECONOMIC SUMMARY: COMMUNITY HOMES, INC. HOUSE 7

1. Applicant/Description: CHI / Acquisition/rehabilitation of single family home with 5 beds for very low income developmentally disabled adults.
2. Project Location: East King County

3. Financing Information:

Funding Source	Funding Amount	Commitment
ARCH	\$100,000	Applied for Fall 2011
King County	\$400,000	Committed Fall 2010
Commerce Trust Fund	\$284,200	Committed Fall 2011
Owner Equity	\$16,200	Committed
TOTAL	\$800,400	

4. Development Budget:

ITEM	TOTAL	PER BED	HTF
Acquisition	\$487,750	\$97,550	\$100,000
Construction	\$205,500	\$41,100	
Design	\$9,000	\$1,800	
Consultants	\$9,450	\$1,890	
Developer fee	\$60,000	\$12,000	
Finance costs	\$0	\$0	
Reserves	\$10,700	\$2,140	
Permits/Fees/Other	\$18,000	\$3,600	
TOTAL	\$800,400	\$160,080	\$100,000

5. Debt Service Coverage: Secured grant, no repayment if in compliance.

6. Security for City Funds:

- A recorded covenant to ensure affordability and use for targeted population for 50 years.
- A promissory note secured by a deed of trust. The promissory note will require repayment of the loan amount upon non-compliance with any of the loan conditions.

7. Rental Subsidy: None

ECONOMIC SUMMARY: FRIENDS OF YOUTH – YOUTH HAVEN

1. Applicant/Description: FOY / Acquisition/new construction of group living facility with 10 beds for very low income youth ages 11 - 17
2. Project Location: 13116 NE 132nd Street, Kirkland

3. Financing Information:

Funding Source	Funding Amount	Commitment
ARCH	\$332,133	Applied for Fall 2011
King County	\$228,367	Committed Fall 2011
Commerce Trust Fund	\$496,000	Committed Fall 2011
From disposition of 2 properties	\$537,132	Committed
Owner Equity	\$492,247	Committed
TOTAL	\$2,085,879	

4. Development Budget:

ITEM	TOTAL	PER BED	HTF
Acquisition	\$706,000	\$70,600	\$332,133
Construction	\$978,369	\$97,837	
Design	\$91,000	\$9,100	
Consultants	\$14,000	\$1,400	
Developer fee	\$165,000	\$16,500	
Finance costs	\$9,000	\$900	
Reserves	\$8,500	\$850	
Permits/Fees/Other	\$114,010	\$11,401	
TOTAL	\$2,085,879	\$208,588	\$332,133

5. Debt Service Coverage: Secured grant, no repayment if in compliance.

6. Security for City Funds:

- A recorded covenant to ensure affordability and use for targeted population for 50 years.
- A promissory note secured by a deed of trust. The promissory note will require repayment of the loan amount upon non-compliance with any of the loan conditions.

7. Rental Subsidy: None

ECONOMIC SUMMARY: SOPHIA WAY – SOPHIA’S PLACE

1. Applicant/Description: SW / 15 yr Lease/build out of church basement for shelter with 20 beds for single homeless women
2. Project Location: 3030 Bellevue Way, Bellevue (St. Luke’s Lutheran Church)

3. Financing Information:

Funding Source	Funding Amount	Commitment
ARCH	\$250,000	Applied for Fall 2011
Jubilee Services	\$100,000	Committed Fall 2011
Pro Bono other work	\$23,000	Committed Fall 2011
Individual donations	\$100,000	2/3s committed
Foundations	\$103,178	Applying 2011
TOTAL	\$576,178	

4. Development Budget:

ITEM	TOTAL	PER BED	HTF
Acquisition	\$100	\$5	
Construction	\$519,278	\$25,964	\$228,200
Design	\$20,000	\$1,000	
Consultants	\$8,000	\$400	\$5,000
Developer fee	\$6,000	\$300	\$6,000
Finance costs	\$0	\$0	
Reserves	\$20,000	\$1,000	\$8,000
Permits/Fees/Other	\$2,800	\$140	\$2,800
TOTAL	\$576,178	\$28,809	\$250,000

5. Debt Service Coverage: Secured grant, no repayment if in compliance.

6. Security for City Funds:

- A recorded covenant to ensure affordability and use for targeted population for 50 years.
- A promissory note secured by a deed of trust. The promissory note will require repayment of the loan amount upon non-compliance with any of the loan conditions in the first 15 years; thereafter, 1/30 of the obligation will be forgiven for every year the project has been in service.

7. Rental Subsidy: None

ECONOMIC SUMMARY: LIHI DOWNTOWN BELLEVUE APARTMENTS

1. Applicant/Description: Downtown Bellevue / New construction of 56 affordable rental units (plus 1 unrestricted manager's unit) including 8 Project Based Section 8 Vouchers
2. Project Location: 204 111th Ave NE, Bellevue
3. Financing Information:

Funding Source	Funding Amount	Commitment
ARCH	\$1,000,000	Applied for Fall 2010
King County	\$2,289,752	\$208,232 Committed in Fall 2011; Apply in 2012 for remainder
Tax Credits (9%)	\$10,044,076	Apply for in 2012
Conventional Loan	\$1,220,692	Apply for in 2012
LIHI Deferred Developer Fees	\$350,000	Committed
TOTAL	\$14,904,520	

4. Development Budget:

ITEM	TOTAL	PER UNIT	HTF
Acquisition	\$2,265,000	\$40,446	
Construction	\$9,451,910	\$168,784	\$800,000
Design	\$700,000	\$12,500	\$200,000
Consultants	\$280,000	\$5,000	
Developer fee	\$800,000	\$14,286	
Finance costs	\$644,414	\$11,507	
Reserves	\$235,950	\$4,213	
Permits/Fees/Other	\$527,246	\$9,415	
TOTAL	\$14,904,520	\$266,152	\$1,000,000

5. Debt Service Coverage: Debt service payments will be finalized upon commitment. Basic terms will include a 50 year amortization, deferral of payments for a period of 10 years, 1% interest, and ability to request a deferral of annual payment to preserve economic integrity of property.

6. Security for City Funds:

- A recorded covenant to ensure affordability and use for targeted population for 50 years.
- A promissory note secured by a deed of trust. The promissory note will require repayment of the loan amount upon non-compliance with any of the loan conditions.

7. Rental Subsidy: 8 Section 8 Vouchers

FIGURE 1
ARCH: EAST KING COUNTY TRUST FUND SUMMARY
 LIST OF PROJECTS FUNDED (1993 - Fall 2010)

Project	Location	Owner	Units/Beds	Funding	Pct of Total Allocation	Distribution Target
1. Family Housing						
Andrews Heights Apartments	Bellevue	Imagine Housing	24	\$400,000		
Garden Grove Apartments	Bellevue	DASH	18	\$180,000		
Overlake Townhomes	Bellevue	Habitat of EKC	10	\$120,000		
Glendale Apartments	Bellevue	DASH	82	\$300,000		
Wildwood Apartments	Bellevue	DASH	36	\$270,000		
Somerset Gardens (Kona)	Bellevue	KC Housing Authority	198	\$700,000		
Pacific Inn	Bellevue	Pacific Inn Assoc. *	118	\$600,000		
Eastwood Square	Bellevue	Park Villa LLC	48	\$600,000		
Chalet Apts	Bellevue	Imagine Housing	14	\$163,333		
St Margaret's	Bellevue	Imagine Housing	10 / 11	\$387,500		
YWCA Family Apartments	K.C. (Bellevue Sphere)	YWCA	12	\$100,000		
Highland Gardens (Klahanie)	K.C. (Issaquah Sphere)	Imagine Housing	54	\$291,281		
Crestline Apartments	K.C. (Kirkland Sphere)	Shelter Resources	22	\$195,000		
Parkway Apartments	Redmond	KC Housing Authority	41	\$100,000		
Habitat - Patterson	Redmond	Habitat of EKC	24	\$446,629		
Avon Villa Mobile Home Park	Redmond **	MHCP **	93	\$525,000		
Terrace Hills	Redmond	Imagine Housing	18	\$442,000		
Village at Overlake Station	Redmond **	KC Housing Authority **	308	\$1,645,375		
Summerwood	Redmond	DASH	166	\$1,187,265		
Coal Creek Terrace	Newcastle **	Habitat of EKC	12	\$240,837		
RoseCrest (Talus)	Issaquah **	Imagine Housing	40	\$918,846		
Mine Hill	Issaquah	Imagine Housing	28	\$450,000		
Clark Street	Issaquah	Imagine Housing	30	\$355,000		
Lauren Heights (Iss Highlands)	Issaquah **	Imagine Housing/SRI **	45	\$657,343		
Habitat Issaquah Highlands	Issaquah ***	Habitat of EKC **	10	\$200,000		
Issaquah Family Village I	Issaquah ***	YWCA **	87	\$4,382,584		
Issaquah Family Village II	Issaquah ***	YWCA	47	\$2,760,000		
Greenbrier Family Apts	Woodinville **	DASH **	50	\$286,892		
Plum Court	Kirkland	DASH	61 / 66	\$1,000,000		
Francis Village	Kirkland	Imagine Housing	15	\$375,000		
Kenmore Court	Kenmore **	LIHJ **	33	\$452,321		
Homeowner Downpayment Loan	Various	KC/WSHFC/ARCH	87 est	\$615,000		
SUB-TOTAL			1,841	\$21,347,206	60.5% (56%)	
2. Senior Housing						
Cambridge Court	Bellevue	Resurrection Housing	20	\$160,000		
Ashwood Court	Bellevue *	DASH/Shelter Resources *	50	\$1,070,000		
Evergreen Court (Assisted Living)	Bellevue	DASH/Shelter Resources	64 / 84	\$2,480,000		
Vasa Creek	K.C. (Bellevue Sphere)	Shelter Resources	50	\$190,000		
Riverside Landing	Bothell **	Shelter Resources **	50	\$225,000		
Kirkland Plaza	Kirkland	Imagine Housing	24	\$610,000		
Heron Landing	Kenmore	DASH/Shelter Resources	50	\$65,000		
Ellsworth House Apts	Mercer Island	Imagine Housing	59	\$900,000		
Greenbrier Sr Apts	Woodinville **	DASH/Shelter Resources **	50	\$196,192		
SUB-TOTAL			417	\$5,896,192	16.7% (19%)	

FIGURE 1

ARCH: EAST KING COUNTY TRUST FUND SUMMARY

LIST OF PROJECTS FUNDED (1993 - Fall 2010)

Project	Location	Owner	Units/Beds	Funding	Pct of Total Allocation	Distribution Target
3. Homeless/Transitional Housing						
Hopelink Place	Bellevue **	Hopelink **	20	\$500,000		
Chalet	Bellevue	Imagine Housing	4	\$46,667		
Kensington Square	Bellevue	Housing at Crossroads	6	\$250,000		
St Margarets	Bellevue	Imagine Housing	30	\$1,162,500		
Dixie Price Transitional Housing	Redmond	Hopelink	4	\$71,750		
Avondale Park	Redmond	Hopelink (EHA)	18	\$280,000		
Avondale Park Redevelopment	Redmond **	Hopelink (EHA) **	60	\$1,502,469		
Petter Court	Kirkland	KITH	4	\$100,000		
Francis Village	Kirkland	Imagine Housing	45	\$1,125,000		
Rose Crest (Talus)	Issaquah **	Imagine Housing	10	\$229,712		
Lauren Heights (Iss Highlands)	Issaquah ***	SRI **	5	\$73,038		
Issaquah Family Village I	Issaquah ***	YWCA **	10	\$503,745		
SUB-TOTAL			198	\$5,844,881	16.6% (13%)	
4. Special Needs Housing						
My Friends Place	K.C.	EDVP	6 Beds	\$65,000		
Stillwater	Redmond	Eastside Mental Health	19 Beds	\$187,787		
Foster Care Home	Kirkland	Friends of Youth	4 Beds	\$35,000		
FOY New Ground	Kirkland	Friends of Youth	6 Units	\$250,000		
DD Group Home 4	Redmond	Community Living	5 Beds	\$111,261		
DD Group Homes 5 & 6	Redmond/KC (Bothell)	Community Living	10 Beds	\$250,000		
United Cerebral Palsy	Bellevue/Redmond	UCP	9 Beds	\$25,000		
DD Group Home	Bellevue	Residence East	5 Beds	\$40,000		
AIDS Housing	Bellevue/Kirkland	Aids Housing of WA.	10 Units	\$130,000		
Harrington House	Bellevue	AHA/CCS	8 Beds	\$290,209		
DD Group Home 3	Bellevue	Community Living	5 Beds	\$21,000		
Parkview DD Condos III	Bellevue	Parkview	4	\$200,000		
IERR DD Home	Issaquah	IERR	6 Beds	\$50,209		
FFC DD Homes	NE KC	FFC	8 Beds	\$300,000		
Oxford House	Bothell	Oxford/Compass Ctr	8 Beds	\$80,000		
Parkview DD Homes VI	Bothell/Bellevue	Parkview	6 Beds	\$150,000		
SUB-TOTAL			119 Beds/Units	\$2,185,466	6.2% (12%)	
TOTAL			2,575	\$35,273,745	100.0%	
* Funded through Bellevue Downtown Program				10%		
** Also, includes in-kind contributions (e.g. land, fee waivers, infrastructure improvements)						
*** Amount of Fee Waiver still to be finalized						

CITY OF KENMORE, WASHINGTON			
AGENDA BILL SUMMARY			
AGENDA TITLE			MEETING DATE
Motion to approve A Regional Coalition for Housing (ARCH) 2012 Work Program and 2012 Administrative Budget			January 23, 2012
DEPARTMENT	DIRECTOR	CONTACT PERSON	PHONE
Executive	Frederick Stouder	Frederick Stouder	425-398-8900
COST OF PROPOSAL: \$25,195 for 2012 ARCH dues (administrative costs)		ACCOUNT NUMBER: 01 19 6309	
AMOUNT BUDGETED: \$52,000 General Fund (ARCH administrative costs); \$26,805 available		NAME AND FUND #: General Fund (Administrative costs)	
ATTACHMENT(S) TO AGENDA PACKET ITEM: 1. Amended and Restated Interlocal Agreement for ARCH A Regional Coalition for Housing (Contract 10-C866). 2. 2012 ARCH Administrative Budget. 3. ARCH 2012 Work Program			
SUMMARY STATEMENT: A Regional Coalition for Housing (ARCH) is comprised of fifteen East King County cities (including Kenmore) and King County. Through the technical assistance to its members on housing policy and plan development and Housing Trust Fund investments, ARCH helps local jurisdictions meet the obligations of the Growth Management Act to provide for housing opportunities that are affordable to a wide range of household incomes. The City of Kenmore approved an Amended and Restated Interlocal Agreement with ARCH on 3/8/10 (Contract 10-C866) with an effective date of 7/1/10 (See Attachment #1). Each year, under the terms of the ARCH Interlocal Agreement, ARCH presents its annual work program and administrative budget to each member's council for review and approval. Like other ARCH members, Kenmore contributes annually to ARCH to provide administrative and technical support for the organization's housing activities. The ARCH Executive Board has approved and recommends a 2012 Administrative Budget of \$521,168 (Attachment #2). Kenmore's share of the ARCH administrative budget is \$25,195, which is the same amount the Council approved for 2011. The City's adopted 2011-2012 biennial budget includes \$52,000 in the General Fund for Kenmore's share of the ARCH administrative 2011 and 2012 budgets. Staff recommends Council pass a motion to approve the ARCH 2012 Administrative Budget. Also, under the terms of the ARCH Interlocal Agreement, each member jurisdiction must annually approve the ARCH Work Program. The ARCH Executive Board has approved and recommends the attached 2012 Work Program (See Attachment #3). Staff recommends Council pass a motion to approve the 2012 ARCH Work Program.			
CONSISTENT WITH OR COMPARISON TO PAST COUNCIL POLICIES, ORDINANCES, DIRECTION: City Council approval of ARCH Interlocal Agreement (Contract 10-C866) and approval of prior Work Programs and Administrative Budgets. Consistent with adopted 2011-2012 Budget.			
RECOMMENDED CITY COUNCIL ACTION/SUGGESTED MOTION: Motion to approve A Regional Coalition for Housing (ARCH) 2012 Administrative Budget and 2012 Work Program.			
REVIEWED BY FINANCE DIRECTOR:	REVIEWED BY CITY ATTORNEY:	APPROVED BY CITY MANAGER: NKO for F. Stouder	
TODAY'S DATE: January 10, 2012	REVISION DATE(S): January 11, 2012	FILE NAME & PATH (HYPERLINK): i:\city clerk\agenda items\community development planning\2012 council meetings\january 23, 2012\agenda bill for 2012 arch work program and budget.doc	

VD. Motion to Approve the A Regional Coalition for Housing (ARCH) 2012 Work Program and 2012 Administrative Budget - Fred Stouder, City Manager

Contract No. 10-C866
Kenmore Original

**Amended and Restated Interlocal Agreement for ARCH
A Regional Coalition for Housing**

(Effective Date: July 1, 2010)

This Interlocal Agreement ("Agreement") is entered into by and between the Cities of Bellevue, Kirkland, Redmond, Bothell, Woodinville, Issaquah, Mercer Island, Newcastle, Beaux Arts, Clyde Hill, Hunts Point, Medina, Yarrow Point, Kenmore and Sammamish, municipal corporations organized under the laws of the State of Washington, and King County, a subdivision of state government (individually, the "Party", collectively, the "Parties"). This Agreement amends and restates the prior agreements by and between the Parties relating to the creation and operation of the joint board known as A Regional Coalition for Housing ("ARCH"). This Agreement is made pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW, and has been authorized by the legislative body of each jurisdiction.

WHEREAS, the Parties have a common goal to ensure the availability of housing that meets the needs of all income levels; and

WHEREAS, the Parties desire to provide a sound base of housing policies and programs in East King County and to complement the efforts of existing organizations to address housing needs in East King County; and

WHEREAS, the Parties desire to act cooperatively to formulate affordable housing goals and policies, to foster efforts to provide affordable housing by combining public funding with private-sector resources, to support implementation of the goals of the state Growth Management Act and related Countywide Planning Policies relating to affordable housing, and to do so efficiently and expeditiously; and

WHEREAS, the Parties have determined that the most efficient and expeditious way for the Parties to address affordable housing needs in East King County is through cooperative action by the Parties; and

WHEREAS, the intent of this cooperative undertaking is not to duplicate efforts of non-profit corporations and other entities already providing affordable-housing-related services; now therefore,

IT IS HEREBY AGREED AS FOLLOWS:

1. **PURPOSE.** All Parties to this Agreement have responsibility for local and regional planning for the provision of

housing affordable to citizens that work and/or live in East King County. The Parties desire to act cooperatively to formulate affordable housing goals and policies and to foster efforts to provide affordable housing by combining public funding with private-sector resources. The Parties further intend that this interlocal agreement serve as a legal framework for all communities within the ARCH sphere of influence (See Exhibit A) to cooperate in planning for and providing affordable housing; the Parties therefore encourage other cities in East King County to join the Parties in this endeavor.

2. STRUCTURE. To accomplish the purposes of this Agreement, the Parties hereby create a joint and cooperative undertaking responsible for administering the activities described herein, to be called A Regional Coalition for Housing ("ARCH"). ARCH shall be governed by an Executive Board composed of members as provided for in section 4.a of this Agreement. The Executive Board shall constitute a "joint board" as that term is used in RCW 39.34.030(4). The Executive Board shall be assisted by an administrative staff and by a Citizen Advisory Board.

3. RESPONSIBILITIES AND AUTHORITY. In order to carry out the purposes of this Agreement, ARCH shall have the following responsibilities and authority:

a. To provide recommendations to the Parties regarding the allocation of public funding for affordable housing purposes.

b. Through its Administering Agency (defined in Section 5), to enter into agreements with third parties for the use and application of public funds contributed by individual Parties to the ARCH Housing Trust Funds Account established in Section 12, under such terms and conditions as may be agreed by the individual contributing Parties, as further described in Section 12. ARCH shall, at least annually, report to the Parties on the geographic distribution of all housing trust funds as recommended by ARCH.

c. To provide recommendations to the Parties regarding local and regional affordable housing policies. ARCH will assist the Parties in developing strategies and programs to achieve Growth Management Act housing goals. ARCH will provide technical assistance to any Party adopting land use incentives or affordable housing programs. ARCH staff will research model programs, develop draft legislation, prepare briefing materials and make presentations to planning commissions and councils upon request by a Party. ARCH will assist Parties in developing strategies and programs to implement county-wide affordable housing policies to meet the Growth Management Act objective for an equitable and rational distribution of low- and moderate-income housing.

d. To facilitate cooperation between the private and public sector with regard to the provision of affordable housing. ARCH will work directly with private developers, financial institutions, non-profit corporations and other public entities to assist in the implementation of affordable housing projects. ARCH will work directly with any Party to provide technical assistance with regard to the public funding of affordable housing projects and the implementation of affordable housing regulatory agreements for private developments. ARCH will also provide assistance in making surplus sites available for affordable housing and in developing affordable housing alternatives for such sites.

e. To develop standard regulatory agreements acceptable to private and public financial institutions to facilitate the availability of funding for private and public projects containing affordable housing.

f. To provide other technical advice to any Party upon request and to enter into agreements to provide technical assistance to other public entities on a reimbursable basis.

g. To provide support and educational activities and to monitor legislative and regulatory activities related to affordable housing at the state and federal levels.

h. To develop and to carry out procedures for monitoring of affordable units and to administer direct service housing programs on behalf of any Party. Such direct service housing programs may include but are not limited to relocation assistance programs, rent voucher and/or deposit loan programs, etc.

i. To work directly with other public and private entities for the development of affordable housing policies and to encourage the provision of affordable housing.

j. Pursuant to the direction of the Executive Board, to take other appropriate and necessary action to carry out the purposes of this Agreement.

4. EXECUTIVE BOARD.

a. Membership. ARCH shall be governed by an Executive Board composed of the chief executive officer of each Party, with the following exception. There will not be more than two members on the Executive Board representing cities with population less than 5,000 persons, unless approved by the Executive Board. In the event that there are more than two Parties that are members of ARCH with population less than 5,000 persons, then those Parties will propose to the Executive Board for the Executive Board's approval, a method for shared membership on the Executive Board by those

Parties. Any member of the Executive Board representing more than one Party must be approved by the chief executive officer of those Parties being represented by the shared Executive Board member. The Executive Board shall administer this cooperative undertaking pursuant to the terms of this Agreement and pursuant to any procedures adopted by the Executive Board.

b. Chair. The Chair of the Executive Board shall be elected by the members of the Board from the Board membership; shall preside over all meetings of the Executive Board; and shall, in the absence of a Program Manager, process issues, organize meetings and provide for administrative support as required by the Executive Board.

c. Alternate Member. Each member of the Executive Board shall be entitled to designate one alternate member who shall serve in the place of the member on the Executive Board during the member's absence or inability to serve.

d. Powers. The Executive Board shall have the power to (1) develop and recommend a budget and work program to the Parties; (2) adopt procedures for the administration of ARCH and for the conduct of meetings; (3) make recommendations to the Parties concerning planning, policy and the funding of affordable housing projects; (4) establish policies for the expenditure of budgeted items; (5) appoint one of the Parties to serve as "Administering Agency" to carry out administrative functions as further described in this Agreement; (6) establish a special fund with the Administering Agency, as authorized by RCW 39.34.030, to be known as the "Operating Fund of the ARCH Joint Board" ("ARCH Fund") within which Fund may be established various accounts and subaccounts including but not limited to an "ARCH Operating Account" (into which will be deposited funding for the ARCH operating budget) and a "Housing Trust Funds Account"; (7) hold regular meetings on such dates and at such places as the Executive Board may designate; (8) through its Administering Agency, enter into contracts and agreements for the provision of personnel and other necessary services to ARCH, including accounting and legal services and the purchase of insurance, and authorize the Administering Agency to execute such other contracts, agreements or other legal documents necessary for ARCH to carry out its purposes; (9) establish the responsibilities and direct and oversee the activities of the Program Manager; (10) appoint Citizen Advisory Board Members; and (11) take whatever other action is necessary to carry out the purposes of this Agreement.

5. ADMINISTRATION AND OVERSIGHT. The Executive Board shall have final decision-making authority on behalf of ARCH over all legislative and administrative matters within the scope of this Agreement. The Executive Board may delegate responsibility for general oversight of the operations of ARCH to a Program Manager.

The Program Manager shall submit quarterly budget performance and progress reports on the status of the work program elements to the Executive Board and the governing body of each Party. Such reports and contents thereof shall be in a form acceptable to the Executive Board.

The Executive Board shall designate the Administering Agency, which will provide administrative support services on behalf of ARCH. The Administering Agency shall be the Fiscal Agent for ARCH in accordance with the requirements of RCW Chapter 39.34. ARCH shall be staffed with personnel provided by the Parties and/or independent contractors contracting directly with ARCH through its Administering Agency.

Any Party providing personnel to ARCH shall remain solely responsible for the continued payment of any and all compensation and benefits to such personnel as well as for any worker's compensation claims. All Parties shall cooperate fully in assisting ARCH to provide the services authorized herein.

6. MEETINGS OF EXECUTIVE BOARD.

a. Frequency. The Executive Board shall meet as often as it deems necessary, but not less often than quarterly.

b. Quorum. A quorum at any meeting of the Executive Board shall consist of the Board members (or alternates) who represent a simple majority of the Board's membership.

c. Action. No action may be taken except at a meeting where a quorum exists. Action by the Executive Board requires an affirmative vote by a majority of the Board's membership, provided however, that a supermajority (66% in number of Board members) shall be required to appoint the Administering Agency. No action shall be taken except at a meeting open to the public.

7. CITIZEN ADVISORY BOARD. A Citizen Advisory Board is hereby created to provide advice and recommendation to the Executive Board on land and/or money resource allocation for affordable housing projects and to provide public relations and educational outreach services. The Citizen Advisory Board shall consist of not more than fifteen (15) and not less than twelve (12) citizen members. The Executive Board shall appoint members to the Citizen Advisory Board. Citizen members appointed to the Citizen Advisory Board must have a knowledge and understanding of affordable housing and be committed to the furtherance of affordable housing on the Eastside. Appointments shall be for a four-year term with service limited to a total of two consecutive terms. The Executive Board shall adopt procedures for the convening and administration of the Citizen Advisory Board. A citizen member may be removed from the Citizen Advisory Board by

the Executive Board with or without cause upon a majority vote of membership of the Executive Board.

8. MEETINGS OF CITIZEN ADVISORY BOARD.

a. Frequency: The Citizen Advisory Board shall meet as often as it deems necessary, but not less often than quarterly.

b. Quorum. A quorum at any meeting of the Citizen Advisory Board shall consist of the Board members who represent a simple majority of the Board's membership.

c. Action. No action may be taken except at a meeting where a quorum exists. Action by the Citizen Advisory Board requires an affirmative vote by a majority of those members attending a Board meeting where a quorum exists. No action shall be taken except at a meeting open to the public.

9. DURATION AND TERMINATION. This Agreement shall be of five years' duration and shall continue in effect for subsequent five-year periods upon affirmative vote of a majority of the membership of the Executive Board. Any vote to continue the Agreement shall be taken between three to six months before the end of the five-year term. This Agreement may be terminated at any time by affirmative vote of a majority of the legislative bodies of the Parties to this Agreement.

Upon termination of this Agreement, all property acquired during the life of the Agreement shall be disposed of in the following manner:

- (i) all property contributed without charge by any Party shall revert to the contributing Party;
- (ii) all property purchased by ARCH after the effective date of this Agreement shall be distributed to the Parties based on each Party's pro rata contribution to the overall budget at the time the property was purchased;
- (iii) except as provided in Subsection (iv) below, all unexpended or reserve funds shall be distributed to the Parties based on each Party's pro rata contribution to the overall budget in effect at the time the Agreement is terminated;
- (iv) all uncommitted monies in the Housing Trust Funds Account shall be distributed to the Parties by remitting the total uncommitted amounts remaining in each Party's Individual Account (as described in Section 12) to that Party; and
- (v) each Party that has funded a project through the Housing Trust Funds Account shall be substituted for the Administering Agency with regard to all project financing documents, and the Administering Agency shall be released from further obligations with respect thereto.

10. WITHDRAWAL. Any Party may withdraw from this Agreement by giving one year's written notice to the Executive Board, by December 31 in any year, of its intention to terminate, effective December 31 of the following year. Any Party withdrawing from this Agreement shall remain legally and financially responsible for any obligation incurred by the Party pursuant to the terms of this Agreement, including but not limited to any project financing documents executed by the Administering Agency on behalf of that Party, during the time the withdrawing Party was a member of ARCH.

11. BUDGET. The budget year for ARCH shall be January 1 to December 31 of any year. On or before June 1st of each year, a recommended operating budget and work plan for ARCH for the next budget year shall be prepared, reviewed and recommended by the Executive Board and transmitted to each Party. The recommended operating budget shall contain an itemization of all categories of budgeted expenses and shall contain an itemization of the amount of each Party's contribution, including in-kind services, toward that budget.

a. No recommended budget or work plan shall become effective unless and until approved by the legislative body of each Party and finally adopted by the Executive Board. Approval of the budget by a Party shall obligate that Party to make whatever contribution(s) is budgeted for that Party.

b. Such contribution(s) shall be transmitted to ARCH on a quarterly basis at the beginning of each quarter unless otherwise provided in the budget document. Each Party shall specify the amount of its contribution to be deposited by the Administering Agency into the ARCH Operating Account, as well as the amount, if any, to be deposited into the Party's Individual Account within the ARCH Housing Trust Funds Account established by Section 12.

c. If any Party is delinquent by more than three months in the payment of its approved operating budget contribution to the ARCH Operating Account, such Party shall not be entitled to vote on matters before the Executive Board until such delinquency has been paid; provided however, that a Party's decision not to contribute funds to its Individual Account, or its delinquency in funding the same shall not affect that Party's voting rights on the Executive Board.

12. HOUSING TRUST FUNDS ACCOUNT ESTABLISHED; PROCEDURES FOR ADMINISTERING TRUST FUNDS ACCOUNT CONTRIBUTIONS. Upon resolution of the Executive Board, the Administering Agency shall establish and maintain an account within the ARCH Fund for the purpose of administering the contributions of Parties to affordable housing projects and programs, to be known as the ARCH Housing Trust Funds Account. The amounts in the Housing Trust Funds Account shall be held and disbursed by the Administering Agency as described herein.

a. Within the Housing Trust Funds Account, a sub-account shall be established for each Party to this Agreement that chooses to contribute to the Housing Trust Funds Account. Such sub-accounts are collectively referred to as the "Individual Accounts." Contributions to an Individual Account from a Party may be released only upon, and in accordance with, the written direction of that Party.

b. A subaccount shall be established within each Individual Account for each project or program funded in whole or part by a Party from its Individual Account. Such sub-accounts are referred to as "Project Accounts."

c. The Administering Agency shall maintain records sufficient to separately track the deposits, withdrawals and interest earnings, within each Individual Account and each Project Account, and shall provide quarterly reports to all Parties as to the status of funds in each Individual Account and Project Account. The Administering Agency's responsibilities under this Section may be delegated to the ARCH Program Manager to the extent consistent with applicable law and as the Administering Agency and Executive Board may agree.

d. Funds transmitted to ARCH for deposit in the Housing Trust Funds Account shall be held by ARCH until directed for application to a specific project or program by the contributing Party; provided, that uncommitted funds in an Individual Account shall be remitted to the contributing Party within 45 days of receipt of written request from the Party signed by its Chief Executive Officer, or upon the Party's withdrawal from ARCH in accordance with the terms of Section 10, or upon the dissolution of ARCH per Section 9.

e. Funds within the Housing Trust Funds Account shall be invested by the Administering Agency in investments permitted by state law for investment of public funds. Investment earnings shall be credited to each Individual Account and Subaccount on a pro rata basis.

f. The Executive Board shall develop standard forms of approvals and agreements to be used in the application of funds contributed to the Housing Trust Funds Account (collectively referred to as "project financing documents"), consistent with the following goals and procedures:

(i) Each Party choosing to participate in funding a project or program through the Housing Trust Funds Account will by action of its legislative body authorize the application of a specified amount of its Individual Account monies to such project or program, and shall

authorize and direct ARCH, ARCH Program Manager, and the Administering Agency to take such actions as necessary to accomplish this. The Executive Board shall recommend to the individual legislative bodies various terms to accompany their authorizations, and the legislative body authorizations shall at a minimum include terms related to:

1. amount of funds allocated;
2. project description, including minimum affordability requirements, if any;
3. nature of the funding commitment (loan, grant, or other);
4. in the event the funding commitment is provided as a loan, the general repayment terms including but not limited to the term of the loan and applicable, interest rate(s); and
5. a general description of the security interests, if any, to be recorded in favor of the Party.

(ii) For each individual housing project or program to be funded through the Housing Trust Funds Account, the developer, owner or administrator of such project or program (generally referred to as the "developer"), shall enter into the necessary set of agreements (project financing documents) with the Administering Agency. The project financing documents shall specify that the Administering Agency is acting as administering agency on behalf of each Party that is providing Housing Trust Funds Account funding to the project or program pursuant to this Agreement and RCW 39.34.030(4), and shall identify each such participating funding Party. The project financing documents will be consistent with general forms of agreement approved by the Executive Board and the terms and conditions approved by the legislative bodies of the funding Parties. The project financing agreements will incorporate all terms and conditions relative to the use and (if applicable) repayment of such funds, and provide for transfer of the Housing Trust Funds Account monies from the funding Parties to the developer.

(iii) Funding contributions to, and repayments (if any) from, specific projects and programs shall be recorded by the Administering Agency, including recording of monies deposited and withdrawn from each Party's Individual Account and Project Accounts therein. Repayments (if any) under any project financing agreement shall be applied pro rata to the funding Parties' Individual Accounts based on the ratio of funding contributed to the project by each Party, unless the funding Parties otherwise agree.

(iv) Unless the Parties funding a project or program through the Housing Trust Funds Account otherwise agree, a default, termination or other action against a developer or other third party may be declared only after securing approval in writing of the chief executive officers of funding Parties which together have contributed not less than 51% of the total ARCH member funding to the project. The Administering Agency shall provide reasonable notice and information regarding the status of projects as necessary to each funding Party's Chief Executive Officer to allow him or her to make a timely decision in this regard. Funding parties not consenting to such default, termination or other action shall be bound by the decision of the majority. All funding Parties shall be obligated on a pro rata basis (based on their contributions to the project) to pay to the Administering Agency its reasonable costs and expenses incurred in furtherance of such actions. Any funds recovered through such actions shall be allocated to the funding Parties Individual Accounts pro rata based on their respective funding contributions to a project.

(v) The Executive Board may from time to time authorize the Administering Agency to administer housing project agreements entered into prior to the effective date of this Amended and Restated Agreement, upon terms consistent with this Agreement and subject to the consent of the Administering Agency and the Parties to such agreements.

13. DUES, ASSESSMENTS AND BUDGET AMENDMENTS. Funding for the activities of ARCH shall be provided solely through the budgetary process. Unless otherwise specified in this Agreement, no separate dues, charges or assessments shall be imposed or required of the Parties except upon unanimous vote of the membership of the Executive Board and ratification by the legislative body of each Party to the Agreement. An approved budget shall not be modified unless and until approved by the legislative body of each Party and finally adopted by the Executive Board; provided that, in the event a Party agrees to totally fund an additional task to the work program, not currently approved in the budget, the task may be added to the work plan and the budget amended to reflect the funding of the total cost of such task by the requesting Party, upon approval by a majority of the membership of the Executive Board without approval by the individual Parties. Notwithstanding the foregoing, contributions by a Party to its Individual Account within the Housing Trust Funds Account shall be solely within the discretion of that Party and are not considered "assessments."

14. INDEMNIFICATION AND HOLD HARMLESS.

a. Each Party shall, indemnify and hold other Parties (including without limitation the Party serving as, and acting in its capacity as, ARCH's Administering Agency), their officers, officials, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of that Party's wrongful acts or omissions in connection with the performance of its obligations under this Agreement, except to the extent the injuries or damages are caused by another Party. In the event of recovery due to the aforementioned circumstances, the Party responsible for any such wrongful acts or omissions shall pay any judgment or lien arising therefrom, including any and all costs and reasonable attorneys fees as part thereof. In the event more than one Party is held to be at fault, the obligation to indemnify and to pay costs and attorneys fees, shall be only to the extent of the percentage of fault allocated to each respective Party by a final judgment of the court.

b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of a Party hereto (including without limitation the Party serving as, and acting in its capacity as, ARCH's Administering Agency), its officers, officials, employees, and volunteers, the Party's liability hereunder shall be only to the extent of the Party's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Party's waiver of immunity under Industrial Insurance Title 51 RCW, solely for the purpose of this indemnification. This waiver has been mutually negotiated by the Parties. The provisions of this Section shall survive the expiration or termination of this Agreement.

c. Each Party (including without limitation the Party serving as, and acting in its capacity as, ARCH's Administering Agency) shall give the other Parties proper notice of any claim or suit coming within the purview of these indemnities.

15. INSURANCE. ARCH's Executive Board, Program Staff and the Administering Agency shall take such steps as are reasonably practicable to minimize the liability of the Parties associated with their participation in this Agreement, including but not limited to the utilization of sound business practice. The Executive Board shall determine which, if any, insurance policies may be reasonably practicably acquired to cover the operations of ARCH and the activities of the Parties pursuant to this Agreement (which may include general liability, errors and omissions, fiduciary, crime and fidelity insurance), and shall direct the acquisition of same.

16. AMENDMENTS. Any amendments to this Agreement must be in writing. This Agreement may be amended upon approval of at least two thirds (66%) of the legislative bodies of all Parties to this Agreement, evidenced by the authorized signatures of such approving Parties as of the effective date of the amendment; provided that any amendment to this Agreement affecting the terms and conditions of membership on the Executive Board, powers of the Executive Board, voting rights of Executive Board members, Party contribution responsibilities, hold harmless and indemnification requirements, provisions regarding duration, termination or withdrawal, or the conditions of this Section shall require consent of the legislative authorities of all Parties. This Section shall not be construed to require amendment of this Agreement for the addition of a new Party contemplated under Section 17 or for any related revision to Executive Board membership authorized in Section 4(a).

17. ADDITIONAL PARTIES. Any city or town within the approved ARCH Sphere of Influence may, upon execution of the Agreement and approval of the budget and work plan by its legislative body, become a Party to this Agreement upon affirmative vote of a majority of the membership of the Executive Board. The Executive Board shall determine by a vote of a majority of its membership what, if any, funding obligations such additional Party shall commit to as a condition of becoming a Party to this Agreement.

18. SEVERABILITY. The invalidity of any clause, sentence, paragraph, subdivision, section or portion thereof, shall not affect the validity of the remaining provisions of the Agreement.

19. CONFLICT RESOLUTION. Whenever any dispute arises between the Parties or between a Party or Parties, the Executive Board, or the Administering Agency (referred to collectively in this Section as the "parties") under this Agreement which is not resolved by routine meetings or communications, the parties agree to seek resolution of such dispute in good faith by meeting, as soon as feasible. The meeting shall include the Chair of the Executive Board, the Program Manager, and the representative(s) of the Parties involved in the dispute. If the parties do not come to an agreement on the dispute, any party may pursue mediation through a process to be mutually agreed to in good faith between the parties within 30 days, which may include binding or nonbinding decisions or recommendations. The mediator(s) shall be individuals skilled in the legal and business aspects of the subject matter of this Agreement. The parties to the dispute shall share equally the costs of mediation and assume their own costs.

20. SURVIVABILITY. Notwithstanding any provision in this Agreement to the contrary, the provisions of Section 9 (Duration and Termination), Section 10 (Withdrawal), Section 14 (Indemnification and Hold Harmless) shall remain operative and in

full force and effect, regardless of the withdrawal or termination of any Party or the termination of this Agreement.

21. WAIVER. No term or provision of this Agreement shall be deemed waived and no breach excused unless such waiver or consent shall be in writing and signed by the Party claimed to have waived or consented.

22. SUBSEQUENT BREACH. Waiver of any default shall not be deemed a waiver of any subsequent default. Waiver of breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of the Agreement unless stated to be such through written approval of all Parties.

23. NOTICE. Any notice to the Executive Board shall be in writing and shall be addressed to the Chair of the Executive Board and to the Program Manager. In the absence of a Program Manager, notice shall be given to the Chief Executive Officer of the Administering Agency. Any notice to an Officer or Party shall be sent, respectively, to the address specified by the chief executive officer of the Party.

24. ASSIGNMENT. No Party may sell, transfer or assign any of its rights or benefits under this Agreement without Executive Board approval.

25. VENUE. The Venue for any action related to this Agreement shall be in Superior Court in and for King County, Washington at Seattle.

26. RETAINED RESPONSIBILITY AND AUTHORITY. Parties retain the responsibility and authority for managing and maintaining their own internal systems and programs related to affordable housing activities.

27. NO THIRD PARTY BENEFICIARIES. This Agreement is for the benefit of the Parties only, and no third party shall have any rights hereunder.

28. COUNTERPARTS. This Agreement may be signed in counterparts and, if so signed, shall be deemed one integrated Agreement.

29. FILING AND EFFECTIVE DATE; PRIOR AGREEMENTS. This Agreement shall become effective July 1, 2010, subject to its prior approval by the legislative bodies of all jurisdictions who are members of ARCH as of January 1, 2010, and upon posting of the Agreement on a Party's web site or other electronically retrievable public source. Upon the effective date of this Agreement, the prior interlocal agreements relating to ARCH (the "First Amended

Interlocal Agreement for ARCH A Regional Coalition for Housing," dated January 1993, the "First Amendment to the First Amended Interlocal Agreement for ARCH A Regional Coalition for Housing," dated February 1999, and the "Second Amendment to the First Amended Interlocal Agreement for ARCH A Regional Coalition for Housing," dated November 1999), are amended and restated by this Agreement.

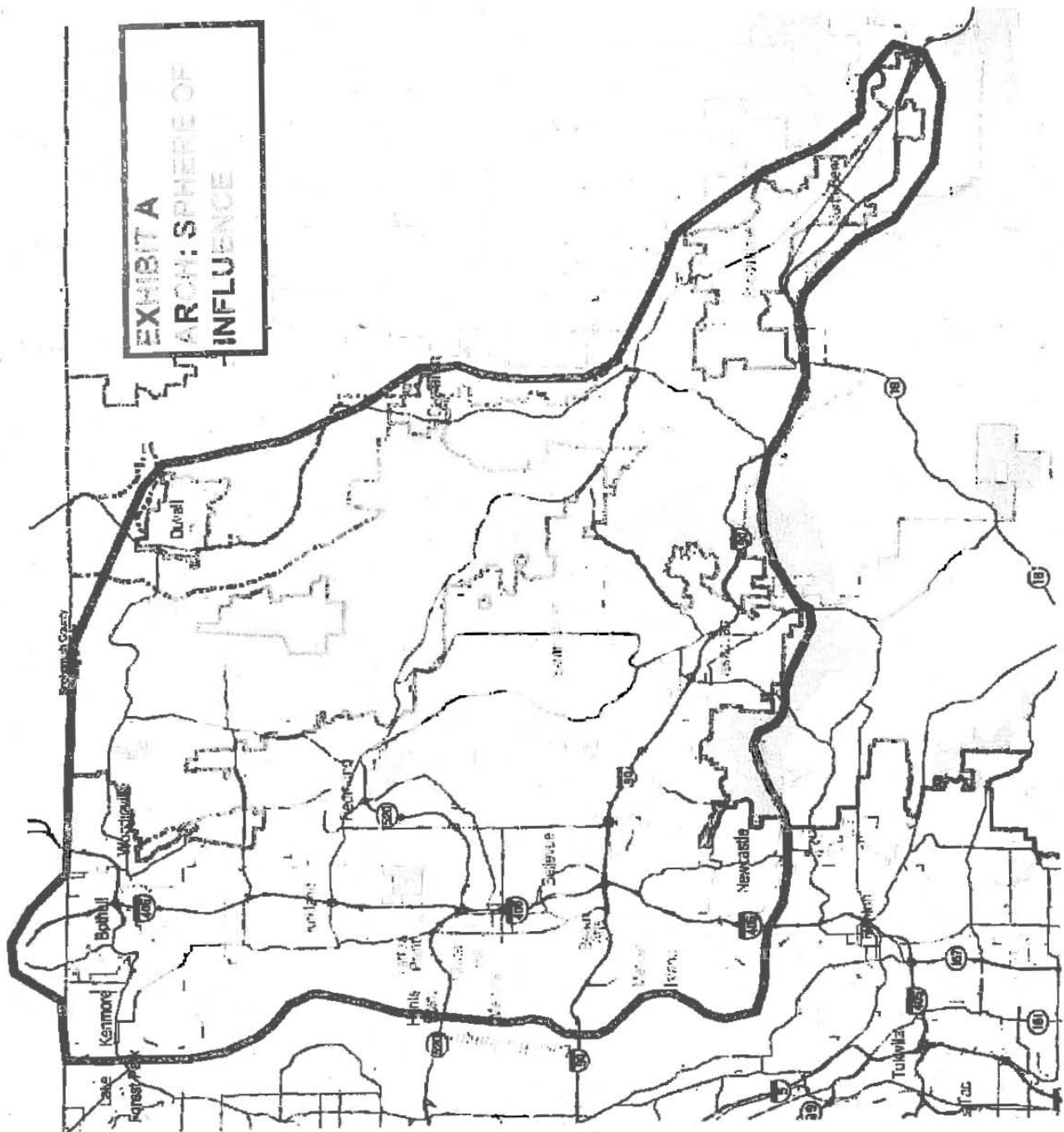
Approved and executed this 8 day of March, 2010.

Name of Party: City of Kenmore Approved as to form

By:

Its:

Rd. Keregima
City Attorney



Attachment 2

2012 ARCH Administrative Budget

I. ANNUAL OPERATING EXPENSES

Item	2011 Budget	2012 Budget	Change Budget	Percent Change
Staffing				
Sub-total *	\$ 452,870	\$ 474,265	\$ 21,395	5%
Rent	\$ 13,364	\$ 18,000	\$ 4,636	35%
Utilities	Incl^	Incl^	Incl^	Incl^
Telephone	\$ 2,704	\$ 2,704	\$ -	0%
Operating				
Travel/Training	\$ 2,000	\$ 2,000	\$ -	0%
Auto Mileage	\$ 3,650	\$ 3,500	\$ (150)	-4%
Copier Costs	\$ 2,750	\$ 2,500	\$ (250)	-9%
Office Supplies	\$ 2,068	\$ 2,068	\$ -	0%
Office Equipment Service	\$ 3,750	\$ 1,500	\$ (2,250)	-60%
Fax/Postage	\$ 2,060	\$ 1,200	\$ (860)	-42%
Periodical/Membership	\$ 3,588	\$ 3,700	\$ 112	3%
Misc. (e.g. events, etc.)	\$ 1,680	\$ 1,680	\$ -	0%
Insurance	\$ 8,741	\$ 7,400	\$ (1,341)	-15%
Reorganization Admin	\$ 650	\$ 650	\$ -	
Sub-total	\$ 30,937	\$ 26,198	\$ (4,739)	-15%
TOTAL	\$ 499,875	\$ 521,167	\$ 21,292	4.26%

* Actual salary increases based on Bellevue's approved Cost of Living Adjustment
Salary of associate planner at .6FTE with balance paid separately from PSRC/HUD contract

II. ARCH ADMINISTRATIVE BUDGET: RESOURCE DISTRIBUTION

A. Cash Contributions		2011	2012 Change	Percent Change
Bellevue	\$	-	\$	-
Bothell	\$	39,191	\$	39,191
Issaquah	\$	14,698	\$	14,698
King County	\$	43,466	\$	43,466
Kirkland	\$	59,768	\$	59,768
Mercer Island	\$	29,882	\$	29,882
Newcastle	\$	9,960	\$	9,960
Redmond	\$	59,768	\$	59,768
Woodinville	\$	11,898	\$	11,898
Beaux Arts Village	\$	1,569	\$	1,569
Clyde Hill	\$	2,660	\$	2,660
Hunts Point	\$	1,569	\$	1,569
Medina	\$	2,660	\$	2,660
Yarrow Point	\$	1,569	\$	1,569
Sammamish	\$	46,188	\$	46,188
Kennmore	\$	25,195	\$	25,195
Other*	\$	9,500	\$	30,679
TOTAL	\$	359,542	\$	380,721
				21,179.00
B. In-Kind Contributions		2011	2012 Change	Percent Change
Bellevue	\$	140,446	\$	140,446
				(0)
TOTAL	\$	140,446	\$	140,446
				(0)
C. Total Contributions				
Bellevue	\$	140,446	\$	140,446
				(0)
Bothell	\$	39,191	\$	39,191
Issaquah	\$	14,698	\$	14,698
King County	\$	43,466	\$	43,466
Kirkland	\$	59,768	\$	59,768
Mercer Island	\$	29,882	\$	29,882
Newcastle	\$	9,960	\$	9,960
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Medina	\$	2,660	\$	2,660
Yarrow Point	\$	1,569	\$	1,569
Sammamish	\$	46,188	\$	46,188
Kennmore	\$	25,195	\$	25,195
Other*	\$	9,500	\$	30,679
				21,179.00
TOTAL	\$	499,988	\$	521,167
				21,178.81
TOTAL COSTS	\$	499,875	\$	521,167
				21,291.55
BALANCE	\$	113	\$	0

* This is combination of administrative fee collected from Redmond Ridge East;
\$10,000 from national grant; and admin reserve resulting from staff vacancy in previous year

12/15/11

ARCH WORK PROGRAM: 2012

I. PROJECT ASSISTANCE

A. Oversight of Local Monetary Assistance

ARCH Trust Fund. Review applications and make recommendations for requests of local monetary funds through the ARCH Housing Trust Fund process. Includes helping to coordinate the application process and use of funds for various programs.

Objective: Allocation of \$1,000,000 or more through the ARCH Housing Trust Fund Process, and create or preserve a minimum of 50 units.

For the 'Parity Program', provide updated annual information to members, and achieve the base line goal for levels of direct assistance.

Provide a variety of types of affordable housing and that meet other funding priorities as specified in the ARCH Trust Fund Criteria.

Centralized Trust Fund System. Monitor centralized trust fund process including:

- Produce regular monitoring reports for the ARCH Trust Fund account.
- Work with Administrating Agency (Bellevue) to prepare contracts and distribute funds for awarded projects.
- Monitor funded projects including evaluating performance and tracking loan payments.

King County / State Funding Programs. Review and provide input to other funders for Eastside projects that apply for County (HOF, RAHP, HOME, etc) and State (Tax Credit, DOC) funds. Includes providing input to the King County Home Consortium on behalf of participating Eastside jurisdictions. Assist N/E consortium members with evaluating and making a recommendation to the County regarding CDBG allocations to affordable housing.

Objective: In consultation with County, local staff and housing providers, seek to have funds allocated on a countywide basis by the County and State allocated proportionately throughout the County including the ARCH Sphere of Influence.

B. Special Initiatives This includes a range of activities where ARCH staff assist local staff with specific projects. Activities can range from feasibility analysis, assisting with requests for proposals, to preparation of legal documents (e.g. contracts, covenants). Following are either existing initiatives or examples of initiatives likely to emerge:

Trust Fund Long Term Issues.

1. ARCH Trust Fund: Dedicated Funding Source. As follow up to the ARCH Workshops in 2007, explore and evaluate the feasibility of a dedicated funding source. Research and develop a menu of options for creating more sustainable funding source to supplement general fund contributions for the ARCH Trust Fund. Will require compiling variety of background information on different options (e.g. potential scale of impact for overall membership and range of impact for different members; legal/legislative constraints, etc). Convene members to evaluate options and consider next steps

2. Long Term Operation of Funded Projects. In the past few years, there has been one project funded through ARCH and other projects in the state funded by other public funders needing significant capital improvements or other needs for refinancing. Conduct a more thorough evaluation of projects funded in the past through ARCH, including convening panel of real estate experts to assess ongoing operation and long term health of projects. As necessary, develop strategies to address findings from this evaluation.

Objective: Develop a sustainable strategies for the HTF to meet local housing goals and preserve assisted affordable housing.

Surplus Property/Underdeveloped Property. Assist as needed member cities' evaluation of potentially surplus public property or underutilized private property (e.g. church properties) for suitability of affordable housing. Currently identified opportunities includes:

- Assist King County (Metro) and Kirkland (Metro) with using the South Kirkland Park n Ride site for a mix of market rate and affordable housing and expanded Park n Ride spaces.
- Assist Sammamish with making surplus city site available to Habitat for Humanity of East King County
- Explore opportunities for catalyst projects in transit oriented neighborhoods such as Bel-Red, Overlake and central Mercer Island.

As a subset of this item, convene members and other stakeholders to explore how to potentially work more proactively with faith based organizations to utilize their properties to assist with addressing affordable housing needs, especially for homeless populations.

Objective: Identify one or more specific sites in East King County to be made available for housing.

Eastside Homebuyer Assistance Program. In late 2005 the House Key Plus ARCH down payment assistance program was launched with funding from many East King County cities, King County and the Washington Housing Commission. Currently a third round of \$800,000 of funding is being implemented bringing the total amount in the revolving fund to \$2.4 million. This round will include several updates to the program resulting from a review of the program.

Objective: Maintain operation of the Homebuyer Assistance Program and implement updates.

HUD Assisted Housing. Continue to monitor and actively pursue efforts to preserve existing HUD assisted affordable housing.

Objective: Preserve existing federally assisted affordable housing in East King County and prevent from converting to market rate housing.

II. HOUSING POLICY PLANNING

Work Items in this section group into the following basic areas of activity:

- Work with individual members on local planning efforts.
- Efforts coordinated through ARCH that benefit multiple members of ARCH.
- Track legislation that increases tools available to cities to create affordable housing.
- Participation in regional workgroups that impact local housing efforts.

A. Local Planning Activities

ARCH Housing Strategy Program. ARCH members have identified a number of Priority Housing Strategies as well as an ongoing education program for members, several of which can impact local planning efforts, including:

- Ongoing education of staffs and officials through Housing 101 Workshops for staffs and new local officials; updating information in the Housing 101 Workbook, annual study sessions with member councils to review current issues and activities and materials profiling current programs and housing trends.
- Assist cities that incorporate priority strategies into their local work program (e.g. property tax exemption program in mixed use zones, regulatory incentive programs, regulations to increase housing diversity (mixed use, innovative housing, housing emphasis zones). (Note: See Local Housing Efforts below for specific activities by members.)

Housing Background Information. On an annual basis, ARCH will continue to provide updated housing data information as available. This updated housing information will be incorporated into the education fliers and Housing 101 report used as part of the ongoing Housing Education Program. In 2012 this will include outreach efforts targeted to newer council members.

Housing Needs Assessment In 2012 members will need Housing Needs Assessments as part of their updates to their Comprehensive Plans. Working with ARCH members, ARCH has developed an overall needs assessment covering East King County. As an initial part of each member's update of their Comprehensive Plan, ARCH will supplement the overall needs assessment with localized information.

Objective: Assist with preparation of Housing Needs Assessment for all members, and to do so through a coordinated effort in behalf of all members.

On a regular basis, conduct education sessions for new local officials and staffs on local housing conditions and programs (Housing 101 East King County, East King County Plan to End Homelessness), and hold annual discussion with member councils on recent housing trends and efforts.

Continue to keep member jurisdictions and the broader community aware of local housing conditions to assist in their efforts to evaluate current and future efforts to meet local housing objectives. Include research on recent housing trends, and responses to these trends,

Local Housing Efforts: ARCH jurisdictions are updating land use, zoning and other codes in order to implement policies identified in their Comprehensive Plans. ARCH staff will continue to assist local staffs in these efforts. Following are specifically identified areas that ARCH will assist local staff with accomplishing. For the coming year, ARCH staff expects to spend time assisting members updating local Housing Elements, with initial efforts focused on developing needs assessments for members.

Objective: Assist local staff with completion of the following updates of local codes and specific plans:

Bellevue

Assist City staff as needed with housing planning initiatives that may include review of ADU regulations

Assist City staff with developing and implementing administrative procedures for the Bel-Red land use incentive program.

Assist with Council evaluation of a MF Tax exemption program in the City. In the event Council provides direction to develop a program, assist City Staff to develop code language for a program.

Assist in identifying opportunities for affordable housing and implementation of affordable housing strategies in identified ST2 corridors where transit oriented housing and mixed income housing development is an important component of the initial planning work.

Bothell

Assist City staff with implementation of any housing strategies identified by City Council as part of the 2012 Docket process.

Work with City staff to explore opportunities for housing and affordable housing on city owned properties in the downtown revitalization area.

Clyde Hill

Assist City staff with update to the Comprehensive Plan Housing Element.

Assist City with rental of City's affordable rental unit.

Issaquah

Central Issaquah Plan: Continue work with City staff to refine housing parts of the Central Issaquah Plan as well as the related development standards and Incentives. Participate in related presentations to the Planning Policy Commission and/or City Council at key milestones for assistance on affordable housing.

Issaquah Highlands: Monitor the implementation of the Issaquah Highlands affordable housing development agreement.

Kenmore

Housing Regulations: Assist city staff with their update of its zoning and subdivision codes as they relate to housing and housing affordability.

Kirkland

Continue to assist staff with local action related to the South Kirkland Park & Ride property (e.g. documentation to secure affordability requirements.)

Assist City staff with Council Housing Committee and resulting initiatives.

Assist City staff with the Housing portion of Neighborhood Plan updates.

Assist City staff with an examination of existing non-conforming multifamily densities and how that might relate to the preservation of existing affordable housing.

Mercer Island

Assist City staff with completion of administrative procedures and documents associated with the land use incentive and tax exemption programs for Town Center.

Assist City Staff and Planning Commission with updating the Housing Strategy Plan, and with initial implementation of high priority strategies.

Newcastle

Assist City staff with Council's review of affordable housing provisions for Community Business Center and other areas of the city. Assist with updating administrative procedures based on any final revisions by Council. Assist with agreements for any project that would include an affordable

housing requirement, including those related to the Community Business Center.

Assist staff with outreach effort related to ADU.

Redmond

Assist with further update of housing regulations as needed as follow up to the rewrite of the City's zoning code. Assist with the creation of user guides for implementing housing requirements

Assist with the development of a Strategic Housing Plan.

Continue to assist with negotiating and administering the provision of affordable housing in developments required to provide affordable housing units pursuant to city regulations.

Assist with the promotion of affordable housing and other programs available to Redmond residents and developers, e.g., Accessory Dwelling Units (ADUs).

Assist with carrying out implementation strategies that result from the investigation of emerging housing markets as described below under regional issues.

Assist City staff and Council with evaluating and, if appropriate, implementing a tax incentive program for affordable housing, as allowed under RCW 84.14.

Provide assistance as needed in updating neighborhood plans (e.g. Southeast Redmond) with respect to housing, including periodic attendance at Citizen Academy and CAC meetings to help identify housing issues and develop policy and regulatory responses.

Continue to work with City staff on a potential ordinance prohibiting tenant discrimination on the basis of Section 8 vouchers as a source of income.

Sammamish

Assist with update to Comprehensive Plan / Housing Element and Housing Strategy Plan.

Assist staff with making surplus site available to Habitat (see special projects).

Evaluate Strategy Plan to assess if work should commence on any median priority strategies (e.g. Senior Housing opportunities).

Woodinville

Assist with update to Comprehensive Plan / Housing Element and Housing Strategy Plan.

Review and strengthening of affordable housing and accessory dwelling unit programs and regulations.

Assist City staff and Planning Commission with evaluating and developing incentives for affordable housing as provided for in the Downtown/Little Bear Creek Master Plan area.

Yarrow Point

Assist Planning Commission and Council with a review and potential update of current ADU regulations, and assist with effort to increase public awareness of local provisions.

King County See Regional/Planning Activities below.

Complete standard covenants, and monitor the implementation of the Northridge/Blakely Ridge and Redmond Ridge Phase II affordable housing development agreements. This includes monitoring annual progress toward achieving affordability goals; and providing information to developers on details about how the program is implemented.

General Assistance. In the past, there have been numerous situations where members have had requests for support on issues not explicitly listed in the Work Program. Requests range from technical clarifications, to assisting with negotiating agreements for specific development proposals, to more substantial assistance on unforeseen planning initiatives. ARCH sees this as a valuable service to its members and will continue to accommodate such requests to the extent they do not jeopardize active work program items.

B. Regional/Countywide Planning Activities

PSRC – HUD Sustainability Planning Grant. PSRC in a partnership with public and private agencies from the Central Puget Sound region received a \$5 million HUD Sustainable Communities Planning Grant. Continue to work on several housing components of the planning effort, including developing the East King County corridor planning implementation strategies, with ARCH focusing on housing components of these strategies; and participating in the regional affordable housing work group that will be researching and where feasible implementing new tools to support local efforts for affordable housing (e.g. property acquisition fund).

One particular interest in this work is better understanding emerging housing markets. This includes investigating how to encourage housing development in new or unproven markets. What are the barriers, and how can ARCH member jurisdictions address these

Issues? Further, how can ARCH assist with familiarizing the development community about housing opportunities in these areas?

Objective: Obtain information that is applicable to ARCH member cities' housing development efforts.

Countywide Planning Policies (CPP) for Affordable Housing. The Growth Management Planning Council adopted updated CPPS for housing, which included a policy regarding evaluating the methodology used to establish affordable housing targets. ARCH staff will assist the regional work group on this task with the goal of presenting a report on findings and options to the GMPC by mid-year and leading to a potential updated policy for affordable housing targets in the County.

Legislative Items. ARCH staff will track state and federal legislative items that relate to affordable housing and could impact members' ability to address affordable housing. As needed, staff will report back to the Executive Board and members, and when directed coordinate with other organizations (e.g. AWC, Prosperity Partnership, WLIHA) to contact legislators regarding proposed legislation. For the upcoming legislative session, primary emphasis would be on assisting in efforts to modify legislation related to local waiver of Impact Fees. Goal of legislation is to provide discretion to cities to waive impact fees without replacing with other public funds. This legislation had been identified by the ARCH Housing Priority Strategies.

Committee to End Homelessness (CEH)/ Eastside Homeless Advisory Committee (EHAC). Anticipated work of the CEH in the coming year include: continued coordinated allocation of resources; and initiating several specific proposals (e.g. addressing homelessness for veterans and families). Role for ARCH staff is expected to include participating in the CEH Funders group and its efforts to coordinate funding, and inform ARCH members and the general public of CEH/EHAC activities. Also continue to participate in efforts to implement homeless efforts within East King County through EHAC.

Objective: Keep member jurisdictions informed of significant regional issues and pending legislation that could affect providing housing in East King County.

Ensure that perspectives of communities in East King County are addressed in regional housing activities, including the Committee to End Homelessness.

Have one or more specific local programs initiated as part of the 10 Year Plan to End Homelessness.

III. HOUSING PROGRAM IMPLEMENTATION

Monitoring Affordable Rental Housing. Administer ongoing compliance of affordability requirements. This includes affordable rental housing created through direct assistance (e.g. Trust Fund allocation, land donations) from member jurisdictions, and through land use incentives. Some Trust Fund projects also require monitoring of project cash flow related to loans made by jurisdictions to projects (see I Project Assistance).

Objective: Ensure projects are in compliance with affordability requirements which involves collecting annual reports from projects, screening information for compliance, and preparing summary reports for local staffs. To the extent possible this work shall:

- Minimize efforts by both owners and public jurisdictions.
- Coordinate ARCH's monitoring efforts with efforts by other funding sources such as using shared monitoring reports.
- Utilize similar documents and methods for monitoring developments throughout East King County.
- Ensure accurate records for affordable ownership units, including audit units for owner occupancy and proper recording of necessary documentation.
- Establish working relationship with other public organizations that can help assess how well properties are maintained and operated (e.g. code compliance, police, and schools).

Monitoring Affordable Ownership Housing. As more price restricted homes are created, monitoring of affordable ownership housing created through local land use regulations is becoming of increased importance. In addition, will continue to monitor general trends with ownership units, enforcement of covenant provisions (e.g. leasing homes, foreclosure), and as necessary evaluate and if warranted, complete revisions to the ownership covenants in order to better insure long term affordability of ownership units. Also continue to maintain a list of households potentially interested in affordable ownership housing.

Objective: Oversee resale of affordable ownership homes. Address issues related to ongoing compliance with program requirements (e.g. leasing homes, foreclosures).

Complete revisions to the affordability covenant and administrative procedures to better protect against potential loss of long term affordability.

Information for public on Affordable Housing. Maintain lists of affordable housing in East King County (rental and ownership), and making that available as needed to people looking for affordable housing.

Objective: Maximize awareness of affordable housing opportunities in East King County through the ARCH web site and other means to assist persons looking for

affordable housing.

Relocation Plans. Assist as necessary with preparing relocation plans and coordinate monitoring procedures for developments required to prepare relocation plans pursuant to local or state funding requirements.

Objective: Maximize efforts to ensure that existing households are not unreasonably displaced as a result of the financing or development of new or existing housing.

IV. SUPPORT/EDUCATION/ADMINISTRATIVE ACTIVITIES

Education/Outreach. Education efforts should tie into efforts related to public outreach/input on regional housing issues (see local planning activities). However, much of ARCH's outreach/education work will occur through work with individual members on local housing efforts. In addition to the Housing 101 workbook and related brochures, other outreach methods may include housing tours, a portfolio of successful projects, and short videos to be broadcast on local cable channels on local efforts.

Objective: Consistent with the Education program discussed at the ARCH Workshops, using input from the broader community, develop education tools to inform councils, staffs and the broader community of current housing conditions, and of successful efforts achieved in recent years.

Be a resource for members to assist with outreach and education activities on affordable housing associated with local planning efforts.

Create outreach tools/efforts that inform the broader community of affordable housing resources available to residents.

ARCH Web site. Update on a regular basis information on the ARCH website, including information related to senior housing opportunities. Add new section to the website that provides more details and administrative materials for affordable incentive programs available through ARCH members and fair housing information. .

Objective: Maintain the ARCH web site and update the community outreach portion by incorporating information from Housing 101 East King County, as well as updated annual information, and links to other sites with relevant housing information (e.g. CEH, HDC).

Make presentations, including housing tours, to at least 10 community organizations.

Media coverage on at least six topics related to affordable housing in East King County related to work done by Cities/ARCH and articles in local city

newsletters.

Advice to Interested Groups. Provide short-term technical assistance to community groups, faith communities and developers interested in community housing efforts. Meet with groups and provide suggestions on ways they could become more involved.

Objective: Increase awareness of existing funding programs by potential users.

Increase opportunities of private developers and Realtors working in partnership with local communities on innovative/affordable housing.

Assist community based groups who want to provide housing information to the broader community by assisting with preparing background information.

Administrative Procedures. Maintain administrative procedures that efficiently provide services to both members of ARCH and community organizations utilizing programs administered through ARCH. Prepare quarterly budget performance and work program progress reports, including Trust Fund monitoring reports. Prepare the Annual Budget and Work Program. Work with Executive Board to develop multi-year strategy for the ARCH Administrative Budget. Staff the Executive and Citizen Advisory Boards.

Objective: Maintain a cost effective administrative budget for ARCH, and keep expenses within budget. Administrative costs should be equitably allocated among ARCH's members.

Maintain membership on the ARCH Citizen Advisory Board that includes broad geographic representation and wide range of housing and community perspectives.

Workprogram 2012 Dec-11 Draft

CITY OF KENMORE, WASHINGTON			
AGENDA BILL SUMMARY			
AGENDA TITLE			MEETING DATE
Adoption of Resolution 12-196 granting final plat approval to the Canyon View Estates subdivision (File FLP2005-100)			January 23, 2012
DEPARTMENT	DIRECTOR	CONTACT PERSON	PHONE
Land Development & Permitting	Bryan Hampson 	Bryan Hampson or Andrew Bauer	425-398-8900
COST OF PROPOSAL: Staff time associated with development review and construction inspections. Costs offset by development fees.		ACCOUNT NUMBER: N/A	
AMOUNT BUDGETED: N/A		NAME AND FUND #: N/A	
ATTACHMENT(S) TO AGENDA PACKET ITEM:			
1. Resolution 12-196 2. Final plat map			
SUMMARY STATEMENT: The Canyon View Estates final plat is ready to record. The Hearing Examiner granted conditional preliminary plat approval for the plat on April 10, 2007. Conditions of preliminary plat approval have been satisfied and required financial guarantees have been submitted. To obtain final plat approval the Council needs to pass a resolution approving the final plat. The final plat then needs to be signed by the City prior to being recorded with King County. The Canyon View Estates plat is a 6 lot single-family residential development on a 3.98 acre site zoned R-4 (residential, 4 dwelling units per acre). Lots 1-4 will gain access directly from 84th Avenue NE. Lots 5 and 6 will gain access through the existing built out plat of Hawthorne Glen located to the north. A temporary cul-de-sac bulb turnaround on the Hawthorne Glen site has been removed and a new permanent cul-de-sac bulb turnaround built at the terminus of 85th Place NE on the Canyon View Estates site. The roadway and cul-de-sac bulb extension will be dedicated to the City and maintenance responsibilities will be taken over by the City after a two-year maintenance period is completed by the applicant. Tract A (91,653 square feet) is an environmentally critical areas tract and Tract B (399 square feet) is a recreation/open space area. Both tracts will be owned and maintained by the property owners within the plat. The applicant has posted the required financial guarantees for maintenance of roadway, drainage, and critical area mitigation. Traffic and parks impact fees will be assessed at the time of building permit for each individual lot.			
CONSISTENT WITH OR COMPARISON TO PAST COUNCIL POLICIES, ORDINANCES, DIRECTION: Conditions of preliminary plat approval have been satisfied and therefore the Council may approve the final plat authorizing the City Manager to sign the final plat mylar.			
RECOMMENDED CITY COUNCIL ACTION/SUGGESTED MOTION: Adoption of Resolution 12-196 granting final plat approval of the Canyon View Estates subdivision (File FLP2005-100).			
REVIEWED BY FINANCE DIRECTOR:	REVIEWED BY CITY ATTORNEY:	APPROVED BY CITY MANAGER:	
			
TODAY'S DATE: January 11, 2012	REVISION DATE(S):		FILE NAME & PATH (HYPERLINK): 12-01-09 - Canyon View Estates Final Plat Agenda Bill.docx

VE. Motion to Adopt Resolution No. 12-196 Approving the Canyon View Estates Subdivision - Bryan Hampson, Director of Land Development and Permitting

CITY OF KENMORE

WASHINGTON

RESOLUTION NO. 12-196

A RESOLUTION OF THE CITY OF KENMORE, WASHINGTON, GRANTING FINAL PLAT APPROVAL FOR THE CANYON VIEW ESTATES PLAT (File FLP2005-100)

WHEREAS, the City Council desires to grant final plat approval for the Canyon View Estates Plat;

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

Section 1. Plat Approval. Pursuant to RCW 58.17.170, the City Council of the City of Kenmore finds that all conditions of preliminary plat approval for the Canyon View Estates Plat have been satisfied, and hereby grants final plat approval. Pursuant to RCW 58.17.195, the City Council further finds that the Canyon View Estates Plat, as approved, conforms with all applicable City of Kenmore zoning and other land use regulations. See attached Exhibit A for plat layout.

Section 2. Authorization. The City Manager and/or his designee(s) are hereby authorized by the City Council to sign the face of the plat for the Canyon View Estates Plat and to cause the plat to be recorded with King County.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON,
AT A REGULAR MEETING THEREOF THIS 23rd DAY OF JANUARY 2012.

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Lynn Suskin, City Clerk

Approved as to form:

Rod Kaseguma, City Attorney

VOLUME/PAGE

ACKNOWLEDGMENTS

STATE OF WASHINGTON
COUNTY OF KING

CITY OF KENMORE APPROVALS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 20____

EXAMINED AND APPROVED THIS _____ DAY OF _____, 20____

EXAMINED AND APPROVED THIS _____ DAY OF _____, 20____

CITY CLERK, CITY OF KENMORE

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 20____

KING COUNTY ASSESSOR

ACCOUNT NUMBER

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED, DEDICATED AS STREETS, ALLEYS OR FOR ANY OTHER PUBLIC USE, ARE PAID IN FULL THIS ____ DAY OF _____, 20__.

MANAGER, FINANCE DIVISION

DEPUTY

LAND SURVEYOR'S CERTIFICATE

 **Axis**
Survey & Mapping

13005 NE 126th PL
KIRKLAND, WA 98034
TEL. 425.823-6700
FAX 425.823-6700

DIVISION OF RECORDS AND ELECTIONS

MANAGER

SUPERINTENDENT OF RECORDS

MITCH T.S. EVANS, P.L.S.

38011

CERTIFICATE NO.

1/8/12
DATE

JOB NO.:10-020 DATE PREPARED: 1-5-2012 SHEET: 1 OF 3

AUDITOR'S FILE NO.:

CANYON VIEW ESTATES
NW 1/4, NW 1/4, SEC. 18, TWP.26 N., RGE. 5 E., W.M.
CITY OF KENMORE, KING COUNTY,
WASHINGTON

VOLUME/PAGE

STORM DRAINAGE FACILITIES

OWNERS AND ALL PERSONS HAVING ANY PRESENT OR SUBSEQUENT INTEREST IN THESE LANDS, AND THE SUCCESSORS AND ASSIGNS OF OWNERS OR OTHER PARTIES HAVING ANY SAID INTEREST, HEREBY AGREE THAT THE CITY OF KENMORE SHALL BE DEFENDED AND HELD HARMLESS IN ALL RESPECTS FROM ANY AND ALL CLAIMS FOR DAMAGES WHICH MAY BE OCCASIONED NOW OR IN THE FUTURE TO ADJACENT LAND BY REASON OF THE CONSTRUCTION, OPERATION AND MAINTENANCE OF PUBLIC ROADWAYS, INCLUDING THE DRAINAGE OF SUCH ROADWAYS, AND HEREBY WAIVE AND RELEASE THE CITY OF KENMORE FROM ANY AND ALL SUCH CLAIMS FOR DAMAGES TO ADJACENT LAND, EXCLUDING DAMAGE CAUSED SOLELY BY AN ACT OR OMISSION OF SAID CITY WHICH THE OWNERS, OR THEIR SUCCESSORS OR ASSIGNS MAY THEMSELVES HAVE NOW OR IN THE FUTURE BY REASON OF CONSTRUCTION, MAINTENANCE AND OPERATION OF SAID PUBLIC ROADWAYS AND DRAINAGE SYSTEM FOR SUCH ROADWAYS.

ALL UNDERGROUND AND SURFACE STORMWATER FACILITIES AND STORMWATER IMPROVEMENTS CONSTRUCTED AS PART OF THIS PLAT, NOT LOCATED ON PUBLIC ROADWAYS, SHALL BE MAINTAINED IN PERPETUITY, BY THE CANYON VIEW ESTATES HOMEOWNERS ASSOCIATION. THE CITY OF KENMORE IS HEREBY GRANTED THE RIGHT TO ENTER ONTO THE PRIVATE DRAINAGE EASEMENTS FOR NECESSARY EMERGENCY PURPOSES AND INSPECTION. THIS RIGHT OF ENTRY, HOWEVER, SHALL NOT BE DEEMED A GRANT TO THE PUBLIC FOR ACCESS OR ANY OTHER PURPOSE.

SHOULD THE CANYON VIEW ESTATES HOMEOWNERS ASSOCIATION CEASE TO EXIST FOR ANY REASON, THEN STORM DRAIN FACILITIES NOT ON PUBLIC PROPERTY SHALL BE MAINTAINED BY THE PRIVATE PROPERTY OWNER ON WHICH THE IMPROVEMENTS EXIST UNLESS RESPONSIBILITIES ARE ASSIGNED IN FUTURE DOCUMENTS, PREPARED IN ACCORDANCE WITH CITY, STATE, AND FEDERAL REGULATIONS, AND RECORDED WITH KING COUNTY. A COPY OF ANY SUCH DOCUMENTS SHALL BE PROVIDED TO THE CITY OF KENMORE UPON RECORDING.

THE CITY OF KENMORE IS A THIRD PARTY BENEFICIARY OF THE MAINTENANCE OF THE STORM DRAINAGE DETENTION FACILITY (IF ANY) AND ALL STORM DRAINAGE PIPES AND STRUCTURES NOT ON PUBLIC RIGHT OF WAY, WITH THE RIGHT, BUT NOT THE OBLIGATION, TO CAUSE ENFORCEMENT. THIS COVENANT CANNOT BE AMENDED OR REPEALED WITHOUT WRITTEN CONSENT BY THE CITY OF KENMORE.

NOTES

1. THIS PROJECT IS SUBJECT TO THE CITY OF KENMORE TRAFFIC AND PARK IMPACT FEES TO BE ASSESSED AT THE TIME OF BUILDING PERMIT ISSUANCE, AT A RATE IN EFFECT AT THE TIME OF PERMIT APPLICATION.
2. AS A CONDITION OF FINAL APPROVAL, FIFTY PERCENT (50%) OF THE SCHOOL IMPACT FEES DUE FOR THE PLAT SHALL BE ASSESSED AND COLLECTED BY THE NORTHSHORE SCHOOL DISTRICT IMMEDIATELY PRIOR TO PLAT RECORDING, USING THE FEE SCHEDULES IN EFFECT WHEN THE PLAT RECEIVED FINAL APPROVAL. THE BALANCE OF THE ASSESSED FEE SHALL BE ALLOCATED EVENLY TO THE DWELLING UNITS IN THE PLAT AND SHALL BE COLLECTED BY THE SCHOOL DISTRICT PRIOR TO BUILDING PERMIT ISSUANCE.
3. ALL LOTS SHALL MEET THE MINIMUM DIMENSIONAL REQUIREMENTS OF THE R4 ZONE.
4. STRUCTURES, FILLS OR OTHER OBSTRUCTIONS (INCLUDING BUT NOT LIMITED TO DECKS, PATIOS, OUTBUILDINGS, OR OVERHANGS) SHALL NOT BE PERMITTED WITHIN DRAINAGE EASEMENTS. ADDITIONALLY, GRADING AND CONSTRUCTION OF FENCING SHALL NOT BE ALLOWED WITHIN THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT MAP UNLESS OTHERWISE APPROVED IN WRITING BY THE CITY OF KENMORE OR ITS SUCCESSOR AGENCY.
5. ALL BUILDING DOWN SPOUTS, FOOTING DRAINS, AND DRAINS FROM ALL IMPERVIOUS SURFACES SUCH AS PATIOS AND DRIVEWAYS SHALL BE CONNECTED TO THE PERMANENT STORM DRAIN OUTLET AS SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS NO. PLP2005-100 ON FILE WITH THE CITY OF KENMORE. THIS PLAN SHALL BE SUBMITTED WITH THAT APPLICATION OF ANY BUILDING PERMIT. ALL CONNECTIONS OF THE DRAINS MUST BE CONSTRUCTED AND APPROVED PRIOR TO THE FINAL BUILDING PERMIT. FOR THOSE LOTS THAT ARE DESIGNATED FOR INDIVIDUAL LOT INFILTRATION OR DISPERSION SYSTEMS, THE SYSTEMS SHALL BE CONSTRUCTED AT THE TIME OF THE BUILDING PERMIT AND SHALL COMPLY WITH SAID PLANS. ALL INDIVIDUAL STUB-OUTS AND INFILTRATION OR DISPERSION SYSTEMS SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE LOT OWNER(S). A DECLARATION OF COVENANT FOR MAINTENANCE AND INSPECTION OF FLOW CONTROL BMPs FOR EACH LOT SHALL BE RECORDED PRIOR TO BUILDING PERMIT ISSUANCE.
6. STREET AND LOT LINE SETBACKS, BUILDING HEIGHT, OFF-STREET PARKING PROVISIONS, MAIL BOX LOCATION AND LOT COVERAGE FOR MAXIMUM IMPERVIOUS SURFACE WILL BE VERIFIED AT THE TIME OF BUILDING PERMIT APPLICATION.
7. ALL LOTS WITHIN THIS PLAT SHALL COMPLY WITH THE APPROVED TREE MANAGEMENT PLAN ON FILE WITH THE CITY OF KENMORE.
8. EASEMENT PROVISIONS: A PUBLIC EASEMENT IS HEREBY GRANTED TO THE CITY OF KENMORE, NORTHSHORE UTILITY DISTRICT, PUGET SOUND ENERGY, QWEST, FRONTIER, AND COMCAST AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 10 FEET, PARALLEL WITH ADJOINING THE STREET FRONTAGE OF ALL LOTS AND TRACT, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, MAINS, CABLES, WIRES, WATER METERS, AND SIDE SEWER STUBS WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, TV, AND GAS SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSE HEREIN STATED. THESE EASEMENTS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION BY THE UTILITY. NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT, TELEPHONE OR CABLE TV SHALL BE PLACED OR BE PERMITTED TO BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN A CONDUIT ATTACHED TO A BUILDING.
9. THIS PLAT IS SUBJECT TO THE CANYON VIEW ESTATES HOMEOWNERS ASSOCIATION PER RECORDING NUMBER
10. THIS PLAT IS SUBJECT TO EASEMENT AND THE TERMS AND CONDITIONS THEREOF FOR INGRESS AND EGRESS PER RECORDING NUMBER 1991105000625, (TO BE RELINQUISHED)
11. THIS PLAT IS SUBJECT TO SENSITIVE AREA NOTICE ON TITLE, INCLUDING THE TERMS AND PROVISIONS THEREOF PER RECORDING NUMBER 19991221001710.
12. THIS PLAT IS SUBJECT TO PUGET SOUND ENERGY EASEMENT AND THE TERMS AND CONDITIONS THEREOF PER RECORDING NUMBER 20111114000834.
13. LOT LINES ABUTTING TRACT A SHALL MEET MINIMUM BUILDING SETBACKS IN ACCORDANCE WITH THE ENVIRONMENTALLY CRITICAL AREA STANDARDS IN KMC 18.55.

TRACT NOTES

TRACTS A & B ARE CONSIDERED "TRACTS". A "TRACT" IS LAND RESERVED FOR SPECIFIC USES INCLUDING, BUT NOT LIMITED TO RESERVE TRACTS, RECREATION, OPEN SPACE, SENSITIVE AREAS, SURFACE WATER RETENTION, UTILITY FACILITIES AND ACCESS. TRACTS ARE NOT CONSIDERED LOTS OR BUILDING SITES FOR PURPOSES OF RESIDENTIAL DWELLING CONSTRUCTION.

TRACT "A" IS AN ENVIRONMENTALLY CRITICAL AREA TRACT. THE OWNERSHIP, MAINTENANCE, AND PROTECTION OF TRACT A ARE ASSIGNED TO THE INCORPORATED HOMEOWNERS ASSOCIATION. UPON RECORDING, TRACT A IS DEDICATED TO THE CANYON VIEW ESTATES HOMEOWNERS ASSOCIATION. IN THE EVENT THE HOMEOWNERS ASSOCIATION CEASES TO EXIST, THE LOTS WITHIN THE PLAT SHALL HOLD AN EQUAL AND UNDIVIDED INTEREST IN TRACT A FOR OWNERSHIP AND MAINTENANCE RESPONSIBILITIES.

TRACT "B" IS A RECREATION SPACE TRACT. THE OWNERSHIP, MAINTENANCE, AND PROTECTION OF TRACT B ARE ASSIGNED TO THE INCORPORATED HOMEOWNERS ASSOCIATION. UPON RECORDING, TRACT B IS DEDICATED TO THE CANYON VIEW ESTATES HOMEOWNERS ASSOCIATION. IN THE EVENT THE HOMEOWNERS ASSOCIATION CEASES TO EXIST, THE LOTS WITHIN THE PLAT SHALL HOLD AN EQUAL AND UNDIVIDED INTEREST IN TRACT B FOR OWNERSHIP AND MAINTENANCE RESPONSIBILITIES.

SHOULD THE CANYON VIEW ESTATES HOMEOWNERS ASSOCIATION CEASE TO EXIST FOR ANY REASON, THE OWNERS OF EACH LOT OF THIS DEVELOPMENT SHALL BE INTERPRETED TO HAVE AN EQUAL, UNDIVIDED INTEREST IN ALL LANDS AND RESPONSIBILITIES ASSIGNED TO THE CANYON VIEW ESTATES HOMEOWNERS ASSOCIATION UNLESS OTHERWISE NOTED ON THIS DOCUMENT OR ON FUTURE DOCUMENTS, PREPARED IN ACCORDANCE WITH CITY, STATE, AND FEDERAL REGULATIONS, AND RECORDED WITH KING COUNTY. A COPY OF ANY SUCH DOCUMENTS SHALL BE PROVIDED TO THE CITY OF KENMORE UPON RECORDING.



ASSESSOR'S PARCEL NUMBER(S): 3578600005 & 3578600010		
CITY FILE NO.: FLP2005-100		
TOTAL NUMBER OF LOTS: 6		
TOTAL NUMBER OF COMMON PARCELS: 2		
PROJECT ACREAGE: 3.99 ACRES		
INDEXING DATA: NW 1/4, NW 1/4, SEC. 18, TWP. 26 N., RGE. 5 E., W.M.		
 Axis Survey & Mapping		
13005 NE 128th PL. KIRKLAND, WA 98034 TEL. 425.823-6700 FAX 425.823-6700		
JOB NO.: 10-020	DATE PREPARED: 1-5-2012	SHEET: 2 OF 3
AUDITOR'S FILE NO.:		

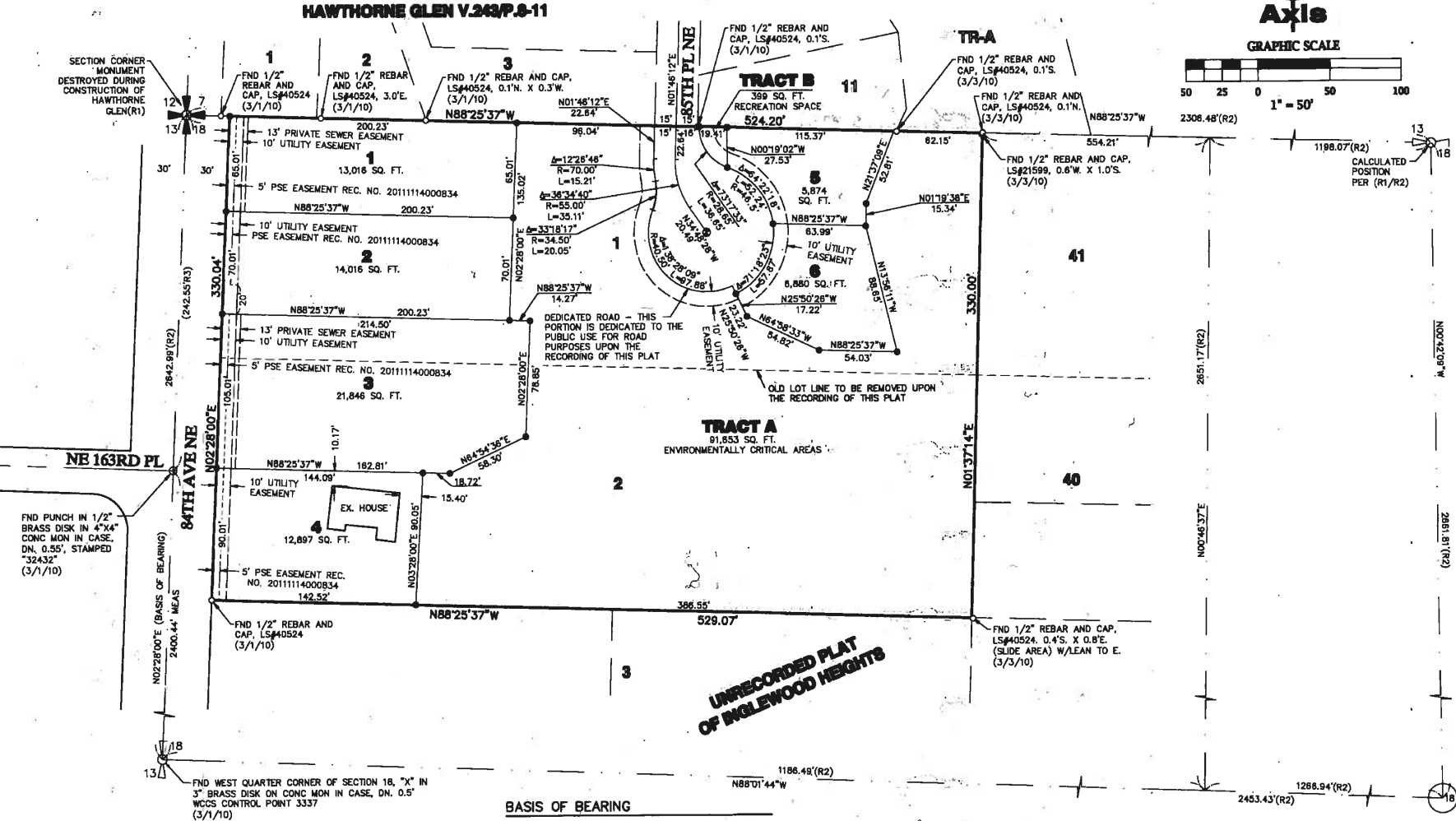
CANYON VIEW ESTATES

NW 1/4, NW 1/4, SEC. 18, TWP.26 N., RGE 5 E., W.M.
CITY OF KENMORE, KING COUNTY,
WASHINGTON

PRIVATE UTILITY EASEMENT NOTES

1. THE 13' PRIVATE SANITARY SEWER EASEMENT SHOWN ON LOT 1 IS TO THE BENEFIT OF THE OWNER OF LOT 2. SAID OWNER IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR SANITARY SEWER FACILITIES WITHIN SAID EASEMENT.
2. THE 13' PRIVATE SANITARY SEWER EASEMENT SHOWN ON LOT 3 IS TO THE BENEFIT OF THE OWNER OF LOT 4. SAID OWNER IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR SANITARY SEWER FACILITIES WITHIN SAID EASEMENT.

HAWTHORNE GLEN V.243/P.8-11



LEGAL DESCRIPTION

THE NORTH 330 FEET OF THE WEST HALF OF GOVERNMENT LOT 1, SECTION 18, TOWNSHIP 28 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN. IN KING COUNTY, WASHINGTON; EXCEPT THE WEST 30 FEET THEREOF FOR 84TH AVENUE NORTHEAST;

(ALSO KNOWN AS TRACTS 1 AND 2 OF INGLEWOOD HEIGHTS, AN UNRECORDED PLAT).

(PER PLAT CERTIFICATE AS SUPPLIED BY CHICAGO TITLE INSURANCE COMPANY UNDER ORDER NO. 1330889 DATED NOVEMBER 14, 2011 AT 8:00 AM)

INSTRUMENTATION NOTES

1. PRIMARY CONTROL POINTS AND ACCESSIBLE MONUMENT POSITIONS WERE FIELD MEASURED UTILIZING GLOBAL POSITIONING SYSTEM (GPS) SURVEY TECHNIQUES USING LEICA SYSTEM 1200 EQUIPMENT. MONUMENT POSITIONS THAT WERE NOT DIRECTLY OBSERVED USING GPS SURVEY TECHNIQUES WERE TIED TO THE CONTROL POINTS USING DISTANCE MEASUREMENTS. TOTAL STATIONS FOR THE MEASUREMENT OF BOTH ANGLES AND DISTANCES. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS SET BY WAC 332-130-090.
2. LOT CORNERS AND TRACT CORNERS HAVE BEEN MONUMENTED WITH 1/2" X 24" METAL STAKES WITH YELLOW CAP.
IMPRINT WITH "AXIS" AND LS NO'S 38479, 38011, 40094, 41957, 43347.

BASIS OF BEARING

HELD NORTH 2°28'00" EAST BETWEEN FOUND MONUMENTS
ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF
SEC. 18, TWP. 28N., RGE. 5E., W.M.

HORIZONTAL DATUM

NAD '83/91 WASHINGTON NORTH ZONE

LEGEND

- SET REBAR AND CAP "AXIS 38011"
- FOUND REBAR AND CAP AS NOTED
- STANDARD KING COUNTY MONUMENT TO BE SET

REFERENCES

- R1 - PLAT OF HAWTHORNE GLEN RECORDED IN VOLUME 243, PAGE(S) 8-11 UNDER
RECORDING NUMBER 20071003001310 RECORDS OF KING COUNTY, WASHINGTON.
- R2 - RECORD OF SURVEY BY GROUP FOUR, INC. RECORDED IN VOLUME 167, PAGE 7
UNDER RECORDING NUMBER 20040130900001 RECORDS OF KING COUNTY,
WASHINGTON.
- R3 - PLAT OF CORT RIDGE RECORDED IN VOLUME 205, PAGE(S) 23-25 UNDER
RECORDING NUMBER 20020131001248 RECORDS OF KING COUNTY, WASHINGTON.
- R4 - UNRECORDED PLAT OF INGLEWOOD HEIGHTS.



ASSESSOR'S PARCEL NUMBER(S): 3578600005 & 3578600010

CITY FILE NO.: FLP2005-100

TOTAL NUMBER OF LOTS: 6

TOTAL NUMBER OF COMMON PARCELS: 2

PROJECT ACREAGE: 3.99 ACRES

INDEXING DATA:
NW 1/4, NW 1/4, SEC. 18, TWP. 26 N., RGE. 5 E., W.M.



Axis

Survey & Mapping

13005 NE 126th PL
KIRKLAND, WA 98034
TEL. 425.823-5700
FAX 425.823-8700

JOB NO.:10-020 DATE PREPARED: 1-5-2012 SHEET: 3 OF 3

AUDITOR'S FILE NO.:

CITY OF KENMORE, WASHINGTON			
AGENDA BILL SUMMARY			
AGENDA TITLE			MEETING DATE
Resolution No. 12-194 of the City of Kenmore, Washington, Adopting the City of Kenmore, Washington 2012 Fee Schedule			January 23, 2012
DEPARTMENTS	DIRECTORS	MEETING ATTENDEES	PHONE
Land Development and Permitting and Engineering	Bryan Hampson and Ron Loewen	Bryan Hampson and Ron Loewen	(425) 398-8900
COST OF PROPOSAL:		ACCOUNT NUMBER:	
<u>Staff Cost:</u> Staff time to prepare City Attorney time to review <u>Permit Fees:</u> The impact to General Fund revenues of the fee schedule revisions has not been determined at this time.		01 32 5001 & 01 59 5001 Regular Salary & Wages	
AMOUNT BUDGETED:		NAME AND FUND #:	
The 2011/2012 biennium budget includes regular salaries and wages and City Attorney expenses		General Fund 01	
ATTACHMENT(S) TO AGENDA PACKET ITEM:			
1. January 9, 2012 Agenda Bill 2. Cover Memorandum dated 12/23/2012 describing proposed changes to the fee schedule. 3. Resolution No.12-194 with attached City of Kenmore 2012 Fee Schedule (Exhibit A). 4. Amended 2011 Fee schedule with tracked changes shown in red. 5. Kenmore Municipal Code (KMC) Section 20.47.110 6. History of Transportation Impact Fee Increases for Single Family Residences			
SUMMARY STATEMENT:			
Annually the City of Kenmore's fee schedule is reviewed and updated as provided for in Ordinance 02-0139. The last fee adjustment, adopting fees for 2011, was by Resolution No. 11-186 on March 28, 2011. In 2011 the City Council also adopted revisions to Title 1, 12, 17, 18, and 19 which revised the processes and permits to be issued by the City. Based on these revisions the City Staff are proposing revisions to the fee schedule. The revisions are outlined on the attached memorandum and shown on the track changes version of the fee schedule. At the January 9th City Council meeting there was discussion to adopt the new fees except for the transportation impact fees. Questions were raised regarding the City Council's authority to revise the fees and the timing of the fee adjustments. The pertinent section of the KMC providing for City Council authority and timing is Section 20.47.110, attached. This section authorizes the City Council to adjust or increase the transportation impact fees at the same time as an update of the annual capital facilities plan element of the City's comprehensive plan. This section also authorizes the City Council to change the			

impact fees in the annual fee resolution. The impact fees must be adjusted every 12 months, either by vote of the City Council or by automatic adjustment at 100% of the Consumer Price Index (CPI)-W for the Seattle area. The most recent adjustment to the impact fees was by the City Council on March 28, 2011. Under this Section, the City Council may leave the transportation impact fees at the 2011 level or adjust them as appropriate. If the City Council does not take action, the transportation impact fees will be administratively adjusted at the end of March, 2012 by the CPI-W for the Seattle area. We note that such CPI was 4.3% for the previous 12 months.

In either case the City Council can evaluate the impact fees at the time of the Transportation Improvement Program update which will next occur around mid 2012.

The attached table, History of Transportation Impact Fee Increases for Single Family Residences, documents previous transportation impact fee increases. The original fee was adopted in 2002. After that date and through 2008 the fee was increased by the CPI. In 2008 the City Council adopted increased transportation impact fees following adoption of the updated Transportation Improvement Program. Subsequently in 2009 the CPI was negligible and the fees were not increased for 2010. In 2010 the CPI was 0.8% and the 2011 fees were increased by that percentage. In both years the transportation impact fees were included in the resolution adopting a fee schedule for the subsequent year and were based on the October CPI. City staff have reviewed the proposed transportation impact fees and recommend the fees be increased by 4.3%, (\$347.71 for a single family residence) consistent with prior practice. The intent of adjusting the fees by the CPI was to allow revenue to keep pace with increases in construction costs.

In addition, based on City Council discussions during the January 9th meeting, the fees for street use permits now refer to the square foot value of the adjacent property. The title of the Resolution has also been modified to state that it is a resolution adopting the 2012 fee schedule.

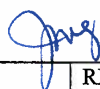
CONSISTENT WITH OR COMPARISON TO PAST COUNCIL POLICIES, ORDINANCES, DIRECTION:

Ordinance 02-0139 regarding adoption of city fee by resolution;
2011 -12 Biennial Budget;
Title 1, 12, 17, 18, and 19 Code revisions adopted by Council; and
Ordinance 10-0317 regarding adoption of new animal care and control fees.

RECOMMENDED CITY COUNCIL ACTION/SUGGESTED MOTION:

Adopt Resolution No. 12-194 the City of Kenmore, Washington, Adopting the City of Kenmore, Washington 2012 Fee Schedule

**REVIEWED BY FINANCE
DIRECTOR:**



**REVIEWED BY CITY
ATTORNEY:**

APPROVED BY CITY MANAGER:



TODAY'S DATE:
1/11/2012

REVISION DATE(S):

FILE NAME & PATH (HYPERLINK):
I:\City Clerk\AGENDA ITEMS\Land Development
Building\2012 Council Meetings\January 23, 2012\2012
Fee Schedule\0 Agenda Bill Summary_ 2012 Fee
Schedule_Jan 23rd Meeting.doc
..2012 Fee Schedule

ATTACHMENT #1

CITY OF KENMORE, WASHINGTON			
AGENDA BILL SUMMARY			
AGENDA TITLE			MEETING DATE
Resolution No. 12-194; of the City of Kenmore, Washington, Amending Exhibit A to Resolution No. 11-186 to Adopt the City of Kenmore's 2012 Fee Schedule			January 9, 2012
DEPARTMENTS	DIRECTORS	MEETING ATTENDEES	PHONE
Land Development and Permitting and Engineering	Bryan Hampson and Ron Loewen	Bryan Hampson and Ron Loewen	(425) 398-8900
COST OF PROPOSAL: Staff Cost: Staff time to prepare City Attorney time to review <u>Permit Fees:</u> The impact to General Fund revenues of the fee schedule revisions has not been determined at this time.		ACCOUNT NUMBER: 01 32 5001 & 01595001 Regular Salary & Wages	
AMOUNT BUDGETED: The 2011/2012 biennium budget includes regular salaries and wages and City Attorney expenses		NAME AND FUND #: General Fund 01	
ATTACHMENT(S) TO AGENDA PACKET ITEM: 1. Cover Memorandum dated 12/23/2012 describing proposed changes to the fee schedule. 2. Resolution No.12-194 with attached City of Kenmore 2012 Fee Schedule (Exhibit A). 3. Amended 2011 Fee schedule with tracked changes shown in red.			
SUMMARY STATEMENT: Annually the City of Kenmore's fee schedule is reviewed and updated as provided for in Ordinance 02-0139. In 2011 the City Council adopted revisions to Title 1, 12, 17, 18, and 19 which revised the processes and permits to be issued by the City. Based on these revisions the City Staff are proposing revisions to the fee schedule. The revisions are outlined on the attached memorandum and shown on the track changes version of the fee schedule.			
CONSISTENT WITH OR COMPARISON TO PAST COUNCIL POLICIES, ORDINANCES, DIRECTION: Ordinance 02-0139 regarding adoption of city fee by resolution; 2011 -12 Biennial Budget; Title 1, 12, 17, 18, and 19 Code revisions adopted by Council; and Ordinance 10-0317 regarding adoption of new animal care and control fees.			
RECOMMENDED CITY COUNCIL ACTION/SUGGESTED MOTION: Approve Resolution No. 12-194 the City of Kenmore, Washington, Adopting the City of Kenmore's 2012 Fee Schedule			
REVIEWED BY FINANCE DIRECTOR:		REVIEWED BY CITY ATTORNEY: 12-19-11 D.R.	APPROVED BY CITY MANAGER:
TODAY'S DATE: 12/23/2012	REVISION DATE(S):		FILE NAME & PATH (HYPERLINK): 0 Agenda Bill Summary_ 2012 Fee Schedule.doc



City Of Kenmore, Washington

Memorandum

Date: December 23, 2011

To: Fred Stouder, City Manager

From: Bryan Hampson, Land Development and Permitting Director &
Ron Loewen, City Engineer

Re: **Resolution No. 12-194; of the City of Kenmore, Washington, Amending Exhibit A to Resolution No. 11-186 to Adopt the City of Kenmore's 2012 Fee Schedule**

Annually the City of Kenmore's fee schedule is reviewed and updated as provided for in Ordinance 02-0139.

In 2011 the City Council adopted revisions to Title 1, 12, 17, 18, and 19 which revised the processes and permits to be issued by the City. Based on these revisions the City Staff are proposing revisions to the fee schedule.

The revisions are as follows

(page numbers refer to the track changes version of the fee schedule – Attachment ⁴~~3~~):

1. Page 4 – Code Enforcement: Abatement fees expanded to align with new code enforcement program.
2. Pages 5 – 10 – Zoning and Land Use Permits: several land uses and permits were deleted as part of the code revisions and these have also been deleted from the fee schedule
3. Page 7 – Subdivision: Preliminary Application: the code revisions now allow short subdivisions of 5 to 9 lots and the fee schedule has been modified to include this provision. Additionally Planned Unit Developments were deleted as a land use permit and this permit has also been deleted from the fee schedule.
4. Pages 8 & 9 – Shoreline re-designation: the previous fee schedule assumed a variance in the time and effort to modify a shoreline designation. The various alternative types of existing designations have been deleted and one fee has been established for all re-designations.

18120 68th Ave NE · PO Box 82607 · Kenmore, WA 98028

Office: (425) 398-8900 · Fax: (425) 481-3236 · cityhall@kenmorewa.gov · www.kenmorewa.gov

5. Page 9 – Sensitive Area Review: to clarify this section and the various tasks the title has been revised to Critical Areas Review. Some additional language has been added to clarify the fee schedule.
6. Page 10 – Critical Area review and inspections: to clarify the section the title has been revised to Critical Areas inspections and the multiple tasks deleted and just stated as inspection. The fee has been increased to the standard city fee of \$100 per hour for labor.
7. Page 10 – Departmental review of non-departmental permits: has been modified by deleting references to various tasks and just requiring a standard review fee of \$100 per hour.
8. Page 13 – Engineering Subdivision Plan Review and Inspection Fees: the code revisions now allow short subdivisions of 5 to 9 lots and the fee schedule has been modified to include this provision.
9. Pages 18 & 19 – Impact Fees: Updated and increased Transportation and Park Impact Fees by 4.3%, which was the Seattle Consumer Price Index (CPI-W) adjustment factor as of October, 2011 as provided for in Ordinance 02-0147.
10. Page 20 – Right-of-Way Permits and Fees: the permit fees have been simplified to require only an application fee and inspection fees.
11. Page 20 – Type C: the current fee schedule does not provide a fee for the use of the right of way. The proposed fee schedule establishes a use fee at \$20 per square foot times the amount of area being used times the amount of usage during a year.
12. Page 20 – Access Right of Way Permit: where the proposed improvements would allow public use there is only an application, review and inspection fees. When the use is private the applicant would pay a onetime fee of 80% of the adjacent land value based on the County Assessor's valuation times the amount of area being used.
13. Page 20 – Encroachment Permit: the current code requires an annual use fee. This could mean that an applicant would pay 2 or 3 times the value of the land and that the city collect and monitor fee collections annually. To keep administrative costs to a minimum the fee schedule proposes a onetime fee of 80% of the adjacent land value based on the County Assessor's valuation times the amount of area being used.
14. Page 21 – Utility Franchise Application Fees: The title has been revised to read Utility Franchise Fees. The proposed fee schedule has been modified to be consistent with State law, RCW 35.21.860, that allows only the collection of fees based on cost of issuing the permit. The collection of fees for inspecting remains

the same but at the current standard City rate. This will be a potential reduction in the amount of application fees the City anticipated collecting in 2011-12.

15. Page 22 – Animal Care and Control Fees: Animal license fees and penalties adopted with Ordinance No. 10-0317 have been added to the Fee Schedule.
16. Page 22 – Miscellaneous Fees: A fee has been added for when the City records documents at the County's Recording Office. This will allow the City to assist people, speed-up the recording process and provide convenience when a document needs to be recorded or allow the City to recoup its costs when recording is necessary.

I:\City Clerk\AGENDA ITEMS\Land Development Building\2012 Council Meetings\January 23, 2012\2012 Fee Schedule\1 Cover Memorandum_2012 Fee Schedule.docx

CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 12-194

A RESOLUTION OF THE CITY OF KENMORE,
WASHINGTON, ADOPTING THE CITY OF KENMORE,
WASHINGTON 2012 FEE SCHEDULE.

WHEREAS, the City of Kenmore adopted Ordinance No. 02-0139 on June 24, 2002, allowing the City to adopt all fees by Resolution; and

WHEREAS, the City of Kenmore adopted Resolution No. 11-186 on March 28, 2011, adopting the City of Kenmore 2011 Fee Schedule; and

WHEREAS, the City of Kenmore adopted Ordinance No. 10-0317 on November 15, 2010, repealing and adopting new animal care and control regulations; and

WHEREAS, the City of Kenmore adopted Ordinance No. 11-0328 on July 11, 2011, repealing and adopting new code enforcement regulations; and

WHEREAS, the City of Kenmore adopted Ordinance No. 11-0329 on July 25, 2011 repealing, and adopting, sections of Titles 17 Land Division, 18 Zoning, and 19 Planning Policies of the Kenmore Municipal Code, and

WHEREAS, the City of Kenmore adopted Ordinance No. 11-0330 on July 25, 2011, amending, repealing and adopting sections of Chapter 12 of the Kenmore Municipal Code relating to Streets and Bridges; and

WHEREAS, the revisions to Chapter 12 included the revision and establishment of a fee schedule for street use permits by Resolution; and

WHEREAS, the City now desires to adopt revisions to its fee schedule for 2011 based on these revisions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DOES RESOLVE to amend Exhibit A to Resolution No. 11-186, as set forth on Exhibit "A", entitled "City of Kenmore, Washington 2012 Fee Schedule", attached hereto and incorporated herein by reference.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9TH DAY OF JANUARY, 2012.

CITY OF KENMORE

Mayor

ATTEST/AUTHENTICATED:

Lynn Suskin, City Clerk

Approved as to form:

Rod Kaseguma, City Attorney

EXHIBIT A

City of Kenmore, Washington 2012 Fee Schedule



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1. Business Licenses

Type:

Adult Entertainment:

Device	\$50.00 each
Operator	\$500.00 per year
Premises	\$200.00 per year
Panoram Manager License	\$50.00 per year

Adult Cabaret:

Operator	\$500.00 per year
Cabaret Manager License	\$50.00 per year
Cabaret Entertainer License	\$50.00 per year
Adult Retail Business License	\$500.00 per year

Dance	\$200.00 per year
	\$100 per six months
	\$50.00 per one night

Dance (non-profit, educational or City-sponsored)	Exempt
---	--------

Go Kart Track	\$500.00 per year
---------------	-------------------

Live Entertainment: music (other than mechanical); boxing or wrestling; exhibition skating; video arcades; pool halls; bowling alleys; race tracks and drag strips (if attendance is more than 2,000 people at a single event). Covers more than one skating rink, shooting gallery.	\$200.00 per year
	\$100 per six months
	\$50.00 per one night

Amusement Parks – Permanent

For one to 10 units, inclusive	\$200.00 per year
	\$100.00 per six months
For more than 10 units	\$400.00 per year
	\$200 per six months

Carnivals

For one to 10 units, inclusive	\$40.00 per day
For more than 10 units	\$100.00 per day

Closing out sales

Closing out sale license – original license	\$300.00 per year
First 30-day renewal	\$200.00 per year
Second 30-day renewal	\$200.00 per year

Junk Shop License	\$300.00 per year
Junk Wagon License	\$40.00 per year

Massage Parlor/Bathhouse	\$150.00 per year
Massage Practitioner	\$50.00 per year
Theaters	\$100.00 per screen
Outdoor Musical Event (not sponsored by the City and with an admission fee)	\$750.00 per year
Pawnbroker	\$500.00 per year
Peddler/Solicitor	No fee
Secondhand Dealer	\$40.00 per year
Shuffleboard License	\$50.00 per year
Renewal of License, registration or permit late penalty	10% of the required fee
Transferability of license or permit	\$25.00

2. Code Enforcement Fees

Code Enforcement

Inspection/Posting	\$50.00 each
Re-inspection	\$50.00 each
Abatement	Actual City costs
Abatement Hearing	\$360.00 each
Hearing Officer	\$215.00 per hour
Notice of Violation Appeal Hearing	\$125.00
Removal of Declaration	\$20.00
Violation of a stop work order	\$500.00

Housing Code Enforcement

Inspection/Posting	\$255.00 per hour
Re-Inspection plus Notice and Order	\$510.00
Hourly Rate	\$255.00
Appeal Fee	\$150.00 each
Closing Fee	\$255.00
Contract Abatement Fee	15% of the contract
Late Fee	25% of the amount due
Hearing Officer	\$215.00 per hour

The following fees apply to all enforcement actions:

Inspection Warrant	\$350.00 each
Attorney Fees	Rate per hour to be determined as established by the City Attorney contract for legal services.
Paralegal Services	\$60.00 per hour

Notary Services	\$10.00
Abatement	Actual cost of labor

3. Comprehensive Plan and Development Regulation Amendments

<u>Prescreening / threshold review fee:</u>	\$200.00
<u>Annual amendment cycle fee:</u> (applicants whose amendment proposals are approved for consideration by the City Council)	\$400.00

4. Land Development and Permitting

A. General

<u>Development Review Technology fee:</u> Applies to development permits and is based on development plan review fees and permit fees, not to include impact fees or land use decisions.	3.00%
<u>P-Suffix, and other required site plan reviews:</u>	
Initial plan review	\$1,078.00
Each additional review for compliance, including signs and tenant improvements.	\$163.00
<u>Mobile home park and RV park plan review:</u>	\$3,561.00
<u>Site Plan Application Fee:</u>	\$364.00
<u>Landscape plan review:</u>	
Initial plan review based on site area	
0 – 1 site acre	\$211.00
1.1 – 2 site acres	\$337.00
2.1 – 5 site acres	\$507.00
5.1 – 10 site acres	\$676.00
More than 10 site acres	\$1,352.00
Each plan revision review	\$324.00
Request for modification requiring public notice	\$673.00
<u>Landscape Construction Inspections</u>	
Landscape installation inspection	\$269.00
Landscape maintenance bond release inspection	\$269.00
<u>Additional/excessive reviews and inspection fees:</u> Applies to all development permits; additional plan review or inspections required by changes, additions or revisions to plans or excess reviews of re-submittals will be billed at an hourly rate.	\$100.00 per hour

B. Pre-Application Fees:

No fee

C. Zoning and Land Use Permits

Request for Site Specific Rezones: \$3,000.00

Conditional Use Permits (CUP) and Special Use Permits (SUP):

Administrative CUP	\$3,633.00
SUP with public hearing	\$8,501.00
Daycare with 24 children or less	\$1,365.00
Request for time extension	\$146.00

Variances: (including variances from KMC 18.55)

Application review	\$2,500.00
Added fee when public hearing required	\$1,626.00
Request for time extension	\$146.00

Boundary line adjustment: \$574.00

Communications Facility Application Fee: \$364.00

Accessory dwelling unit: (ORD99-0052) \$50.00

Change of use: (zoning only) \$50.00

Amend adopted P-suffix conditions: \$2,241.00

Reuse of closed public school facilities: \$1,400.00

Land use inspections: \$100.00 per hour

Reasonable use exceptions:

Reasonable use exception:	\$2,500.00
Reasonable use exception – additional when combined with variance request.	\$903.00
Public agency and utility exception:	\$1,953.00

Transfer of development credit: sending site certification applications (up to a maximum of \$500.00) to qualify a proposed sending site and determine the number of credits available for transfer per application.

\$100.00 per hour

Master plan review:

\$10,000.00 deposit

Master plan review fees shall be an hourly fee to cover the cost of intake, development of scope of work, and all work performed under the scope of work. The deposit of \$10,000 shall be made at the time of application. The hourly fee shall be billed monthly. Staff time to be charged at an hourly rate of \$100.00 per hour, consultant time to be charged at the consultant's rate.

D. Subdivision – Preliminary Application Review Fees:

Preliminary Short Subdivisions:

Short subdivision 4 lots or less	
Base fee:	\$1,111.00
Plus per lot:	\$140.00
Short subdivision 5 to 9 lots	
Base fee:	\$7,033.00
Plus per lot:	\$153.00
Revision to approved preliminary:	\$898.00
Short subdivision alteration:	\$1,245.00
Request for time extension:	\$100.00

Preliminary Subdivisions:

Initial Application	
50 lots or less	
Base fee:	\$12,955.00
Plus per lot	\$167.00
More than 50 lots	
Base fee:	\$22,208.00
Plus per lot	\$37.00
Surcharge for applications utilizing lot clustering or flexible yard provisions (percent of initial fee):	10.00%
Major revision requiring new public hearing:	\$3,886.00
Minor revisions submitted after preliminary approval (not necessitating additional hearings):	\$925.00
Request for time extension:	\$100.00
Subdivision alterations or subdivision vacations:	
With public hearing:	\$3,886.00
Without public hearing:	\$1,944.00
Supplemental fee – a surcharge for applications involving significant environmental sensitive areas (percent of total initial fee):	10.00%
Supplemental fee – remanded applications (percent of total application fee):	50.00%

Binding Site Plan:

Building permit, as-built or site plan review based plan:	\$4,862.00
Conceptual plan:	\$5,733.00
Revision to a preliminary approved plan:	\$1,112.00
Revision to a final binding site plan:	\$1,996.00

E. Shoreline Management Permit

Substantial Development Permit

Total cost of proposed development:	
Up to \$10,000	\$1,280.00
\$10,001 to \$100,000	\$2,560.00
\$100,001 to \$500,000	\$6,399.00
\$500,001 to \$1,000,000	\$9,598.00
\$1,000,001 or more	\$12,797.00

Single family Joint-Use Dock

\$2,560.00

Shoreline Conditional Use Permit

Non-forest practices	\$7,219.00
Forest practices	\$1,313.00

Shoreline Variance

Up to \$10,000 project value	\$2,166.00
\$10,001 or more project value	\$7,219.00

Shoreline re-designation:

Base fee:	\$14,438.00
Per shoreline lineal foot:	\$27.60
Maximum:	\$54,144.00

Shoreline review of other permits or approvals for conditions:

\$177.00

Shoreline Exemption:

\$276.00

Supplemental Fees:

Request for an extension of a permit, calculated as a percentage of the original permit:	20.00%
Shoreline permit revision, calculated as a percentage of the original permit:	20.00%
Surcharge when public hearing required:	12.00%
Minimum	\$2,048.00
Permit compliance inspections	
Hourly rate (including travel time)	\$100.00 per hour
Plus per mile rate	\$0.50 per mile

F. Special Review Fees

State Environment Policy Act (SEPA) Review:

Environmental checklist:	
Base fee:	\$600.00
After six hours	\$100.00 per hour
Supplemental Determination of Nonsignificance (DNS), Mitigated Determination of Nonsignificance (MDNS), or Determination of Significance (DS) review	\$100.00 per hour
MDNS deposit	\$1,313.00
Environmental Impact Statement (EIS) deposit – a percentage of total estimated cost	33.00%
Draft Environmental Impact Statement (DEIS), Final Environmental Impact Statement (FEIS), Supplemental Environmental Impact Statement (SEIS) or addenda preparation and review costs – including scoping, writing, editing, publishing, mailing, distributing and contract administration:	
All fixed and contract costs, and time costs, per hour	\$100.00 per hour
Post MDNS, DEIS, FEIS OF SEIS publication work preparing or consulting on staff reports, permit conditions or public hearing testimony, per hour	\$100.00 per hour

Critical Areas Review:

Applicants will be eligible for a refund of the portion of the base fee that is less than the city's costs (including consultants, public notice (as necessary) and other associated expenses).

Review of residential building permits, shoreline permits, individual short subdivision, boundary line adjustments, right-of-way use permits:

Site review base fee	\$1,000.00
Plus, per hour	\$100.00 per hour

Review of commercial building permits, grading permits, engineering permits, subdivisions, PUDs, declassifications, variances, conditional use permits and unclassified use permits:

Site review base fee	\$1,000.00
Plus, per hour	\$100.00 per hour

Flood plain determination – certificate of elevation:

Plus, per hour	\$100.00
	\$100.00 per hour

Review of mitigation plan compliance, per hour	\$100.00 per hour
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<u>Critical Areas inspections:</u>	\$100.00 per hour
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<u>Inspection and monitoring, per hour:</u>	\$100.00 per hour
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Appeals:

Appeals to the hearing examiner from decisions of the City:	\$125.00
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<u>Departmental review of non-departmental permits:</u>	\$100.00 per hour
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<u>Review and monitoring of master drainage plans, per hour</u>	\$100.00 per hour
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G. Engineering General Permitting & Inspection Fees

Parking Review Fee:

New or additional spaces:

First 0-25 spaces	\$23.00 each space
Next 26-50	\$20.70 each space
Next 51-75	\$16.30 each space
Next 76-150	\$16.30 each space
Anything above 150	\$11.80 each space
Minimum fee	\$296.10

Alterations, change in use or increase area, with no additional spaces.

\$296.00

Clearing Permit:

	<u>Base fee</u>		<u>Hourly Fee</u>
Permit plan review (minimum 1 acre)			
1 – 5 acres	\$73.50	+	\$0.00
5.1 acres or more	\$367.50	+	\$100.00 per hour
Field inspections			\$100.00 per hour

Drainage Review:

Residential drainage requirement review base fee:	\$238.00
Small site drainage review	\$143.00
Targeted drainage reviews	\$234.00

Full drainage review:	
Simple review	\$293.00
Complex review	\$676.00
Commercial drainage plan review base fee:	\$570.00

Total distributed area:	Targeted drainage review #1, 2, and 3	Full drainage review and targeted drainage review for #4
0 - .50 site acre	\$ 895.00	\$1,119.00
.51 - 1 site acre	\$ 1,234.00	\$1,543.00
1.1 - 2 site acres	\$ 2,255.00	\$2,819.00
2.1 - 5 site acres	\$ 4,951.00	\$6,189.00
5.1 - 10 site acres	\$ 5,964.00	\$7,456.00
More than 10 acres	\$ 6,640.00	\$8,300.00

<u>Traffic Impact Analysis review:</u>	
Level 1 (10 P.M. Peak Hour Trips or Less)	\$337.00
Level 2 (11-75 P.M. Peak Hour Trips)	\$800.00
Level 3 (Over 75 P.M. Peak Hour Trips)	\$1,600.00

Grading Permit:

Grading permit review fees are based on the total of the two tables listed below:

Table 1:

Volume	Base fee		Per 100 cubic yards
0 to 500 cubic yards	\$0.00	+	\$28.40
501 to 3,000 cubic yards	\$54.00	+	\$39.20
3,001 to 10,000 cubic yards	\$339.00	+	\$26.10
10,001 to 20,000 cubic yards	\$2,159.00	+	\$7.90
20,001 to 40,000 cubic yards	\$3,319.00	+	\$2.10
40,001 to 80,000 cubic yards	\$3,599.00	+	\$1.40
80,001 cubic yards or more	\$4,239.00	+	\$0.60

Table 2:

Disturbed Area	Base fee		Per acre
Up to 1 acre	\$176.00	+	\$819.40
1.1 to 10 acres	\$381.00	+	\$614.30
10.1 to 40 acres	\$2,916.00	+	\$360.80
40.1 to 120 acres	\$10,428.00	+	\$176.00
120.1 to 360 acres	\$22,944.00	+	\$68.70
360.1 acres or more	\$34,716.00	+	\$36.00

Grading Plan Revision fee:

Hourly rate	\$100.00 per hour
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Grading permit operation monitoring fees (inspection fees):

The operation monitoring fee shall be calculated by adding the applicable amount from the Annual Volume Table (below) to an amount equal to \$215.00 per acre distributed and not rehabilitated during the monitoring period, to a maximum of \$10,000.00.

Annual Volume Table:

Volume deposited or removed	Base fee	Per 100 cubic yards
0 to 3,000 cubic yards	\$0.00	+ \$102.20
3,001 to 10,000 cubic yards	\$2,550.00	+ \$17.20
10,001 to 20,000 cubic yards	\$3,760.00	+ \$5.10
20,001 to 40,000 cubic yards	\$4,280.00	+ \$2.50
40,001 cub yards or more	\$4,680.00	+ \$1.50
Reclamation bond release inspection		\$225.00
Re-inspection of non-bonded actions		\$225.00

Construction Inspections Fees:

Bond quantities worksheet amount (line "T")	Initial fee + additional fee based on bond
\$0 – \$30,000	\$213.00 + \$119.00 / \$1,000.00 bond
\$30,001 – \$120,000	\$2,253.00 + \$51.00 / \$1,000.00 bond
\$120,001 or more	\$6,693.00 + \$1400 / \$1,000.00 bond
Additional inspection after 1-year	\$100.00 per hour

Maintenance bond inspection fees:

Bond quantities worksheet amount (line "T")	Initial fee + additional fee based on bond
\$0 – \$30,000.	\$461.00+\$15.30 / \$1,000.00 bond
\$30,001 – \$120,000	\$770.00+\$5.00 / \$1,000.00 bond
\$120,001 or more	\$1,166.00+\$1.70 / \$1,000 bond

H. Engineering Subdivision Plan Review and Inspection Fees

Short Subdivision:

Short subdivision 4 lots or less	
Base fee:	\$2,087.00
Plus per lot:	\$209.00
Short subdivision 5 to 9 lots	
Base fee:	\$4,148.00
Plus per lot:	\$209.00
Additional review in excess of initial fees	\$100.00 per hour

Subdivision:

Engineering plan review:	
30 lots or less	
Base fee:	\$6,209.00
Plus per lot	\$33.60
31 lots or more	
Base fee:	\$6,710.00
Plus per lot	\$16.90
Revisions and re-submittals	
Each occurrence	\$119.00
Additional review in excess of initial fees	\$100.00 per hour

Planned Unit Development:

Engineering plan review:	
30 units or less	
Base fee:	\$6,209.00
Plus per unit	\$46.10
31 units or more	

Base fee:	\$6,911.00
Plus per unit	\$22.70
Revisions and re-submittals	
Each occurrence	\$119.00
Additional review in excess of initial fees	\$100.00 per hour
<u>Conceptual Binding Site Plan:</u>	
(Including conceptual commercial binding site plan)	
Plan and profile base fee:	\$4,132.00
Revisions and re-submittals	
Each occurrence	\$119.00
Plus per hour	\$100.00 per hour
<u>Subdivision construction permit fee:</u>	
Landscape installation inspection	\$269.00
Landscape maintenance bond release inspection	\$269.00
<u>Subdivision – final approval fees:</u>	
Final short subdivision 4 lots or less	\$1,922.00
Final short subdivision 5 to 9 lots	\$3,873.00
Final short subdivision alteration	\$714.00
Final subdivision	
30 lots or less	
Base fee:	\$5,825.00
Plus per lot:	\$69.10
31 lots or more	
Base fee:	\$6,470.00
Plus per lot:	\$47.60
Subdivision alteration	\$1,077.00
Modification of a recorded building envelope:	\$541.00
Request for name change	\$192.00
Final planned unit development:	\$4,530.00
Request for time extension	\$145.00
Request for name change	\$192.00
Final building site plan:	\$3,081.00
<u>Subdivision – post final fees:</u>	
Maintenance bond inspection fees:	
Bond amount:	Initial Fee
\$0 - \$30,000	\$461.00
	+ \$15.30 per \$1,000.00 bond
\$30,001 - \$120,000	\$770.00
	+ \$5.00 per \$1,000.00 bond
\$120,001 or more	\$1,166.00
	+ \$1.70 per \$1,000.00 bond

I. Building Permit Fees:

Building permit fees are based on valuation. The table below establishes the permit fee from the valuation. Valuation is determined by type of construction and square footage or from a contractor's bid. The most recent edition of the Building Safety Journal determines the type of construction and square footage factor.

Total Valuation	Fee
\$1.00 - \$500.00	\$23.50
\$501.00 - \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.
\$2,001.00 - \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000.
\$25,001.00 - \$50,000.00	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and
\$50,001.00 - \$100,000.00	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including
\$100,001.00-\$500,000.00	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000.
\$500,001.00 - \$1,000,000.00	\$3,223.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000, or fraction thereof.

Building Plan Check Fees:

Plan check fees shall be 65% of the building permit fee plus the calculated cost of drainage review (if required). If the plan is a "basic", as determined by the Building Official, the plan check fee shall be 25% of the permit fee.

J. Plumbing Permit Fees:

The fee for single-family residential plumbing permit is based on the following table, non-single-family residential permits are based on actual valuation of all fixtures, materials and installation as submitted to and determined by the Building Official. The permit fee for non-single-family residential permits shall be based on valuation and determined by the Building Permit Table on page 5. When plan check is required, as determined by the Building Official, the plan check fee for all permits will be 65% of the permit fee.

Base fee	\$23.50
Plus:	
For each plumbing fixture on one trap or set of fixtures on one trap.	\$10.00
Roof drain	\$10.00 each
Electrical water heater	\$10.00 each
Grease trap	\$10.00 each
Alteration or repair of water piping or water treating equipment.	\$10.00 each
	fixture
Back flow devices (other than atmospheric vacuum breakers).	\$10.00 each
Other	\$10.00 each

K. Mechanical Permit Fees:

The fees for each permit shall be set forth in the following table, except non-single-family residential permits, which shall be based on actual valuation of all equipment and installation as submitted to and determined by the Building Official. The permit fee for non-residential permits shall be based on valuations and determined by the Building Permit Table. When plan check is required, as determined by the Building Official, the plan check fee for all permits will be 65% of the permit fee.

Base Fee:	\$23.50
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Plus:

Furnaces:

For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW).	\$14.80
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For the installation or relocation of each forced-air or gravity type furnace or burner, including ducts and vents attached to such appliance, over 100,000 Btu/h (29.3kW):	\$18.20
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For the installation or relocation of each floor furnace, including vent:	\$14.80
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For the installation or relocation of each suspended heating, recessed wall heater or floor-mounted unit heater.	\$14.80
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Appliance Vents:

For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit.	\$7.25
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Repairs or Additions:

For the repair or alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code.	\$13.70
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Boilers, Compressors and Absorption Systems:

For the installation and relocation of each boiler or compressor to and including 3 horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3kW).	\$14.70
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For the installation or relocation of each boiler or compressor over 3 horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW).	\$27.15
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For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (512.9 kW).	\$37.25
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For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW).	\$55.45
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For the installation or relocation of each boiler or compressor over 50	\$92.65
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horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW).

Air Handlers:

For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 Us), including ducts attached there to. Note: this fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code).	\$10.65
For each air-handling unit over 10,000 cfm (4719 Us).	\$18.10

Evaporative Coolers:

For each evaporative cooler other than the portable type.	\$10.65
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Ventilation and Exhaust:

For each ventilation fan connected to a single duct.	\$7.25
For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit.	\$10.65
For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood.	\$10.65

Incinerators:

For the installation or relocation of each domestic-type incinerator.	\$18.20
For the installation or relocation of each commercial or industrial-type incinerator.	\$14.50

Gas Piping:

Gas pipe (1-5 outlets)	\$10.65
Gas pipe (outlets over 5)	\$1.00 each

Miscellaneous:

For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table.	\$10.65
Gas water heater.	\$10.65

L. General Building Fees:

Building Code Change in Use or Occupancy fee:

Minimum 2 hour inspection charge (\$200.00) plus actual inspections at hourly rate (\$100.00 per hour).

Mobile Homes:

Mobile home permit	\$216.00
Temporary mobile home permit	\$263.00
Temporary mobile home for hardship	\$263.00
Non-insignia mobile home inspection	\$263.00

Re-Roof Permit Fees:

Single family residential	\$94.00
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Commercial and Multifamily	Based on building permit fee valuation table.
<u>Special Review of Oversized Buildings:</u>	\$138.00
<u>Condominium Conversion Review Fee:</u>	
Project fee	
1 to 30 units	\$667.00
31 to 99 units	\$1,665.00
100 or more units	\$3,332.00
Per unit fee	\$332.00
<u>Special Plan Review:</u>	\$100.00 per hour
<u>Pre-inspection Fees:</u>	
Fire or flood damage	\$311.00
Minimum housing or other code compliance	\$311.00
Relocation of structures	\$311.00
<u>Demolition Inspection Fee:</u>	\$94.00
<u>Billboard alteration or relocation site review:</u>	\$667.00
<u>Certification of Permit Completion:</u>	
Temporary occupancy certificate, per building or tenant space.	\$284.00
Final occupancy certification when more than one building permit, each additional building.	\$284.00
Final occupancy certification for individual condominiums or other portions of buildings, per unit.	\$128.00
Letter of completion for shell construction permits when more than one building permit, each additional building.	\$284.00
<u>Allowable Residential Discounts</u>	
Granted for the permit categories listed below based on the plan check amount calculated from the valuations.	
Registered plans and basic permits for single-family	25.00%
<u>Extension/Renewal Fee:</u>	
Extensions for final inspection only:	
Single-family residential	\$100.00
All other permits	\$100.00
All other extensions/renewals (including temporary reinstatement):	
Single-family residential / all other permits	\$100.00
Extension of temporary mobile home	\$131.00
Extension of temporary hardship mobile home	\$119.00
<u>Design Review Fees:</u>	\$100.00 per hour
<u>Other:</u>	

Inspections outside of normal hours	\$100.00 per hour
Re-inspection fees (Ordinance 00-0098)	\$100.00 per hour
Inspections for which no fee is specifically indicated	\$100.00 per hour
Additional plan review required by changes, additions or revisions to plans (minimum charge ½ hour).	\$100.00 per hour
For use of outside consultants for plan checking and inspections	Actual costs

M. Impact Fees:

<u>Transportation:</u>	<u>ITE Code</u>	
Single family residence	210	\$8,434.02 per unit
Multifamily	220	\$5,462.31 per unit
Per peak hour trip:		\$7,661.02 per trip
General light industrial	110	\$11.93 per sq. ft.
Manufacturing	140	\$9.01 per sq. ft.
Mini-warehousing	151	\$3.16 per sq. ft.
Condominium/townhouse	230	\$4,581.29 per unit
Mobile home park	240	\$4,926.81 per unit
Hotel	310	\$5,650.00 per unit
Motel	320	\$4,500.85 per unit
Marina	420	\$1,411.92 per berth
Golf course	430	\$2,298.31 per acre
Movie Theater	444	\$28.79 per sq. ft.
Racquet club	492	\$4.76 per sq. ft.
High School	530	\$4.61 per sq. ft.
Church	560	\$5.81 per sq. ft.
Hospital	610	\$14.10 per sq. ft.
Nursing home	620	\$1,466.32 per bed
General office building	710	\$18.15 per sq. ft.
Medical-dental building	720	\$42.74 per sq. ft.
Shopping center	820	\$9.30 per sq. ft.
Restaurant	932	\$49.66 per sq. ft.
Fast food restaurant without drive through	933	\$64.58 per sq. ft.
Fast food restaurant with drive through	934	\$83.91 per sq. ft.
Gas station	944	\$33,765.80 per pump
Gas station with convenience store	945	\$25,533.86 per pump
Supermarket	850	\$28.62 per sq. ft.
Convenience market	851	\$62.64 per sq. ft.
Drive-in bank	912	\$83.99 per sq. ft.

Park:

Single family residence	\$2,537.00 per unit
Multifamily	\$1,658.82 per unit
Mobile home	\$788.25 per unit

N. Fire Department Review Fees:

Fire review fees will be assessed per the approved contract with the Northshore Fire District #16 for all single family, multifamily, and commercial projects.

O. Right-of-Way Permits and Fees

Limited Right of Way Permit

Type A permit may be issued for activities within the right-of-way which will alter the surface or subsurface of the right-of-way. Examples include:

- Open cut trenching
- Culvert installation
- Above ground pedestals or utility boxes
- Paving operations in right-of-way
- Driveways
- Sidewalks
- Landscaping
- Shoulder improvements
- Beautification (no fee)

Application fee (includes review and 1 hour inspection):	\$200.00
Inspection fee in excess of 1 hour	\$100.00 per hour

Type B permit may be issued for temporary use of the right-of-way (24 hours or less) for activities that will not alter the right-of-way surface or sub-surface. Examples include:

- Parade
- Block party
- Temporary parking
- Temporary storage of dumpster/storage container

Application fee (includes review and inspection):	\$75.00
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Type C permit may be issued for temporary use of the right-of-way (more than 24 hours) which does not change the surface or subsurface. Also includes activities that require traffic plan and traffic plan review. Examples include:

- Street closures
- Commercial activities in the right-of-way
- Extended storage in right-of-way
- Right of way used as construction site for private development

Application fee (includes 1 hour inspection):	\$150.00
Inspection in excess of 1-hour	\$100.00 per hour
Use fee:	Fee = (use area) x \$20 per s.f. x days of usage/365 or a minimum of \$100 whichever is greater.

Access Right of Way Permit

Application fee (includes 1 hour review and 1 hour inspection)	\$200.00
Review fee in excess of 1 hour	\$100.00 per hour
Inspection fee in excess of 1 hour	\$100.00 per hour
Use fee:	
-Open to the public	\$0.00
-Limited (not open to the public)	Fee = (use area) x value* x 80% or a minimum of \$100 whichever is greater.

*Value of adjacent land (in area, s.f.) according to the County Assessor records

Encroachment Permit

Application fee (includes 1 hour review and 1 hour inspection)	\$200.00
Review in excess of 1 hour	\$100.00 per hour
Inspection in excess of 1 hour	\$100.00 per hour
Use fee:	Fee = (use area) x value* x 80% or a minimum of \$100 whichever is greater.

*Value of adjacent land (in area, s.f.) according to the County Assessor records

Utility Franchise Fees:

Application fee	\$0.00
Review fee	\$100.00 per hour
Inspection fee:	\$100.00 per hour
Use fee:	\$0.00

State Route 522 Driveway Connection Permit Fee

Fee structure. The following nonrefundable fee structure is established for the processing, review and inspection of the connection permit application. A description of each category can be found in section 12.85.040 of the KMC. Due to the potential complexity of Category II and Category III connection proposals, and required mitigation measures that may involve construction on SR 522, the city may require a developer agreement in addition to the connection permit. The developer agreement may include, but is not limited to: plans; specifications; maintenance requirements; bonding requirements; inspection requirements; division of costs by the parties, where applicable; and provisions for payment by the applicant of actual costs incurred by the city in the review and administration of the applicant's proposal that exceed the required base fees in the following schedule:

Category I – Base fee for one connection:	
• Agricultural, forest, utility operation and maintenance	\$50.00
• Residential dwelling units (up to 10)- single connection	\$50.00 per dwelling
• Other, with 100 average weekday vehicle trip ends	\$500.00
• Fee per additional connection point	\$50.00
Category II – Base fee for one connection:	
• Less than 1,000 average weekday vehicle trip ends	\$1,000.00
• 1,000 to 1,500 average weekday vehicle trip ends	\$1,500.00
• Fee per additional connection point	\$250.00
Category III - Base fee for one connection:	
• 1,500 to 2,500 average weekday vehicle trip ends	\$2,500.00
• Over 2,500 average weekday vehicle trip ends	\$4,000.00
• Fee per additional connection point	\$1,000.00
Category IV – Base fee per connection:	\$100.00

Surety Bond. Prior to the beginning of construction of any connection, the city may require the permit holder to provide a surety bond as specified in WAC 468-34-020(3).

P. Special Events Permits

<u>Special Events Application Fee:</u>	\$100.00
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5. Animal Care and Control

A. Animal License and Registration Fees

<u>Pet License – Dog or Cat</u>	
Unaltered	\$60.00
Altered	\$30.00
<u>Juvenile Pet License – Dog or Cat</u>	\$15.00
<u>Discounted Pet License – Dog or Cat</u>	\$15.00
<u>Replacement Tag</u>	\$5.00
<u>Transfer Fee</u>	\$3.00
<u>Guard Dog Registration</u>	\$100.00
<u>Exotic Pet</u>	
New	\$500.00
Renewal	\$250.00
<u>Service Animal</u>	No Charge
<u>K-9 Police Dog</u>	No Charge
<u>Late Fees</u>	
Received 45-90 days following license expiration	\$15.00
Received 90-135 days following license expiration	\$20.00
Received more than 135 days following license expiration	\$30.00
Received more than 365 days following license expiration	\$30.00 plus license fee(s) for any year the pet was unlicensed

B. Animal Business and Activity Permit Fees

<u>Hobby Kennel and Hobby Cattery License</u>	\$50.00
<u>Private Animal Placement Permit</u>	No Charge

C. Civil Penalties

<u>General</u>	
No previous similar code violation within one year	\$50.00
One previous similar code violation within one year	\$100.00
Two or more similar code violation within one year	Double the rate of the previous penalty, up to a maximum of \$1000.00
<u>Vicious Animal or Animal Cruelty Violations</u>	
First violation within one year	\$500.00
Subsequent violations within one year	\$1000.00
<u>Dog Leash Law Violations</u>	
First violation within one year	\$25.00
Additional violations within one year	\$50.00
<u>Animal Abandonment</u>	\$500.00
<u>Unlicensed Cat or Dog</u>	
Altered cat or dog	\$125.00
Unaltered cat or dog	\$250.00

D. Service Fees

<u>Adoptions- per Animal, Including licensing and Spaying or Neutering of the Animal</u>	\$75.00-\$250.00 based upon adoptability
<u>Spay or Neutering Deposit – per Animal</u>	\$150.00

Impound or Redemption – Dogs, Cats, or Other Small Animals

First impound within one year	\$45.00
Second impound within one year	\$85.00
Third impound within one year	\$125.00

Impound or Redemption – Livestock, Small

\$45.00

Impound or Redemption – Livestock, Large

\$45.00 or actual cost of
sheltering, whichever is
greater

Kenneling at King County Animal Shelter – per 24 hours or portion thereof In-Field

Pick-up of an Owner's Deceased Unlicensed Pet or Pick-up of an Unlicensed Pet

Released Voluntarily to the Regional Animal Service Section

\$20.00

Owner-requested Euthanasia (Unlicensed Pets)

\$50.00

Optional Microchipping for Adopted Pets

\$25.00

6. Miscellaneous Fees

NSF (insufficient check) fee:

\$25.00

Reports, copies, maps, etc.

Accident reports, case reports	\$0.15 per page
Ordinances, resolutions of findings	\$0.15 per page
Copies or computer printouts	\$0.15 per page
Audio duplications	\$5.00 per tape / CD (other than budget documents).

Recording Documents fee:

Actual costs or \$100
minimum whichever
is greater

Note: any maps, plans, blueprints, as-built maps, or budget documents to be provided at cost. Other items not specifically listed will be charged at a rate that will reimburse the City's total cost of duplicating that item. Additionally, if any requested items are to be mailed, the cost of the envelope and postage shall be charged to the requestor.

ATTACHMENT 4

City of Kenmore, Washington

~~2011~~2012 Fee Schedule



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1. Business Licenses

Type:

Adult Entertainment:

Device	\$50.00 each
Operator	\$500.00 per year
Premises	\$200.00 per year
Panoram Manager License	\$50.00 per year

Adult Cabaret:

Operator	\$500.00 per year
Cabaret Manager License	\$50.00 per year
Cabaret Entertainer License	\$50.00 per year
Adult Retail Business License	\$500.00 per year

Dance	\$200.00 per year
	\$100 per six months
	\$50.00 per one night

Dance (non-profit, educational or City-sponsored)	Exempt
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Go Kart Track	\$500.00 per year
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Live Entertainment: music (other than mechanical); boxing or wrestling; exhibition skating; video arcades; pool halls; bowling alleys; race tracks and drag strips (if attendance is more than 2,000 people at a single event). Covers more than one skating rink, shooting gallery.	\$200.00 per year
	\$100 per six months
	\$50.00 per one night

Amusement Parks – Permanent

For one to 10 units, inclusive	\$200.00 per year
	\$100.00 per six months
For more than 10 units	\$400.00 per year
	\$200 per six months

Carnivals

For one to 10 units, inclusive	\$40.00 per day
For more than 10 units	\$100.00 per day

Closing out sales

Closing out sale license – original license	\$300.00 per year
First 30-day renewal	\$200.00 per year
Second 30-day renewal	\$200.00 per year

Junk Shop License	\$300.00 per year
Junk Wagon License	\$40.00 per year

Massage Parlor/Bathhouse	\$150.00 per year
Massage Practitioner	\$50.00 per year
Theaters	\$100.00 per screen
Outdoor Musical Event (not sponsored by the City and with an admission fee)	\$750.00 per year
Pawnbroker	\$500.00 per year
Peddler/Solicitor	No fee
Secondhand Dealer	\$40.00 per year
Shuffleboard License	\$50.00 per year
Renewal of License, registration or permit late penalty	10% of the required fee
Transferability of license or permit	\$25.00

2. Code Enforcement Fees

Code Enforcement

Inspection/Posting	\$50.00 each
Re-inspection	\$50.00 each
Vehicle Abatement	\$225.00 minimum <u>Actual</u>

City costs

Vehicle Abatement Hearing	\$360.00 <u>each</u> minimum
Hearing Officer	\$215.00 per hour
Nuisance Abatement Hearing <u>Notice of Violation Appeal Hearing</u>	
\$100.00 each <u>125.00</u>	
Removal of Declaration	\$20.00
Recording fee	\$100.00
Violation of a stop work order	\$500.00

Housing Code Enforcement

Inspection/Posting	\$255.00 per hour
Re-Inspection plus Notice and Order	\$510.00
Hourly Rate	\$255.00
Appeal Fee	\$150.00 each
Closing Fee	\$255.00
Contract Abatement Fee	15% of the contract
Late Fee	25% of the amount due
Hearing Officer	\$215.00 per hour

The following fees apply to all enforcement actions:

Inspection Warrant	\$350.00 each
Attorney Fees	Rate per hour to be determined as established

Paralegal Services	by the City Attorney
Notary Services	contract for legal services.
Abatement	\$60.00 per hour
	\$10.00
	Actual cost of labor

3. Comprehensive Plan and Development Regulation Amendments

Prescreening / threshold review fee: \$200.00

Annual amendment cycle fee: (applicants whose amendment proposals are approved for consideration by the City Council) \$400.00

4. Land Development and Permitting

A. General

Development Review Technology fee: 3.00%

Applies to development permits and is based on development plan review fees and permit fees, not to include impact fees or land use decisions.

P-Suffix, M-P, and other required site plan reviews:

Initial plan review \$1,078.00

Each additional review for compliance, including signs and tenant improvements. \$163.00

Mobile home park and RV park plan review: \$3,561.00

Site Development Plan Application Fee: \$364.00

Landscape plan review:

Initial plan review based on site area

0 – 1 site acre \$211.00

1.1 – 2 site acres \$337.00

2.1 – 5 site acres \$507.00

5.1 – 10 site acres \$676.00

More than 10 site acres \$1,352.00

Each plan revision review \$324.00

Request for modification requiring public notice \$673.00

Landscape Construction Inspections

Landscape installation inspection \$269.00

Landscape maintenance bond release inspection \$269.00

Additional/excessive reviews and inspection fees:

Applies to all development permits; additional plan review or inspections required by changes, additions or revisions to plans or excess reviews of re-submittals will be billed at an hourly rate.

\$100.00 per hour

B. Pre-Application Fees:

No fee

C. Zoning and Land Use Permits

<u>Request for Site Specific Rezones:</u>	\$3,000.00
<u>Conditional Use Permits (CUP) and Special Use Permits (SUP):</u>	
Administrative CUP & SUP	\$3,633.00
CUP/SUP with public hearing	\$8,501.00
Daycare with 24 children or less	\$1,365.00
Request for time extension	\$146.00
<u>Variances: (including variances from KMC 18.55)</u>	
Application review	\$2,500.00
Added fee when public hearing required	\$1,626.00
Agricultural land variance	\$1,953.00
Request for time extension	\$146.00
<u>Boundary line adjustment:</u>	\$574.00
<u>Boundary line corrections:</u>	\$200.00
<u>Communications Facility Application Fee:</u>	\$364.00
<u>Accessory dwelling unit: (ORD99-0052)</u>	\$50.00
<u>Home Occupation Permit: (ORD99-0052)</u>	\$50.00
<u>Change of use: (zoning only)</u>	\$50.00
<u>Amend adopted P-suffix conditions:</u>	\$2,241.00
<u>Amend post-effective conditions</u>	\$2,241.00
<u>Pre-effective condition time extension:</u>	\$1,400.00
<u>Reuse of closed public school facilities:</u>	\$1,400.00
<u>Land use inspections required by ordinance or zoning adjuster approval to monitor compliance with specific conditions affixed to a P-suffix zoning approval, unclassified use permit, or conditional use permit:</u>	\$100.00 per hour
Annual fee:	\$323.00
Plus per hour	\$100.00 per hour
<u>Local service area adjustment:</u>	
Base fee:	\$323.00
Added fee when public hearing required:	\$1,626.00
<u>Reasonable use exceptions:</u>	

Reasonable use exception:	\$2,500.00
Reasonable use exception – additional when combined with variance request.	\$903.00
Public agency and utility exception:	\$1,953.00

Transfer of development credit: sending site certification applications (up to a maximum of \$500.00) to qualify a proposed sending site and determine the number of credits available for transfer per application.

\$100.00 per hour

Master plan review:

\$10,000.00 deposit

Master plan review fees shall be an hourly fee to cover the cost of intake, development of scope of work, and all work performed under the scope of work. The deposit of \$10,000 shall be made at the time of application. The hourly fee shall be billed monthly. Staff time to be charged at an hourly rate of \$100.00 per hour, consultant time to be charged at the consultant's rate.

D. Subdivision – Preliminary Application Review Fees:

Preliminary Short Subdivisions:

Short subdivision 4 lots or less

Base fee:	\$1,111.00
Plus per lot:	\$140.00

Short subdivision 5 to 9 lots

Base fee:	<u>\$7,033.00</u>
Plus per lot:	<u>\$153.00</u>

Revision to approved preliminary:	\$898.00
Short subdivision alteration:	\$1,245.00
Request for time extension:	\$100.00

Preliminary Subdivisions:

Initial Application

50 lots or less

Base fee:	\$12,955.00
Plus per lot	\$167.00

More than 50 lots

Base fee:	\$22,208.00
Plus per lot	\$37.00

Surcharge for applications utilizing lot clustering or flexible yard provisions (percent of initial fee:	10.00%
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Major revision requiring new public hearing:	\$3,886.00
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Minor revisions submitted after preliminary approval (not necessitating additional hearings):	\$925.00
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Request for time extension:	\$100.00
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~~Local service area boundary adjustments:~~ \$297.00

Subdivision alterations or subdivision vacations:

With public hearing:	\$3,886.00
Without public hearing:	\$1,944.00

Supplemental fee – a surcharge for applications involving significant environmental sensitive areas (percent of total

initial fee).	10.00%
Supplemental fee – remanded applications (percent of total application fee).	50.00%
<u>Preliminary Planned Unit Development (PUD):</u>	
<u>Initial Application</u>	
50 units or less	
Base fee:	\$12,955.00
Plus per acre fee:	\$167.00
Plus per unit fee:	\$18.50
More than 50 units	
Base fee:	\$22,207.50
Plus per acre fee:	\$37.00
Plus per unit fee:	\$18.50
Local service area boundary adjustment:	\$250.00
Minor revisions submitted after preliminary approval (not necessitating additional hearings):	\$925.00
Supplemental fee – remanded applications (percent of original total application fee):	50.00%
Major revision requiring new public hearing:	\$3,886.00
<u>Binding Site Plan:</u>	
Planned unit development based plan:	\$3,490.00
Building permit, <u>as-built or site plan review</u> based plan:	\$4,862.00
Conceptual plan:	\$5,733.00
Revision to a preliminary approved plan:	\$1,112.00
Revision to a final binding site plan:	\$1,996.00

E. Shoreline Management Permit

Substantial Development Permit

Total cost of proposed development:	
Up to \$10,000	\$1,280.00
\$10,001 to \$100,000	\$2,560.00
\$100,001 to \$500,000	\$6,399.00
\$500,001 to \$1,000,000	\$9,598.00
\$1,000,001 or more	\$12,797.00

<u>Single family Joint-Use Dock</u>	\$2,560.00
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Shoreline Conditional Use Permit

Non-forest practices	\$7,219.00
Forest practices	\$1,313.00

Shoreline Variance

Up to \$10,000 project value	\$2,166.00
\$10,001 or more project value	\$7,219.00

Shoreline re-designation from:

Natural	Base fee:	\$14,438.00
	Per shoreline lineal foot:	\$27.60
	Maximum:	\$54,144.00
Conservancy	Base fee:	\$11,550.00
	Per shoreline lineal foot:	\$27.60
	Maximum:	\$3,313.00
Urban or Rural	Base fee:	\$7,941.00
	Per shoreline lineal foot:	\$21.60
	Maximum:	\$2,485.00

Shoreline review of other permits or approvals for conditions: \$177.00

Shoreline Exemption: \$276.00

Supplemental Fees:

Request for an extension of a permit, calculated as a percentage of the original permit:	20.00%
Shoreline permit revision, calculated as a percentage of the original permit:	20.00%
Surcharge when public hearing required:	12.00%
Minimum	\$2,048.00
Permit compliance inspections	
Hourly rate (including travel time)	\$100.00 per hour
Plus per mile rate	\$0.50 per mile

F. Special Review Fees

State Environment Policy Act (SEPA) Review:

Environmental checklist:	
Base fee:	\$600.00
After six hours	\$100.00 per hour
Supplemental Determination of Nonsignificance (DNS), Mitigated Determination of Nonsignificance (MDNS), or Determination of Significance (DS) review	\$100.00 per hour
MDNS deposit	\$1,313.00
Environmental Impact Statement (EIS) deposit – a percentage of total estimated cost	33.00%
Draft Environmental Impact Statement (DEIS), Final Environmental Impact Statement (FEIS), Supplemental Environmental Impact Statement (SEIS) or addenda preparation and review costs – including scoping, writing, editing, publishing, mailing, distributing and contract administration:	
All fixed and contract costs, and time costs, per hour	\$100.00 per hour
Post MDNS, DEIS, FEIS OF SEIS publication work preparing or consulting on staff reports, permit conditions or public hearing testimony, per hour	\$100.00 per hour

Sensitive Critical Areas Review:

Applicants will be eligible for a refund of the portion of the base fee that is less

than the city's costs (including consultants, public notice (as necessary) and other associated expenses).

Review of residential building permits, shoreline permits, individual short subdivision, boundary line adjustments, right-of-way use permits:

Site review base fee

\$1,000.00

Plus, per hour

\$100.00 per hour

Review of commercial building permits, grading permits, engineering permits, subdivisions, PUDs, declassifications, variances, conditional use permits and unclassified use permits:

Site review base fee

\$1,000.00

Plus, per hour

\$100.00 per hour

Flood plain determination – certificate of elevation:

\$100.00

Plus, per hour

\$100.00 per hour

Review of mitigation plan compliance, per hour

\$100.00 per hour

Critical Areas review and inspections:

\$100.00 per hour

Commercial building permit, except schools, for each three thousand square feet, or fraction thereof, of floor area:

\$55.00

Commercial non-building permit, for each three thousand square feet, or fraction thereof

\$55.00

School building permit, for each forty thousand square feet, or fraction thereof, of total developed area including parking and play areas:

\$55.00

Multifamily residential permit, for each building

\$55.00

Single-family residential permit, excluding mobile home, for each permit:

\$55.00

Final plat, for each lot:

\$55.00

Final short plat, for each lot:

\$55.00

Sensitive areas reasonable use or utility exception for each permit:

\$55.00

Shoreline development permit, for each permit:

\$55.00

Clearing permit, for each permit:

\$55.00

Grading permit, for each acre or portion of acre distributed or rehabilitated:

\$55.00

Time extension for clearing or grading permit, for each permit:

\$55.00

Inspection and monitoring, per hour:

\$100.00 per hour

Appeals:

Appeals to the hearing examiner from decisions of the zoning adjuster

City:

\$125.00

Departmental review of non-departmental permits:

\$100.00 per hour

Review of road vacation requests

\$751.00

Review of road standard variances

\$656.00

Review of drainage design adjustments:

Standard adjustment review

\$656.00

Revisions and submittals, per hour

\$100.00 per hour

Complex adjustment review

\$1,376.00

Revisions and submittals, per hour

\$100.00 per hour

Pre-application adjustment review, per hour

\$100.00 per hour

Deposit	\$3,600.00
Experimental design adjustment review, departmental portion only	\$125.00
Support of water and land resources division adjustment review and monitoring per hour	\$100.00 per hour

Review and monitoring of master drainage plans, per hour \$100.00 per hour

G. Engineering General Permitting & Inspection Fees

Parking Review Fee:

New or additional spaces:

First 0-25 spaces	\$23.00 each space
Next 26-50	\$20.70 each space
Next 51-75	\$16.30 each space
Next 76-150	\$16.30 each space
Anything above 150	\$11.80 each space
Minimum fee	\$296.10

Alterations, change in use or increase area, with no additional spaces.

\$296.00

Clearing Permit:

	<u>Base fee</u>		<u>Hourly Fee</u>
Permit plan review (minimum 1 acre)			
1 - 5 acres	\$73.50	+	\$0.00
5.1 acres or more	\$367.50	+	\$100.00 per hour
Field inspections			\$100.00 per hour

Drainage Review:

Residential drainage requirement review base fee:

Small site drainage review	\$238.00
Targeted drainage reviews	\$143.00
Full drainage review:	\$234.00
Simple review	\$293.00
Complex review	\$676.00

Commercial drainage plan review base fee:

\$570.00

Total distributed area:	Targeted drainage review #1, 2, and 3	Full drainage review and targeted drainage review for #4
0 - .50 site acre	\$ 895.00	\$1,119.00
.51 - 1 site acre	\$ 1,234.00	\$1,543.00
1.1 - 2 site acres	\$ 2,255.00	\$2,819.00
2.1 - 5 site acres	\$ 4,951.00	\$6,189.00
5.1 - 10 site acres	\$ 5,964.00	\$7,456.00
More than 10 acres	\$ 6,640.00	\$8,300.00

Traffic Impact Analysis review:

Level 1 (10 P.M. Peak Hour Trips or Less)	\$337.00
Level 2 (11-75 P.M. Peak Hour Trips)	\$800.00
Level 3 (Over 75 P.M. Peak Hour Trips)	\$1,600.00

Grading Permit:

Grading permit review fees are based on the total of the two tables listed below:

Table 1:

Volume	Base fee		Per 100 cubic yards
0 to 500 cubic yards	\$0.00	+	\$28.40
501 to 3,000 cubic yards	\$54.00	+	\$39.20
3,001 to 10,000 cubic yards	\$339.00	+	\$26.10
10,001 to 20,000 cubic yards	\$2,159.00	+	\$7.90
20,001 to 40,000 cubic yards	\$3,319.00	+	\$2.10
40,001 to 80,000 cubic yards	\$3,599.00	+	\$1.40
80,001 cubic yards or more	\$4,239.00	+	\$0.60

Table 2:

Disturbed Area	Base fee		Per acre
Up to 1 acre	\$176.00	+	\$819.40
1.1 to 10 acres	\$381.00	+	\$614.30
10.1 to 40 acres	\$2,916.00	+	\$360.80
40.1 to 120 acres	\$10,428.00	+	\$176.00
120.1 to 360 acres	\$22,944.00	+	\$68.70
360.1 acres or more	\$34,716.00	+	\$36.00

Grading Plan Revision fee:

Hourly rate

\$100.00 per hour

Grading permit operation monitoring fees (inspection fees):

The operation monitoring fee shall be calculated by adding the applicable amount from the Annual Volume Table (below) to an amount equal to \$215.00 per acre distributed and not rehabilitated during the monitoring period, to a maximum of \$10,000.00.

Annual Volume Table:

Volume deposited or removed	Base fee		Per 100 cubic yards
0 to 3,000 cubic yards	\$0.00	+	\$102.20
3,001 to 10,000 cubic yards	\$2,550.00	+	\$17.20
10,001 to 20,000 cubic yards	\$3,760.00	+	\$5.10
20,001 to 40,000 cubic yards	\$4,280.00	+	\$2.50
40,001 cubic yards or more	\$4,680.00	+	\$1.50

Reclamation bond release inspection

\$225.00

Re-inspection of non-bonded actions

\$225.00

Construction Inspections Fees:

Bond quantities worksheet amount (line "T")

\$0 – \$30,000

\$30,001 - \$120,000

\$120,001 or more

Additional inspection after 1-year

Initial fee + additional fee based on bond

\$213.00 + \$119.00 / \$1,000.00 bond

\$2,253.00 + \$51.00 / \$1,000.00 bond

\$6,693.00 + \$1400 / \$1,000.00 bond

\$100.00 per hour

Maintenance bond inspection fees:

Bond quantities worksheet amount (line "T")

\$0 – \$30,000.

\$30,001 - \$120,000

Initial fee + additional fee based on bond

\$461.00+\$15.30 / \$1,000.00 bond

\$770.00+\$5.00 / \$1,000.00 bond

\$120,001 or more

\$1,166.00+\$1.70 / \$1,000 bond

H. Engineering Subdivision Plan Review and Inspection Fees

Short Subdivision:

Short subdivision 4 lots or less

Base fee: \$2,087.00

Plus per lot: \$209.00

Short subdivision 5 to 9 lots

Base fee: \$4,148.00

Plus per lot: \$209.00

Additional review in excess of initial fees \$100.00 per hour

Subdivision:

Engineering plan review:

30 lots or less

Base fee: \$6,209.00

Plus per lot: \$33.60

31 lots or more

Base fee: \$6,710.00

Plus per lot: \$16.90

Revisions and re-submittals

Each occurrence \$119.00

Additional review in excess of initial fees \$100.00 per hour

Planned Unit Development:

Engineering plan review:

30 units or less

Base fee: \$6,209.00

Plus per unit: \$46.10

31 units or more

Base fee: \$6,911.00

Plus per unit: \$22.70

Revisions and re-submittals

Each occurrence \$119.00

Additional review in excess of initial fees \$100.00 per hour

Conceptual Binding Site Plan:

(Including conceptual commercial binding site plan)

Plan and profile base fee: \$4,132.00

Revisions and re-submittals

Each occurrence \$119.00

Plus per hour \$100.00 per hour

Subdivision construction permit fee:

Landscape installation inspection \$269.00

Landscape maintenance bond release inspection \$269.00

Subdivision – final approval fees:

Final short subdivision 4 lots or less \$1,922.00

Final short subdivision 5 to 9 lots \$3,873.00

Final short plat subdivision alteration	\$714.00
Final plat subdivision	
30 lots or less	
Base fee:	\$5,825.00
Plus per lot:	\$69.10
31 lots or more	
Base fee:	\$6,470.00
Plus per lot:	\$47.60
Subdivision alteration	\$1,077.00
Modification of a recorded building envelope:	\$541.00
Request for name change	\$192.00
Final planned unit development:	\$4,530.00
Request for time extension	\$145.00
Request for name change	\$192.00
Final building site plan:	\$3,081.00

Subdivision – post final fees:

Maintenance bond inspection fees:			
Bond amount:	Initial Fee		
\$0 - \$30,000	\$461.00	+	\$15.30 per
			\$1,000.00 bond
\$30,001 - \$120,000	\$770.00	+	\$5.00 per
			\$1,000.00 bond
\$120,001 or more	\$1,166.00	+	\$1.70 per \$1,000.00 bond

I. Building Permit Fees:

Building permit fees are based on valuation. The table below establishes the permit fee from the valuation. Valuation is determined by type of construction and square footage or from a contractor's bid. The most recent edition of the Building Safety Journal determines the type of construction and square footage factor.

Total Valuation	Fee
\$1.00 - \$500.00	\$23.50
\$501.00 - \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.
\$2,001.00 - \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000.
\$25,001.00 - \$50,000.00	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and
\$50,001.00 - \$100,000.00	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including
\$100,001.00-\$500,000.00	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000.
\$500,001.00 - \$1,000,000.00	\$3,223.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including

\$1,000,001.00 and up \$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000, or fraction thereof.

Building Plan Check Fees:

Plan check fees shall be 65% of the building permit fee plus the calculated cost of drainage review (if required). If the plan is a "basic", as determined by the Building Official, the plan check fee shall be 25% of the permit fee.

J. Plumbing Permit Fees:

The fee for single-family residential plumbing permit ~~is~~ based on the following table, non-single-family residential permits are based on actual valuation of all fixtures, materials and installation as submitted to and determined by the Building Official. The permit fee for non-single-family residential permits shall be based on valuation and determined by the Building Permit Table on page 5. When plan check is required, as determined by the Building Official, the plan check fee for all permits will be 65% of the permit fee.

Base fee	\$23.50
Plus:	
For each plumbing fixture on one trap or set of fixtures on one trap.	\$10.00
Roof drain	\$10.00 each
Electrical water heater	\$10.00 each
Grease trap	\$10.00 each
Alteration or repair of water piping or water treating equipment.	\$10.00 each fixture
Back flow devices (other than atmospheric vacuum breakers).	\$10.00 each
Other	\$10.00 each

K. Mechanical Permit Fees:

The fees for each permit shall be set forth in the following table, except non-single-family residential permits, which shall be based on actual valuation of all equipment and installation as submitted to and determined by the Building Official. The permit fee for non-residential permits shall be based on valuations and determined by the Building Permit Table. When plan check is required, as determined by the Building Official, the plan check fee for all permits will be 65% of the permit fee.

Base Fee:	\$23.50
Plus:	
<u>Furnaces:</u>	
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW).	\$14.80
For the installation or relocation of each forced-air or gravity type furnace or burner, including ducts and vents attached to such appliance, over 100,000 Btu/h (29.3kW):	\$18.20
For the installation or relocation of each floor furnace, including vent:	\$14.80

For the installation or relocation of each suspended heating, recessed wall heater or floor-mounted unit heater.	\$14.80
<u>Appliance Vents:</u>	
For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit.	\$7.25
<u>Repairs or Additions:</u>	
For the repair or alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code.	\$13.70
<u>Boilers, Compressors and Absorption Systems:</u>	
For the installation and relocation of each boiler or compressor to and including 3 horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3kW).	\$14.70
For the installation or relocation of each boiler or compressor over 3 horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW).	\$27.15
For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (512.9 kW).	\$37.25
For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW).	\$55.45
For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW).	\$92.65
<u>Air Handlers:</u>	
For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 Us), including ducts attached there to. Note: this fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code).	\$10.65
For each air-handling unit over 10,000 cfm (4719 Us).	\$18.10
<u>Evaporative Coolers:</u>	
For each evaporative cooler other than the portable type.	\$10.65
<u>Ventilation and Exhaust:</u>	
For each ventilation fan connected to a single duct.	\$7.25
For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit.	\$10.65

For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood.	\$10.65
<u>Incinerators:</u>	
For the installation or relocation of each domestic-type incinerator.	\$18.20
For the installation or relocation of each commercial or industrial-type incinerator.	\$14.50
<u>Gas Piping:</u>	
Gas pipe (1-5 outlets)	\$10.65
Gas pipe (outlets over 5)	\$1.00 each
<u>Miscellaneous:</u>	
For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table.	\$10.65
Gas water heater.	\$10.65
 L. General Building Fees:	
<u>Building Code Change in Use or Occupancy fee:</u>	Minimum 2 hour inspection charge (\$200.00) plus actual inspections at hourly rate (\$100.00 per hour).
<u>Mobile Homes:</u>	
Mobile home permit	\$216.00
Temporary mobile home permit	\$263.00
Temporary mobile home for hardship	\$263.00
Non-insignia mobile home inspection	\$263.00
<u>Re-Roof Permit Fees:</u>	
Single family residential	\$94.00
Commercial and Multifamily	Based on building permit fee valuation table.
<u>Special Review of Oversized Buildings:</u>	\$138.00
<u>Condominium Conversion Review Fee:</u>	
Project fee	
1 to 30 units	\$667.00
31 to 99 units	\$1,665.00
100 or more units	\$3,332.00
Per unit fee	\$332.00
<u>Special Plan Review:</u>	\$100.00 per hour
<u>Pre-inspection Fees:</u>	
Fire or flood damage	\$311.00
Minimum housing or other code compliance	\$311.00
Relocation of structures	\$311.00
<u>Demolition Inspection Fee:</u>	\$94.00

Billboard alteration or relocation site review: \$667.00

Certification of Permit Completion:

Temporary occupancy certificate, per building or tenant space. \$284.00

Final occupancy certification when more than one building permit, each additional building. \$284.00

Final occupancy certification for individual condominiums or other portions of buildings, per unit. \$128.00

Letter of completion for shell construction permits when more than one building permit, each additional building. \$284.00

Allowable Residential Discounts

Granted for the permit categories listed below based on the plan check amount calculated from the valuations.

Registered plans and basic permits for single-family 25.00%

Extension/Renewal Fee:

Extensions for final inspection only:

Single-family residential \$100.00

All other permits \$100.00

All other extensions/renewals (including temporary reinstatement):

Single-family residential / all other permits \$100.00

Extension of temporary mobile home \$131.00

Extension of temporary hardship mobile home \$119.00

Design Review Fees: \$100.00 per hour

Other:

Inspections outside of normal hours \$100.00 per hour

Re-inspection fees (Ordinance 00-0098) \$100.00 per hour

Inspections for which no fee is specifically indicated \$100.00 per hour

Additional plan review required by changes, additions or revisions to plans (minimum charge ½ hour). \$100.00 per hour

For use of outside consultants for plan checking and inspections Actual costs

M. Impact Fees:

Transportation:

	ITE Code	
Single family residence	210	\$8,086,318,434.02 per unit
Multifamily	220	\$6,237,115,462.31 per unit
Per peak hour trip:		\$7,345,187,661.02 per trip
General light industrial	110	\$11,4411.93 per sq. ft.

Manufacturing	140	\$8,649.01 per sq. ft.
Mini-warehousing	151	\$3,033.16 per sq. ft.
Condominium/townhouse	230	\$4,392.424,581.29 per unit
Mobile home park	240	\$4,723.694,926.81 per unit
Hotel	310	\$5,417.075,650.00 per unit
Motel	320	\$4,315.294,500.85 per unit
Marina	420	\$1,353.711,411.92 per berth
Golf course	430	\$2,203.562,298.31 per acre
Movie Theater	444	\$27.6428.79 per sq. ft.
Racquet club	492	\$4,564.76 per sq. ft.
High School	530	\$4,424.61 per sq. ft.
Church	560	\$5,575.81 per sq. ft.
Hospital	610	\$13,5214.10 per sq. ft.
Nursing home	620	\$1,405.871,466.32 per bed
General office building	710	\$17.4018.15 per sq. ft.
Medical-dental building	720	\$40.9842.74 per sq. ft.
Shopping center	820	\$8,929.30 per sq. ft.
Restaurant	932	\$47.6449.66 per sq. ft.
Fast food restaurant without drive through	933	\$61.9264.58 per sq. ft.
Fast food restaurant with drive through	934	\$80.4583.91 per sq. ft.
Gas station	944	\$32,373.7333,765.80 per pump
Gas station with convenience store	945	\$24,481.1725,533.86 per pump
Supermarket	850	\$27.4428.62 per sq. ft.
Convenience market	851	\$60.0662.64 per sq. ft.
Drive-in bank	912	\$80.5383.99 per sq. ft.
<u>Park:</u>		
Single family residence		\$2,432.412,537.00 per unit
Multifamily		\$1,590.431,658.82 per unit
Mobile home		\$755.75788.25 per unit

N. Fire Department Review Fees:

Fire review fees will be assessed per the approved contract with the Northshore Fire District #16 for all single family, multifamily, and commercial projects.

O. Right-of-Way Permits and Fees

Limited Right of Way Permit

Type A permit may be issued for activities within the right-of-way which will alter the surface or subsurface of the right-of-way. Examples include:

• <u>Open cut trenching</u>	
• <u>Culvert installation</u>	
• <u>Above ground pedestals or utility boxes</u>	
• <u>Paving operations in right-of-way</u>	
• <u>Driveways</u>	
• <u>Sidewalks</u>	
• <u>Landscaping</u>	
• <u>Shoulder improvements</u>	
• <u>Beautification - (no fee)</u>	
Application fee (includes review and 1 hour inspection):	\$200.00
Review fee:	
Less than 100 square feet	\$50.00
Greater than 100 square feet	\$100.00 per each 100 square feet.
Inspection fee in excess of 1 hour	\$100.00 per hour

Type B permit may be issued for temporary use of the right-of-way (24 hours or less) for activities that will not alter the right-of-way surface or sub-surface. Examples include:

- Parade
- Block party
- Temporary parking
- Temporary storage of dumpster/storage container

Application fee (includes review and inspection): \$75.00

Type C permit may be issued for temporary use of the right-of-way (more than 24 hours) which does not change the surface or subsurface. Also includes activities that require traffic plan and traffic plan review. Examples include:

- Street closures
- Commercial activities in the right-of-way
- Extended storage in right-of-way
- Right of way used as construction site for private development

Application fee (includes 1 hour inspection): \$150.00
Inspection in excess of 1-hour-varies and will be billed at an hourly rate \$100.00 per hour
Use fee: Fee = (use area) x \$20 per s.f. x days of usage/365 or a minimum of \$100 whichever is greater.

Access Right of Way Permit

Application fee (includes 1 hour review and 1 hour inspection)	\$200.00
Review fee in excess of 1 hour	\$100.00 per hour
Inspection fee in excess of 1 hour	\$100.00 per hour
Use fee:	
-Open to the public	\$0.00
-Limited (not open to the public)	Fee = (use area) x value* x 80% or a minimum of \$100 whichever is greater.
*Value of adjacent land (in area, s.f.) according to the County Assessor records	

Encroachment Permit

Application fee (includes 1 hour review and 1 hour inspection)	\$200.00
Review in excess of 1 hour	\$100.00 per hour
Inspection in excess of 1 hour	\$100.00 per hour
Use fee:	Fee = (use area) x value* x 80% or a minimum of \$100 whichever is greater.
*Value of adjacent land (in area, s.f.) according to the County Assessor records	

Utility Franchise Applications Fees:

Application fee	\$0.00
Review fee	\$100.00 per hour
Inspection fee:	\$100.00 per hour
Use fee:	\$0.00
Pole Lines	
• Power, telephone, etc. (every six poles or portion thereof)	\$200.00
Water, sewer, gas or oil, cable or conduit	
• Installing mains (1000 linear feet or less)	\$200.00
• Additional 1000 linear feet or fraction thereof	\$180.00
• Excavations for connection	\$200.00
Attachment to existing poles for every three attachments	\$140.00
Immediate response permit request	Additional \$60.00
Maintenance Permits	
• 0 to 50 connections	\$200.00
• 51 to 100 connections	\$250.00
• 101 to 200 connections	\$300.00
• 201 to 500 connections	\$400.00
• 501 or more	\$450.00
Utility Franchise Inspection Fees:	\$100.00 per hour

State Route 522 Driveway Connection Permit Fee

Fee structure. The following nonrefundable fee structure is established for the processing, review and inspection of the connection permit application. A description of each category can be found in section 12.85.040 of the KMC. Due to the potential complexity of Category II and Category III connection proposals, and required mitigation measures that may involve construction on SR 522, the city may require a developer agreement in addition to the connection permit. The developer agreement may include, but is not limited to: plans; specifications; maintenance requirements; bonding requirements; inspection requirements; division of costs by the parties, where applicable; and provisions for payment by the applicant of actual costs incurred by the city in the review and administration of the applicant's proposal that exceed the required base fees in the following schedule:

Category I – Base fee for one connection:	
• Agricultural, forest, utility operation and maintenance	\$50.00
• Residential dwelling units (up to 10)- single connection	\$50.00 per dwelling
• Other, with 100 average weekday vehicle trip ends	\$500.00
• Fee per additional connection point	\$50.00
Category II – Base fee for one connection:	
• Less than 1,000 average weekday vehicle trip ends	\$1,000.00
• 1,000 to 1,500 average weekday vehicle trip ends	\$1,500.00
• Fee per additional connection point	\$250.00
Category III – Base fee for one connection:	
• 1,500 to 2,500 average weekday vehicle trip ends	\$2,500.00

• Over 2,500 average weekday vehicle trip ends	\$4,000.00
• Fee per additional connection point	\$1,000.00
Category IV – Base fee per connection:	\$100.00

Surety Bond. Prior to the beginning of construction of any connection, the city may require the permit holder to provide a surety bond as specified in WAC 468-34-020(3).

P. Special Events Permits

<u>Special Events Application Fee:</u>	\$100.00
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5. Animal Care and Control

A. Animal License and Registration Fees

<u>Pet License – Dog or Cat</u>	
<u>Unaltered</u>	\$60.00
<u>Altered</u>	\$30.00
<u>Juvenile Pet License – Dog or Cat</u>	\$15.00
<u>Discounted Pet License – Dog or Cat</u>	\$15.00
<u>Replacement Tag</u>	\$5.00
<u>Transfer Fee</u>	\$3.00
<u>Guard Dog Registration</u>	\$100.00
<u>Exotic Pet</u>	
<u>New</u>	\$500.00
<u>Renewal</u>	\$250.00
<u>Service Animal</u>	No Charge
<u>K-9 Police Dog</u>	No Charge
<u>Late Fees</u>	
<u>Received 45-90 days following license expiration</u>	\$15.00
<u>Received 90-135 days following license expiration</u>	\$20.00
<u>Received more than 135 days following license expiration</u>	\$30.00
<u>Received more than 365 days following license expiration</u>	\$30.00 plus license fee(s) for any year the pet was unlicensed

B. Animal Business and Activity Permit Fees

<u>Hobby Kennel and Hobby Cattery License</u>	\$50.00
<u>Private Animal Placement Permit</u>	No Charge

C. Civil Penalties

<u>General</u>	
<u>No previous similar code violation within one year</u>	\$50.00
<u>One previous similar code violation within one year</u>	\$100.00
<u>Two or more similar code violation within one year</u>	Double the rate of the previous penalty, up to a maximum of \$1000.00
<u>Vicious Animal or Animal Cruelty Violations</u>	
<u>First violation within one year</u>	\$500.00

<u>Subsequent violations within one year</u>	<u>\$1000.00</u>
<u>Dog Leash Law Violations</u>	
<u>First violation within one year</u>	<u>\$25.00</u>
<u>Additional violations within one year</u>	<u>\$50.00</u>
<u>Animal Abandonment</u>	<u>\$500.00</u>
<u>Unlicensed Cat or Dog</u>	
<u>Altered cat or dog</u>	<u>\$125.00</u>
<u>Unaltered cat or dog</u>	<u>\$250.00</u>
<u>D. Service Fees</u>	
<u>Adoptions- per Animal, Including licensing and Spaying or Neutering of the Animal</u>	<u>\$75.00-\$250.00 based upon adoptability</u>
<u>Spay or Neutering Deposit – per Animal</u>	<u>\$150.00</u>
<u>Impound or Redemption – Dogs, Cats, or Other Small Animals</u>	
<u>First impound within one year</u>	<u>\$45.00</u>
<u>Second impound within one year</u>	<u>\$85.00</u>
<u>Third impound within one year</u>	<u>\$125.00</u>
<u>Impound or Redemption – Livestock, Small</u>	<u>\$45.00</u>
<u>Impound or Redemption – Livestock, Large</u>	<u>\$45.00 or actual cost of sheltering, whichever is greater</u>
<u>Kenneling at King County Animal Shelter – per 24 hours or portion thereof In-Field</u>	
<u>Pick-up of an Owner's Deceased Unlicensed Pet or Pick-up of an Unlicensed Pet Released Voluntarily to the Regional Animal Service Section</u>	<u>\$20.00</u>
<u>Owner-requested Euthanasia (Unlicensed Pets)</u>	<u>\$50.00</u>
<u>Optional Microchipping for Adopted Pets</u>	<u>\$25.00</u>

6. Miscellaneous Fees

NSF (insufficient check) fee:	\$25.00
<u>Reports, copies, maps, etc.</u>	
Accident reports, case reports	\$0.15 per page
Ordinances, resolutions of findings	\$0.15 per page
Copies or computer printouts	\$0.15 per page
Audio duplications	\$5.00 per tape / CD (other than budget documents).
<u>Recording Documents fee:</u>	<u>Actual costs or \$100 minimum whichever is greater</u>

Note: any maps, plans, blueprints, as-built maps, or budget documents to be provided at cost. Other items not specifically listed will be charged at a rate that will reimburse the City's total cost of duplicating that item. Additionally, if any requested items are to be mailed, the cost of the envelope and postage shall be charged to the requestor.

ATTACHMENT # 5

Chapter 20.47 ROAD AND PARK IMPACT FEES

Sections:

Article I. General

- 20.47.010 Findings and authority.
- 20.47.020 Definitions.
- 20.47.030 Assessment of impact fees.
- 20.47.040 Exemptions.
- 20.47.050 Credits.
- 20.47.060 Tax adjustments.
- 20.47.070 Appeals.
- 20.47.080 Establishment of impact fee accounts.
- 20.47.090 Refunds.
- 20.47.100 Use of funds.
- 20.47.110 Review.

Article II. Rates

- 20.47.120 Road impact fee.
- 20.47.130 Park impact fee.
- 20.47.140 Independent fee calculations.

Article III. Miscellaneous Provisions

- 20.47.150 Existing authority unimpaired.
- 20.47.155 Park space in lieu of impact fee.

Article I. General

20.47.010

Findings and authority.

The city council of the city of Kenmore (the "council") hereby finds and determines that new growth and development, including but not limited to new residential, commercial, retail, office, and industrial development, in the city of Kenmore will create additional demand and need for public facilities in the city of Kenmore, and the council finds that new growth and development should pay a proportionate share of the cost of new facilities needed to serve the new growth and development. The city of Kenmore has conducted extensive studies documenting the procedures for measuring the impact of new developments on public facilities, has prepared the Roads Study and Parks Study, and hereby incorporates these studies into this chapter by reference. Therefore, pursuant to Chapter 82.02 RCW, the council adopts this chapter to assess impact fees for roads and parks. The provisions of this chapter shall be liberally construed in order to carry out the purposes of the council in establishing the impact fee program. [Ord. 01-0109 Ch. 1, § 1.]

20.47.020

Definitions.

The following words and terms shall have the following meanings for the purposes of this chapter, unless the context clearly requires otherwise. Terms otherwise not defined herein shall be defined pursuant to RCW 82.02.090, or given their usual and customary meaning.

A. "Accessory dwelling unit" means a dwelling unit that has been added onto, created within, or separated from a single-family detached dwelling for use as a complete independent living unit with provisions for cooking, eating, sanitation, and sleeping.

B. "Building permit" means an official document or certification which is issued by the building official and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving or repair of a building or structure.

C. "Capital facilities plan" means the capital facilities plan element of a comprehensive plan adopted by the city of Kenmore pursuant to Chapter 36.70A RCW, and such plan as amended.

D. "City" means the city of Kenmore.

E. "Council" means the city council of the city of Kenmore.

F. "Department" means the department of community development.

G. "Development activity" means any construction, expansion, or change in the use of a building or structure that creates additional demand and need for public facilities.

H. "Development approval" means any written authorization from the city of Kenmore which authorizes the commencement of a development activity.

I. "Director" means the director of the department of community development or the director's designee.

J. "Dwelling unit" means a single unit providing complete and independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking, and sanitation needs.

K. "Encumbered" means to reserve, set aside, or otherwise earmark the impact fees in order to pay for commitments, contractual obligations, or other liabilities incurred for public facilities.

L. "Feepayer" is a person, corporation, partnership, an incorporated association, or any other similar entity, or department or bureau of any governmental entity or municipal corporation commencing a land development activity which creates the demand for additional capital facilities, and which requires the issuance of a building permit. "Feepayer" includes an applicant for an impact fee credit.

M. "Gross floor area" means the total square footage of any building, structure, or use, including accessory uses.

N. "Hearing examiner" means the examiner who acts on behalf of the city in considering and applying land use regulatory codes as provided under this code. Where appropriate, "hearing examiner" also refers to the office of the hearing examiner.

O. "Impact fee" means a payment of money imposed by the city of Kenmore on development activity pursuant to this title as a condition of granting development approval in order to pay for the public facilities needed to serve new growth and development. "Impact fee" does not include a reasonable permit fee, an application fee, the administrative fee for collecting and handling school impact fees, or the cost of reviewing independent fee calculations.

P. "Impact fee account" or "account" means the account(s) established for each type of public facility for which impact fees are collected. The accounts shall be established pursuant to KMC 20.47.080 and 20.47.090, and comply with the requirements of RCW 82.02.070.

Q. "Independent fee calculation" means the road impact calculation, park impact calculation, and/or economic documentation prepared by a feepayer, to support the assessment of an impact fee other than by the use of the rates listed in Article II of this chapter, or the calculations prepared by the director where none of the fee categories or fee amounts in Article II of this chapter accurately describe or capture the impacts of the new development on public facilities.

R. "Interest" means the average interest rate earned in the last fiscal year by the city of Kenmore.

S. "ITE Land Use Code" means the classification code number assigned to a type of land use by the Institute of Transportation Engineers in the Sixth Edition of "Trip Generation".

T. "Low-income housing" means (1) an owner-occupied housing unit affordable to households whose household income is less than 80 percent of the King County median income, adjusted for household size, as determined by the United States Department of Housing and Urban

Development (HUD), and no more than 30 percent of the household income is paid for housing expenses; or (2) a renter-occupied housing unit affordable to households whose income is less than 50 percent of the King County median income, adjusted for household size, as determined by HUD, and no more than 30 percent of the household income is paid for housing expenses (rent and an appropriate utility allowance). In the event that HUD no longer publishes median income figures for King County, the county may use or determine such other method as it may choose to determine the King County median income, adjusted for household size. The director will make a determination of sales prices or rents that meet the affordability requirements of this section. An applicant for a low-income housing exemption may be a public housing agency, a private nonprofit housing developer, or a private developer.

U. "Occupancy permit" means the permit issued by the city of Kenmore where a development activity results in a change in use of the pre-existing structure, or the creation of a new use where none previously existed.

V. "Open space" means for the purposes of this chapter undeveloped public land that is permanently protected from development (except for the development of trails or other passive public access or use).

W. "Owner" means the owner of record of real property, or a person with an unrestricted written option to purchase property; provided, that if the real property is being purchased under a recorded real estate contract, the purchaser shall be considered the owner of the real property.

X. "Parks" means parks, open space, and recreational facilities, including but not limited to ball fields, golf courses, athletic fields, soccer fields, swimming pools, tennis courts, volleyball courts, neighborhood parks, community parks, and open space.

Y. "Parks study" means the "Rate Study for Impact Fees for Parks," city of Kenmore, dated May 15, 2001.

Z. "Planned unit development" or "PUD" shall have the same meaning as set forth in this code.

AA. "Project improvements" means site improvements and facilities that are planned and designed to provide service for a particular development or users of the project, and are not system improvements. No improvement or facility included in a capital facilities plan adopted by the council shall be considered a project improvement.

BB. "Public facilities" means the following capital facilities owned or operated by the city of Kenmore or other governmental entities: (1) public streets and roads; and (2) publicly owned parks, open space, and recreation facilities.

CC. "Residential" or "residential development" means all types of construction intended for human habitation. This shall include, but is not limited to, single-family, duplex, triplex, and other multifamily development.

DD. "Road" means a right-of-way which enables motor vehicles, transit vehicles, bicycles and pedestrians to travel between destinations, and affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, street, and other thoroughfare, except an alley.

EE. "Roads study" means the "Rate Study for Impact Fees for Roads," prepared for the city of Kenmore by Henderson, Young & Company, dated December 2, 2008.

FF. "Significant past tax payment" means taxes exceeding five percent of the amount of the impact fee, and which were paid prior to the date the impact fee is assessed and were earmarked or proratable to the same system improvements for which the impact fee is assessed.

GG. "Square footage" means the square footage of the gross floor area of the development.

HH. "State" means the state of Washington.

II. "System improvements" means public facilities that are included in the city of Kenmore's capital facilities plan and are designed to provide service to service areas within the community at large, in contrast to project improvements. [Ord. 08-0292 § 3; Ord. 03-0184 § 3; Ord. 01-0109 Ch. 1, § 2.]

20.47.030

Assessment of impact fees.

A. The city shall collect impact fees, based on the rates in Article II of this chapter, from any applicant seeking development approval from the city for any development activity within the city, where such development activity requires the issuance of a building permit. This shall include, but is not limited to, the development of residential, commercial, retail, office, and industrial land, and includes the expansion of existing uses that creates a demand for additional public facilities, as well as a change in existing use that creates a demand for additional public facilities.

B. For a change in use of an existing building or dwelling unit, including any alteration, expansion, replacement or new accessory building, the impact fee shall be the applicable impact fee for the land use category of the new use, less any impact fee previously paid for the land use category of the prior use. If no impact fee was paid for the prior use, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the prior use.

C. For mixed use developments, impact fees shall be imposed for the proportionate share of each land use based on the applicable measurement in the impact fee rates set forth in Article II of this chapter.

D. Applicants seeking an occupancy permit for a change in use shall be required to pay a road impact fee if the change in use triggers review under the State Environmental Policy Act, this code, or increases the trip generation by more than five percent or 10 peak hour trips.

E. Impact fees shall be assessed at the time the complete application for a building permit or occupancy permit is submitted for each unit in the development, using the impact fee rates then in effect. Except as provided in subsection (I) of this section, impact fees shall be paid at the time the building permit is issued by the city. The city shall not accept an application for a building permit if final plat, PUD, or binding site plan approval is needed and has not yet been granted by the city. Furthermore, the city shall not accept an application for a building permit unless prior to submittal or concurrent with submittal, the feepayer submits complete applications for all other discretionary reviews needed, including, but not limited to, design review, the environmental determination, and the accompanying checklist.

F. Applicants that have been awarded credits prior to the submittal of the complete building permit application pursuant to KMC 20.47.050, shall submit, along with the complete building permit application, a copy of the letter or certificate prepared by the director pursuant to KMC 20.47.050 setting forth the dollar amount of the credit awarded. Except as provided in subsection (I) of this section, impact fees, as determined after the application of appropriate credits, shall be collected from the feepayer at the time the building permit is issued for each unit in the development.

G. Where the impact fees imposed are determined by the square footage of the development, a deposit shall be due from the feepayer at the same time that a complete application for a building permit is submitted. The deposit shall be based on an estimate, submitted by the feepayer, of the size and type of structure which will be constructed on the property. In the absence of an estimate provided by the feepayer, the department shall calculate a deposit amount based on the maximum allowable density/intensity permissible on the property. If the final square footage of the development is in excess of the initial estimate, any difference will be due prior to the issuance of a certificate of occupancy or an occupancy permit, using the rate in effect at that time. The feepayer shall pay any such difference plus interest, calculated at the interest rate which the city of Kenmore then earns. If the final square footage is less than the initial estimate, the department shall give a credit for the difference, plus interest at the interest rate which the city of Kenmore then earns.

H. Except as provided in subsection (I) of this section, the department shall not issue the required building permit or occupancy permit unless and until the impact fees set forth in Article II of this chapter have been paid in the amount that they exceed exemptions or credits provided pursuant to KMC 20.47.040 or 20.47.050.

I. For the parcels located northwest of the intersection of Northeast 181st Street and 68th Avenue Northeast, as shown on the map attached to the ordinance codified in this subsection (Ord. 07-0273):

1. The road impact fees of subsections (E) and (F) of this section shall be paid in two installments, 25 percent at issuance of building permit and 75 percent at issuance of certificate of occupancy; and

2. The deposit of subsection (G) of this section for road impact fees shall be 25 percent of the estimate. [Ord. 07-0273 § 1; Ord. 01-0109 Ch. 1, § 3.]

20.47.040

Exemptions.

A. Except as provided for below, the following shall be exempted from the payment of all impact fees:

1. Alteration of an existing nonresidential structure that does not expand the usable space or add any residential units;

2. Miscellaneous improvements, including, but not limited to, fences, walls, swimming pools, and signs;

3. Demolition or moving of a structure;

4. Expansion of an existing structure that results in the addition of 100 square feet or less of gross floor area;

5. Replacement of a structure with a new structure of the same size and use at the same site or lot when such replacement occurs within 12 months of the demolition or destruction of the prior structure. Replacement of a structure with a new structure of the same size shall be interpreted to include any structure for which the gross square footage of the building will not be increased by more than 100 square feet;

6. A change in use where the increase in trip generation is less than five percent or 10 peak hour trips;

7. Any building permit application that has been submitted to the city before 5:00 p.m. the business day before the effective date of this article and subsequently determined to be a complete application, based on the information on file as of the effective date of this article;

8. Permit applications for no more than 25 percent of the total low-income housing single-family dwelling units in any one project and regardless of whether such project is built in phases, to a maximum of 50 low-income housing single-family dwelling units in any one project and regardless of whether such project is built in phases, whether occupied by owners or renters; provided, that the owner of such low-income housing executes and records a covenant against the property for a period of 30 years guaranteeing that such dwelling units will continue to be used for low-income housing. In the event that the development is no longer used for low-income rental housing, the owner shall pay the city the impact fee from which the owner or any prior owner was exempt, plus interest at an annual rate of 10 percent. The lien shall run with the land and apply to subsequent owners for a period of 20 additional years; provided, however, that the city manager or designee shall retain the authority to increase the 25 percent threshold or the 50-unit maximum threshold provisions of this section if written findings are entered that the city can reasonably afford to pay the impact fees otherwise exempted and the proposed low-income housing units satisfy a particularly critical need. Any claim for an exemption for low-income owner-occupied housing must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

B. Repealed by Ord. 03-0184.

C. Any impact fees not collected from low-income housing pursuant to the exemption above shall be paid from public funds other than impact fee accounts.

D. The director shall be authorized to determine whether a particular development activity falls within an exemption identified in this section, in any other section, or under other applicable law. Determinations of the director shall be in writing and shall be subject to the appeals procedures set forth in KMC 20.47.070. [Ord. 03-0184 §§ 1, 2; Ord. 01-0109 Ch. 1, § 4.]

20.47.050

Credits.

A. A feepayer can request that a credit or credits for impact fees be awarded to him/her for the total value of dedicated land, improvements, or construction provided by the feepayer. Credits will be given only if the land, improvements, and/or the facility constructed are:

1. Included within the capital facilities plan or would serve the goals and objectives of the capital facilities plan; and

2. At suitable sites and constructed at acceptable quality as determined by the city.

B. The director shall determine if requests for credits meet the criteria in subsection (A) of this section.

C. For each request for a credit or credits the director shall select an appraiser or the feepayer may select an independent appraiser acceptable to the director.

D. The appraiser must possess an MAI or other equivalent certification and shall not have a fiduciary or personal interest in the property being appraised. A description of the appraiser's certification shall be included with the appraisal, and the appraiser shall certify that he or she does not have a fiduciary or personal interest in the property being appraised.

E. The appraiser shall be directed to determine the total value of the dedicated land, improvements, and/or construction provided by the feepayer on a case-by-case basis.

F. The feepayer shall pay for the cost of the appraisal or request that the cost of the appraisal be deducted from the credit which the director may be providing to the feepayer, in the event that a credit is awarded.

G. After receiving the appraisal the director shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, the legal description of the site donated where applicable, and the legal description or other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a duplicate copy of such letter or certificate indicating his or her agreement to the terms of the letter or certificate, and return such signed document to the director before the impact fee credit will be awarded. The failure of the applicant to sign, date, and return such document within 60 calendar days shall nullify the credit.

H. No credit shall be given for project improvements.

I. A feepayer can request that a credit or credits for impact fees be awarded to him/her for significant past tax payments. For each request for a credit or credits for significant past tax payments for park and road impact fees, the feepayer shall submit receipts and a calculation of past tax payments earmarked for or proratable to the particular system improvement. The director shall determine the amount of credits, if any, for significant past tax payments for park and road public facilities.

J. Any claim for credit must be made no later than 20 calendar days after the submission of an application for a building permit. The failure to timely file such a claim shall constitute a final bar to later request any such credit.

K. Determinations made by the director pursuant to this section shall be subject to the appeals procedures set forth in KMC 18.100.070. [Ord. 01-0109 Ch. 1, § 5.]

20.47.060

Tax adjustments.

Pursuant to and consistent with the requirements of RCW 82.02.060, the Roads Study and Parks Study have provided adjustments for future taxes to be paid by the new development which are earmarked or proratable to the same new public facilities which will serve the new development. The impact fee rates in Article II of this chapter have been reasonably adjusted for taxes and other revenue sources which are anticipated to be available to fund public improvements. [Ord. 01-0109 Ch. 1, § 6.]

20.47.070

Appeals.

A. Any feepayer may pay the impact fees imposed by this title under protest in order to obtain a building permit. No appeal shall be permitted until the impact fees at issue have been paid.

B. Appeals regarding the impact fees imposed on any development activity may only be filed by the feepayer of the property where such development activity will occur.

C. The feepayer must first file a request for review regarding impact fees with the director, as provided herein:

1. The request shall be in writing on the form provided by the city;

2. The request for review by the director shall be filed within 14 calendar days of the feepayer's payment of the impact fees at issue. The failure to timely file such a request shall constitute a final bar to later seek such review;

3. No administrative fee will be imposed for the request for review by the director; and

4. The director shall issue his or her determination in writing.

D. Determinations of the director with respect to the applicability of the impact fees to a given development activity, the availability or value of a credit, or the director's decision concerning the independent fee calculation which is authorized in Article II of this chapter, or the fees imposed by the director pursuant to Article II of this chapter, or any other determination which the director is authorized to make pursuant to this title, can be appealed to the hearing examiner.

E. Appeals shall be taken within 14 calendar days of the director's issuance of a written determination by filing with the department a notice of appeal specifying the grounds thereof, and depositing the necessary fee, which is set forth in the existing fee schedules for appeals of such decisions. The director shall transmit to the office of the hearing examiner all papers constituting the record for the determination, including where appropriate, the independent fee calculation.

F. The hearing examiner shall fix a time for the hearing of the appeal, give notice to the parties in interest, and decide the same as provided in this code. At the hearing, any party may appear in person or by agent or attorney.

G. The hearing examiner is authorized to make findings of fact regarding the applicability of the impact fees to a given development activity, the availability or amount of the credit, or the accuracy or applicability of an independent fee calculation. The decision of the hearing examiner shall be final, except as provided in this section.

H. The hearing examiner may, so long as such action is in conformance with the provisions of this chapter, reverse or affirm, in whole or in part, or may modify the determinations of the director with respect to the amount of the impact fees imposed or the credit awarded. [Ord. 01-0109 Ch. 1, § 7.]

20.47.080

Establishment of impact fee accounts.

A. Impact fee receipts shall be earmarked specifically and deposited in special interest-bearing accounts.

B. There are hereby established two separate impact fee accounts for the fees collected pursuant to this title: the roads impact account and the parks impact account. Funds withdrawn from these accounts must be used in accordance with the provisions of KMC 20.47.100 and applicable state law. Interest earned on the fees shall be retained in each of the accounts and expended for the purposes for which the impact fees were collected.

C. On an annual basis, the finance director shall provide a report to the council on each of the two impact fee accounts showing the source and amount of all monies collected, earned, or received, and the public improvements that were financed in whole or in part by impact fees.

D. Impact fees shall be expended or encumbered within six years of receipt, unless the council identifies in written findings extraordinary and compelling reason or reasons for the city to hold the fees beyond the six-year period. Under such circumstances, the council shall establish the

period of time within which the impact fees shall be expended or encumbered. [Ord. 01-0109 Ch. 1, § 8.]

20.47.090

Refunds.

A. If the city fails to expend or encumber the impact fees within six years of when the fees were paid, or where extraordinary or compelling reasons exist, such other time periods as established pursuant to KMC 20.47.080, the current owner of the property on which impact fees have been paid may receive a refund of such fees. In determining whether impact fees have been expended or encumbered, impact fees shall be considered expended or encumbered on a first-in, first-out basis.

B. The city shall notify potential claimants by first class mail deposited with the United States Postal Service at the last known address of such claimants. A potential claimant or claimant must be the owner of the property.

C. Owners seeking a refund of impact fees must submit a written request for a refund of the fees to the director within one year of the date the right to claim the refund arises or the date that notice is given, whichever is later.

D. Any impact fees for which no application for a refund has been made within this one-year period shall be retained by the city and expended on the appropriate public facilities.

E. Refunds of impact fees under this section shall include any interest earned on the impact fees by the city.

F. When the city seeks to terminate any or all components of the impact fee program, all unexpended or unencumbered funds from any terminated component or components, including interest earned, shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail at the last known address of the claimants. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the city, but must be expended for the appropriate public facilities. This notice requirement shall not apply if there are no unexpended or unencumbered balances within the account or accounts being terminated.

G. The city shall also refund to the current owner of property for which impact fees have been paid all impact fees paid, including interest earned on the impact fees, if the development activity for which the impact fees were imposed did not occur; provided, that if the city has expended or encumbered the impact fees in good faith prior to the application for a refund, the director can decline to provide the refund. If within a period of three years, the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner can petition the director for an offset. The petitioner must provide receipts of impact fees previously paid for a development of the same or substantially similar nature on the same property or some portion thereof. In the case of park or fire impact fees, the director shall determine whether to grant an offset, and the determinations of the director may be appealed pursuant to the procedures in KMC 20.47.070. Determinations of the director shall be in writing and shall be subject to the appeals procedures set forth in KMC 20.47.070. [Ord. 01-0109 Ch. 1, § 9.]

20.47.100

Use of funds.

A. Pursuant to this title, impact fees shall:

1. Be used for public improvements that will reasonably benefit the new development; and
2. Not be imposed to make up for deficiencies in public facilities serving existing developments; and
3. Not be used for maintenance or operation.

B. Road impact fees may be spent for public improvements, including, but not limited to, planning, land acquisition, right-of-way acquisition, site improvements, necessary off-site

improvements, construction, engineering, architectural, permitting, financing, and administrative expenses, applicable impact fees or mitigation costs, and any other expenses which can be capitalized.

C. Park impact fees may be spent for public improvements, including, but not limited to, planning for parks that will reasonably benefit the new development, land acquisition, site improvements, necessary off-site improvements, construction, engineering, architectural, permitting, financing, and administrative expenses, applicable impact fees or mitigation costs, and capital equipment pertaining to park facilities.

D. Impact fees may also be used to recoup public improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously constructed improvements or incurred costs.

E. In the event that bonds or similar debt instruments are or have been issued for the advanced provision of public improvements for which impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section and are used to serve the new development. [Ord. 01-0109 Ch. 1, § 10.]

20.47.110

Review.

The fee rates set forth in Article II of this chapter may be reviewed and adjusted by the council as it deems necessary and appropriate in conjunction with the annual update of the capital facilities plan element of the city's comprehensive plan. The fee rates shall be adjusted 12 months after the effective date of this article, or 12 months after the most recent review by the council. The council may determine the amount of the adjustment and revise the fee rates set forth in Article II of this chapter. Absent such affirmative council adjustment, the adjustment shall be 100 percent of the Consumer Price Index-W for the Seattle area, for the most recent 12-month period prior to the date of the adjustment. Subsequent fee rate changes shall be as established in the city council's annual fee resolution. [Ord. 02-0147 § 1; Ord. 01-0109 Ch. 1, § 11.]

Article II. Rates

20.47.120

Road impact fee.

The road impact fee rates in this section are generated the formula for calculating impact fees set forth in the Roads Study, which is incorporated herein by reference. Except as otherwise provided for independent fee calculations in KMC 20.47.140, exemptions in KMC 20.47.040, and credits in KMC 20.47.050, all new developments in the city will be charged the road impact fee applicable to the type of development, in an amount imposed by the city council by resolution. [Ord. 02-0139 § 1; Ord. 01-0109 Ch. 2, § 1.]

20.47.130

Park impact fee.

The park impact fee rates in this section are generated from the formula for calculating impact fees set forth in the Parks Study and the Parks and Recreation Master Plan, which are incorporated herein by reference. Except as otherwise provided for in KMC 20.47.140, Independent fee calculations; KMC 20.47.040, Exemptions; and KMC 20.47.050, Credits, all new residential developments in the city will be charged the park impact fee applicable to the type of dwelling unit, in an amount imposed by the city council by resolution. [Ord. 03-0173 § 1; Ord. 02-0139 § 1; Ord. 01-0109 Ch. 2, § 2.]

20.47.140

Independent fee calculations.

A. If in the judgment of the director, none of the fee categories or fee amounts set forth in KMC 20.47.120 or 20.47.130 accurately describe or capture the impacts of a new development on roads, parks or fire protection facilities, the department may conduct independent fee calculations and the director may impose alternative fees on a specific development based on those calculations. The alternative fees and the calculations shall be set forth in writing and shall be mailed to the feepayer.

B. If a feepayer opts not to have the impact fees determined according to KMC 20.47.120 or 20.47.130, then the feepayer shall prepare and submit to the director an independent fee calculation for the development activity for which a building permit is sought. The documentation submitted shall show the basis upon which the independent fee calculation was made.

C. Any feepayer submitting an independent fee calculation will be required to pay the city of Kenmore a fee to cover the cost of reviewing the independent fee calculation. The fee required by the city for conducting the review of the independent fee calculation shall be imposed by the city council by resolution, unless otherwise established by the director, and shall be paid by the feepayer prior to initiation of review.

D. While there is a presumption that the calculations set forth in the Roads Study and Parks Study are valid, the director shall consider the documentation submitted by the feepayer, but is not required to accept such documentation or analysis which the director reasonably deems to be inaccurate or not reliable, and may, in the alternative, require the feepayer to submit additional or different documentation for consideration. The director is authorized to adjust the impact fees on a case-by-case basis based on the independent fee calculation, the specific characteristics of the development, and/or principles of fairness. The fees or alternative fees and the calculations shall be set forth in writing and shall be mailed to the feepayer.

E. Determinations made by the director pursuant to this section may be appealed to the office of the hearing examiner as set forth in KMC 20.47.070. [Ord. 02-0139 § 1; Ord. 01-0109 Ch. 2, § 3.]

Article III. Miscellaneous Provisions

20.47.150

Existing authority unimpaired.

Nothing in this chapter shall preclude the city from requiring the feepayer or the proponent of a development activity to mitigate adverse environmental impacts of a specific development pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, based on the environmental documents accompanying the underlying development approval process, and/or Chapter 58.17 RCW, governing plats and subdivisions; provided, that the exercise of this authority is consistent with the provisions of Chapters 43.21C and 82.02 RCW. [Ord. 01-0109 Ch. 2, § 3.]

20.47.155

Park space in lieu of impact fee.

A. The payment of a parks impact fee, consistent with this chapter shall be the preferred method of meeting park space requirements for all new development, except as follows:

B. At the discretion of the city, the fee payer may be able to receive credit towards their impact fee for land dedicated, improvements made or other construction completed for park purposes.

1. Such land improvements or construction completed shall be adjacent to other publicly owned land; or

2. Be within an area of the city designated within the city comprehensive plan as in need of park space; or

3. Would in some other way further the goals and objectives of the capital facilities plan or other city plans;

4. All such improvements shall be constructed at an acceptable quality as determined by the city. [Ord. 01-0109 Ch. III, § 4(A); Ord. 00-0097 § 1(A); Ord. 98-0026 §§ 1, 2 (KCC 21A.14.180).]

ATTACHMENT #6

City of Kenmore
Washington

Transportation Impact Fees History of Fee Increases for Single Family Residences

January 10, 2012

<u>History of Transportation Impact Fee Increases for Single Family Residence</u>						
<u>Effective Year</u>	<u>Fee</u>	<u>\$ Increase</u>	<u>% Increase</u>	<u>Index</u>	<u>Resolution</u>	
Recommended 2012	8434.02	347.71	4.30%	Seattle CPI W Oct	12-194	
2011	8086.31	64.18	0.80%	Seattle CPI W Oct	11-186	
2010	8022.13	0	0%	Seattle CPI W Oct (was .3%)	09-174	
2009	8022.13	5419.71	n/a	Established from TIP study	08-162	
2008	2602.42	92.85	3.70%	US CPI W Oct 2007	07-149	
2007	2509.57	119.5	5.00%	Seattle CPI W Aug 2006	06-128	
2006	2390.07	69.61	3.00%	Seattle CPI W Aug 2005	05-109	
2005	2320.46	45.5	2.00%	Seattle CPI W Oct 2004	04-095	
2004	2274.96	20.29	0.90%	Seattle CPI W June 2003	03-082	
2003	2254.67	33.32	1.50%	Seattle CPI W June 2002	02-073	
2002	2221.35			Initial Fee Established	Ordinance 01-109	

CITY OF KENMORE, WASHINGTON			
AGENDA BILL SUMMARY			
AGENDA TITLE			MEETING DATE
Ordinance No. 12-0333; of the City of Kenmore, Washington, Amending the Building and Construction Appeal Process From a Board of Appeals to a Hearing Examiner Process.			January 23, 2012
DEPARTMENT	DIRECTOR	CONTACT PERSON	PHONE
Land Development and Permitting	Bryan Hampson 	Bryan Hampson	425-398-8900
COST OF PROPOSAL: Staff time to prepare City Attorney time to review		ACCOUNT NUMBER: 01595001 Regular Salary & Wages	
AMOUNT BUDGETED: The 2011/2012 biennium budget includes regular salaries and wages and City Attorney expenses		NAME AND FUND #: General Fund 01	
ATTACHMENT(S) TO AGENDA PACKET ITEM: 1. Cover Memorandum dated 1/6/2012 describing proposed changes to appeal process. 2. Ordinance No. 12-0333; of the City of Kenmore, Washington, Amending the Building and Construction Appeal Process From a Board of Appeals to a Hearing Examiner Process. 3. Currently Adopted Appeals Process With Proposed Changes Shown in Red. 4. Ordinance Nos. 98-0027 & 98-0039.			
SUMMARY STATEMENT: The City's currently adopted petition process for building and construction related appeals are through a Board of Appeals. All other decisions and determinations by the City are appealed through a Hearing Examiner. The City currently has an established Hearing Examiner process and system, whereas, a board of appeals process has not been established by the City. One process is not better than the other; nonetheless, it is not necessary to have both processes in place. Most cities and jurisdictions have transitioned from a Board of Appeals to a Hearing Examiner process, because it is more manageable and just as effective.			
CONSISTENT WITH OR COMPARISON TO PAST COUNCIL POLICIES, ORDINANCES, DIRECTION: The City created and established a Hearing Examiner through an Ordinance in 1998, (Ord. 98-0027).			
RECOMMENDED CITY COUNCIL ACTION/SUGGESTED MOTION: Approve Ordinance No. 12-0333, City of Kenmore, Washington, Amending the Building and Construction Appeal Process From a Board of Appeals to a Hearing Examiner Process.			
REVIEWED BY FINANCE DIRECTOR:	REVIEWED BY CITY ATTORNEY: 1/10/12 RK	APPROVED BY CITY MANAGER:	
			
TODAY'S DATE: 1/11/2012	REVISION DATE(S):	FILE NAME & PATH (HYPERLINK): ..January 23, 2012	



City Of Kenmore, Washington

Memorandum

Date: January 6, 2012

To: Fred Stouder, City Manager

From:  Bryan Hampson, Land Development and Permitting Director

Re: **Ordinance No. 12-0333; of the City of Kenmore, Washington, Amending the Building and Construction Appeal Process From a Board of Appeals to a Hearing Examiner Process**

The City's currently adopted petition process for building and construction related appeals are through a Board of Appeals. All other decisions and determinations by the City are appealed through a Hearing Examiner. The City currently has an established Hearing Examiner process and system, whereas, a board of appeals process has not been established by the City. One process is not better than the other; nonetheless, it is not necessary to have both processes in place. Most cities and jurisdictions have transitioned from a Board of Appeals to a Hearing Examiner process, because it is more manageable and just as effective.

A Board of Appeals is similar to any other board or commission appointed by the Council. The members can range from three to seven qualified individuals. The selection of the individuals is through an application and interview process. The Board adopts rules of procedures for conducting its business. When a position becomes vacant the City must advertise and conduct interviews accordingly.

The City created and established a Hearing Examiner through an Ordinance in 1998, (Ord. 98-0027. The Hearing Examiner is solicited through a request for proposal process and the candidates are interviewed and appointed by the City Manager. The current Hearing Examiner process is outlined in the Kenmore Municipal Code, Chapter 19.30.

Petitions currently decided by the Hearing Examiner in the City of Kenmore are:

Appeals of all land use decisions; appeals from notices of violations; appeals rate adjustments to surface and stormwater management rates and charges; appeals from police department seizures and intended forfeitures; appeals from notices and certifications of junk vehicles to be removed; appeals of impact fee, transportation concurrency, and intersection standard decisions; appeals of State Environmental Policy Act decisions; appeals of decisions for the licensing of adult cabarets and adult retail businesses; appeals of flood hazard area boundaries and zoning code interpretations; and appeals of a preliminary determination that a proposed development is not permissible.

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 12-0333**

**AN ORDINANCE OF THE CITY OF KENMORE,
WASHINGTON, AMENDING THE BUILDING AND
CONSTRUCTION APPEALS PROCESS FROM A
BOARD OF APPEALS TO A HEARING EXAMINER
APPEAL PROCESS.**

WHEREAS, the City Council has adopted Title 15, Buildings and Construction of the Kenmore Municipal Code (KMC); and

WHEREAS, Title 15, Buildings and Construction of the KMC adopts and amends the International Building and Fire Codes and Uniform Code for the Abatement of Dangerous Buildings; and

WHEREAS, the International Building and Fire Codes and Uniform Code for the Abatement of Dangerous Buildings require an appeal process; and

WHEREAS, the City is authorized to amend the International Building and Fire Codes and Uniform Code for the Abatement of Dangerous Buildings as it applies with the City; and

WHEREAS, the City Council has determined that amending the appeals process from a Board of Appeals to a Hearing Examiner process is in the public interest; and

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

Title. The following codes are amended, deleted, or repealed as follows:

1. KMC Section 15.10.035 and International Fire Code Section 108 are amended; and
2. KMC Section 15.15.160, Fire Hydrants and Water Mains are amended; and
3. KMC Section 15.20.110 and Uniform Housing Code Sections 203 and 1201.2 are amended; and
4. Uniform Housing Code Section 1201.3 and Chapter 13 are deleted; and
5. KMC Section 15.20.145 and Uniform Code for the Abatement of Dangerous Buildings Section 205 and 501.2 are amended; and
6. Uniform Code for the Abatement of Dangerous Buildings Section 501.3 and Chapter 6 are deleted; and

7. KMC Sections 15.30.535 and 15.30.540, Construction Administrative Code are amended; and

8. KMC Sections 15.30.545 through 15.30.560, Construction Administrative Code are repealed.

Section 1. Section 15.10.035 of the Kenmore Municipal Code is hereby amended to read as follows:

15.10.035 International Fire Code Section 108 Board of Appeals replaced.
Section 108 of the International Fire Code is deleted and replaced with the following:

APPEALS

Appeals of orders, decisions or determinations made by the fire code official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

Section 2. Section 15.15.160 Fire Hydrants and Water Mains of the Kenmore Municipal Code is hereby amended to read as follows:

15.15.160 Appeals.

The city of Kenmore hearing examiner shall have the authority to hear appeals from the requirements of this chapter.

Section 3. Section 15.20.110 of the Kenmore Municipal Code is hereby amended to read as follows:

15.20.110 1997 Uniform Housing Code adopted .

The Uniform Housing Code (UHC) issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the housing code for the city except that references to the Uniform Codes shall be replaced with the appropriate technical codes and sections as adopted by the city.

A. UHC Section 203 is hereby amended as follows:

SECTION 203- APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

B. UHC Section 1201.2 amended as follows:

1201.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10.

C. UHC Section 1201.3 is hereby deleted.

D. UHC Chapter 13 “RULES FOR CONDUCT OF HEARING APPEALS” is hereby deleted in its entirety.

Section 4. Section 15.20.145 of the Kenmore Municipal Code is hereby amended to read as follows:

15.20.145 Uniform Code for the Abatement of Dangerous Buildings adopted.

The Uniform Code for the Abatement of Dangerous Buildings (UCADB) issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as if fully set forth herein as the Dangerous Buildings Code for the city, except that references to the Uniform Codes shall be replaced with the appropriate technical codes and sections as adopted by the city.

A. UCADB Section 205 is hereby amended as follows:

SECTION 205- APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and

referenced code standards adopted by the city.

B. UCADB Section 501.2 amended as follows:

501.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10.

C. UCADB Section 501.3 is hereby deleted.

D. UCADB Chapter 6 “PROCEDURES FOR CONDUCT OF HEARING APPEALS” is hereby deleted in its entirety.

Section 5. Section 15.30.535 Construction Administrative Code of the Kenmore Municipal Code is hereby amended to read as follows:

Article XIII. APPEALS

15.30.535 General.

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10.

Section 6. Section 15.30.540 Construction Administrative Code of the Kenmore Municipal Code is hereby amended to read as follows:

15.30.540 Limitations on Authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

Section 7. Sections 15.30.545 through 15.30.560 Construction Administrative Code of the Kenmore Municipal Code are hereby repealed.

Section 8. Effective Date. This ordinance shall take effect and be in force on January 30, 2012, which date is more than five (5) days after the date of publication of this Ordinance.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE __ DAY OF _____, 2010.**

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Lynn Batchelor, City Clerk

Approved as to form:

Rod P. Kaseguma, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.:
Date of Publication:
Effective Date:

ATTACHMENT #3

CITY OF KENMORE WASHINGTON ORDINANCE NO. 12-0333

With Proposed Changes Shown to the City's Appeal Process

Title. The following codes are amended, deleted, or repealed as follows:

1. KMC Section 15.10.035 and International Fire Code Section 108 are amended; and
2. KMC Section 15.15.160, Fire Hydrants and Water Mains are amended; and
3. KMC Section 15.20.110 and Uniform Housing Code Sections 203 and 1201.2 are amended; and
4. Uniform Housing Code Section 1201.3 and Chapter 13 are deleted; and
5. KMC Section 15.20.145 and Uniform Code for the Abatement of Dangerous Buildings Section 205 and 501.2 are amended; and
6. Uniform Code for the Abatement of Dangerous Buildings Section 501.3 and Chapter 6 are deleted; and
7. KMC Sections 15.30.535 and 15.30.540, Construction Administrative Code are amended; and
8. KMC Sections 15.30.545 through 15.30.560, Construction Administrative Code are repealed.

Section 1. Section 15.10.035 of the Kenmore Municipal Code is hereby amended to read as follows:

15.10.035 International Fire Code Section 108 Board of Appeals replaced.
Section 108 of the International Fire Code is deleted and replaced with the following:

APPEALS

Board of Appeals; General

~~In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.~~

Board of Appeals; Limitations on Authority

~~An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the jurisdiction.~~

Board of Appeals; Qualifications

~~The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to fire code application and are not employees of the jurisdiction.~~

Board of Appeals; Reconsideration

~~Within seven days after issuance of the board's decision, a party to the appeal may request reconsideration by the board. The request for reconsideration shall identify the specific reasons in fact of law why the board should grant reconsideration. The board secretary and all parties must be served with the request for reconsideration not later than seven days after the date of the board's written decision on the appeal.~~

Board of Appeals; Corrections

~~The board, on its own initiative, may issue a revised written decision at any time within the time limits applicable to court review.~~

Board of Appeals; Court Review

~~The decision of the board shall be final, subject to review by a court of competent jurisdiction. Unless otherwise specifically provided by law, a court action for judicial review must be filed within 10 days after the date of the board's written decision, or within 10 days after the date of the board's decision on reconsideration, if applicable.~~

Appeals of orders, decisions or determinations made by the fire code official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

ORDINANCE NO. 12-0333

With Proposed Changes Shown to the City's Appeal Process Cont.

Page 3 of 7

Section 2. Section 15.15.160 Fire Hydrants and Water Mains of the Kenmore Municipal Code is hereby amended to read as follows:

15.15.160 Appeals.

The city of Kenmore ~~fire prevention advisory and appeals board hearing examiner~~ shall have the authority to hear appeals ~~and make recommendations to the fire marshal~~ from the requirements of this chapter.

Section 3. Section 15.20.110 of the Kenmore Municipal Code is hereby amended to read as follows:

15.20.110 1997 Uniform Housing Code adopted .

The Uniform Housing Code (UHC) issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the housing code for the city except that references to the Uniform Codes shall be replaced with the appropriate technical codes and sections as adopted by the city.

A. UHC Section 203 is hereby amended as follows:

SECTION 203- ~~HOUSING ADVISORY AND APPEALS BOARD~~

~~**203.1 General.** In order to hear and decide appeals of orders, decisions or determinations made to the building official relative to the application and interpretations of this code, there shall be and is hereby created a housing advisory and appeals board consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The housing advisory and appeals board shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. Appeals to the board shall be processed in accordance with the provisions contained in Section 1201 of this code. Copies of all rules of procedure adopted by the board shall be delivered to the building official, who shall make them accessible to the public.~~

~~**203.2 Limitations of Authority.** The housing advisory and appeals board shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10. An application for appeal shall be based on a claim that the true intent of this code~~

or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

B. UHC Section 1201.2 amended as follows:

1201.2 Processing of Appeal. Upon receipt of any appeal filed pursuant to this section, the building official shall present it at the next regular or special meeting of the board of appeals. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10.

C. UHC Section 1201.3 is hereby deleted.

1201.3 Scheduling and Noticing Appeal for Hearing. As soon as practical after receiving the written appeal, the housing advisory and appeals board shall fix a date, time and place for the hearing of the appeal by the board. Such date shall not be less than 10 days nor more than 60 days from the date the appeal was filed with the building official. Written notice of the time and place of the hearing to each appellant by the secretary of the board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal

D. UHC Chapter 13 "RULES FOR CONDUCT OF HEARING APPEALS" is hereby deleted in its entirety.

Section 4. Section 15.20.145 of the Kenmore Municipal Code is hereby amended to read as follows:

15.20.145 Uniform Code for the Abatement of Dangerous Buildings adopted.

The Uniform Code for the Abatement of Dangerous Buildings (UCADB) issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as if fully set forth herein as the Dangerous Buildings Code for the city, except that references to the Uniform Codes shall be replaced with the appropriate technical codes and sections as adopted by the city.

A. UCADB Section 205 is hereby amended as follows:

SECTION 205-BOARD OF APPEALS

205.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience

~~and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member and shall act as secretary to said board but shall have not vote upon any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the building official. Appeals to the board shall be processed in accordance with the provisions contained in Section 501 of this code. Copies of all rules or regulations adopted by the board shall be delivered to the building official, who shall make them freely accessible to the public.~~

205.2 Limitations of Authority. ~~The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.~~

B. UCADB Section 501.2 amended as follows:

501.2 Processing of Appeal. ~~Upon receipt of any appeal filed pursuant to this section, the building official shall present it at the next regular or special meeting of the board of appeals. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10.~~

C. UCADB Section 501.3 is hereby deleted.

501.3 Scheduling and Noticing Appeal for Hearing. ~~As soon as practical after receiving the written appeal, the board of appeals shall fix a date, time and place for the hearing of the appeal by the board. Such date shall not be less than 10 days nor more than 60 days from the date the appeal was filed with the building official. Written notice of the time and place of the hearing to each appellant by the secretary of the board either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.~~

D. UCADB Chapter 6 "PROCEDURES FOR CONDUCT OF HEARING APPEALS" is hereby deleted in its entirety.

Section 5. Section 15.30.535 Construction Administrative Code of the Kenmore Municipal Code is hereby amended to read as follows:

Article XIII. ~~BOARD OF~~ APPEALS

15.30.535 General.

~~In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the construction codes or this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10.~~

Section 6. Section 15.30.540 Construction Administrative Code of the Kenmore Municipal Code is hereby amended to read as follows:

15.30.540 Limitations on Authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. ~~The board of appeals~~ hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

Section 7. Sections 15.30.545 through 15.30.560 Construction Administrative Code of the Kenmore Municipal Code are hereby repealed.

~~15.30.545 Qualifications.~~

~~The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~

~~15.30.550 Reconsideration.~~

~~Within seven days after the issuance of the board's decision, a party to the appeal may request reconsideration by the board. The request for reconsideration shall identify the specific reasons in fact or law why the board should grant reconsideration. The board secretary and all parties must be served with the request for reconsideration not later than seven days after the date of the board's written decision on the appeal.~~

~~15.30.555 Corrections.~~

~~The board, on its own initiative, may issue a revised written decision at any time within the~~

ORDINANCE NO. 12-0333

With Proposed Changes Shown to the City's Appeal Process Cont.

Page 7 of 7

~~time limits applicable to court review.~~

~~**15.30.560 Court review.**~~

~~The decision of the board shall be final, subject to review by a court of competent jurisdiction. Unless otherwise specifically provided by law, a court action for judicial review must be filed within 10 days after the date of the board's written decision, or within 10 days after the date of the board's decision on reconsideration, if applicable.~~

Amended by
98-0039

ORDINANCE NO. 98-0027

**AN ORDINANCE OF THE CITY OF KENMORE,
WASHINGTON ADOPTING INTERIM PLANNING POLICIES AND
PROCEDURES
AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, The City of Kenmore will officially incorporate on August 31, 1998,
and

WHEREAS, as a newly incorporated city, Kenmore will have four and one-half
years from the date of incorporation to adopt a comprehensive plan and development
regulations that complies with the requirements of the Growth Management Act, and

WHEREAS, it is the intent of the City Council to actively involve the community
in the comprehensive planning process, and

WHEREAS, in order to allow sufficient time to prepare and implement a work
program for the comprehensive plan, it is necessary to adopt an interim zoning code and
map, an interim comprehensive plan, and interim development regulations, and

WHEREAS, the Kenmore City Council conducted community meetings on July
8th and 9th, 1998 to receive public comments on the appropriateness of adopting the King
County zoning code and map, the King County comprehensive plan, the Northshore Plan,
and King County development regulations on an interim basis, and

Whereas, the Kenmore City Council, based on community input, has identified
several potential changes to these plans and regulations that make them more appropriate
for Kenmore, and

WHEREAS, a public hearing was held on August 3rd, 1998 to receive public
comments on these modified plans and regulations, and

WHEREAS, the City Council hereby finds that the protection of the public health,
safety, and welfare requires adoption of said interim zoning code and map, interim
comprehensive plan and interim development regulations.

NOW THEREFORE, the City Council of the City of Kenmore does ordain as
follows:

Section 1. Interim Planning Policies and Procedures. Title 20 of the King County
Code attached hereto as Exhibit "A" and incorporated in full by reference as presently
constituted or hereafter amended is hereby adopted as the interim planning policies and
procedures for the City of Kenmore, except as specifically modified herein.

Section 2. References. Unless the context requires otherwise, any reference to County or King County shall refer to the City of Kenmore, any reference to the King County Council shall refer to the Kenmore City Council, any reference to King County Hearings Examiner shall refer to Kenmore Hearings Examiner, and any reference to King County staff shall refer to the Kenmore City Manager or designee.

Section 3. Sections Deleted. Sections 20.12.467, 20.24.030, 20.24.040, 20.24.050, 20.24.060, and 20.24.065 of the King County Code are hereby deleted and are not adopted by the City of Kenmore.

Section 4. Northshore School District Capital Facilities Plan. The Northshore School District No. 417 Capital Facilities Plan, adopted May 12, 1998 or as subsequently amended or updated by the Northshore School District is hereby adopted by reference. A copy of this capital facilities plan, is on file with the City Clerk.

Section 5. Appointment of Hearings Examiner. The City Manager or his/her designee is authorized to appoint a Hearings Examiner(s) and to execute the necessary contract documents as appropriate.

Section 6. Interim Comprehensive Plan Policies. In addition to the policies contained in the King County Comprehensive Plan, the policies contained in the Exhibits "B" and "C" are hereby adopted as interim comprehensive plan policies.

- A. In the event of a conflict between the policies contained in the King County Comprehensive Plan and the policies contained in Exhibits "B" and "C," the policies in Exhibits "B" and "C" shall prevail.

Section 7. Categorical Exemptions Amended. Section 20.44.040 paragraph 1 of the King County Code pertaining to categorical exemptions from environmental procedures is hereby amended to read as follows:

- A. The following exempt threshold levels are hereby established pursuant to WAC 197-11-800 (1) (c) for the exemptions in WAC 197-11-800 (1) (b):
 - 1. The construction or location of any residential structures of four dwelling units;
 - 2. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots;
 - 3. The construction of an office, school, commercial, recreational, service or storage building with 4,000 square feet of gross floor area, and with associated parking facilities designed for twenty automobiles;
 - 4. The construction of a parking lot designed for twenty automobiles;

5. Any fill or excavation of 100 cubic yards throughout the total lifetime of the fill or excavation and any fill or excavation classified as a class I, II, or III forest practice under RCW 76.09.050 or regulation thereunder.

Section 8. Adoption of Certain Other Laws. To the extent that any provision of the King County Code, or other law, rule or regulation is referenced in the attached Interim Planning Policies and Procedures or is necessary to establish the validity, enforceability or interpretation of the Interim Planning Policies and Procedures, then such provision of the King County code, or other law, rule or regulation is hereby adopted.

Section 9. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 10. Effective date. This ordinance or a summary thereof consisting of the title shall be published in the City's official newspaper and shall be effective as of August 31, 1998.

PASSED by the City Council of the City of Kenmore this 17th day of August, 1998.

APPROVED:



Mayor, Jack V. Crawford

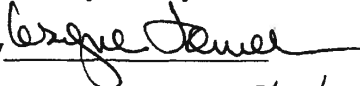
ATTEST/AUTHENTICATED:



Interim City Clerk, Ruth Muller

APPROVED AS TO FORM:

Interim City Attorney:

By 

Filed with the City Clerk: 8/13/98
Passed by the City Council: 8/17/98
Published: 8/24/98
Effective Date: 8/31/98
Ordinance No. 98-0027

Amends
98-0027

ORDINANCE NO. 98-0039

AN ORDINANCE OF THE CITY OF KENMORE,
WASHINGTON AMENDING THE PROCEDURES FOR PROCESSING
APPEALS OF TYPE III LAND USE PERMIT DECISIONS.

WHEREAS, The City of Kenmore officially incorporated on August 31, 1998, and

WHEREAS, as a newly incorporated city, Kenmore will have four and one-half years from the date of incorporation to adopt a comprehensive plan and development regulations that complies with the requirements of the Growth Management Act, and

WHEREAS, it is the intent of the City Council to actively involve the community in the comprehensive planning process, and

WHEREAS, in order to allow sufficient time to prepare and implement a work program for the comprehensive plan, it is necessary to adopt an interim zoning code and map, an interim comprehensive plan, and interim development regulations, and

WHEREAS, the City Council desires to process appeals of land use permit decisions in an expeditious manner.

NOW THEREFORE, The City Council of the City of Kenmore does ordain as follows:

Section 1. Appeals of Type III Land Use Permit Decisions. Ordinance number 98-0027 is hereby amended to provide that Type III land use permit decisions shall be appealed directly to King County Superior Court, pursuant to RCW 36.70C The Land Use Petition Act.

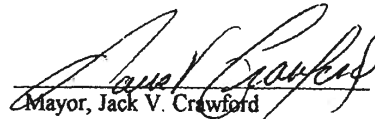
Section 2. Adoptions of Certain Other Laws. To the extent that any provision of the King County Code, or other law, rule or regulation is referenced in the attached Interim Planning Policies and Procedures or is necessary to establish the validity, enforceability or interpretation of the Interim Planning Policies and Procedures, then such provision of the King County code, or other law, rule or regulation is hereby adopted.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

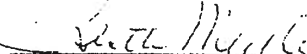
Section 4. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the City's official newspaper and shall take effect and be in full force five (5) days after the date of publication.

PASSED by the City Council of the City of Kenmore this 6th day of
October 1998

APPROVED:


Mayor, Jack V. Crawford

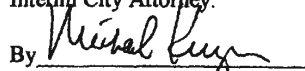
ATTEST/AUTHENTICATED:


Interim City Clerk, Ruth Muller

APPROVED AS TO FORM:

Interim City Attorney:

By



Filed with the City Clerk: 10/12/98
Passed by the City Council: 10/12/98
Published: 10/12/98
Effective Date: 10/17/98
Ordinance No: 98-0333



City Of Kenmore, Washington

Memorandum

Date: January 20, 2012

To: Fred Stouder, City Manager

From: Bryan Hampson, Land Development and Permitting Director

Re: **Minor Formatting and Grammatical Changes to Ordinance No. 12-0333**

Please replace the previous version of Ordinance Number 12-0333 with the attached version. Minor formatting and grammatical edits have been made to the previous document.

No substantial changes were made to the Ordinance. Attached for convenience is a copy of the previous version showing the changes and our comments.

Thank you.

CITY OF KENMORE

WASHINGTON

ORDINANCE NO. 12-0333

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, TRANSFERRING RESPONSIBILITY FOR BUILDING AND CONSTRUCTION APPEALS FROM A BOARD OF APPEALS TO THE HEARING EXAMINER; AMENDING SECTIONS 15.10.035, 15.15.160, 15.30.535, AND 15.30.540 OF THE KENMORE MUNICIPAL CODE; AMENDING SECTIONS 203 AND 1201.2 OF THE UNIFORM HOUSING CODE, AND SECTIONS 205 AND 501.2 OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; DELETING SECTION 1201.3 AND CHAPTER 13 OF THE UNIFORM HOUSING CODE, AND SECTION 501.3 AND CHAPTER 6 OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; AND REPEALING SECTIONS 15.30.545 THROUGH 15.30.560 OF THE KENMORE MUNICIPAL CODE.

WHEREAS, the City Council has adopted Title 15, Buildings and Construction of the Kenmore Municipal Code (KMC); and

WHEREAS, Title 15, Buildings and Construction of the KMC adopts and amends the International Building and Fire Codes and Uniform Code for the Abatement of Dangerous Buildings; and

WHEREAS, the International Building and Fire Codes and Uniform Code for the Abatement of Dangerous Buildings require an appeal process; and

WHEREAS, the City is authorized to amend the International Building and Fire Codes and Uniform Code for the Abatement of Dangerous Buildings as it applies with the City; and

WHEREAS, the City Council has determined that amending the appeals process from a Board of Appeals to a Hearing Examiner process is in the public interest; and

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

Section 1. Section 15.10.035 of the Kenmore Municipal Code is hereby amended to read as follows:

15.10.035 International Fire Code Section 108 Board of Appeals replaced.
Section 108 of the International Fire Code is deleted and replaced with the following:

APPEALS

Appeals of orders, decisions or determinations made by the fire code official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

Section 2. Section 15.15.160 Fire Hydrants and Water Mains of the Kenmore Municipal Code is hereby amended to read as follows:

15.15.160 Appeals.

The city of Kenmore hearing examiner shall have the authority to hear appeals from the requirements of this chapter.

Section 3. Section 203 of the Uniform Housing Code is hereby amended to read:

SECTION 203- APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

Section 4. Section 1201.2 of the Uniform Housing Code is hereby amended to read:

1201.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30.

Section 5. Section 1201.3 of the Uniform Housing Code is deleted.

Section 6. Chapter 13 "RULES FOR CONDUCT OF HEARING APPEALS" of the Uniform Housing Code is deleted.

Section 7. Section 205 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

SECTION 205- APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter

19.30. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

Section 8. Section 501.2 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

501.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30.

Section 9. Section 501.3 of the Uniform Code for the Abatement of Dangerous Buildings is deleted.

Section 10. Chapter 6 "PROCEDURES FOR CONDUCT OF HEARING APPEALS" of the Uniform Code for the Abatement of Dangerous Buildings is deleted.

Section 11. Section 15.30.535, Construction Administrative Code, of the Kenmore Municipal Code is hereby amended to read as follows:

Article XIII. APPEALS

15.30.535 General.

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30.

Section 12. Section 15.30.540, Construction Administrative Code, of the Kenmore Municipal Code is hereby amended to read as follows:

15.30.540 Limitations on Authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

Section 13. Sections 15.30.545 through 15.30.560, Construction Administrative Code, of the Kenmore Municipal Code are repealed.

Section 14. Effective Date. This ordinance shall take effect and be in force on January 30, 2012, which date is more than five (5) days after the date of publication of this Ordinance.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE __ DAY OF _____, 2010.**

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Lynn Batchelor, City Clerk

Approved as to form:

Rod P. Kaseguma, City Attorney

**Filed with the City Clerk:
Passed by the City Council:
Ordinance No.:
Date of Publication:
Effective Date:**

CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 12-0333

**AN ORDINANCE OF THE CITY OF KENMORE,
WASHINGTON, AMENDING THE BUILDING AND
CONSTRUCTION APPEALS PROCESS FROM A
BOARD OF APPEALS TO A HEARING EXAMINER
APPEAL PROCESS.**

WHEREAS, the City Council has adopted Title 15, Buildings and Construction of the Kenmore Municipal Code (KMC); and

WHEREAS, Title 15, Buildings and Construction of the KMC adopts and amends the International Building and Fire Codes and Uniform Code for the Abatement of Dangerous Buildings; and

WHEREAS, the International Building and Fire Codes and Uniform Code for the Abatement of Dangerous Buildings require an appeal process; and

WHEREAS, the City is authorized to amend the International Building and Fire Codes and Uniform Code for the Abatement of Dangerous Buildings as it applies with the City; and

WHEREAS, the City Council has determined that amending the appeals process from a Board of Appeals to a Hearing Examiner process is in the public interest; and

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

Title. The following codes are amended, deleted, or repealed as follows:

- 1. KMC Section 15.10.035 and International Fire Code Section 108 are amended; and**
- 2. KMC Section 15.15.160, Fire Hydrants and Water Mains are amended; and**
- 3. KMC Section 15.20.110 and Uniform Housing Code Sections 203 and 1201.2 are amended; and**
- 4. Uniform Housing Code Section 1201.3 and Chapter 13 are deleted; and**
- 5. KMC Section 15.20.145 and Uniform Code for the Abatement of Dangerous Buildings Section 205 and 501.2 are amended; and**
- 6. Uniform Code for the Abatement of Dangerous Buildings Section 501.3 and Chapter 6 are deleted; and**

Comment [b1]:

NO SUBSTANTIAL CHANGES TO ORDINANCE.

•Minor formatting and grammatical edits and modifications to previous version.

•Revised Title and Section Numbers for Cleaner Version Consistent with Previous Ordinances

Comment [b2]: Moved this information into the title above

~~7. KMC Sections 15.30.535 and 15.30.540, Construction Administrative Code are amended; and~~

~~8. KMC Sections 15.30.545 through 15.30.560, Construction Administrative Code are repealed.~~

Section 1. Section 15.10.035 of the Kenmore Municipal Code is hereby amended to read as follows:

15.10.035 International Fire Code Section 108 Board of Appeals replaced.
Section 108 of the International Fire Code is deleted and replaced with the following:

APPEALS

Appeals of orders, decisions or determinations made by the fire code official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

Section 2. Section 15.15.160 Fire Hydrants and Water Mains of the Kenmore Municipal Code is hereby amended to read as follows:

15.15.160 Appeals.

The city of Kenmore hearing examiner shall have the authority to hear appeals from the requirements of this chapter.

Section 3. Section 15.20.110 of the Kenmore Municipal Code is hereby amended to read as follows:

~~15.20.110 1997 Uniform Housing Code adopted.~~

~~The Uniform Housing Code (UHC) issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the housing code for the city except that references to the Uniform Codes shall be replaced with the appropriate technical codes and sections as adopted by the city.~~

Comment [b3]: Cleaned up language

A. UHC Section 203 is hereby amended as follows:

Comment [b4]: Created new Section Numbers for each action.

SECTION 203- APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

Section 4 B. UHC Section 1201.2 amended as follows:

1201.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10.

Section 5C. UHC Section 1201.3 is hereby deleted.

Section 6 D- UHC Chapter 13 "RULES FOR CONDUCT OF HEARING APPEALS" is hereby deleted in its entirety.

Section 4. ~~Section 15.20.145 of the Kenmore Municipal Code is hereby amended to read as follows:~~

Comment [b5]: Clean up language for consistency.

15.20.145 Uniform Code for the Abatement of Dangerous Buildings adopted.
The Uniform Code for the Abatement of Dangerous Buildings (UCADB) issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as if fully set forth herein as the Dangerous Buildings Code for the city, except that references to the Uniform Codes shall be replaced with the appropriate technical codes and sections as adopted by the city.

Section 7 A- UCADB Section 205 is hereby amended as follows:

SECTION 205- APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and

referenced code standards adopted by the city.

Section 8 ~~B~~-UCADB Section 501.2 amended as follows:

501.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10.

Section 9 ~~C~~. UCADB Section 501.3 is hereby deleted.

Section 10 ~~D~~-UCADB Chapter 6 "PROCEDURES FOR CONDUCT OF HEARING APPEALS" is hereby deleted in its entirety.

Section 11 ~~5~~. Section 15.30.535 Construction Administrative Code of the Kenmore Municipal Code is hereby amended to read as follows:

Article XIII. APPEALS

15.30.535 General.

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of KMC Chapter 19.30, excluding Section 19.30.10.

Section 12 ~~6~~. Section 15.30.540 Construction Administrative Code of the Kenmore Municipal Code is hereby amended to read as follows:

15.30.540 Limitations on Authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

Section 13 ~~7~~. Sections 15.30.545 through 15.30.560 Construction Administrative Code of the Kenmore Municipal Code are hereby repealed.

Section 14.8, Effective Date. This ordinance shall take effect and be in force on January 30, 2012, which date is more than five (5) days after the date of publication of this Ordinance.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE __ DAY OF _____, 2010.**

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Lynn Batchelor, City Clerk

Approved as to form:

Rod P. Kaseguma, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.:
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