

# City of Kenmore

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City of Kenmore - 18120 68th Avenue NE - PO Box 82607, Kenmore WA 98028  
Phone: 425-398-8900 - Fax: 425-481-3236 - Email: [cityhall@kenmorewa.gov](mailto:cityhall@kenmorewa.gov)

**City of Kenmore  
TOWN HALL MEETING  
6:30 - 7:20 p.m., Monday, September 24, 2012**

**CITY COUNCIL REGULAR MEETING**

**REVISED 9/20/12**

**7:30 p.m., Monday, September 24, 2012**

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

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

**I. CALL REGULAR MEETING TO ORDER**

**II. ROLL CALL**

**III. FLAG SALUTE**

**IV. AGENDA APPROVAL**

**V. PRESENTATION**

- A. School Resource Officer of the Year Award - Recognize Deputy Mark Childers - Cliff Sether, Police Chief, and Nancy Smith-Vela, Kenmore Junior High Assistant Principal

**VI. PROCLAMATIONS**

- A. National Public Lands Day Proclamation
- B. Worldwide Day of Play Proclamation

**VII. 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.

**VIII. CONSENT AGENDA**

- A. Minutes for the June 14, 2012 Special Council Meeting
- B. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which Total \$66,656.31 for the Period Ending August 31, 2012.
- C. July 2012 Financial Report - Joanne Gregory, Finance & Administration Director

**IX. BUSINESS AGENDA**

- A. Public Hearing to Receive Public Testimony Regarding Grading and Clearing Regulations - Kenmore Municipal Code (KMC) 15.25 - Bryan Hampson, Development Services Director
- B. Grading and Clearing Regulations, Kenmore Municipal Code (KMC) 15.25 - Adopt Ordinance No. 12-0345 - Bryan Hampson, Development Services Director
- C. Police Contract Assessment Follow-up - Steve Strachan, Sheriff, King County, and Cliff Sether, Police Chief
- D. Estimates of Revenue and Expenditures for Current 2011-2012 Budget & Proposed Preliminary 2013-2014 Budget - Rob Karlinsey, City Manager, and Joanne Gregory, Finance & Administration Director

**X. STAFF REPORT**

**XI. COUNCILMEMBER COMMENTS/REPORTS**

**XII. ADJOURNMENT**

**Upcoming Meetings:**

Monday, October 1, 2012 7:00 p.m. Council Special Study Session  
Monday, October 8, 2012 7:00 p.m. Regular Council Meeting  
Monday, October 15, 2012 7:00 p.m. Council Study Session  
Monday, October 22, 2012 7:00 p.m. Regular Council Meeting  
Monday, October 22, 2012 8:30 p.m. Transportation Benefit District Meeting  
Tuesday, October 23, 2012 6:00 p.m. Joint NUD/Council Dinner at Northshore Utility District  
Monday, October 29, 2012 7:00 p.m. Council Special Meeting





## The City of Kenmore

August 6, 2012

POLICE CHIEF

TO: Rob Karlinsey, City Manager  
From: Clifford Sether, Police Chief *CS*  
Re: Deputy Childers School Resource Officer of the Year Award

Deputy Childers was nominated by Nancy Vela, Kenmore Junior High Assistant Principal, for the Washing School Safety Organization (WSSO) school resource officer of the year award.

August 1, 2012, Deputy Childers was awarded the WSSO School Resource Officer of the year award.

Attached are the nomination and recommendation letters.

U:\Memos99\Childers SRO of the year.doc

WASHINGTON  
SCHOOL SAFETY ORGANIZATION

MARK  
CHILDERS

School  
Resource Officer  
Of The Year

2012

VA. School Resource Officer of the Year Award - Recognize Deputy  
Mark Childers - Cliff Sether, Police Chief, and Nancy Smith-Vela,

**WASHINGTON STATE SCHOOL RESOURCE  
OFFICER OF THE YEAR 2012  
Nomination Application**

The Washington School Safety Organization annually sponsors an awards banquet to show their appreciation for a year of outstanding performance awarded to the Washington State School Resource Officer of the Year. Please use this application form to nominate the award recipient of your choice no later than June 30, 2012.

Agency submitting nominee: Kenmore Junior High School  
Name of nominee: Deputy Mark Childers  
Name of participating school: Kenmore Jr. High ESD#: Puget Sound ESD 121  
Name of school principal: Nancy Smith-Vela, Assistant Principal  
Address: 20323 - 66th Avenue NE City: Kenmore  
Telephone: (425) 408-6425 or (206) 949-5621

Reason for this person to merit this award:

It is with honor and privilege that the staff and students at Kenmore Junior High recognize Deputy Mark Childers for his commitment and dedication to excellence and service to Kenmore Junior High School and its community.

Prior to being a School Resource Officer, Deputy Childers was a DARE officer in the Northshore School District for more than 5 years. Deputy Childers has been serving the Kenmore community as an SRO at Kenmore Junior High and Inglemoor High School in the Northshore School District for the past 17 years. Additionally, Deputy Childers plans, implements, and teaches the Junior Police Academy at Kenmore Junior High, as well as teaches classes to 6th graders at our elementary schools that he designed and developed.

Not only is Deputy Childers viewed as a respected member of the law enforcement community, but also as a valued member of our staff. Likewise, Deputy Childers provides services to and views our schools as his schools. He always has the best interest of the students and the community at heart.

Deputy Childers has also established and managed the community's Block Watch program and coordinates community meetings. He is also key in the development and management of a large team comprised of local law enforcement agencies, Northshore School District administrators, Truancy Specialists, and mental health specialists. This team works in tandem to share ideas and strategies that support students and families within our school district. His vision in creating a team that united their efforts in caring for its community has been realized and is still thriving.

Submit application to: Lisa Harrison  
c/o Tukwila Police Department  
6200 Southcenter Blvd.  
Tukwila, WA 98188

Deputy Childers makes positive connections with students and staff. As a law enforcement officer and educator, he helps students see that police officers are not only about crimes and arrests, but that they are caring and concerned members of the community and a resource to the students and their families. He helps to create a safe environment at school, which allows for staff and students to focus on teaching and learning,

Deputy Childers is a remarkable role model who demonstrates respect, integrity, courtesy, and accountability. The professionalism and commitment in which he performs his job and his willingness to go "beyond the call of duty" is remarkable. No matter how difficult or sensitive the issue is, Deputy Childers is one of the first to respond to the situation with the utmost expertise and effectiveness. When he is handling the situation, we are all confident that it will be taken care of appropriately. It's a gift working with someone who can make all involved feel this way.

I wish I could truly describe and define what it means to our school and our community to have Deputy Childers as our SRO. While there are many SRO's who are really good at what they do, Deputy Childers is EXCEPTIONAL at what he does. All of my students and staff want this so desperately for Deputy Childers, as it is but a small token of how we can express our gratitude, respect, honor, and love for him. PLEASE SELECT HIM AS THE WASHINGTON STATE SCHOOL RESOURCE OFFICER OF THE YEAR 2012.

Thank you for your time and consideration.

Sincerely,



Nancy Smith-Vela  
Assistant Principal  
Kenmore Junior High School

Lily Bechtel, ASB Co-President



Gabe Lopezkattel, Secretary



Treasurer

Saige Danby, ASB Co-President



Jon Medlister, ASB Co-President 2012

Submit application to:

Lisa Harrison  
c/o Tukwila Police Department  
6200 Southcenter Blvd.  
Tukwila, WA 98188

Re: Deputy Mark Childers  
Washington State School Resource  
Officer of the Year 2012  
Nomination Application

from Kenmare Jr High

Frank Burdick

Joey [unclear] [unclear]  
(KJH)

Mackenzie Gardner  
STUDENT

Noelle Reed  
ASB CO-President  
2012-13

Jordan Lemieux  
STUDENT :)

Dawson Hicks

James McCall  
Counselor

Delina Baskin

Alex Byers

Palma Sykes  
Counselor

John [unclear]

Kandace Hammond

Emily Buckles

Olivia Hopkins  
Student :)

Tegan McDonald  
Student :)

Carl Worthey

Kaylen Bailey  
Student

Shirley  
Teacher

Patricia Rubbo  
School Office mgr.

She Houser  
Attendance Secty.

Mary Haltiner  
teacher

Carl Worthey

Natalie Nugent  
Student

Dawn Porter



## INGLEMOOR HIGH SCHOOL

NORTHSHORE SCHOOL DISTRICT  
15500 Simonds Road NE, Kenmore, WA 98028-4430

Main Office 425-408-7200  
Fax 425-408-7202

Vicki Sherwood, *Principal*  
Sam Jackson, *Assistant Principal*  
John Loy, *Assistant Principal*  
Frank Naish, *Athletic Director*  
Jim Sanders, *Activities Coordinator*

Date: February 24, 2012

To: Lisa Harrison  
c/o Tukwila Police Department  
6200 Southcenter Blvd.  
Tukwila, WA 98188

From: Samuel Jackson Jr.

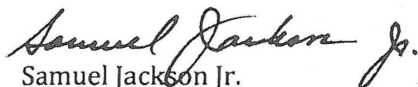
Re: Mark Childers Recommendation

I have known Officer Mark Childers for sixteen years. I had the pleasure of being on the interview committee, which selected him to be a resource officer for Northshore School District. As a School Resource Officer, Mark has made a positive and significant impact on students at Kenmore Junior High School and Inglemoor High School. Through consistent, untiring, and reliable interactions with students, teachers, administrators, and members of our community, Mark has established himself as a trusted and valued resource.

Officer Childers has a natural gift when it comes to working with young people. Students respect and respond appropriately to his suggestions and recommendations. His consistent, yet caring, manner is effective when working with students. He has developed constructive and supportive relationships with KJH and IHS staff members, parents, and citizens from the Kenmore community.

I believe Officer Childers has exceptional judgment skills. I value his insight when we are faced with complicated and challenging issues. As a school administrator, I know Mark will perform his duties in an organized, timely, and efficient manner. His resourceful and positive approach to others makes Officer Childers a pleasure to work with, and we are fortunate to have him in our schools. I highly recommend Officer Mark Childers for the Resource Officer of the Year Award.

Sincerely,

  
Samuel Jackson Jr.  
Assistant Principal

## City of Kenmore Proclamation



National Public Lands Day

**WHEREAS**, America's system of public lands includes parks, unique landscapes, forests, wildlife refuges, historic trails, natural streams and wetlands, nature centers, gardens and other landmark areas throughout the nation that individually and collectively represent irreplaceable national resources; and

**WHEREAS**, Public lands provide locally accessible natural and cultural resources for environmental learning, wildlife appreciation and recreation; and

**WHEREAS**, Public lands promote civic ideals that include shared stewardship and recognition of public ownership; and

**WHEREAS**, Shared stewardship requires the goodwill, cooperation and active support of citizens, community, city and state officials, business leaders, children and adults; and

**WHEREAS**, Recreation opportunities offered by public lands help families lead a more active lifestyle and reduce the incidence of childhood obesity; and

**WHEREAS**, Land conservation efforts improve access to public lands by urban residents and work to break down the barriers that prevent Americans from actively utilizing their public lands; and

**WHEREAS**, An alliance between private citizens, land managers and community leaders improves the condition of publicly held lands for the greater enjoyment and enrichment of all Americans; and

**WHEREAS**, National Public Lands Day, cosponsored by the National Environmental Education Foundation, the Bureau of Land Management, the Bureau of Reclamation, the Department of Defense, the Environmental Protection Agency, the National Park Service, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service and the USDA Forest Service, is a vitally important event for local participation on publicly held lands in the City of Kenmore;

**NOW, THEREFORE**, I, David Baker, Mayor of the City of Kenmore, Washington, on behalf of the City Council, am pleased to proclaim **September 29, 2012** as

**"National Public Lands Day"**

in the City of Kenmore, and call upon all citizens to recognize and participate in this special observance.

**IN WITNESS WHEREOF**, signed this 24th day of September, 2012.

*Signed:* \_\_\_\_\_

David Baker, Mayor

*Attested:* \_\_\_\_\_

Patty Safrin, City Clerk





September 19, 2012

Dear Honorable Mayor:

As a representative of your community, we know the health of kids and families is an important concern -- especially the rapidly increasing obesity rates amount young children. Nickelodeon has had a long-standing commitment to this cause as well and is offering an opportunity to further raise awareness and spur action in your community.

On **Saturday, October 6<sup>th</sup>**, Nickelodeon will host its 9<sup>th</sup> Annual Worldwide Day of Play—an event that encourages millions of kids around the globe to **“Get Up, Get Out and Go Play!”**

[Worldwide Day of Play](#) is the centerpiece of The Big Help, Nickelodeon’s long-term campaign to empower kids and families with tools and information to take action on issues they care about. On that day, Nickelodeon goes completely ‘dark’ all afternoon, suspending programming across its channels and websites. In all 50 states and in 13 countries, including U.S. military bases around the globe, kids and families celebrate Worldwide Day of Play.

You can tap into this initiative to fuel your efforts on health and wellness. Simply ask your constituents to participate by making a proclamation or by partnering with local organizations to host a Worldwide Day of Play event. Additionally, by registering on [Nick.com/TheBigHelp](#), they gain access to resources such as a playbook planning guide and posters, as well as grants to support schools and nonprofits for health and wellness, environmental, educational and service-focused projects.

Through our partnership on Worldwide Day of Play and beyond, we can together become part of the long-term, sustainable, and holistic approach to fight childhood obesity on all fronts.

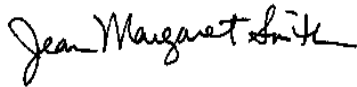
By completing the attached checklist you can continue to take a stance in the fight against childhood obesity. A proclamation is attached, and a [2012 Playbook](#) that further outlines how you can participate in Worldwide Day of Play is available.



- Use the attached template and proclaim **Saturday, October 6, 2012**, Worldwide Day of Play. Proclamations can be returned to: Nickelodeon Public Affairs, 1515 Broadway, New York, NY 10036.
- Host a Worldwide Day of Play event on or around **Saturday, October 6, 2012**, or connect an existing health and wellness event to Nickelodeon's. Attached is a playbook that can help you plan an event.
- Encourage schools and community-based organizations to host events and raise awareness.
- Register events at [pro-social.nick.com](http://pro-social.nick.com) to access resources such as a playbook planning guide and posters as well as grants to support health and wellness, environmental, educational and service-focused projects.
- Encourage schools and community-based organizations to enter **The Big Help I Wanna Play! Giveaway** where kids nominate their school to win a custom Nickelodeon Playground worth over \$100,000 or \$10,000 to help enhance a play project. Enter at [Nick.com/thebighelp](http://Nick.com/thebighelp).

Thank you for the great work you do in your communities and your continued support for kids and programs that make their lives better. Should you have any questions or would like to confirm your participation, please contact me at (212) 258-7564 or via email at [jeanmargaret.smith@nick.com](mailto:jeanmargaret.smith@nick.com).

Sincerely,

A handwritten signature in black ink that reads "Jean Margaret Smith". The signature is written in a cursive, flowing style.

Jean Margaret Smith  
Senior Vice President

# City of Kenmore, Washington

## Proclamation



**WHEREAS**, on behalf of the citizens of the City of Kenmore, Washington, I join Nickelodeon, Boys & Girls Clubs of America, President's Council on Fitness, Sports & Nutrition, and National Park Foundation in celebrating Worldwide Day of Play and in ensuring that today's generation of kids becomes one of the healthiest; and

**WHEREAS**, part of Nickelodeon's international, grassroots effort is to get kids more physically active and to encourage positive, healthy, and playful lifestyles across the globe, thus Worldwide Day of Play is a fun event to empower our youth; and

**WHEREAS**, the rates of childhood obesity continue to rise at alarming rates; and

**WHEREAS**, today's children and adults don't get as much physical activity as they should; and

**WHEREAS**, nutritious diets and physical activity are an important component to living a healthy lifestyle and reducing disease; and

**WHEREAS**, the City of Kenmore is committed to working to support kids in becoming the healthiest generation,

**NOW, THEREFORE**, I, David Baker, Mayor of the City of Kenmore, Washington, on behalf of the City Council, am pleased to proclaim October 6, 2012 to be

### "WORLDWIDE DAY OF PLAY"

in the City of Kenmore, and I urge all citizens to join with the City Council in this observance and in recognizing all those associated with making this endeavor a reality, and wishing them very best in the future.

**IN WITNESS WHEREOF**, signed this 24<sup>th</sup> day of September, 2012.

*Signed:* \_\_\_\_\_  
David Baker, Mayor

*Attested:* \_\_\_\_\_  
Patty Safrin, City Clerk

DRAFT

**City of Kenmore  
City Council Special Meeting  
Minutes  
June 14, 2012**

**CALL TO ORDER – 7:00 p.m.**

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

**Staff present:** Rob Karlinsey, City Manager; Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance Director; Debbie Bent, Community Development Director; Bryan Hampson, Development Services Director and Lynn Batchelor, City Clerk

**PRESENTATION**

**Kenmore Village – Rob Karlinsey, City Manager, and Rod Stevens, Spinnaker Strategies,** were present to discuss the history of the Kenmore Village project, where the City is now in terms of Kenmore Village, what the current economic development climate is like, what puts the City in a good position now, and how Kenmore Village fits in with and contributes to the larger downtown economic picture for the City. City Manager Karlinsey stated that the community effort needs to continue to be recognized and brought forward as we continue these discussions. They reviewed that there are three main steps in the action plan for the development. Step one is to close the purchase and sale agreement for a portion of the Kenmore Village property with Kenmore Camera. Step two is that we need a contract with a property management company for the remainder of the time that the City owns the Kenmore Village property. Assistant City Manager Nancy Ousley stated that preferably that will be someone who will partner with us in marketing the City and positioning the property for success in the long term. Step three is placing the remaining property on the market for sale leading to closing. The City is proposing a series of public meetings and a forum, with quite a bit of community involvement, to determine the positioning statement for the property. The Council discussed the goals for Kenmore Village and downtown development. Rob Karlinsey, Rod Stevens, and other staff members were available to answer any questions.

**ADJOURNMENT**

There being no further business, Mayor Baker adjourned the special meeting at 9:55 p.m.

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**David Baker, Mayor**

**ATTEST:**

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**Patty Safrin, City Clerk**

VIIIB. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which

|       |                                    |                                          |            |
|-------|------------------------------------|------------------------------------------|------------|
| 26364 | UNITED WAY OF KING COUNTY          | Employee Charitable Contributions        | 72.00      |
| 26365 | NATIONAL LIFE OF VERMONT           | Life Insurance                           | 234.89     |
| 26366 | AMERICAN GENERAL                   | Life Insurance                           | 530.79     |
| 26367 | STATE OF FLORIDA DISBURSEMENT UNIT | Payroll Deduction                        | 275.00     |
| 26368 | AWC EMPLOYEE BENEFITS              | Employee Health Insurance                | 35,934.57  |
| 26369 | BAKER, DAVID                       | August Expense Reimbursement             | 63.26      |
| 26370 | SEES TREES AND EXCAVATION INC      | Tree Removal for ADA Ramps               | 3,089.00   |
| 26371 | NATIONWIDE FINANCIAL 401a          | Social Security Replacement Plan         | 1,056.99   |
| 26372 | BANK OF AMERICA 941                | Payroll Taxes                            | 2,024.04   |
| 26373 | KING COUNTY RECORDER'S OFFICE      | Record ROW for Kenmore Village           | 76.00      |
| 26374 | KING COUNTY RECORDER'S OFFICE      | Lien Recording Fees                      | 129.00     |
| 26375 | BARKER MARTIN IOLTA TRUST          | Compass Pt Easement Amendment            | 3,000.00   |
| 26376 | ESA ADOLFSON                       | Prof. Service 7/9-7/27 12-C104           | 5,351.93   |
| 26377 | BRAVO ENVIRONMENTAL SERVICE        | 15009 62nd Drainage Repairs              | 1,805.00   |
| 26378 | BULGER SAFE & LOCK, INC.           | Padlocks & Recoding for Parks            | 99.49      |
| 26379 | CASCADE PEST CONTROL               | Aug. Rhododendron Pk Rodent Control      | 142.35     |
| 26380 | CITY OF BELLEVUE                   | eCitygov Membership Dues                 | 1,626.34   |
| 26381 | COASTWIDE LABORATORIES             | City Hall Maintenance Supplies           | 395.89     |
| 26382 | CROWN PRODUCTS LLC                 | Pet Waste Bags/ Parks Materials          | 555.72     |
| 26383 | DUNN LUMBER COMPANY                | Swamp Creek Park Bridge Repair           | 458.97     |
| 26384 | FERGUSON ENTERPRISES INC #1539     | Drainage/Embankment Repair Materials     | 376.79     |
| 26385 | FLEX ONE/AFLAC BENEFIT SERVICES    | August, 2012 Service Charge              | 50.00      |
| 26386 | FRUHLING SAND & TOPSOIL            | Asphalt/ Concrete/ Brush Disposal        | 143.25     |
| 26387 | CALPORTLAND COMPANY                | 15009 62nd Drainage Repair Materials     | 430.93     |
| 26388 | GRAY & OSBORNE, INC                | 6/24-7/21 Prof. Svcs. Trib 0057          | 1,365.50   |
| 26389 | H.W. LOCHNER, INC.                 | NE 145th St. Signal Svcs 3/31-6/22/12    | 351.10     |
| 26390 | INSLEE, BEST, DOEZIE & RYDER, P.S. | June & July Legal Svcs                   | 58,728.66  |
| 26391 | KING COUNTY W.L.R.D.               | Water Quality Site Audits thru Aug, 2012 | 855.91     |
| 26392 | KING COUNTY ANIMAL SVCS            | June/July Pet Licensing                  | 855.00     |
| 26393 | KING COUNTY FINANCE                | July Svcs- Signs/ Roads/ Solid Waste     | 19,188.55  |
| 26394 | KING COUNTY FINANCE                | July, 2012 Community Work Program        | 5,418.00   |
| 26395 | SOUND PUBLISHING, INC.             | July Bothell/ Kenmore Reporter           | 964.35     |
| 26396 | KING COUNTY SHERIFF                | July, 2012 Police Services               | 249,084.17 |
| 26397 | FEDEX OFFICE                       | Poster for Kenmore Village Mtg           | 62.33      |
| 26398 | LIGHTHOUSE CONSULTING INC          | July, 2012 IT Svc/ Anti-Spam/Anti-Virus  | 1,854.09   |
| 26399 | MR. T'S TROPHIES                   | Nameplates & Nametags                    | 381.88     |
| 26400 | NORTHSHORE FIRE DEPT               | July Fire Marshal Plan Review            | 500.00     |
| 26401 | NORTHSHORE UTILITY DIST            | July Fleet Maintenance & Fuel            | 3,625.69   |
| 26402 | HONEY BUCKET                       | Rental 8/12-9/11 - 4 Units               | 498.00     |
| 26403 | OFFICE MAX                         | Office & Kitchen Supplies                | 428.98     |
| 26404 | OFFICE TEAM                        | 7/30-8/3 Temporary Employees             | 698.76     |
| 26405 | OTAK                               | Prof. Services through July 13th         | 4,145.78   |
| 26406 | PLYWOOD SUPPLY INC                 | Rhododendron Park Table Repair           | 15.57      |
| 26407 | PUGET SOUND ENERGY                 | Multiple Electric, Light Bills           | 2,578.86   |
| 26408 | CEMEX                              | Asphalt for Pothole Repairs              | 136.88     |
| 26409 | TOTAL LANDSCAPE CORP               | Aug. Parks/ City Hall Landscaping        | 5,002.61   |
| 26410 | WA ASSOC OF CODE ENFORCEMENT       | 2012 Fall Conference Registration        | 250.00     |
| 26411 | WA CITIES INSURANCE AUTHORITY      | Notary Bond - Patty Safrin               | 50.00      |
| 26412 | WASHINGTON STATE DEPT OF INFO SERV | July ListServ                            | 175.00     |
| 26413 | DANSOUND INC                       | Sound for Summer Concert 8/16/12         | 1,012.88   |
| 26414 | ZORNES, GARY                       | 7/29-8/1 Travel Exp. Reimbursement       | 54.40      |

VIIIB. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which

|         |                                     |                                         |                      |
|---------|-------------------------------------|-----------------------------------------|----------------------|
| 26415   | SEES TREES AND EXCAVATION INC       | Tree Evaluation - ROW Services          | 180.00               |
| 26416   | VAN NESS, ALLAN                     | Jul/Aug Expense Reimbursement           | 621.14               |
| 26417   | MAIL FINANCE                        | 9/14-10/13/12 Postage Machine Lease     | 250.76               |
| 26418   | KELLY PRINTING & GRAPHICS           | Business Cards for 15 Employees         | 413.36               |
| 26419   | BANNER BANK LD                      | Meeting Supplies, Food, Gift Cards      | 385.66               |
| 26420   | BANNER BANK CS                      | Cell Phone Accessories/ Supplies        | 622.31               |
| 26421   | BUILDERS EXCHANGE OF WASHINGTON INC | On line Bidding Expenses                | 72.75                |
| 26422   | BANNER BANK NO                      | 4 Computers, Dues, Meals, Supplies      | 3,650.15             |
| 26423   | OUSLEY, NANCY                       | Bus. Mtgs/ Mileage May - July           | 199.21               |
| 26424   | TYCO INTEGRATED SECURITY            | Ken. Vill./ 6700 Bldg Alarm Monitoring  | 579.28               |
| 26425   | BANNER BANK JG                      | iPad Cases, Computer Monitors           | 888.43               |
| 26426   | GRAINGER                            | 6' Folding Ruler                        | 26.10                |
| 26427   | BIS                                 | August Website Hosting                  | 175.00               |
| 26428   | BANNER BANK KENMORE                 | 11 iPad Tablets, Bus. Card Scanner      | 4,977.74             |
| 26429   | BANNER BANK KENMORE                 | Training, Conference Reg., Meals        | 694.90               |
| 26430   | BANNER BANK JGORDON                 | Artwork Hanging System, Bench           | 1,653.73             |
| 26431   | UNIVERSAL FIELD SERVICES            | Jun/Jul On-Call Svcs - Trib 0056 & 0057 | 5,603.40             |
| 26432   | ALCALDE & FAY                       | 8/15-9/15 Govt. Affairs Consulting      | 5,040.52             |
| 26433   | ENTERPRISE SEATTLE                  | 2012 Public Sector Partner              | 5,000.00             |
| 26434   | COMCAST                             | City Hall Internet Service 8/14-9/13    | 116.90               |
| 26435   | GORDON THOMAS HONEYWELL             | July Govt. Affairs Consulting Svcs      | 3,544.70             |
| 26436   | TOWNE CENTRE HARDWARE               | Public Works Crew Supplies - July       | 208.10               |
| 26437   | SARAH ROBERTS                       | July, 2012 Prosecution & D.V. Svcs      | 10,100.00            |
| 26438   | INTEGRA TELECOM                     | City Hall Phone Service 8/8-9/7/12      | 775.92               |
| 26439   | PHSI PURE WATER FINANCE             | Qtrly Billing thru 9/7 Filtered Water   | 301.89               |
| 26440   | FRONTIER                            | Kenmore Vill Fire Alarm 8/10-9/9/12     | 87.45                |
| 26441   | PROTECTION TECHNOLOGIES, INC        | July, 2012 - July, 2013 Annual Maint.   | 6,234.35             |
| 26442   | AM TEST, INC                        | Swamp Creek Sampling                    | 175.00               |
| 26443   | PAWS                                | July, 2012 Animal Sheltering Svcs       | 320.00               |
| 26444   | WASHINGTON STATE DEPT OF REVENUE    | Q1 Kenmore Vill Leasehold Excise Tax    | 3,081.37             |
| 26445   | INDEPENDENT STATIONERS              | Office Supplies                         | 179.40               |
| 26446   | SNOHOMISH COUNTY SHERIFF'S OFFICE   | July Inmate Medical Billing             | 41.57                |
| 26447   | BANNER BANK BH                      | Meeting Supplies                        | 27.70                |
| 26448   | HARRIS COMPUTER SYSTEMS             | City View Software 8/1/12-7/31/13       | 6,569.74             |
| 26449   | MILLER STEPHENS, MARY               | Sno Cty Public Defense Svcs - July      | 1,250.00             |
| 26450   | NORTH COAST ELECTRIC                | Light Bulbs/ Maintenance Supplies       | 211.06               |
| 26451   | VAN NESS FELDMAN, P.C.              | Attorney Services July, 2012            | 1,240.02             |
| 26452   | FRAUSE                              | May Economic Dev. Brochure 11-C971      | 2,856.61             |
| 26453   | BANNER BANK VAN NESS                | Lodging, Meals, Transportation          | 690.28               |
| 26454   | BANNER BANK BAKER                   | Bus. Mtgs, Lodging, Airfare, Meals      | 2,583.89             |
| 26455   | AABCO BARRICADE COMPANY INC.        | Variable Message Sign Repairs           | 6,994.97             |
| 26456   | RAINIER INDUSTRIES, LTD.            | Wayfinding & Banner Installation        | 27,922.50            |
| 26457   | FOMOCO, LLC                         | Kenmore Village Community Mtg Meals     | 396.00               |
| 26458   | JOYCE ZIKER PARKINSON               | July Legal Services                     | 10,001.00            |
| 26459   | HWA GEOSCIENCES INC.                | 61st/ 181st Prof. Svcs thru 7/28/12     | 396.31               |
| 26460   | ANCHOR QEA, LLC                     | June Sediment Sampling Analysis         | 9,748.75             |
| 26461   | KAUBOY PRODUCTIONS LLC              | Filming Services - Mayor & Coucil       | 400.00               |
| 26462   | HAWTHORNE LANE LLC                  | 2nd Cash Deposit Release Rec. #21894    | 18,199.50            |
| 26463   | HAWTHORNE LANE LLC                  | Cash Deposit Release Rec. #21892        | 3,963.00             |
| 8/24/12 | Direct Deposit                      | Payroll                                 | 66,656.31            |
|         |                                     |                                         | <u>\$ 724,087.14</u> |

VIIIB. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which

| 2012 | PRIOR VENDOR ACTIVITY              | Previous YTD |
|------|------------------------------------|--------------|
|      | A+ CONFERENCING                    | 139.00       |
|      | AA PARTY RENTALS                   | 1,453.06     |
|      | AAA FLAG & BANNER MFG. CO., INC.   | 8,977.33     |
|      | ACTION ENTERTAINMENT               | 1,395.00     |
|      | ACTIVE SHOOTER TRAINING LLC        | 575.00       |
|      | ADAMSON POLICE PRODUCTS            | 947.00       |
|      | ADT SECURITY SERVICES              | 845.00       |
|      | ADVANCE TESTING & SERVICE INC      | 486.00       |
|      | AFLAC                              | 3,463.55     |
|      | ALCALDE & FAY                      | 35,539.85    |
|      | ALCO PRO, INC.                     | 559.00       |
|      | ALLIANCE FOR INNOVATION            | 499.00       |
|      | ALLIANCE OF PEOPLE W/ DISABILITIES | 1,443.50     |
|      | ALLIED WASTE SERVICES #172         | 6,709.49     |
|      | ALPHA COURIER SERVICES             | 38.01        |
|      | AM TEST, INC                       | 1,100.00     |
|      | AMERICAN GENERAL                   | 3,485.79     |
|      | AMERICAN PLANNING ASSOCIATION      | 842.00       |
|      | AMERICAN SOCIETY OF COMPOSERS      | 311.52       |
|      | ASP, ANGELA                        | 52.50        |
|      | ASSOCIATION OF WA CITIES           | 14,058.00    |
|      | AT WORK                            | 1,203.00     |
|      | AURORA RENTS                       | 307.69       |
|      | AUTOMATED CONTROLS                 | 516.84       |
|      | AWC EMPLOYEE BENEFITS              | 255,408.95   |
|      | BAKER, DAVID                       | 1,371.99     |
|      | BANG, ROBERT                       | 595.00       |
|      | BANK OF AMERICA 941                | 204,298.14   |
|      | BANNER BANK BAKER                  | 92.53        |
|      | BANNER BANK BH                     | 1,537.05     |
|      | BANNER BANK CS                     | 4,080.29     |
|      | BANNER BANK DB                     | 634.17       |
|      | BANNER BANK JG                     | 2,528.95     |
|      | BANNER BANK JGORDON                | 1,744.35     |
|      | BANNER BANK KENMORE                | 16,139.70    |
|      | BANNER BANK LB                     | 864.62       |
|      | BANNER BANK LD                     | 1,834.96     |
|      | BANNER BANK NO                     | 2,604.96     |
|      | BANNER BANK ROGERS                 | 440.48       |
|      | BANNER BANK VAN NESS               | 412.15       |
|      | BARCLAY DEAN                       | 711.75       |
|      | BARTON, ANDREW                     | 1,641.29     |
|      | BASTYR UNIVERSITY                  | 50,000.00    |
|      | BEEGEE TOLPA                       | 700.00       |
|      | BENT, DEBORAH A                    | 576.00       |
|      | BIS                                | 1,225.00     |
|      | BLACKBAUD                          | 4,956.23     |
|      | BLUE FLAME LLC                     | 28.14        |
|      | BLUE WAVE CONSTRUCTION, INC        | 722.70       |

VIIIB. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which



|                                     |            |
|-------------------------------------|------------|
| BRAVO ENVIRONMENTAL SERVICE         | 72,555.35  |
| BUCHER, WILLIS & RATLIFF            | 14,000.00  |
| BUILDERS EXCHANGE OF WASHINGTON INC | 149.50     |
| BULGER SAFE & LOCK, INC.            | 645.85     |
| CALPORTLAND COMPANY                 | 477.46     |
| CARLSON, THOMAS G.                  | 412.81     |
| CASCADE PEST CONTROL                | 996.45     |
| CATHOLIC COMMUNITY SERVICES         | 2,887.00   |
| CB RICHARD ELLIS, INC               | 7,750.00   |
| CEDARBROOK                          | 287.55     |
| CEMEX                               | 1,866.72   |
| CENTER FOR HUMAN SERVICES           | 15,204.50  |
| CHANDLER, RONALD                    | 937.47     |
| CHIEF LAW ENFORCEMENT SUPPLY        | 160.41     |
| CHILDERS, MARK                      | 185.00     |
| CITY OF BELLEVUE                    | 88,033.81  |
| CITY OF KENMORE                     | 650.00     |
| CITY OF KENMORE FS                  | 2,504.76   |
| CITY OF LAKE FOREST PARK            | 436,228.01 |
| CITY OF SHORELINE                   | 1,940.37   |
| CITY OF VANCOUVER                   | 250.00     |
| CLARITY SIGNS                       | 2,527.80   |
| CLEARWIRE LEGACY, LLC               | 1,214.00   |
| CLYDE/WEST                          | 1,254.02   |
| COASTAL WEAR PRODUCTS INC           | 1,356.71   |
| COASTWIDE LABORATORIES              | 2,091.06   |
| CODE 4 PUBLIC SAFETY EDUCATION      | 99.00      |
| CODE PUBLISHING COMPANY             | 11,282.92  |
| COLUMBIA RIDGE LANDFILL             | 10,126.85  |
| COMCAST                             | 818.30     |
| COMMERCIAL SOUND, INC.              | 205.32     |
| COMPASS POINTE CONDOMINIUM HOA      | 23,500.00  |
| CONSEJO COUNSELING & REF            | 1,684.00   |
| CONSOLIDATED PRESS                  | 4,465.19   |
| COX PRINTING & SIGNS                | 235.43     |
| CPSWQ                               | 100.00     |
| CROWN PRODUCTS LLC                  | 885.88     |
| CSAT, LLC                           | 800.00     |
| CUSTER SPORTSMEN'S CLUB, INC        | 340.00     |
| DAILY JOURNAL OF COMMERCE           | 1,740.85   |
| DANSOUND INC                        | 5,830.89   |
| DAY & NITE PLUMBING & HEATING       | 3,259.82   |
| DAY WIRELESS SYSTEMS                | 207.62     |
| DEPARTMENT OF ECOLOGY               | 10,831.60  |
| DEPARTMENT OF LABOR AND INDUSTRIES  | 22,273.67  |
| DEPARTMENT OF LICENSING             | 18,339.20  |
| DEPARTMENT OF RETIREMENT SYSTEMS    | 155,079.84 |
| DIGITAL REPROGRAPHICS SERVICES INC. | 144.46     |
| DRS 457                             | 26,062.50  |
| DURRANT, JEFF                       | 168.00     |

VIIIB. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which



|                                     |            |
|-------------------------------------|------------|
| EFFICIENCY INC                      | 967.98     |
| ELWAY RESEARCH, INC.                | 8,300.00   |
| EMERGENCY FEEDING PROGRAM           | 1,203.00   |
| EMERGENCY SERVICE COORDINATING AGCY | 47,288.00  |
| EMPLOYMENT SECURITY DEPT            | 1,972.46   |
| ENTERTAINMENT FIREWORKS INC         | 12,050.00  |
| ENVIRONMENTAL SYSTEMS RESEARCH INST | 2,956.50   |
| ESA ADOLFSON                        | 300.00     |
| ESPRESSO WORKS                      | 75.00      |
| EVERGREEN PRINT SOLUTIONS           | 300.97     |
| EVERGREEN SAFETY COUNCIL            | 175.00     |
| EVER-MARK, LLC                      | 1,491.61   |
| EXTREME PROMOTIONS                  | 767.98     |
| FAST WATER HEATER                   | 24.21      |
| FAZZARI MARKETING                   | 123.63     |
| FEDEROV, LYUBIM                     | 5,063.50   |
| FERGUSON ENTERPRISES INC            | 2,581.61   |
| FINANCIAL CONSULTANTS INT'L INC     | 76.02      |
| FIRE CHIEF EQUIPMENT CO., INC.      | 6,369.22   |
| FIRE PROTECTION, INC                | 3,335.37   |
| FIRST AMERICAN TITLE                | 594.60     |
| FLEX ONE/AFLAC BENEFIT SERVICES     | 450.00     |
| FPOD LLC                            | 15,000.00  |
| FRAUSE                              | 150.00     |
| FRONTIER                            | 5,878.15   |
| FRUHLING SAND & TOPSOIL             | 1,322.77   |
| FULL MAINTENANCE GARDENING          | 2,240.40   |
| GALLS, LLC                          | 26.25      |
| GEOENGINEERS INC                    | 3,561.50   |
| GEOLINE, INC                        | 257.30     |
| GORDON DERR                         | 5,411.50   |
| GORDON THOMAS HONEYWELL             | 22,077.45  |
| GOVERNMENT FINANCE OFFICERS ASSOC   | 190.00     |
| GOVERNMENT FINANCE RESEARCH GROUP   | 1,995.00   |
| GOVERNMENTAL ACCT STANDARDS BOARD   | 215.00     |
| GRAINGER                            | 143.94     |
| GRAY & OSBORNE, INC                 | 34,390.81  |
| GREATER BOTHELL CHAMBER OF COMMERCE | 575.00     |
| GREENWOOD HEATING & AC              | 39.45      |
| GREGORY, JOANNE                     | 515.19     |
| H.W. LOCHNER, INC.                  | 127,803.35 |
| HAMPSON, BRYAN                      | 2,500.00   |
| HARRIS, LESLIE                      | 498.62     |
| HAWAII MUSIC LIVE                   | 2,000.00   |
| HDR                                 | 14,355.41  |
| HERO HOUSE                          | 746.00     |
| HIGHLAND ESTATES COFFEE TRADERS     | 613.50     |
| HOME DEPOT CREDIT SERVICES          | 329.72     |
| HONEY BUCKET                        | 245.00     |
| HOPELINK                            | 27,444.50  |

VIIIB. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which

|                                     |              |
|-------------------------------------|--------------|
| HORIZON DISTRIBUTORS INC            | 268.93       |
| ICMA RETIREMENT TRUST 457 - 304745  | 36,279.15    |
| INDEPENDENT STATIONERS              | 2,260.95     |
| INGALLINAS BOX LUNCH                | 159.76       |
| INGLEMOOR VIKING BASKETBALL BOOSTER | 50.00        |
| INGLEWOOD GOLF COURSE               | 1,047.92     |
| INSLEE, BEST, DOEZIE & RYDER, P.S.  | 151,023.75   |
| INSTITUTE FOR FAMILY DEVELOPMENT    | 5,774.00     |
| INTEGRA TELECOM                     | 5,343.37     |
| INTERNATIONAL CITY/CNTY MGMT ASSOC  | 2,204.57     |
| INTERNATIONAL INST OF MUNI CLERKS   | 175.00       |
| iWORQ SYSTEMS                       | 1,000.00     |
| J TAYLOR CONSULTING, LLC            | 6,619.35     |
| JACOBSON, BETTS & COMPANY           | 3,910.40     |
| JAU JOU, STANLEY                    | 222.80       |
| JEFF DURRANT                        | 739.90       |
| JET CITY PRINTING                   | 1,611.61     |
| JOY KILLS SORROW                    | 1,500.00     |
| JURASSIC PARLIAMENT                 | 235.34       |
| KAMINS CONSTRUCTION                 | 132,565.28   |
| KEEP POSTED INC                     | 220.00       |
| KELLY PRINTING & GRAPHICS           | 1,197.42     |
| KENMORE CAMERA                      | 1,729.68     |
| KENMORE ELEMENTARY PTA              | 3,849.34     |
| KENMORE HERITAGE SOCIETY            | 50.00        |
| KESSELRING'S                        | 343.47       |
| KING COUNTY                         | 200.00       |
| KING COUNTY W.L.R.D.                | 55,044.68    |
| KING COUNTY ANIMAL SVCS             | 1,405.00     |
| KING COUNTY D.D.E.S.                | 13.24        |
| KING COUNTY FINANCE                 | 156,938.36   |
| KING COUNTY FINANCE/ GIS            | 2,313.21     |
| KING COUNTY LIBRARY SYS             | 220,842.00   |
| KING COUNTY OFFICE OF FINANCE       | 5,969.43     |
| KING COUNTY RADIO COMM SERVICES     | 493.16       |
| KING COUNTY RECORDER'S OFFICE       | 396.00       |
| KING COUNTY SHERIFF                 | 1,514,300.64 |
| KING COUNTY SUPERIOR COURT          | \$ 5,400.00  |
| KING COUNTY TREASURY                | 42,970.40    |
| KOMPAN, INC                         | 471.40       |
| KONICA MINOLTA BUSINESS SOLUTIONS   | 3,544.82     |
| KREIDLER FAMILY TRUST               | 24,701.00    |
| LAWRENCE, HENRY                     | 752.54       |
| LEONARD, JAMES & MICHELE            | 207.22       |
| LIGHTHOUSE CONSULTING INC           | 13,739.82    |
| LIGHTING GROUP NORTHWEST            | 16,880.52    |
| MAIL FINANCE                        | 1,755.32     |
| MAILSAFE LLC                        | 1,461.83     |
| McKEE & SCHALKA                     | 4,000.00     |
| MILLER STEPHENS, MARY               | 6,250.00     |

VIIIB. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which

|                                     |            |
|-------------------------------------|------------|
| MILNE ELECTRIC, INC                 | 210.00     |
| MINZGHOR, NICHOLAS                  | 1,214.22   |
| MR. T'S TROPHIES                    | 691.00     |
| NAMI EASTSIDE                       | 770.00     |
| NATIONAL ASSOC OF PARLIAMENTARIANS  | 85.00      |
| NATIONAL IMPRINT CORPORATION        | 427.87     |
| NATIONAL LEAGUE OF CITIES           | 2,674.00   |
| NATIONAL LIFE OF VERMONT            | 2,204.93   |
| NATIONWIDE FINANCIAL 401a           | 177,683.07 |
| NATIONWIDE RETIREMENT SOLUTIONS 457 | 15,710.00  |
| NEXTEL COMMUNICATIONS               | 6,417.36   |
| NORTH COAST ELECTRIC                | 936.51     |
| NORTHSHORE FIRE DEPT                | 5,929.00   |
| NORTHSHORE PARK & REC SERVICE AREA  | 1,360.00   |
| NORTHSHORE SCHOOL DISTRICT          | 333.53     |
| NORTHSHORE SENIOR CENTER            | 11,548.00  |
| NORTHSHORE UTILITY DIST             | 42,267.26  |
| NORTHSHORE YMCA                     | 3,414.00   |
| NORTHSHORE YOUTH & FAMILY SERVICES  | 14,434.50  |
| NRC ENVIRONMENTAL SERVICES, INC.    | 2,059.86   |
| OAC SERVICES, INC                   | 2,356.25   |
| OAKSTONE WELLNESS                   | 128.07     |
| O'CONNOR CONSULTING GROUP           | 1,950.00   |
| OFFICE CLEANING CREW                | 8,640.00   |
| OFFICE MAX                          | 4,600.33   |
| OFFICE TEAM                         | 574.94     |
| OLYMPIC ENVIRONMENTAL RESOURCES INC | 18,297.63  |
| OM WORKSPACE                        | 858.47     |
| ORB ARCHITECTS                      | 82,026.14  |
| OTAK                                | 34,734.81  |
| OUSLEY, NANCY                       | 494.86     |
| PACIFIC TOPSOILS                    | 5,619.08   |
| PANEFULLY CLEAN LLC                 | 2,285.00   |
| PASSPORT TRAVEL AND TOURS           | 9,363.41   |
| PAWS                                | 3,680.00   |
| PENDLETON CONSULTING LLC            | 6,199.73   |
| PENDLETON, MICHAEL                  | 1,276.40   |
| PEOPLES STORAGE                     | 1,858.50   |
| PERKINS COIE                        | 109.00     |
| PERTEET INC.                        | 20,175.90  |
| PETTY CASH CUSTODIAN                | 840.50     |
| PHOTOTAINMENT                       | 963.60     |
| PHSI PURE WATER FINANCE             | 603.78     |
| PLYWOOD SUPPLY INC                  | 496.40     |
| PRIME PACIFIC BANK                  | 60.00      |
| PROTECTION TECHNOLOGIES, INC        | 720.92     |
| PROTHMAN COMPANY                    | 13,159.48  |
| PRUDENTIAL                          | 373.13     |
| PSR MECHANICAL                      | 1,504.54   |
| PUGET SOUND BUSINESS JOURNAL        | 95.00      |

VIIIB. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which

|                                    |            |
|------------------------------------|------------|
| PUGET SOUND CLEAN AIR AGENCY       | 11,308.00  |
| PUGET SOUND ENERGY                 | 453,161.86 |
| PUGET SOUND FINANCE OFFICERS ASSOC | 50.00      |
| QUALITY BUSINESS SYSTEMS           | 5,679.46   |
| RCS VALUATION CORP                 | 750.00     |
| ROGERS, GLENN                      | 2,507.79   |
| ROLLABELS                          | 37.15      |
| RONGERUDE, JOHN                    | 150.00     |
| SARAH ROBERTS                      | 60,600.00  |
| SCHADEMAN HOMES LLC                | 7,500.00   |
| SCHINDLER ELEVATOR CORPORATION     | 897.13     |
| SCHNEE, CARLA                      | 30.52      |
| SEATTLE TIMES                      | 5,423.57   |
| SEES TREES AND EXCAVATION INC      | 9,542.67   |
| SESAC                              | 15.00      |
| SEWER KNOWLEDGE SERVICES           | 900.00     |
| SHRED-IT                           | 396.00     |
| SIGNS NOW                          | 93.63      |
| SMITH, BRENT                       | 219.23     |
| SNOHOMISH COUNTY SHERIFF'S OFFICE  | 169,863.24 |
| SOUND LAW CENTER                   | 2,233.00   |
| SOUND PUBLISHING, INC.             | 3,037.75   |
| SOUND SAFETY PRODUCTS, INC.        | 233.43     |
| SPINNAKER STRATEGIES               | 19,171.40  |
| STAPLES ADVANTAGE                  | 278.15     |
| STATE OF FLORIDA DISBURSEMENT UNIT | 4,400.00   |
| STEPHENS, MARY                     | 2,500.00   |
| STEWART BEALL MACNICHOLS           | 18,600.00  |
| STOUDER, FRED                      | 154.00     |
| STRIPE RITE, INC.                  | 3,969.38   |
| SUBURBAN CITIES ASSOC              | 11,722.64  |
| SUNBELT                            | 259.13     |
| SUSSMAN/PREJZA & CO, INC           | 2,428.30   |
| TALAKAI CONSTRUCTION, LLC          | 16,720.00  |
| TELESYSTEMS WEST                   | 492.75     |
| THE BILLIONS CORPORATION           | 2,000.00   |
| THE BROTHERS COMATOSE              | 1,500.00   |
| THE FRAUSE GROUP, INC.             | 787.00     |
| THE KIPLINGER TAX LETTER           | 99.00      |
| THE SWEETBACK SISTERS              | 1,750.00   |
| THE WATERSHED COMPANY              | 1,842.50   |
| TIMEMARK INCORPORATED              | 136.92     |
| TOTAL LANDSCAPE CORP               | 38,741.27  |
| TOWN & COUNTRY FENCE, INC          | 366.83     |
| TOWNE CENTRE HARDWARE              | 1,017.95   |
| TRANE U.S. INC.                    | 5,021.99   |
| TYMCO, INC.                        | 186,275.00 |
| UNITED RENTALS NW, INC             | 178.49     |
| UNITED STATES POSTMASTER           | 1,410.02   |
| UNITED WAY OF KING COUNTY          | 770.00     |

VIIIB. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which

|                                     |            |
|-------------------------------------|------------|
| UNITY ELECTRIC                      | 509.18     |
| UNIVERSAL FIELD SERVICES            | 5,980.85   |
| URBAN LAND INSTITUTE                | 225.00     |
| US POSTAL SERVICE (HASLER)          | 3,971.41   |
| VAN NESS FELDMAN, P.C.              | 12,962.65  |
| VAN NESS, ALLAN                     | 1,788.18   |
| VERGARA, FELIPE & RUBY              | 4,500.00   |
| VERIZON SELECT SERVICES INC.        | 724.86     |
| VERIZON WIRELESS                    | 270.96     |
| VOID                                | -          |
| W.S.S.O. Advanced Training          | 500.00     |
| WA ASSOC OF CODE ENFORCEMENT        | 25.00      |
| WA CITIES INSURANCE AUTHORITY       | 148,649.00 |
| WA FINANCE OFFICERS ASSOCIATION     | 550.00     |
| WA GUARANTEED EDUCATION TUITION     | 2,905.00   |
| WA RECREATION & PARK ASSOCIATION    | 104.00     |
| WA STATE DEPT OF ENTERPRISE SVCS    | 1,000.00   |
| WA STATE DEPT OF LABOR & INDUSTRIES | 120.20     |
| WA STATE DEPT OF TRANSPORTATION     | 33,306.69  |
| WASHINGTON ENERGY SERVICES          | 56.28      |
| WASHINGTON MUNICIPAL CLERKS ASSOC   | 75.00      |
| WASHINGTON STATE DEPT OF INFO SERV  | 4,553.32   |
| WASHINGTON STATE DEPT OF REVENUE    | 2,524.84   |
| WASHINGTON STATE OFFICE CASH MGMT   | 184.50     |
| WASHINGTON STATE PATROL             | 50.00      |
| WELLS FARGO FINANCIAL               | 6,625.88   |
| WESTERN METAL ART & SIGN            | 433.68     |
| WESTOWER COMMUNICATIONS             | 3,741.99   |
| WETLANDS & WOODLANDS INC            | 1,238.72   |
| WILDCLIFFE SHORES ASSOCIATION       | 1,677.00   |
| WONDERLAND DEVELOPMENT              | 5,533.00   |
| ZONAR SYSTEMS                       | 525.33     |
| ZORNES, GARY                        | 493.00     |

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\$ 6,220,013.18

VIIIB. Approval of Claim Nos. 26331 - 26463 in the Amount of \$657,430.83 and Electronically Transferred Payroll Funds Which



City Council Business Agenda Item  
City of Kenmore, WA

Subject/Topic: July 2012 Financial Report  
Presentation

For Council Meeting Agenda of: September 24, 2012

Department: Finance

Prepared by: Joanne Gregory

To Be Presented By: N/A

Proposed Council Action/Motion: Receive  
and File July 2012 Financial Report for the City  
of Kenmore, Washington

Initial & Date  
Approved by Department Head: mg 9/12/12  
Approved by City Attorney: JNA  
Approved by Finance Director: mg 9/12/12  
Approved by City Manager: [Signature]

Exhibits/Attachments:  
July 2012 Financial Report for the City of Kenmore,  
Washington.

Expenditure Required N/A

Amount Budgeted N/A

Appropriation Required N/A

**INFORMATION/BACKGROUND:**

The July monthly financial report will be presented for Council review. This provides the opportunity for the City Council and the community to receive information on the City of Kenmore's year to date revenues and expenditures in comparison to the City's 2011-2012 adopted biennial budget. It also provides an early opportunity to identify any potential variances or fluctuations from the adopted budget. A mid biennial budget review was performed and the budget was amended by Ordinance No. 11-331 on November 28, 2011. The financial reports have been updated to reflect the budget amendments.

**FISCAL CONSIDERATION:**

July is the 19<sup>th</sup> month of the 24 month biennium. Sales taxes are close to budget (99% of projections) and real estate excise tax (REET) revenues, although at only 75% of budget, have shown a slight improvement. Development revenues overall, including impact fees, have picked up a bit, likely a reflection of the increased activity that normally occurs in the summer months. Gas taxes are stable.

On the national level, the unemployment rate crept back up to 8.3% in July. The Dow Jones closed

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higher in July at 13,008 which was an increase from June's close at 12,880.

**COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:**

Kenmore Budget Policy 9a: A revenue/expenditure report will be produced monthly so that it can be directly compared to the actual results of the fiscal year to date. Kenmore Budget Policy 9b: All budget amendments, both revenues and expenditures, will be noted in the monthly report.





# The City of Kenmore

PO Box 82607  
KENMORE, WASHINGTON 98028

## MEMORANDUM

TO: Rob Karlinsey, City Manager  
FROM: Joanne Gregory, Finance Director *Joanne Gregory*  
DATE: September 5, 2012  
RE: July 2012 Financial Reports for the City of Kenmore, Washington

**July 2012** financial information is presented for your review and delivery to the City Council. Attached you will find the following reports:

- General Fund Summary
- General Fund Revenue Graphs
- General Fund Expenditure Graphs
- All Funds Cash Summary
- Other Funds Monthly Activity
- Cash and Investment Report
- Schedule of Investments
- Sales Tax Receipts by Business Type
- Retail Sales and Use Tax Distribution
- Real Estate Excise Tax Report
- Monthly Report for Kenmore Village
- SR 522 Phase I Revenue and Expenditure History
- SR 522 Phase II Revenue and Expenditure History

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

### GENERAL FUND

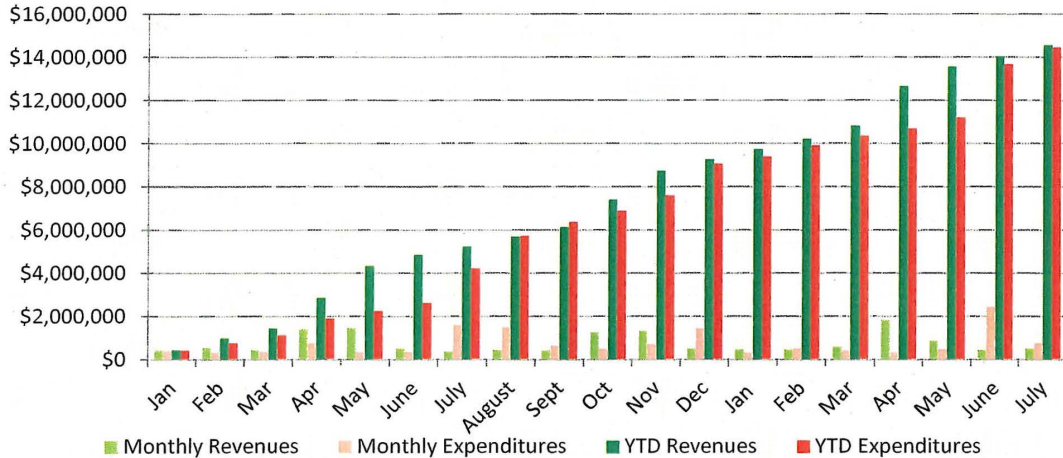
The first section of the monthly financial report is a review of the General Fund. This fund accounts for operational activities and includes all financial resources except those required or elected to be accounted for in another fund. Revenues include various taxes, per capita distributions from the State, fines and forfeitures, permits and licenses, and fees for service.

In the context of the biennial budget, July is the nineteenth month (79%) of the 2011-2012 biennial budget period.

For the month of July, expenditures exceeded revenues in the General Fund by \$252,236.

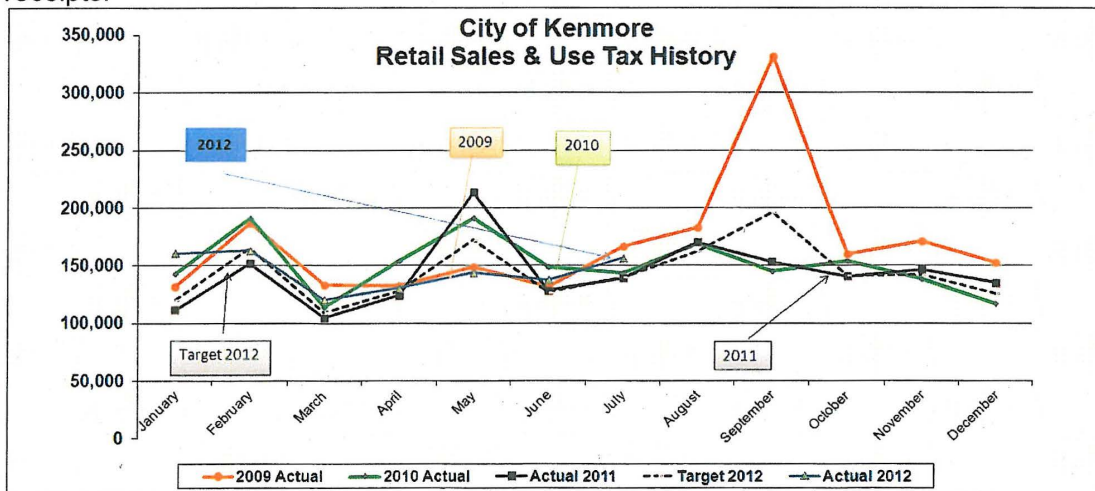
City of Kenmore, Washington  
Monthly Financial Report  
July 2012

The following chart illustrates the monthly revenue and expenditure activity in the General Fund through July, 2012.

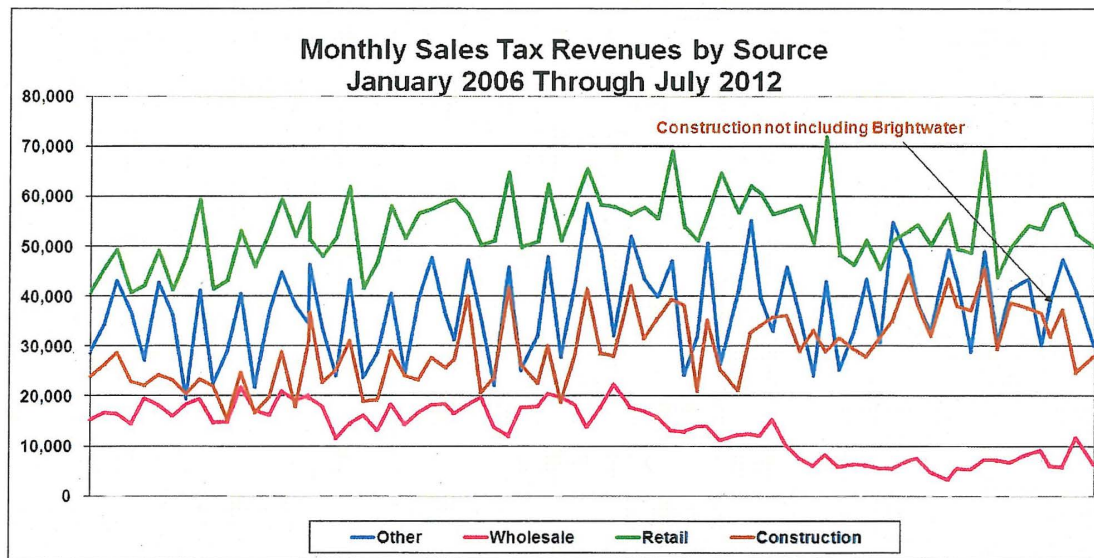


Total **revenues** for the month were **\$521,821**. Biennium to date revenues are \$14,561,963 which is 77% of the amended budgeted revenues of \$18,945,596. Primary sources of revenue for the month included property taxes in the amount of \$27,194, retail sales and use taxes in the amount of \$156,834, and utility taxes in the amount of \$100,756. Note that year to date franchise fees are unusually high because two of the 2010 quarterly payments (total of \$121,674) were remitted to the City in early 2011.

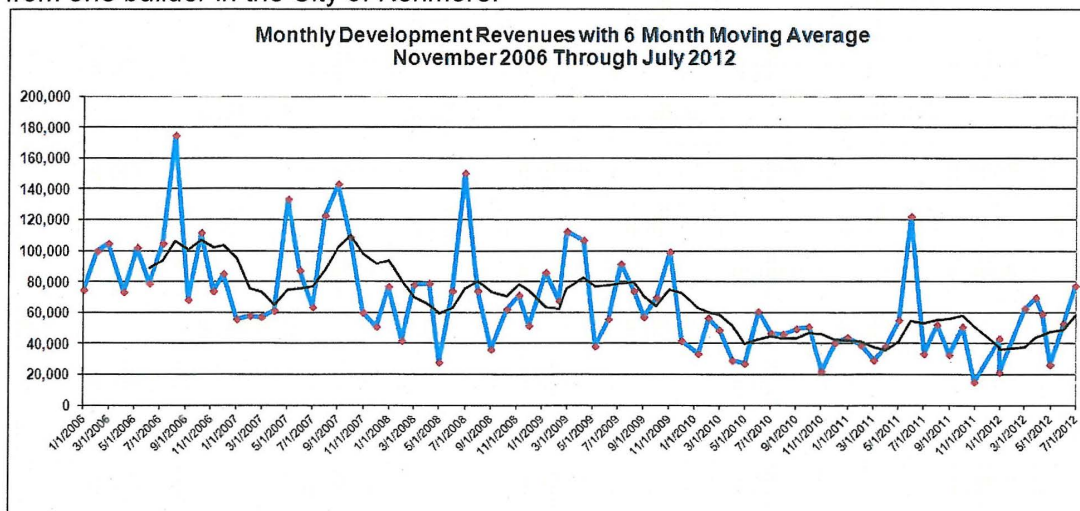
A summary of sales tax revenues received in July is attached. These receipts are based on May sales activity and have been tracking lower each month than the previous three years. The chart below gives a historical perspective of monthly sales tax receipts over the last several years. The black dotted Target 2012 line is a monthly average of actual receipts by month during 2009, 2010, and 2011. The blue line represents 2012 actual receipts.



The following chart illustrates the historical trends of sales tax receipts from the major segments: construction, retail, wholesale, other (agriculture, services, manufacturing, transportation and utilities) from January 2006 through July 2012. Construction sales taxes are shown without the benefit of the Brightwater construction project. This category previously had the benefit of the city hall, Bastyr dorms, fire station and library construction projects which have been completed. Other segments have not yet experienced significant, prolonged downturns; however wholesale and manufacturing receipts have definitely fallen off.



Development revenues are also declining noticeably. The following chart illustrates the revenue activity over the last five years. Although, building permit fees have picked up the last few months during the peak building season of the year, they come primarily from one builder in the City of Kenmore.





There have been many questions about the impact to cities from the State's changes to the liquor tax and revolving fund (profits) distributions. On April 24, AWC held a conference call on this topic for all interested parties and provided a spreadsheet example to assist in determining local impacts.

In summary, the City will be affected as follows:

#### Liquor Excise Tax

Temporary take-away: Kenmore will lose 4 quarterly distributions of liquor excise tax, beginning with the October 2012 distribution which would be approximately \$25,000, affecting the current budget. The other quarterly distributions that Kenmore will not receive would be January 2013, April, 2013, and July, 2013. The lost revenue in 2013 would be about \$83,000 which will impact the next biennial budget. Distributions will resume October 2013.

Permanent take-away: After October, 2013, Kenmore's annual liquor excise tax distributions will be permanently reduced by \$38,000, a prorated share of \$10M per year. The City can expect to receive one quarterly distribution of this additional revenue from Initiative-1183 for July 1 to September 30, 2013, which would be \$9,500, but that would be all.

#### Liquor Profits (Revolving Fund)

Capped: The City will continue to receive liquor profits. Distributions after July, 2012 will be capped at 2011 levels ("a comparable period") of \$156,000 annually plus Kenmore will also receive \$38,000 annually, a prorated share of the additional \$10M for public safety resulting from Initiative 1183. This will not result in a significant budget impact for 2012; however as a revenue source for cities, there will no longer be any growth.

**July 2012 expenditures were \$774,057.** Biennium to date expenditures are \$14,443,827 which is 76.4% of the amended budget expenditures of \$18,914,946.

The General Fund 2011 unaudited ending fund balance was \$5,147,632. In March, 2012 the City Council approved a \$700,000 payment to RECP/UP Kenmore, LP. This payment was in settlement of terminating the ground lease and development agreement (DDA) for the Kenmore Village by the Lake project. A recommended budget amendment and transfer from the General Fund will be brought to the Council for approval prior to the end of 2012. This will reduce the fund balance reserve to approximately \$4,447,632. The City's Financial Policy 3) Contingent Accounts prescribes that the minimum General Fund balance reserve should be \$1,876,990 for 2011 and \$1,905,325 by the end of

2012. The City Council will provide policy direction regarding additional reserve balances in excess of the prescribed policy.

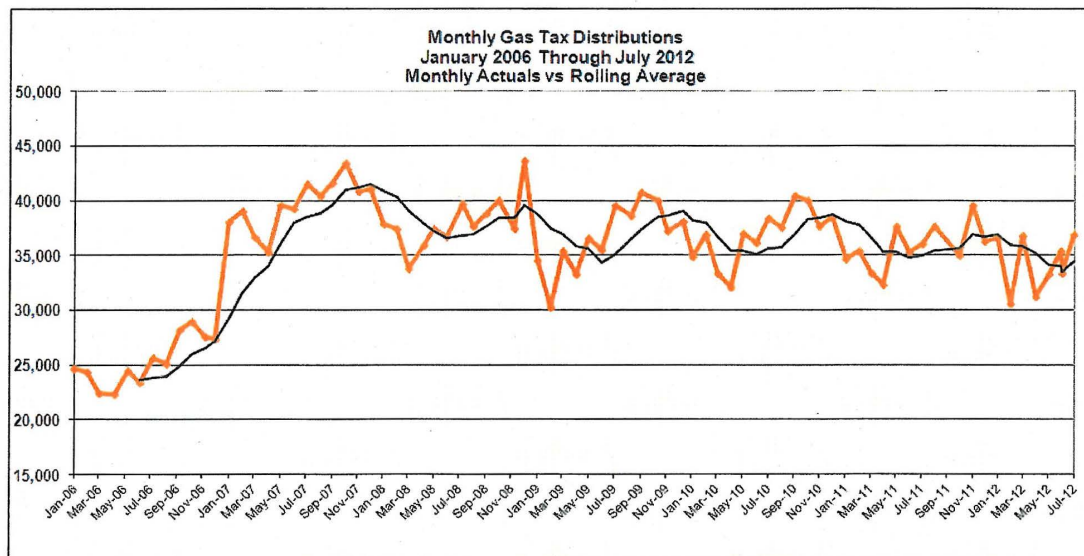
### OTHER FUNDS

The July cash activity for all funds is presented on the attached All Funds Cash Summary. Total City cash and investments, at the end of July, totaled \$15,616,045. The Other Funds Monthly Activity graphs compare biennium to date revenues and expenditures to the 2011-2012 biennial budget.

The following transactions and activities were of note during the month of June. Total non General Fund revenues were \$474,058 and total non-General Fund expenditures were \$236,398.

In the **Street Fund** revenue from gas tax distributions was \$36,857.25.

The following chart shows recent gas tax receipts through July, 2012. The revenues reflect economizing by the public and increased use of fuel efficient vehicles.

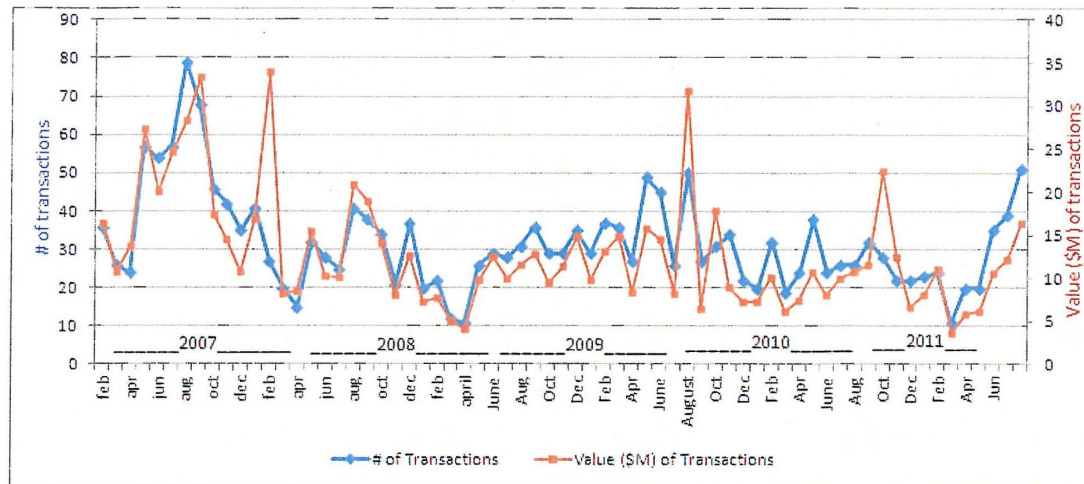


In the **Arterial Street Fund**, expenditures consisted of \$24,729 being expended on SR 522 Phase I and Phase II projects. A total of \$40,434.32 was spent on various other transportation projects including the NE 145<sup>th</sup> St. Traffic Signal & 61<sup>st</sup> Ave/NE 181<sup>st</sup> Traffic Signal.

City of Kenmore, Washington  
Monthly Financial Report  
July 2012

The **Municipal Capital Fund** received \$81,316 of real estate excise taxes (REET) in July from sales activity that occurred in June. 51 transactions were reported this month.

The attached Real Estate Excise Tax Report shows the monthly activity since 2007. Below is a chart that shows both the number of real estate transactions and the value of those transactions for the years 2007, 2008, 2009, 2010, 2011. The number of monthly transactions have been increasing the last few months, which is expected since the summer months historically have the greatest amount of sales activity during the year.



The \$675K negative cash balance in the **Capital Projects Fund** is due to the \$700K payment to RECP/UP Kenmore, LP in March pending a transfer of cash from the General Fund.

In the **SWM** fund \$202,449 was received from Federal and State grants, which reimbursed the City costs associated with the 2007 winter floods.

### SUMMARY

This concludes the financial report for the City of Kenmore as of **July 31, 2012**. I appreciate your feedback and encourage you to contact me if you have any questions prior to the City Council meeting.

City of Kenmore, Washington  
General Fund Summary Report  
July 31, 2012



|                                         | CURRENT PERIOD 2011-2012 |                  |               |                  | PRIOR PERIOD 2009-2010 |                  |                  |
|-----------------------------------------|--------------------------|------------------|---------------|------------------|------------------------|------------------|------------------|
|                                         | MONTH                    | BIENNIUM TO DATE | % of          | AMENDED BUDGET   | MONTH                  | BIENNIUM TO DATE | BIENNIUM BUDGET  |
|                                         | <u>July</u>              | <u>2011-2012</u> | <u>BUDGET</u> | <u>2011-2012</u> | <u>July-2010</u>       | <u>2009-2010</u> | <u>2009-2010</u> |
| <b>REVENUES</b>                         |                          |                  |               |                  |                        |                  |                  |
| Beginning Fund Balance                  |                          |                  |               | 4,941,884        |                        |                  | 3,683,966        |
| Property Taxes                          | 27,194                   | 6,368,604        | 77.2%         | 8,254,387        | 12,294                 | 6,075,198        | 7,870,521        |
| Sales and Use Taxes                     | 192,325                  | 3,386,339        | 78.0%         | 4,339,202        | 173,269                | 3,589,285        | 4,486,179        |
| Utility Taxes                           | 100,756                  | 2,307,069        | 76.8%         | 3,002,082        | 109,937                | 2,392,525        | 3,001,932        |
| Other Taxes                             | 3,915                    | 47,821           | 45.9%         | 104,104          | 721                    | 296,314          | 145,900          |
| Development Fees & Permits              | 77,839                   | 929,198          | 64.6%         | 1,439,095        | 46,849                 | 1,205,641        | 1,803,313        |
| Franchise Fees                          | 65,837                   | 596,530          | 91.7%         | 650,588          | 0                      | 426,382          | 466,900          |
| Intergovernmental and Grants            | 51,279                   | 625,708          | 82.2%         | 761,476          | 37,997                 | 720,071          | 760,841          |
| Investment Interest                     | 2,524                    | 84,630           | 151.1%        | 56,000           | 8,761                  | 93,278           | 180,000          |
| Fines and Forfeitures                   | 0                        | 669              | 0.0%          | 0                | 21,000                 | 114,977          | 0                |
| Transfers and Other Revenues            | 152                      | 215,395          | 63.6%         | 338,662          | 6,941                  | 177,765          | 235,220          |
| Total Revenues                          | 521,821                  | 14,561,963       | 76.9%         | 18,945,596       | 417,769                | 15,091,437       | 18,950,806       |
| Total Revenues & Beginning Fund Balance |                          | 19,503,847       |               | 23,887,480       |                        |                  | 22,634,772       |

|                                            | CURRENT PERIOD 2011-2012 |                  |               |                  | PRIOR PERIOD 2009-2010 |                  |                  |
|--------------------------------------------|--------------------------|------------------|---------------|------------------|------------------------|------------------|------------------|
|                                            | MONTH                    | BIENNIUM TO DATE | % of          | AMENDED BUDGET   | MONTH                  | BIENNIUM TO DATE | BIENNIUM BUDGET  |
|                                            | <u>July</u>              | <u>2011-2012</u> | <u>BUDGET</u> | <u>2011-2012</u> | <u>July-2010</u>       | <u>2009-2010</u> | <u>2009-2010</u> |
| <b>EXPENDITURES</b>                        |                          |                  |               |                  |                        |                  |                  |
| Cost Center                                |                          |                  |               |                  |                        |                  |                  |
| City Council                               | 10,100                   | 195,984          | 90.0%         | 217,644          | 12,697                 | 182,714          | 184,307          |
| City Manager                               | 93,868                   | 1,541,858        | 85.8%         | 1,796,600        | 96,487                 | 1,262,671        | 1,576,240        |
| City Clerk                                 | 11,796                   | 420,426          | 78.4%         | 536,261          | 28,746                 | 392,666          | 503,323          |
| Finance                                    | 27,028                   | 498,354          | 78.0%         | 639,213          | 25,843                 | 396,485          | 484,516          |
| Legal                                      | 41,605                   | 443,895          | 89.8%         | 494,285          | 16,066                 | 398,159          | 415,000          |
| Non-Departmental                           | 112,937                  | 1,581,087        | 103.1%        | 1,532,818        | 24,845                 | 1,398,607        | 1,774,827        |
| Interfund Transfers                        | 0                        | 1,247,000        | 79.7%         | 1,564,000        | 0                      | 1,371,095        | 3,296,095        |
| Public Safety                              | 302,398                  | 5,175,502        | 72.1%         | 7,179,563        | 307,515                | 4,924,682        | 6,969,090        |
| Engineering                                | 56,558                   | 875,830          | 83.8%         | 1,045,741        | 34,609                 | 569,791          | 1,197,788        |
| Planning & Community Dev                   | 26,930                   | 525,454          | 73.7%         | 712,632          | 142,243                | 2,249,317        | 3,358,755        |
| Land Dev & Permitting                      | 44,027                   | 892,417          | 59.4%         | 1,501,147        | 0                      | 0                | 0                |
| Parks & Facility Maintenance               | 46,809                   | 1,046,019        | 61.7%         | 1,695,042        | 55,201                 | 735,948          | 1,001,942        |
| Total Expenditures                         | 774,057                  | 14,443,827       | 76.4%         | 18,914,946       | 744,252                | 13,882,135       | 20,761,883       |
| Ending Fund Balance                        |                          | 5,060,021        |               | 4,972,534        |                        |                  | 1,872,888        |
| Total Expenditures and Ending Fund Balance |                          | 19,503,847       |               | 23,887,480       |                        |                  | 22,634,771       |



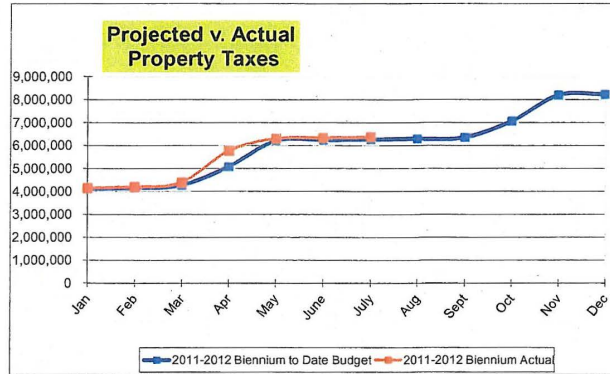
**City of Kenmore, Washington  
General Fund Revenue Graphs  
July 31, 2012**

**PROPERTY TAXES**

|            | 2011-2012<br>Biennium to Date<br>Budget | 2011-2012<br>Biennium<br>Actual |
|------------|-----------------------------------------|---------------------------------|
| 2011       | 4,106,660                               | 4,148,487                       |
| Jan        | 4,117,631                               | 4,160,305                       |
| Feb        | 4,160,871                               | 4,206,845                       |
| Mar        | 4,286,519                               | 4,396,928                       |
| Apr        | 5,093,799                               | 5,774,789                       |
| May        | 6,232,010                               | 6,317,049                       |
| June       | 6,256,835                               | 6,341,410                       |
| July       | 6,269,341                               | 6,368,604                       |
| Aug        | 6,307,069                               |                                 |
| Sept       | 6,363,212                               |                                 |
| Oct        | 7,075,307                               |                                 |
| Nov        | 8,218,454                               |                                 |
| Dec        | 8,254,387                               |                                 |
| 2011 -2012 | 8,254,387                               |                                 |

Year To Date  
Actual v. Projected

102%

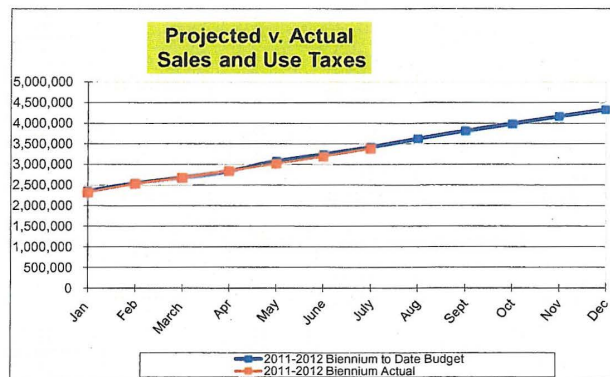


**SALES, USE, CRIM JUSTICE TAXES**

|            | 2011-2012<br>Biennium to Date<br>Budget | 2011-2012<br>Biennium<br>Actual |
|------------|-----------------------------------------|---------------------------------|
| 2011       | 2,219,601                               | 2,132,545                       |
| Jan        | 2,362,463                               | 2,326,110                       |
| Feb        | 2,554,821                               | 2,532,733                       |
| March      | 2,687,494                               | 2,682,896                       |
| Apr        | 2,839,881                               | 2,844,212                       |
| May        | 3,092,170                               | 3,024,245                       |
| June       | 3,252,582                               | 3,194,013                       |
| July       | 3,424,707                               | 3,386,339                       |
| Aug        | 3,631,506                               |                                 |
| Sept       | 3,818,666                               |                                 |
| Oct        | 3,992,212                               |                                 |
| Nov        | 4,172,191                               |                                 |
| Dec        | 4,339,202                               |                                 |
| 2011 -2012 | 4,339,202                               |                                 |

Year To Date  
Actual v. Projected

99%

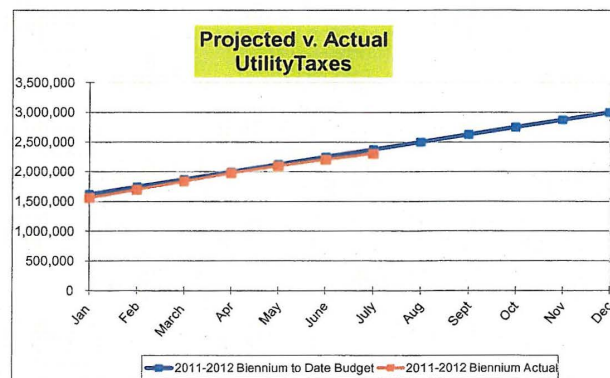


**UTILITY TAXES**

|            | 2011-2012<br>Biennium to Date<br>Budget | 2011-2012<br>Biennium<br>Actual |
|------------|-----------------------------------------|---------------------------------|
| 2011       | 1,501,040                               | 1,419,668                       |
| Jan        | 1,626,127                               | 1,564,593                       |
| Feb        | 1,751,213                               | 1,701,246                       |
| March      | 1,876,300                               | 1,842,653                       |
| Apr        | 2,001,387                               | 1,980,776                       |
| May        | 2,126,473                               | 2,098,658                       |
| June       | 2,251,560                               | 2,206,313                       |
| July       | 2,376,647                               | 2,307,068                       |
| Aug        | 2,501,733                               |                                 |
| Sept       | 2,626,820                               |                                 |
| Oct        | 2,751,907                               |                                 |
| Nov        | 2,876,993                               |                                 |
| Dec        | 3,002,080                               |                                 |
| 2011 -2012 | 3,002,080                               |                                 |

Year To Date  
Actual v. Projected

97%



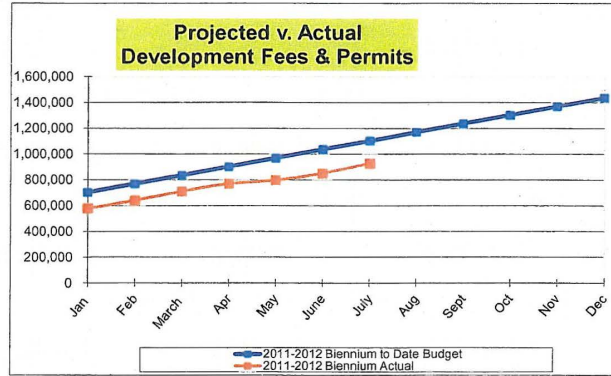


**City of Kenmore, Washington  
General Fund Revenue Graphs  
July 31, 2012**

**DEVELOPMENT FEES & PERMITS**

|           | 2011-2012<br>Biennium to Date<br>Budget | 2011-2012<br>Biennium<br>Actual |
|-----------|-----------------------------------------|---------------------------------|
| 2011      | 639,292                                 | 557,183                         |
| Jan       | 705,942                                 | 579,019                         |
| Feb       | 772,593                                 | 641,996                         |
| March     | 839,243                                 | 712,228                         |
| Apr       | 905,893                                 | 771,667                         |
| May       | 972,543                                 | 798,313                         |
| June      | 1,039,194                               | 851,359                         |
| July      | 1,105,844                               | 929,197                         |
| Aug       | 1,172,494                               |                                 |
| Sept      | 1,239,144                               |                                 |
| Oct       | 1,305,795                               |                                 |
| Nov       | 1,372,445                               |                                 |
| Dec       | 1,439,095                               |                                 |
| 2011-2012 | 1,439,095                               |                                 |

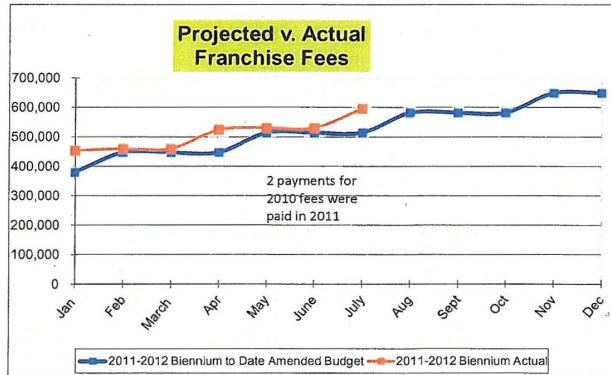
Year To Date  
Actual v. Projected 84%



**FRANCHISE FEES**

|           | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|-----------|-------------------------------------------------|---------------------------------|
| Jan       | 381,294                                         | 394,363                         |
| Feb       | 381,294                                         | 453,289                         |
| March     | 448,618                                         | 459,762                         |
| Apr       | 448,618                                         | 524,128                         |
| May       | 515,941                                         | 530,693                         |
| June      | 515,941                                         | 530,694                         |
| July      | 515,941                                         | 596,531                         |
| Aug       | 583,265                                         |                                 |
| Sept      | 583,265                                         |                                 |
| Oct       | 583,265                                         |                                 |
| Nov       | 650,588                                         |                                 |
| Dec       | 650,588                                         |                                 |
| 2011-2012 | 650,588                                         |                                 |

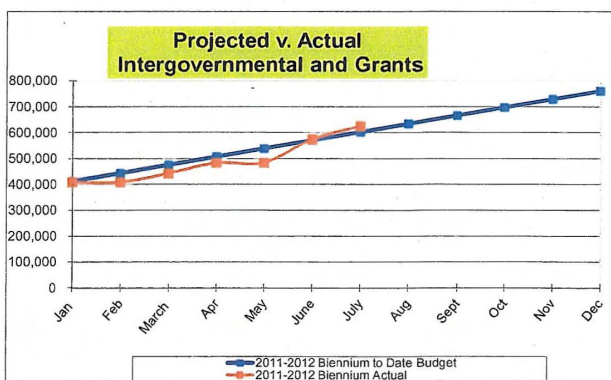
Year To Date  
Actual v. Projected 116%



**INTERGOVERNMENTAL & GRANTS**

|           | 2011-2012<br>Biennium to Date<br>Budget | 2011-2012<br>Biennium<br>Actual |
|-----------|-----------------------------------------|---------------------------------|
| 2011      | 380,738                                 | 370,347                         |
| Jan       | 412,466                                 | 408,798                         |
| Feb       | 444,194                                 | 408,798                         |
| March     | 475,923                                 | 442,675                         |
| Apr       | 507,651                                 | 483,518                         |
| May       | 539,379                                 | 483,518                         |
| June      | 571,107                                 | 574,429                         |
| July      | 602,835                                 | 625,708                         |
| Aug       | 634,563                                 |                                 |
| Sept      | 666,292                                 |                                 |
| Oct       | 698,020                                 |                                 |
| Nov       | 729,748                                 |                                 |
| Dec       | 761,476                                 |                                 |
| 2011-2012 | 761,476                                 |                                 |

Year To Date  
Actual v. Projected 104%



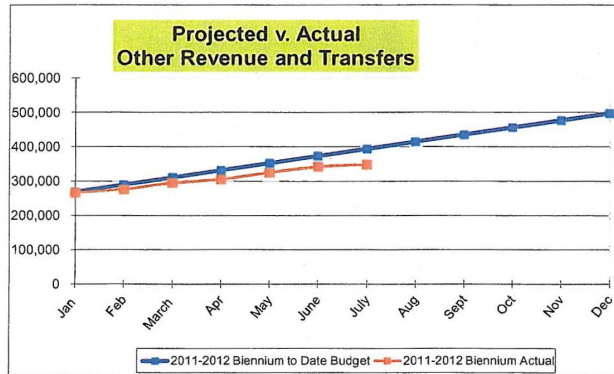
**City of Kenmore, Washington  
General Fund Revenue Graphs  
July 31, 2012**

**OTHER REVENUES AND TRANSFERS**

|            | 2011-2012<br>Biennium to Date<br>Budget | 2011-2012<br>Biennium<br>Actual |
|------------|-----------------------------------------|---------------------------------|
| 2011       | 249,383                                 | 264,912                         |
| Jan        | 270,165                                 | 266,622                         |
| Feb        | 290,947                                 | 276,326                         |
| March      | 311,729                                 | 295,192                         |
| Apr        | 332,511                                 | 305,109                         |
| May        | 353,293                                 | 324,902                         |
| June       | 374,075                                 | 341,924                         |
| July       | 394,856                                 | 348,516                         |
| Aug        | 415,638                                 |                                 |
| Sept       | 436,420                                 |                                 |
| Oct        | 457,202                                 |                                 |
| Nov        | 477,984                                 |                                 |
| Dec        | 498,766                                 |                                 |
| 2011 -2012 | 498,766                                 |                                 |

Year To Date  
Actual v. Projected

88%

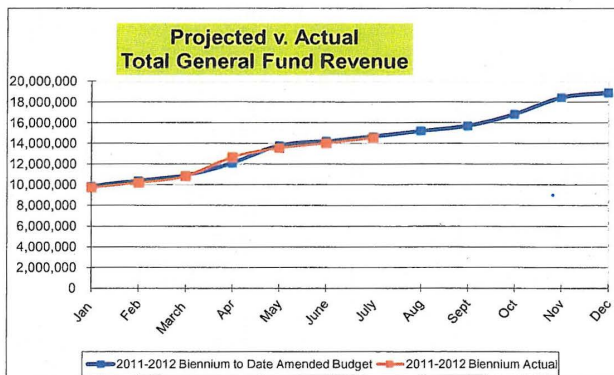


**TOTAL GENERAL FUND REVENUE**

|            | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|------------|-------------------------------------------------|---------------------------------|
| Jan        | 9,876,089                                       | 9,758,736                       |
| Feb        | 10,423,257                                      | 10,227,707                      |
| March      | 10,925,825                                      | 10,832,334                      |
| Apr        | 12,129,740                                      | 12,684,200                      |
| May        | 13,831,811                                      | 13,577,379                      |
| June       | 14,261,294                                      | 14,040,142                      |
| July       | 14,690,172                                      | 14,561,963                      |
| Aug        | 15,246,269                                      |                                 |
| Sept       | 15,733,820                                      |                                 |
| Oct        | 16,863,708                                      |                                 |
| Nov        | 18,498,404                                      |                                 |
| Dec        | 18,945,595                                      |                                 |
| 2011 -2012 | 18,945,595                                      |                                 |

Year To Date  
Actual v. Projected

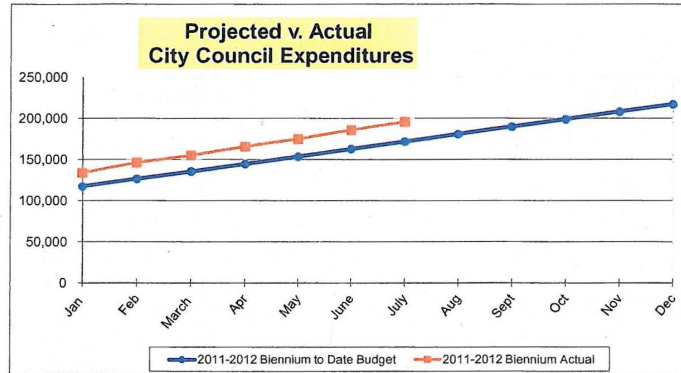
99%



**City of Kenmore, Washington  
General Fund Expenditure Graphs  
July 31, 2012**

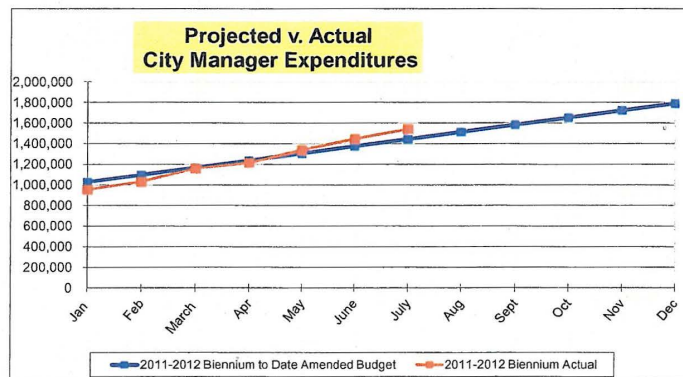
**CITY COUNCIL**

|                     | 2011-2012<br>Biennium to Date<br>Budget | 2011-2012<br>Biennium<br>Actual |
|---------------------|-----------------------------------------|---------------------------------|
| 2011                | 108,797                                 | 127,749                         |
| Jan                 | 117,868                                 | 133,976                         |
| Feb                 | 126,938                                 | 146,435                         |
| March               | 136,009                                 | 155,219                         |
| Apr                 | 145,079                                 | 165,832                         |
| May                 | 154,150                                 | 175,268                         |
| June                | 163,221                                 | 185,884                         |
| July                | 172,291                                 | 195,984                         |
| Aug                 | 181,362                                 |                                 |
| Sept                | 190,432                                 |                                 |
| Oct                 | 199,503                                 |                                 |
| Nov                 | 208,573                                 |                                 |
| Dec                 | 217,644                                 |                                 |
| 2011-2012           | 217,644                                 |                                 |
| Year To Date        |                                         |                                 |
| Actual v. Projected |                                         | 114%                            |



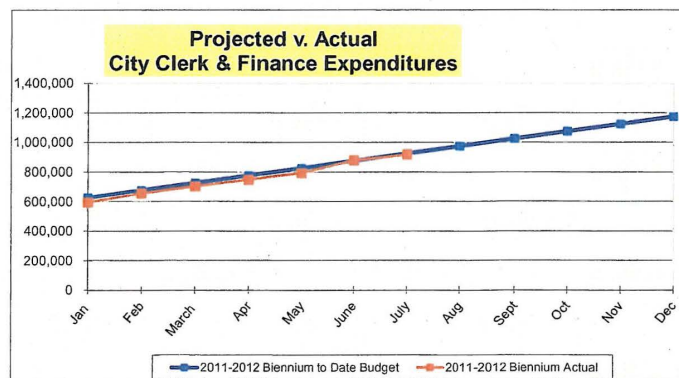
**CITY MANAGER**

|                     | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|---------------------|-------------------------------------------------|---------------------------------|
| 2011                | 959,734                                         | 912,314                         |
| Jan                 | 1,029,473                                       | 954,492                         |
| Feb                 | 1,099,212                                       | 1,030,751                       |
| March               | 1,168,951                                       | 1,160,837                       |
| Apr                 | 1,238,689                                       | 1,214,980                       |
| May                 | 1,308,428                                       | 1,338,183                       |
| June                | 1,378,167                                       | 1,447,990                       |
| July                | 1,447,906                                       | 1,541,858                       |
| Aug                 | 1,517,645                                       |                                 |
| Sept                | 1,587,384                                       |                                 |
| Oct                 | 1,657,122                                       |                                 |
| Nov                 | 1,726,861                                       |                                 |
| Dec                 | 1,796,600                                       |                                 |
| 2011-2012           | 1,796,600                                       |                                 |
| Year To Date        |                                                 |                                 |
| Actual v. Projected |                                                 | 106%                            |



**CITY CLERK & FINANCE**

|                     | 2011-2012<br>Biennium to Date<br>Budget | 2011-2012<br>Biennium<br>Actual |
|---------------------|-----------------------------------------|---------------------------------|
| 2011                | 577,181                                 | 550,087                         |
| Jan                 | 627,039                                 | 593,676                         |
| Feb                 | 676,897                                 | 655,819                         |
| March               | 726,754                                 | 703,370                         |
| Apr                 | 776,612                                 | 747,105                         |
| May                 | 826,470                                 | 793,186                         |
| June                | 876,328                                 | 879,956                         |
| July                | 926,185                                 | 918,780                         |
| Aug                 | 976,043                                 |                                 |
| Sept                | 1,025,901                               |                                 |
| Oct                 | 1,075,759                               |                                 |
| Nov                 | 1,125,616                               |                                 |
| Dec                 | 1,175,474                               |                                 |
| 2011-2012           | 1,175,474                               |                                 |
| Year To Date        |                                         |                                 |
| Actual v. Projected |                                         | 99%                             |



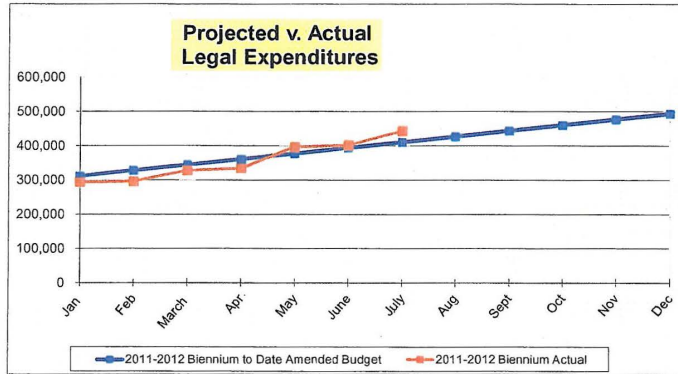
**City of Kenmore, Washington**  
**General Fund Expenditure Graphs**  
**July 31, 2012**

**LEGAL**

|           | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|-----------|-------------------------------------------------|---------------------------------|
| 2011      | 295,785                                         | 294,320                         |
| Jan       | 312,327                                         | 294,320                         |
| Feb       | 328,868                                         | 296,333                         |
| March     | 345,410                                         | 328,304                         |
| Apr       | 361,952                                         | 334,730                         |
| May       | 378,493                                         | 397,117                         |
| June      | 395,035                                         | 402,290                         |
| July      | 411,577                                         | 443,895                         |
| Aug       | 428,118                                         |                                 |
| Sept      | 444,660                                         |                                 |
| Oct       | 461,202                                         |                                 |
| Nov       | 477,743                                         |                                 |
| Dec       | 494,285                                         |                                 |
| 2011-2012 | 494,285                                         |                                 |

Year To Date  
 Actual v. Projected

108%

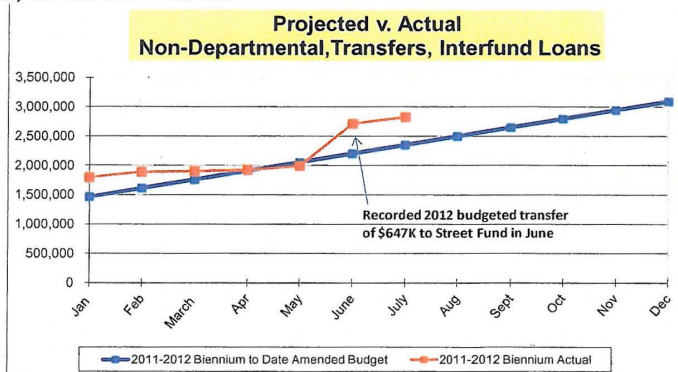


**NON-DEPARTMENTAL, TRANSFERS, INTERFUND LOANS**

|           | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|-----------|-------------------------------------------------|---------------------------------|
| 2011      | 1,323,203                                       | 1,671,568                       |
| Jan       | 1,471,004                                       | 1,799,662                       |
| Feb       | 1,618,806                                       | 1,891,906                       |
| March     | 1,766,607                                       | 1,904,342                       |
| Apr       | 1,914,408                                       | 1,927,035                       |
| May       | 2,062,209                                       | 1,998,718                       |
| June      | 2,210,011                                       | 2,715,150                       |
| July      | 2,357,812                                       | 2,828,087                       |
| Aug       | 2,505,613                                       |                                 |
| Sept      | 2,653,414                                       |                                 |
| Oct       | 2,801,216                                       |                                 |
| Nov       | 2,949,017                                       |                                 |
| Dec       | 3,096,818                                       |                                 |
| 2011-2012 | 3,096,818                                       |                                 |

Year To Date  
 Actual v. Projected

120%

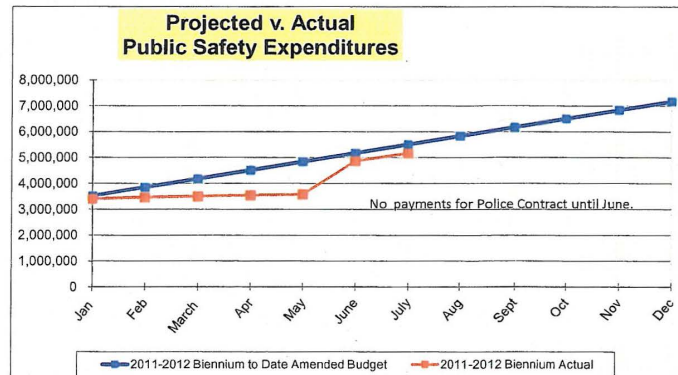


**PUBLIC SAFETY**

|           | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|-----------|-------------------------------------------------|---------------------------------|
| 2011      | 3,196,106                                       | 3,403,896                       |
| Jan       | 3,528,061                                       | 3,406,200                       |
| Feb       | 3,860,016                                       | 3,470,100                       |
| March     | 4,191,970                                       | 3,510,205                       |
| Apr       | 4,523,925                                       | 3,549,974                       |
| May       | 4,855,880                                       | 3,585,765                       |
| June      | 5,187,835                                       | 4,873,104                       |
| July      | 5,519,789                                       | 5,175,502                       |
| Aug       | 5,851,744                                       |                                 |
| Sept      | 6,183,699                                       |                                 |
| Oct       | 6,515,654                                       |                                 |
| Nov       | 6,847,608                                       |                                 |
| Dec       | 7,179,563                                       |                                 |
| 2011-2012 | 7,179,563                                       |                                 |

Year To Date  
 Actual v. Projected

94%

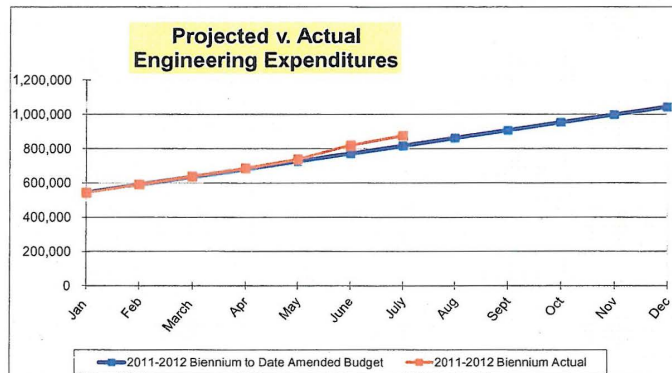




**City of Kenmore, Washington**  
**General Fund Expenditure Graphs**  
**July 31, 2012**

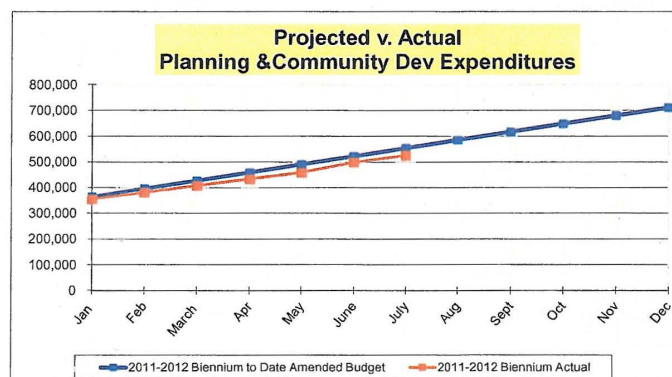
**ENGINEERING**

|                     | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|---------------------|-------------------------------------------------|---------------------------------|
| 2011                | 501,361                                         | 503,575                         |
| Jan                 | 546,726                                         | 543,221                         |
| Feb                 | 592,091                                         | 591,909                         |
| March               | 637,456                                         | 638,917                         |
| Apr                 | 682,821                                         | 685,694                         |
| May                 | 728,186                                         | 737,839                         |
| June                | 773,551                                         | 819,272                         |
| July                | 818,916                                         | 875,830                         |
| Aug                 | 864,281                                         |                                 |
| Sept                | 909,646                                         |                                 |
| Oct                 | 955,011                                         |                                 |
| Nov                 | 1,000,376                                       |                                 |
| Dec                 | 1,045,741                                       |                                 |
| 2011-2012           | 1,045,741                                       |                                 |
| Year To Date        |                                                 |                                 |
| Actual v. Projected |                                                 | 107%                            |



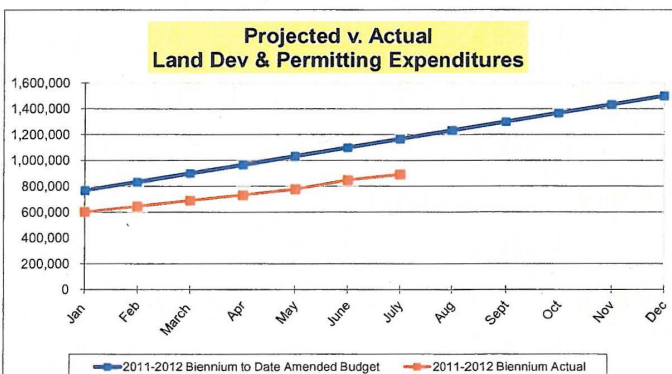
**PLANNING & COMMUNITY DEV**

|                     | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|---------------------|-------------------------------------------------|---------------------------------|
| 2011                | 333,878                                         | 330,213                         |
| Jan                 | 365,441                                         | 355,355                         |
| Feb                 | 397,004                                         | 381,265                         |
| March               | 428,567                                         | 407,823                         |
| Apr                 | 460,129                                         | 433,175                         |
| May                 | 491,692                                         | 458,553                         |
| June                | 523,255                                         | 498,523                         |
| July                | 554,818                                         | 525,454                         |
| Aug                 | 586,381                                         |                                 |
| Sept                | 617,944                                         |                                 |
| Oct                 | 649,506                                         |                                 |
| Nov                 | 681,069                                         |                                 |
| Dec                 | 712,632                                         |                                 |
| 2011-2012           | 712,632                                         |                                 |
| Year To Date        |                                                 |                                 |
| Actual v. Projected |                                                 | 95%                             |



**LAND DEV & PERMITTING**

|                     | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|---------------------|-------------------------------------------------|---------------------------------|
| 2011                | 701,782                                         | 560,680                         |
| Jan                 | 768,396                                         | 602,819                         |
| Feb                 | 835,010                                         | 645,397                         |
| March               | 901,623                                         | 690,176                         |
| Apr                 | 968,237                                         | 732,455                         |
| May                 | 1,034,851                                       | 778,692                         |
| June                | 1,101,465                                       | 848,390                         |
| July                | 1,168,078                                       | 892,417                         |
| Aug                 | 1,234,692                                       |                                 |
| Sept                | 1,301,306                                       |                                 |
| Oct                 | 1,367,920                                       |                                 |
| Nov                 | 1,434,533                                       |                                 |
| Dec                 | 1,501,147                                       |                                 |
| 2011-2012           | 1,501,147                                       |                                 |
| Year To Date        |                                                 |                                 |
| Actual v. Projected |                                                 | 76%                             |



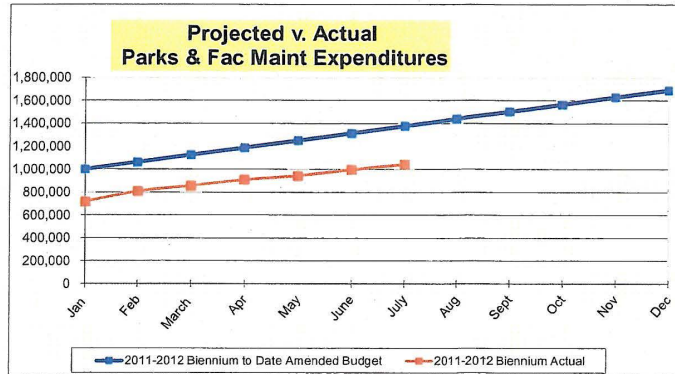
**City of Kenmore, Washington  
General Fund Expenditure Graphs  
July 31, 2012**

**PARKS & FACILITY MAINT**

|           | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|-----------|-------------------------------------------------|---------------------------------|
| 2011      | 941,976                                         | 715,261                         |
| Jan       | 1,004,732                                       | 719,947                         |
| Feb       | 1,067,487                                       | 812,556                         |
| March     | 1,130,243                                       | 858,040                         |
| Apr       | 1,192,998                                       | 912,244                         |
| May       | 1,255,754                                       | 944,684                         |
| June      | 1,318,509                                       | 999,210                         |
| July      | 1,381,265                                       | 1,046,019                       |
| Aug       | 1,444,020                                       |                                 |
| Sept      | 1,506,776                                       |                                 |
| Oct       | 1,569,531                                       |                                 |
| Nov       | 1,632,287                                       |                                 |
| Dec       | 1,695,042                                       |                                 |
| 2011-2012 | 1,695,042                                       |                                 |

Year To Date  
Actual v. Projected

76%

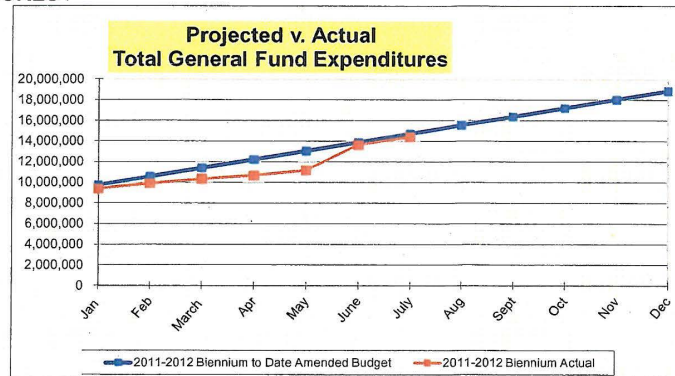


**TOTAL GENERAL FUND EXPENDITURES**

|           | 2011-2012<br>Biennium to Date<br>Amended Budget | 2011-2012<br>Biennium<br>Actual |
|-----------|-------------------------------------------------|---------------------------------|
| Jan       | 9,771,065                                       | 9,403,668                       |
| Feb       | 10,602,327                                      | 9,922,471                       |
| March     | 11,433,589                                      | 10,357,232                      |
| Apr       | 12,264,851                                      | 10,703,223                      |
| May       | 13,096,113                                      | 11,208,004                      |
| June      | 13,927,375                                      | 13,669,770                      |
| July      | 14,758,636                                      | 14,443,827                      |
| Aug       | 15,589,898                                      |                                 |
| Sept      | 16,421,160                                      |                                 |
| Oct       | 17,252,422                                      |                                 |
| Nov       | 18,083,684                                      |                                 |
| Dec       | 18,914,946                                      |                                 |
| 2011-2012 | 18,914,946                                      |                                 |

Year To Date  
Actual v. Projected

97.87%





City of Kenmore, Washington  
All Funds Cash Summary  
July 31, 2012



|                                       | 2009-2010         |                   | 2011-2012      |                   |
|---------------------------------------|-------------------|-------------------|----------------|-------------------|
|                                       | BIENNIUM          | AMENDED BUDGET    | July           | BIENNIUM TO DATE  |
| <b>GENERAL FUND</b>                   |                   |                   |                |                   |
| Beginning Cash                        | 2,748,258         | 4,941,884         |                | 4,941,884         |
| Interfund Loan Repayment              | 6,850,000         | 0                 |                | 0                 |
| <b>Revenues</b>                       | <b>18,944,234</b> | <b>18,945,595</b> | <b>521,821</b> | <b>14,561,963</b> |
| Total Sources                         | 28,542,492        | 23,887,479        | 521,821        | 19,503,847        |
| Interfund Loans                       | 5,350,000         | 0                 |                | 0                 |
| <b>Expenditures</b>                   | <b>18,262,703</b> | <b>18,914,946</b> | <b>774,057</b> | <b>14,443,827</b> |
| Ending Cash                           | 4,929,789         | 4,972,533         |                | 5,060,021         |
| Total Uses                            | 28,542,492        | 23,887,479        | 774,057        | 19,503,847        |
| <b>STREET FUND</b>                    |                   |                   |                |                   |
| Beginning Cash                        | 228,568           | 2,040,582         |                | 2,040,582         |
| Interfund Loan                        | 3,550,000         | 0                 |                | 0                 |
| <b>Revenues</b>                       | <b>8,568,320</b>  | <b>2,394,724</b>  | <b>36,857</b>  | <b>1,920,907</b>  |
| Total Sources                         | 12,346,888        | 4,435,306         | 36,857         | 3,961,489         |
| Interfund Loan Repaid                 | 6,150,000         | 0                 |                | 0                 |
| <b>Expenditures</b>                   | <b>4,156,306</b>  | <b>3,160,790</b>  | <b>67,646</b>  | <b>1,759,331</b>  |
| Ending Cash                           | 2,040,582         | 1,274,516         |                | 2,202,158         |
| Total Uses                            | 12,346,888        | 4,435,306         | 67,646         | 3,961,489         |
| <b>ARTERIAL STREET FUND</b>           |                   |                   |                |                   |
| Beginning Cash                        | 1,432,272         | 1,209,197         |                | 1,209,197         |
| Interfund Loan                        | 8,300,000         | 0                 |                | 0                 |
| <b>Revenues</b>                       | <b>23,393,136</b> | <b>7,574,163</b>  | <b>55</b>      | <b>3,174,585</b>  |
| Total Sources                         | 33,125,408        | 8,783,360         | 55             | 4,383,782         |
| Interfund Loan Repaid                 | 10,500,000        | 0                 |                | 0                 |
| <b>Expenditures</b>                   | <b>21,416,211</b> | <b>8,420,240</b>  | <b>65,163</b>  | <b>3,350,992</b>  |
| Ending Cash                           | 1,209,197         | 363,120           |                | 1,032,790         |
| Total Uses                            | 33,125,408        | 8,783,360         | 65,163         | 4,383,782         |
| <b>PUBLIC ART FUND</b>                |                   |                   |                |                   |
| Beginning Cash                        | 67,378            | 68,244            |                | 68,244            |
| <b>Revenues</b>                       | <b>130,857</b>    | <b>3,979</b>      | <b>0</b>       | <b>819</b>        |
| Total Sources                         | 198,235           | 72,223            | 0              | 69,063            |
| <b>Expenditures</b>                   | <b>129,991</b>    | <b>1,000</b>      | <b>0</b>       | <b>500</b>        |
| Ending Cash                           | 68,244            | 71,223            |                | 68,563            |
| Total Uses                            | 198,235           | 72,223            | 0              | 69,063            |
| <b>PARK IMPACT FEE FUND</b>           |                   |                   |                |                   |
| Beginning Cash                        | 976,339           | 1,354,455         |                | 1,354,455         |
| <b>Revenues</b>                       | <b>396,799</b>    | <b>440,942</b>    | <b>17,759</b>  | <b>173,704</b>    |
| Total Sources                         | 1,373,138         | 1,795,397         | 17,759         | 1,528,159         |
| <b>Expenditures</b>                   | <b>18,683</b>     | <b>700,000</b>    | <b>0</b>       | <b>0</b>          |
| Ending Cash                           | 1,354,455         | 1,095,397         |                | 1,528,159         |
| Total Uses                            | 1,373,138         | 1,795,397         | 0              | 1,528,159         |
| <b>TRANSPORTATION IMPACT FEE FUND</b> |                   |                   |                |                   |
| Beginning Cash                        | 146,087           | 545,655           |                | 545,655           |
| <b>Revenues</b>                       | <b>1,280,266</b>  | <b>943,962</b>    | <b>59,038</b>  | <b>561,178</b>    |
| Total Sources                         | 1,426,353         | 1,489,617         | 59,038         | 1,106,833         |
| <b>Expenditures</b>                   | <b>880,698</b>    | <b>1,221,255</b>  | <b>0</b>       | <b>610,628</b>    |
| Ending Cash                           | 545,655           | 268,362           |                | 496,206           |
| Total Uses                            | 1,426,353         | 1,489,617         | 0              | 1,106,833         |
| <b>SWAMP CREEK BASIN FUND</b>         |                   |                   |                |                   |
| Beginning Cash                        | 0                 | 1,762,640         |                | 1,762,640         |
| <b>Revenues</b>                       | <b>1,762,640</b>  | <b>35,619</b>     | <b>0</b>       | <b>10,650</b>     |
| Total Sources                         | 1,762,640         | 1,798,259         | 0              | 1,773,289         |
| <b>Expenditures</b>                   | <b>0</b>          | <b>0</b>          | <b>0</b>       | <b>0</b>          |
| Ending Cash                           | 1,762,640         | 1,798,259         |                | 1,773,289         |
| Total Uses                            | 1,762,640         | 1,798,259         | 0              | 1,773,289         |

I:\Admin & Finance\Monthly Reports\2012\July.xlsx All Funds

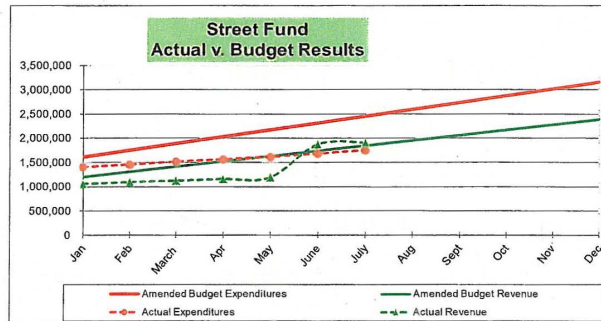
City of Kenmore, Washington  
All Funds Cash Summary  
July 31, 2012



|                                              | 2009-2010<br>BIENNIUM | AMENDED BUDGET | July      | 2011-2012<br>BIENNIUM TO DATE |
|----------------------------------------------|-----------------------|----------------|-----------|-------------------------------|
| <b>MUNICIPAL CAPITAL RESERVE FUND</b>        |                       |                |           |                               |
| Beginning Cash                               | 2,402,043             | 1,866,318      |           | 1,866,318                     |
| Interfund Loan Repayment                     | 8,800,000             | 0              |           | 0                             |
| Revenues                                     | 1,493,254             | 2,038,341      | 86,285    | 1,008,239                     |
| Total Sources                                | 12,695,297            | 3,904,659      | 86,285    | 2,874,557                     |
| Interfund Loan                               | 5,500,000             | 0              |           | 0                             |
| Expenditures                                 | 5,328,980             | 3,262,894      | 0         | 2,338,033                     |
| Ending Cash                                  | 1,866,318             | 641,765        |           | 536,524                       |
| Total Uses                                   | 12,695,297            | 3,904,659      | 0         | 2,874,557                     |
| <b>CAPITAL PROJECTS FUND</b>                 |                       |                |           |                               |
| Beginning Cash                               | 12,016,588            | 60,725         |           | 60,725                        |
| Revenues                                     | 4,693,262             | 508,079        | 12,236    | 510,345                       |
| Total Sources                                | 16,709,850            | 568,804        | 12,236    | 571,070                       |
| Expenditures                                 | 16,636,626            | 507,820        | 8,186     | 1,242,534                     |
| Ending Cash                                  | 73,223                | 60,984         |           | (671,464)                     |
| Total Uses                                   | 16,709,850            | 568,804        | 8,186     | 571,070                       |
| <b>SURFACE WATER MANAGEMENT FUND</b>         |                       |                |           |                               |
| Beginning Cash                               | 3,865,039             | 1,590,280      |           | 1,590,280                     |
| Revenues                                     | 2,824,196             | 3,743,334      | 207,575   | 2,893,509                     |
| Total Sources                                | 6,689,235             | 5,333,614      | 207,575   | 4,483,790                     |
| Expenditures                                 | 5,098,954             | 4,866,475      | 94,852    | 2,893,020                     |
| Ending Cash                                  | 1,590,280             | 467,139        |           | 1,590,770                     |
| Total Uses                                   | 6,689,235             | 5,333,614      | 94,852    | 4,483,790                     |
| <b>STRATEGIC RESERVE FUND</b>                |                       |                |           |                               |
| Beginning Cash                               | 1,057,632             | 1,264,464      |           | 1,264,464                     |
| Interfund Loan Repayment                     | 1,000,000             | 0              |           | 0                             |
| Revenues                                     | 206,832               | 0              | 0         | 0                             |
| Total Sources                                | 2,264,464             | 1,264,464      | 0         | 1,264,464                     |
| Interfund Loans                              | 1,000,000             |                |           | 0                             |
| Expenditures                                 | 0                     | 0              | 0         | 0                             |
| Ending Cash                                  | 1,264,464             | 1,264,464      |           | 1,264,464                     |
| Total Uses                                   | 2,264,464             | 1,264,464      | 0         | 1,264,464                     |
| <b>EQUIPMENT REPLACEMENT FUND</b>            |                       |                |           |                               |
| Beginning Cash                               | 510,358               | 524,310        |           | 524,310                       |
| Revenues                                     | 111,198               | 161,520        | 31,500    | 148,564                       |
| Total Sources                                | 621,556               | 685,830        | 31,500    | 672,874                       |
| Expenditures                                 | 97,246                | 143,497        | 550       | 216,499                       |
| Ending Cash                                  | 524,310               | 542,333        |           | 456,375                       |
| Total Uses                                   | 621,556               | 685,830        | 550       | 672,874                       |
| <b>TRUST AND AGENCY (NON BUDGETED FUND)*</b> |                       |                |           |                               |
| Beginning Cash                               | 269,109               | 278,859        |           | 278,859                       |
| Revenues                                     | 144,107               | 0              | 22,753    | 120,071                       |
| Total Sources                                | 413,216               | 278,859        | 22,753    | 398,931                       |
| Expenditures                                 | 134,357               | 0              | 0         | 125,219                       |
| Ending Cash                                  | 278,859               | 278,859        |           | 273,712                       |
| Total Uses                                   | 413,216               | 278,859        | 0         | 398,931                       |
| <b>TOTALS</b>                                |                       |                |           |                               |
| Beginning Cash                               | 25,719,671            | 17,507,613     |           | 17,507,613                    |
| Interfund Loan                               | 28,500,000            | 0              |           | 0                             |
| Revenues                                     | 63,949,101            | 36,790,258     | 995,879   | 25,084,535                    |
| Total Sources                                | 118,168,772           | 54,297,871     | 995,879   | 42,592,148                    |
| Interfund Loan                               | 28,500,000            | 0              |           | 0                             |
| Expenditures                                 | 72,160,756            | 41,198,917     | 1,010,455 | 26,980,582                    |
| Ending Cash                                  | 17,508,016            | 13,098,954     |           | 15,611,566                    |
| Total Uses                                   | 118,168,772           | 54,297,871     | 1,010,455 | 42,592,148                    |

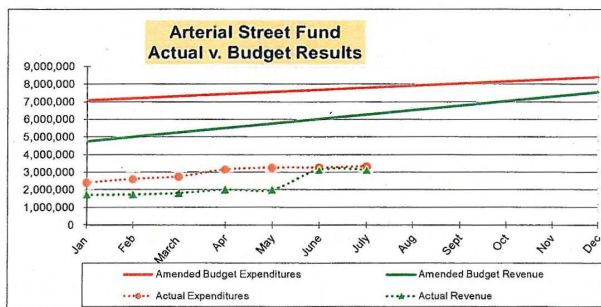
**City of Kenmore, Washington  
Other Funds Monthly Activity  
July 31, 2012**

| STREET FUND                          |                                             |                                     |                                        |                                |
|--------------------------------------|---------------------------------------------|-------------------------------------|----------------------------------------|--------------------------------|
|                                      | 2011-2012<br>Amended Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Amended Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
| 2011                                 | 1,475,064                                   | 1,395,044                           | 1,087,749                              | 1,036,456                      |
| Jan                                  | 1,615,541                                   | 1,414,739                           | 1,205,830                              | 1,067,023                      |
| Feb                                  | 1,756,018                                   | 1,465,263                           | 1,313,912                              | 1,103,823                      |
| March                                | 1,866,496                                   | 1,525,971                           | 1,421,993                              | 1,135,003                      |
| Apr                                  | 2,036,973                                   | 1,572,987                           | 1,530,074                              | 1,168,279                      |
| May                                  | 2,177,450                                   | 1,623,806                           | 1,638,155                              | 1,203,687                      |
| June                                 | 2,317,927                                   | 1,691,685                           | 1,746,237                              | 1,884,049                      |
| July                                 | 2,458,404                                   | 1,759,331                           | 1,854,318                              | 1,920,907                      |
| Aug                                  | 2,568,881                                   |                                     | 1,962,399                              |                                |
| Sept                                 | 2,739,359                                   |                                     | 2,070,480                              |                                |
| Oct                                  | 2,879,836                                   |                                     | 2,178,562                              |                                |
| Nov                                  | 3,020,313                                   |                                     | 2,286,643                              |                                |
| Dec                                  | 3,160,790                                   |                                     | 2,394,724                              |                                |
| 2011-2012                            | 3,160,790                                   |                                     | 2,394,724                              |                                |
| Total Actual to Date vs Total Budget |                                             | 56%                                 |                                        | 80%                            |



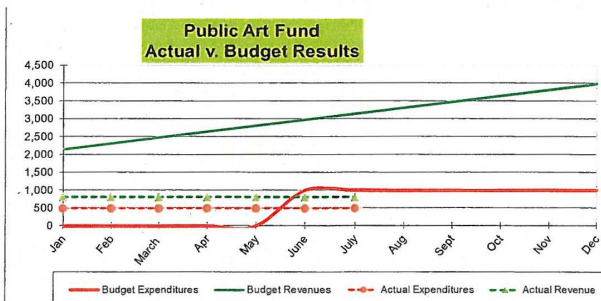
The Street Fund accounts for street maintenance operations, funded by the State's fuel tax and transfers from the General Fund.

| ARTERIAL STREET FUND                 |                                             |                                     |                                        |                                |
|--------------------------------------|---------------------------------------------|-------------------------------------|----------------------------------------|--------------------------------|
|                                      | 2011-2012<br>Amended Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Amended Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
| 2011                                 | 6,072,098                                   | 2,438,721                           | 4,534,097                              | 1,751,881                      |
| Jan                                  | 7,092,777                                   | 2,428,890                           | 4,787,436                              | 1,751,881                      |
| Feb                                  | 7,213,455                                   | 2,632,429                           | 5,040,775                              | 1,770,381                      |
| March                                | 7,334,134                                   | 2,770,916                           | 5,294,114                              | 1,848,083                      |
| Apr                                  | 7,454,812                                   | 3,173,843                           | 5,547,452                              | 2,048,083                      |
| May                                  | 7,575,491                                   | 3,280,147                           | 5,800,791                              | 2,048,083                      |
| June                                 | 7,696,169                                   | 3,285,829                           | 6,054,130                              | 3,174,530                      |
| July                                 | 7,816,848                                   | 3,350,992                           | 6,307,469                              | 3,174,585                      |
| Aug                                  | 7,937,526                                   |                                     | 6,560,808                              |                                |
| Sept                                 | 8,058,205                                   |                                     | 6,814,147                              |                                |
| Oct                                  | 8,178,883                                   |                                     | 7,067,485                              |                                |
| Nov                                  | 8,299,562                                   |                                     | 7,320,824                              |                                |
| Dec                                  | 8,420,240                                   |                                     | 7,574,163                              |                                |
| 2011-2012                            | 8,420,240                                   |                                     | 7,574,163                              |                                |
| Total Actual to Date vs Total Budget |                                             | 40%                                 |                                        | 42%                            |



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

| PUBLIC ART FUND                      |                                     |                                     |                                |                                |
|--------------------------------------|-------------------------------------|-------------------------------------|--------------------------------|--------------------------------|
|                                      | 2011-2012<br>Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
| 2011                                 | 500                                 | 500                                 | 1,982                          | 819                            |
| Jan                                  | 0                                   | 500                                 | 2,148                          | 819                            |
| Feb                                  | 0                                   | 500                                 | 2,315                          | 819                            |
| March                                | 0                                   | 500                                 | 2,481                          | 819                            |
| Apr                                  | 0                                   | 500                                 | 2,648                          | 819                            |
| May                                  | 0                                   | 500                                 | 2,814                          | 819                            |
| June                                 | 1,000                               | 500                                 | 2,981                          | 819                            |
| July                                 | 1,000                               | 500                                 | 3,147                          | 819                            |
| Aug                                  | 1,000                               |                                     | 3,313                          |                                |
| Sept                                 | 1,000                               |                                     | 3,480                          |                                |
| Oct                                  | 1,000                               |                                     | 3,646                          |                                |
| Nov                                  | 1,000                               |                                     | 3,813                          |                                |
| Dec                                  | 1,000                               |                                     | 3,979                          |                                |
| 2011-2012                            | 1,000                               |                                     | 3,979                          |                                |
| Total Actual to Date vs Total Budget |                                     | 50%                                 |                                | 21%                            |



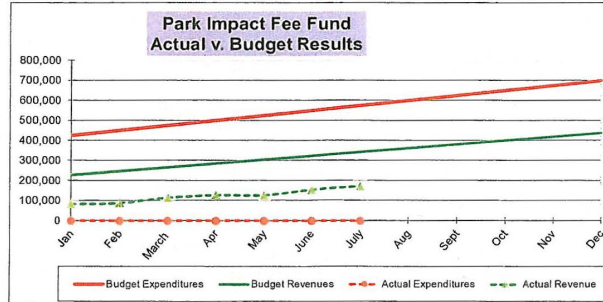
This fund accounts for public art authorized by Ordinance 01-0115. One percent (1%) of public project construction contracts is contributed to this fund to provide for public art displays or performing arts events as authorized by the City Council.



**City of Kenmore, Washington  
Other Funds Monthly Activity  
July 31, 2012**

**PARK IMPACT FEE FUND**

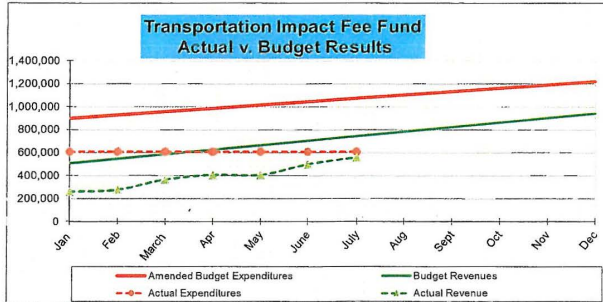
|                                      | 2011-2012<br>Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
|--------------------------------------|-------------------------------------|-------------------------------------|--------------------------------|--------------------------------|
| 2011                                 | 400,000                             | 0                                   | 209,183                        | 76,853                         |
| Jan                                  | 425,000                             | 0                                   | 228,498                        | 84,150                         |
| Feb                                  | 450,000                             | 0                                   | 247,810                        | 89,015                         |
| March                                | 475,000                             | 0                                   | 267,123                        | 115,771                        |
| Apr                                  | 500,000                             | 0                                   | 286,436                        | 128,038                        |
| May                                  | 525,000                             | 0                                   | 305,749                        | 128,038                        |
| June                                 | 550,000                             | 0                                   | 325,063                        | 155,945                        |
| July                                 | 575,000                             | 0                                   | 344,376                        | 173,704                        |
| Aug                                  | 600,000                             |                                     | 363,689                        |                                |
| Sept                                 | 625,000                             |                                     | 383,002                        |                                |
| Oct                                  | 650,000                             |                                     | 402,316                        |                                |
| Nov                                  | 675,000                             |                                     | 421,629                        |                                |
| Dec                                  | 700,000                             |                                     | 440,942                        |                                |
| 2011-2012                            | 700,000                             |                                     | 440,942                        |                                |
| Total Actual to Date vs Total Budget |                                     | 0%                                  |                                | 39%                            |



This fund accounts for City imposed park impact fees on new development. Expenditures are for public park acquisitions and improvements.  
In the 2011-2012 budget, expenditures represent transfers to Municipal Capital Fund for improvements to City parks.

**TRANSPORTATION IMPACT FEE FUND**

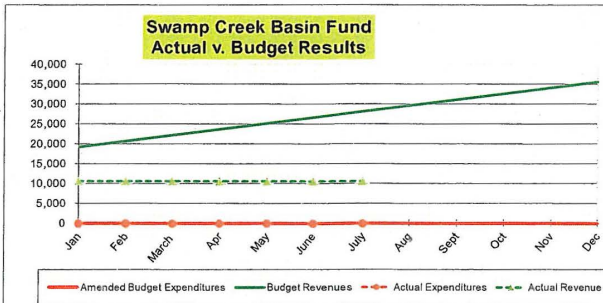
|                                      | 2011-2012<br>Amended Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
|--------------------------------------|---------------------------------------------|-------------------------------------|--------------------------------|--------------------------------|
| 2011                                 | 871,255                                     | 610,628                             | 470,962                        | 239,206                        |
| Jan                                  | 900,422                                     | 610,628                             | 510,379                        | 263,465                        |
| Feb                                  | 929,588                                     | 610,628                             | 549,795                        | 279,637                        |
| March                                | 958,755                                     | 610,628                             | 589,212                        | 368,587                        |
| Apr                                  | 987,922                                     | 610,628                             | 628,629                        | 409,366                        |
| May                                  | 1,017,088                                   | 610,628                             | 668,045                        | 409,366                        |
| June                                 | 1,046,255                                   | 610,628                             | 707,462                        | 502,140                        |
| July                                 | 1,075,422                                   | 610,628                             | 746,879                        | 561,178                        |
| Aug                                  | 1,104,588                                   |                                     | 786,295                        |                                |
| Sept                                 | 1,133,755                                   |                                     | 825,712                        |                                |
| Oct                                  | 1,162,922                                   |                                     | 865,129                        |                                |
| Nov                                  | 1,192,088                                   |                                     | 904,545                        |                                |
| Dec                                  | 1,221,255                                   |                                     | 943,962                        |                                |
| 2011-2012                            | 1,221,255                                   |                                     | 943,962                        |                                |
| Total Actual to Date vs Total Budget |                                             | 50%                                 |                                | 59%                            |



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

**SWAMP CREEK BASIN FUND**

|                                      | 2011-2012<br>Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
|--------------------------------------|-------------------------------------|-------------------------------------|--------------------------------|--------------------------------|
| 2011                                 | 0                                   | 0                                   | 17,721                         | 10,650                         |
| Jan                                  | 0                                   | 0                                   | 19,212                         | 10,650                         |
| Feb                                  | 0                                   | 0                                   | 20,703                         | 10,650                         |
| March                                | 0                                   | 0                                   | 22,194                         | 10,650                         |
| Apr                                  | 0                                   | 0                                   | 23,685                         | 10,650                         |
| May                                  | 0                                   | 0                                   | 25,176                         | 10,650                         |
| June                                 | 0                                   | 0                                   | 26,667                         | 10,650                         |
| July                                 | 0                                   | 0                                   | 28,158                         | 10,650                         |
| Aug                                  | 0                                   |                                     | 29,649                         |                                |
| Sept                                 | 0                                   |                                     | 31,140                         |                                |
| Oct                                  | 0                                   |                                     | 32,631                         |                                |
| Nov                                  | 0                                   |                                     | 34,122                         |                                |
| Dec                                  | 0                                   |                                     | 35,616                         |                                |
| 2011-2012                            | 0                                   |                                     | 35,619                         |                                |
| Total Actual to Date vs Total Budget |                                     | 0%                                  |                                | 30%                            |

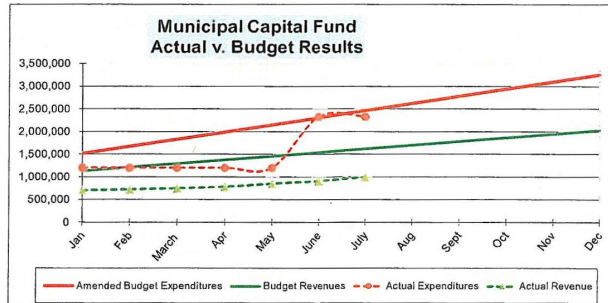


This fund accounts for the Memorandum of Agreement with King County which provided funds reserved for surface water projects, improvements, and maintenance within the Swamp Creek Basin.

**City of Kenmore, Washington  
Other Funds Monthly Activity  
July 31, 2012**

**MUNICIPAL CAPITAL FUND**

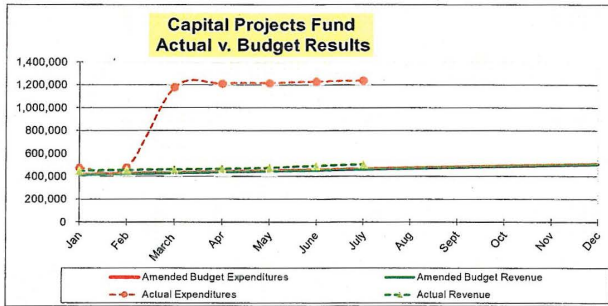
|                                      | 2011-2012<br>Amended Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
|--------------------------------------|---------------------------------------------|-------------------------------------|--------------------------------|--------------------------------|
| 2011                                 | 1,364,344                                   | 1,211,586                           | 1,063,582                      | 658,183                        |
| Jan                                  | 1,522,557                                   | 1,211,586                           | 1,144,812                      | 713,386                        |
| Feb                                  | 1,680,769                                   | 1,211,586                           | 1,226,042                      | 731,450                        |
| March                                | 1,838,982                                   | 1,211,586                           | 1,307,272                      | 761,141                        |
| Apr                                  | 1,997,194                                   | 1,211,586                           | 1,386,502                      | 793,311                        |
| May                                  | 2,155,407                                   | 1,211,586                           | 1,469,732                      | 861,547                        |
| June                                 | 2,313,619                                   | 2,338,033                           | 1,550,962                      | 921,954                        |
| July                                 | 2,471,832                                   | 2,338,033                           | 1,632,191                      | 1,008,239                      |
| Aug                                  | 2,630,044                                   |                                     | 1,713,421                      |                                |
| Sept                                 | 2,788,257                                   |                                     | 1,794,651                      |                                |
| Oct                                  | 2,946,469                                   |                                     | 1,875,881                      |                                |
| Nov                                  | 3,104,682                                   |                                     | 1,957,111                      |                                |
| Dec                                  | 3,262,894                                   |                                     | 2,038,341                      |                                |
| 2011-2012                            | 3,262,894                                   |                                     | 2,038,341                      |                                |
| Total Actual to Date vs Total Budget |                                             | 72%                                 |                                | 49%                            |



The Municipal Capital Fund accounts for the 1/2% real estate excise taxes levied by the City which are restricted to capital projects and improvements. Expenditures include park improvements and transfers to the Arterial Street Fund for transportation improvements.

**CAPITAL PROJECTS FUND**

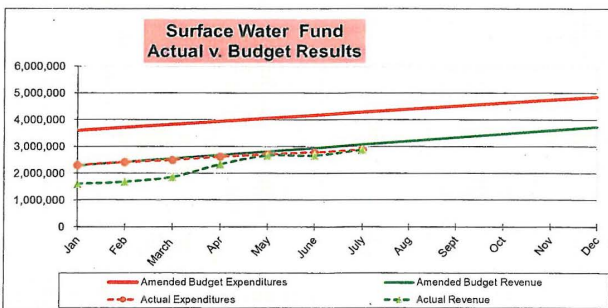
|                                      | 2011-2012<br>Amended Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Amended Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
|--------------------------------------|---------------------------------------------|-------------------------------------|----------------------------------------|--------------------------------|
| 2011                                 | 412,410                                     | 474,769                             | 406,813                                | 447,634                        |
| Jan                                  | 420,361                                     | 477,873                             | 415,252                                | 452,625                        |
| Feb                                  | 428,312                                     | 479,334                             | 423,691                                | 459,269                        |
| March                                | 436,263                                     | 1,183,893                           | 432,130                                | 464,260                        |
| Apr                                  | 444,213                                     | 1,216,182                           | 440,588                                | 469,251                        |
| May                                  | 452,164                                     | 1,219,922                           | 449,007                                | 480,011                        |
| June                                 | 460,115                                     | 1,234,348                           | 457,446                                | 498,109                        |
| July                                 | 468,066                                     | 1,242,534                           | 465,885                                | 510,345                        |
| Aug                                  | 476,017                                     |                                     | 474,324                                |                                |
| Sept                                 | 483,968                                     |                                     | 482,763                                |                                |
| Oct                                  | 491,918                                     |                                     | 491,201                                |                                |
| Nov                                  | 499,869                                     |                                     | 499,640                                |                                |
| Dec                                  | 507,820                                     |                                     | 508,079                                |                                |
| 2011-2012                            | 507,820                                     |                                     | 508,079                                |                                |
| Total Actual to Date vs Total Budget |                                             | 245%                                |                                        | 100%                           |



The Capital Projects Fund accounts for leasing activity within Kenmore Village and contributions to ARCH ( A Regional Coalition for Housing).

**SURFACE WATER MANAGEMENT FUND**

|                                      | 2011-2012<br>Amended Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Amended Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
|--------------------------------------|---------------------------------------------|-------------------------------------|----------------------------------------|--------------------------------|
| 2011                                 | 3,504,478                                   | 2,301,189                           | 2,172,624                              | 1,604,654                      |
| Jan                                  | 3,617,978                                   | 2,320,252                           | 2,303,517                              | 1,622,286                      |
| Feb                                  | 3,731,478                                   | 2,428,578                           | 2,434,409                              | 1,702,096                      |
| March                                | 3,844,977                                   | 2,517,079                           | 2,565,302                              | 1,880,583                      |
| Apr                                  | 3,958,477                                   | 2,638,049                           | 2,696,194                              | 2,352,875                      |
| May                                  | 4,071,977                                   | 2,720,924                           | 2,827,087                              | 2,678,976                      |
| June                                 | 4,185,477                                   | 2,796,168                           | 2,957,979                              | 2,685,934                      |
| July                                 | 4,298,976                                   | 2,893,020                           | 3,088,872                              | 2,893,509                      |
| Aug                                  | 4,412,476                                   |                                     | 3,219,764                              |                                |
| Sept                                 | 4,525,976                                   |                                     | 3,350,657                              |                                |
| Oct                                  | 4,639,476                                   |                                     | 3,481,549                              |                                |
| Nov                                  | 4,752,975                                   |                                     | 3,612,442                              |                                |
| Dec                                  | 4,866,475                                   |                                     | 3,743,334                              |                                |
| 2011-2012                            | 4,866,475                                   |                                     | 3,743,334                              |                                |
| Total Actual to Date vs Total Budget |                                             | 59%                                 |                                        | 77%                            |

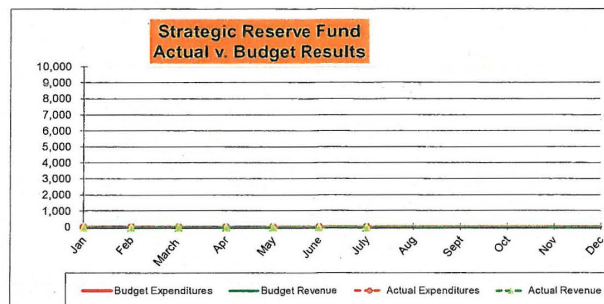


This fund accounts for receipts from surface water assessments. The assessments are collected through the property tax billings; the majority of the receipts are collected in May and November. Expenditures are for surface water maintenance activities such as sweeping and drainage as well as capital improvements.

**City of Kenmore, Washington  
Other Funds Monthly Activity  
July 31, 2012**

**STRATEGIC RESERVE FUND**

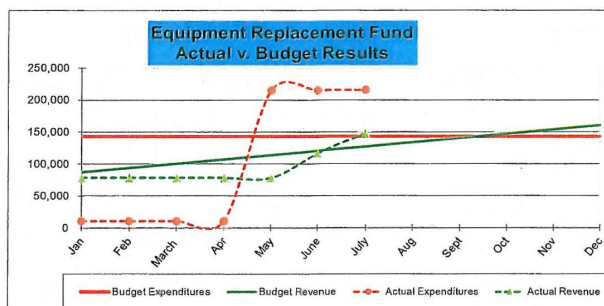
|                                      | 2011-2012<br>Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
|--------------------------------------|-------------------------------------|-------------------------------------|--------------------------------|--------------------------------|
| 2011                                 | 0                                   | 0                                   | 0                              | 0                              |
| Jan                                  | 0                                   | 0                                   | 0                              | 0                              |
| Feb                                  | 0                                   | 0                                   | 0                              | 0                              |
| March                                | 0                                   | 0                                   | 0                              | 0                              |
| Apr                                  | 0                                   | 0                                   | 0                              | 0                              |
| May                                  | 0                                   | 0                                   | 0                              | 0                              |
| June                                 | 0                                   | 0                                   | 0                              | 0                              |
| July                                 | 0                                   | 0                                   | 0                              | 0                              |
| Aug                                  | 0                                   | 0                                   | 0                              | 0                              |
| Sept                                 | 0                                   | 0                                   | 0                              | 0                              |
| Oct                                  | 0                                   | 0                                   | 0                              | 0                              |
| Nov                                  | 0                                   | 0                                   | 0                              | 0                              |
| Dec                                  | 0                                   | 0                                   | 0                              | 0                              |
| 2011-2012                            | 0                                   | 0                                   | 0                              | 0                              |
| Total Actual to Date vs Total Budget |                                     | 0%                                  |                                | 0%                             |



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

**EQUIPMENT REPLACEMENT FUND**

|                                      | 2011-2012<br>Budget<br>Expenditures | 2011-2012<br>Actual<br>Expenditures | 2011-2012<br>Budget<br>Revenue | 2011-2012<br>Actual<br>Revenue |
|--------------------------------------|-------------------------------------|-------------------------------------|--------------------------------|--------------------------------|
| 2011                                 | 143,497                             | 11,385                              | 81,072                         | 79,164                         |
| Jan                                  | 143,497                             | 11,385                              | 87,776                         | 79,164                         |
| Feb                                  | 143,497                             | 11,385                              | 94,480                         | 79,164                         |
| March                                | 143,497                             | 11,385                              | 101,184                        | 79,164                         |
| Apr                                  | 143,497                             | 11,385                              | 107,888                        | 79,164                         |
| May                                  | 143,497                             | 215,049                             | 114,592                        | 79,164                         |
| June                                 | 143,497                             | 215,049                             | 121,296                        | 117,064                        |
| July                                 | 143,497                             | 216,499                             | 128,000                        | 148,564                        |
| Aug                                  | 143,497                             |                                     | 134,704                        |                                |
| Sept                                 | 143,497                             |                                     | 141,408                        |                                |
| Oct                                  | 143,497                             |                                     | 148,112                        |                                |
| Nov                                  | 143,497                             |                                     | 154,816                        |                                |
| Dec                                  | 143,497                             |                                     | 161,520                        |                                |
| 2011-2012                            | 143,497                             |                                     | 161,520                        |                                |
| Total Actual to Date vs Total Budget |                                     | 151%                                |                                | 92%                            |



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



**City of Kenmore, Washington**  
**Cash and Investment Report**  
**July 31, 2012**



| Fund                       | Beg. Cash & Inv. | Monthly   | Monthly      | End. Cash & Inv. |
|----------------------------|------------------|-----------|--------------|------------------|
|                            | from Prev. Mo.   | Revenues  | Expenditures | Current Month    |
| General                    | \$5,313,025      | \$521,821 | \$774,057    | \$5,060,789      |
| Street                     | 2,232,946        | 36,857    | 67,646       | 2,202,157        |
| Arterial Street            | 1,097,899        | 55        | 65,163       | 1,032,791        |
| Public Art                 | 68,564           | 0         | 0            | 68,564           |
| Park Impact Fee            | 1,510,402        | 17,759    | 0            | 1,528,161        |
| Transp Impact Fee          | 437,169          | 59,038    | 0            | 496,207          |
| Swamp Creek Basin          | 1,773,290        | 0         | 0            | 1,773,290        |
| Municipal Capital          | 450,237          | 86,285    | 0            | 536,522          |
| Capital Projects           | -675,517         | 12,236    | 8,186        | -671,467         |
| Capital Projects-Retainage | 0                | 0         | 0            | 0                |
| Surface Water Mgt.         | 1,478,048        | 207,575   | 94,852       | 1,590,770        |
| Strategic Reserve          | 1,264,465        | 0         | 0            | 1,264,465        |
| Equipment Replacement      | 425,424          | 31,500    | 550          | 456,374          |
| Trust & Agency             | 250,956          | 22,753    | 0            | 273,709          |
| Totals                     | \$15,626,907     | \$995,879 | \$1,010,455  | \$15,612,331     |

| Fund                  | Cash, Savings,             | (> One Year)      |              |
|-----------------------|----------------------------|-------------------|--------------|
|                       | Local Govt Investment Pool | Fixed Investments | Total        |
| General               | \$2,273,409                | \$2,786,977       | \$5,060,386  |
| Street                | 1,352,157                  | 850,000           | 2,202,157    |
| Arterial Street       | 1,032,791                  | 0                 | 1,032,791    |
| Public Art            | 53,563                     | 15,000            | 68,563       |
| Park Impact Fee       | 598,161                    | 930,000           | 1,528,161    |
| Transp Impact Fee     | 466,208                    | 30,000            | 496,208      |
| Swamp Creek Basin     | 373,290                    | 1,400,000         | 1,773,290    |
| Municipal Capital     | 536,522                    | 0                 | 536,522      |
| Capital Projects      | -1,121,467                 | 450,000           | -671,467     |
| Surface Water Mgt.    | 1,080,771                  | 510,000           | 1,590,771    |
| Strategic Reserve     | 414,465                    | 850,000           | 1,264,465    |
| Equipment Replacement | 6,375                      | 450,000           | 456,375      |
| Trust & Agency        | 173,708                    | 100,000           | 273,708      |
| Totals                | \$7,239,954                | \$8,371,977       | \$15,611,931 |

City of Kenmore, Washington  
Schedule of Investments  
July 31, 2012



|                                        |              | Average Yield to Maturity-Securities |               |               |                                  |           | Overall Average Yield |                         | 0.41%               |
|----------------------------------------|--------------|--------------------------------------|---------------|---------------|----------------------------------|-----------|-----------------------|-------------------------|---------------------|
| Report by Security                     | Investment # | Type                                 | Maturity Date | Purchase Date | Rate                             | Yield     | Possible Call Date    | Principal or Balance    | Yield Equivalents   |
| <b>Piper Jaffray</b>                   |              |                                      |               |               |                                  |           |                       |                         |                     |
|                                        | 313371PC4    | FHLB                                 | 12/12/2014    | 6/7/2011      | 0.88%                            | 0.88%     | no call               | 991,238.90              | 8,722.90            |
|                                        | 3136GoQYo    | FNMA                                 | 7/25/2017     | 7/25/2012     | 0.75%                            | 0.75%     | 7/25/2013             | 1,000,000.00            | 7,500.00            |
| <b>Total Piper Jaffrey Purchases</b>   |              |                                      |               |               |                                  |           |                       | <b>1,991,238.90</b>     | <b>16,222.90</b>    |
| <b>Time Value Investments</b>          |              |                                      |               |               |                                  |           |                       |                         |                     |
|                                        | 313586QR3    | FNMA                                 | 7/5/2014      | 6/7/2011      | 1.00%                            | compounds | no call               | 998,858.37              | 9,988.58            |
|                                        | 31398A4N9    | FNMA                                 | 10/15/2013    | 12/8/2010     | 1.00%                            | 1.00%     | 4/15/2011             | 999,990.00              | 9,999.90            |
|                                        | 3136FTPX1    | FNMA                                 | 11/13/2015    | 11/30/2011    | 1.15%                            | 1.15%     | 11/30/2012            | 1,000,000.00            | 11,500.00           |
| <b>Total TVI Purchases</b>             |              |                                      |               |               |                                  |           |                       | <b>2,998,848.37</b>     | <b>9,999.90</b>     |
| <b>Wells Fargo Bank</b>                |              |                                      |               |               |                                  |           |                       |                         |                     |
|                                        | 3136FTXD6    | FNMA                                 | 12/28/2015    | 12/28/2011    | 1.10%                            | 1.10%     | 12/28/2012            | 1,000,000.00            | 11,000.00           |
| <b>Total Wells Fargo Purchases</b>     |              |                                      |               |               |                                  |           |                       | <b>1,000,000.00</b>     | <b>11,000.00</b>    |
| <b>Banner Bank CD's</b>                |              |                                      |               |               |                                  |           |                       |                         |                     |
|                                        | 5740005425   | CD                                   | 2/6/2013      | 2/6/2012      | 0.45%                            | 0.45%     |                       | 1,132,694.88            | 5,097.13            |
| <b>Total Banner Bank CD's</b>          |              |                                      |               |               |                                  |           |                       | <b>1,132,694.88</b>     | <b>5,097.13</b>     |
| <b>Sound Community Bank CD's</b>       |              |                                      |               |               |                                  |           |                       |                         |                     |
|                                        | 18299229     | CD                                   | 8/11/2012     | 2/11/2011     | 0.55%                            | 0.55%     |                       | 1,000,000.00            | 5,500.00            |
| <b>Total Sound Community Bank CD's</b> |              |                                      |               |               |                                  |           |                       | <b>1,000,000.00</b>     | <b>5,500.00</b>     |
| <b>Opus Bank CD's</b>                  |              |                                      |               |               |                                  |           |                       |                         |                     |
|                                        | 280140042    | CD                                   | 3/16/2015     | 3/15/2011     | 1.15%                            | 1.15%     |                       | 249,194.49              | 2,865.74            |
| <b>Total Cascade Bank CD's</b>         |              |                                      |               |               |                                  |           |                       | <b>249,194.49</b>       | <b>2,865.74</b>     |
| <b>TOTAL ALL SECURITIES</b>            |              |                                      |               |               |                                  |           |                       | <b>\$ 8,371,976.64</b>  | <b>\$ 50,685.67</b> |
|                                        |              |                                      |               |               |                                  |           |                       |                         |                     |
|                                        |              |                                      |               |               | Banner Checking and Savings      |           | 0.17% Banner          | 2,995,112.08            | 5,091.69            |
|                                        |              |                                      |               |               | Opus Bank                        |           | 0.20%                 | 11,069.60               | 22.14               |
|                                        |              |                                      |               |               | Cash                             |           |                       | 1,005.00                | -                   |
|                                        |              |                                      |               |               | Local Government Investment Pool |           | 0.18% LGIP            | 4,232,765.44            | 7,466.60            |
|                                        |              |                                      |               |               | <b>Total Accounts</b>            |           |                       | <b>\$ 15,611,928.76</b> | <b>63,266.09</b>    |

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City of Kenmore, Washington  
**SALES TAX RECEIPTS BY BUSINESS TYPE**  
 July 2012

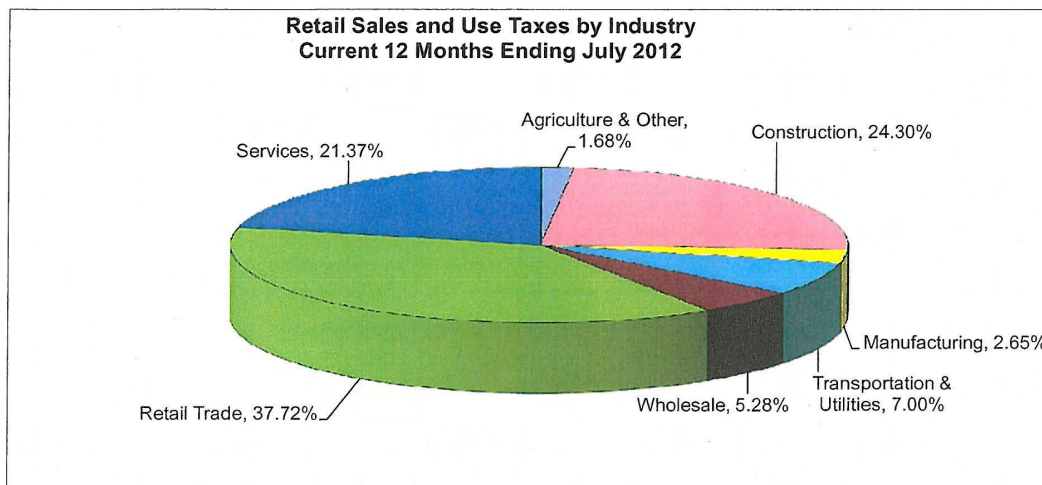
|                            | SALES TAX         | USE TAX         | TOTAL             | PERCENT       |
|----------------------------|-------------------|-----------------|-------------------|---------------|
| AGRICULTURE & OTHER        | 2,583.13          | 3.60            | 2,586.73          | 1.6%          |
| CONSTRUCTION               | 22,665.71         | 3,289.77        | 25,955.48         | 16.5%         |
| MANUFACTURING              | 7,793.87          | 9.03            | 7,802.90          | 5.0%          |
| TRANSPORTATION & UTILITIES | 17,821.40         | 936.32          | 18,757.73         | 12.0%         |
| WHOLESALE                  | 6,076.66          | 102.93          | 6,179.59          | 3.9%          |
| RETAIL TRADE               | 54,928.51         | 392.50          | 55,321.01         | 35.3%         |
| SERVICES                   | 35,800.38         | 869.76          | 36,670.15         | 23.4%         |
| PUBLIC SERVICES            | 30.22             | 3,530.26        | 3,560.47          | 2.3%          |
|                            | <u>147,699.88</u> | <u>9,134.17</u> | <u>156,834.05</u> | <u>100.0%</u> |



**City of Kenmore, Washington**  
**Retail Sales and Use Tax Distribution**  
**July 31, 2012**



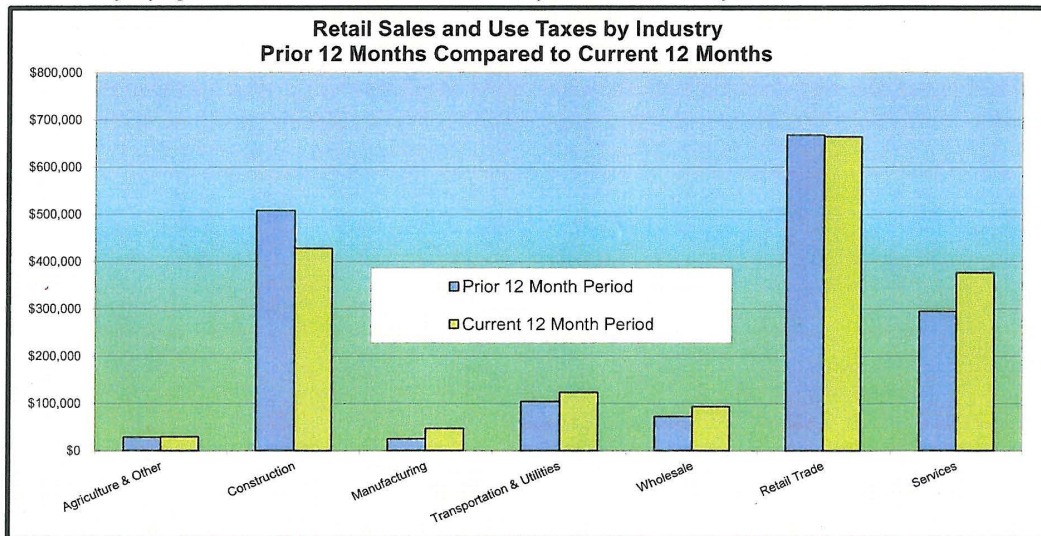
| <u>Industry</u>                                        | <u>Prior 12 Months<br/>ending July 2011</u> | <u>Current 12 Months<br/>ending July 2012</u> | <u>% Increase/<br/>(Decrease)</u> | <u>% of Total</u> |
|--------------------------------------------------------|---------------------------------------------|-----------------------------------------------|-----------------------------------|-------------------|
| Agriculture & Other (Landscaping, Animal Hospitals)    | \$28,180                                    | \$29,649                                      | 5.21%                             | 1.68%             |
| Construction                                           | 507,212                                     | 428,001 *                                     | -15.62%                           | 24.30%            |
| Manufacturing (Printing, Publishing, Other Manuf.)     | 25,041                                      | 46,703                                        | 86.51%                            | 2.65%             |
| Transp/Comm/Utilities (Telecomm., Air Transport.)      | 104,141                                     | 123,207                                       | 18.31%                            | 7.00%             |
| Wholesale (Lumber, Other Wholesale)                    | 72,408                                      | 92,943                                        | 28.36%                            | 5.28%             |
| Retail Trade (Eating, Merchandise, Food Stores)        | 667,487                                     | 664,241                                       | -0.49%                            | 37.72%            |
| Services (Auction, Recreation, Auto Repair, Financial) | 294,493                                     | 376,327                                       | 27.79%                            | 21.37%            |
| <b>Totals</b>                                          | <b>\$1,698,960</b>                          | <b>\$1,761,070</b>                            | <b>3.66%</b>                      | <b>100%</b>       |
| <b>Increase/(Decrease)</b>                             |                                             | <b>\$62,110</b>                               | <b>3.66%</b>                      |                   |



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

\* Approximately 10% of this is due to the Brightwater project.

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



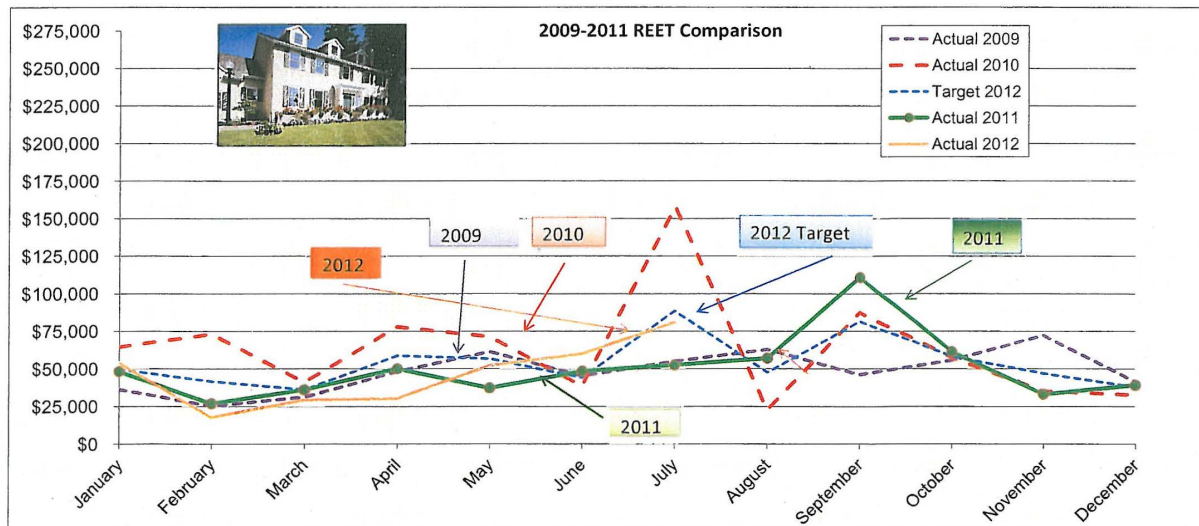
**City of Kenmore, Washington**  
**Real Estate Excise Tax Report**  
**July 31, 2012**



| Real Estate Excise Taxes (REET)<br>2008 - 2012 Monthly Receipts |                |                |                |                |                |                |
|-----------------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
|                                                                 | Actual<br>2008 | Actual<br>2009 | Actual<br>2010 | Actual<br>2011 | Actual<br>2012 | Target<br>2012 |
| January                                                         | 167,796        | 36,640         | 64,792         | 48,679         | 54,359         | 50,037         |
| February                                                        | 39,354         | 25,466         | 73,383         | 27,294         | 18,064         | 42,048         |
| March                                                           | 42,409         | 31,468         | 41,445         | 36,507         | 29,691         | 36,474         |
| April                                                           | 75,958         | 48,355         | 78,233         | 50,463         | 30,662         | 59,017         |
| May                                                             | 50,369         | 61,743         | 71,622         | 37,671         | 52,575         | 57,012         |
| June                                                            | 45,084         | 45,639         | 38,919         | 48,938         | 60,408         | 44,499         |
| July                                                            | 102,721        | 55,328         | 158,221        | 53,012         | 81,316         | 88,853         |
| August                                                          | 93,364         | 63,161         | 23,033         | 57,471         |                | 47,888         |
| September                                                       | 68,457         | 46,508         | 87,734         | 111,107        |                | 81,783         |
| October                                                         | 39,607         | 55,905         | 57,761         | 61,805         |                | 58,490         |
| November                                                        | 60,295         | 72,456         | 35,585         | 33,475         |                | 47,172         |
| December                                                        | 34,608         | 41,723         | 32,962         | 39,510         |                | 38,065         |
|                                                                 | \$820,021      | \$584,392      | \$763,689      | \$605,931      | \$327,076      | \$651,337      |

For 2012, REET is \$24,512 more than the same period last year and below the 2012 target by \$50,864

| Real Estate Excise Taxes (REET)<br>2008 - 2012 Property Sales > \$500,000<br>(The sales actually occur in the prior month; there is a 30 day lag between sales and when the City receives the revenue) |               |              |              |              |              |                                     |           |         |         |        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------|--------------|--------------|--------------|-------------------------------------|-----------|---------|---------|--------|
|                                                                                                                                                                                                        |               |              |              |              |              | Taxes from > \$500,000 Sale Amounts |           |         |         |        |
|                                                                                                                                                                                                        | 2008          | 2009         | 2010         | 2011         | 2012         | 2008                                | 2009      | 2010    | 2011    | 2012   |
| January                                                                                                                                                                                                | 28,479,285    | 3,809,950    | 3,790,500    | 1,046,085    | 5,515,283    | 140,972                             | 18,859    | 18,763  | 5,178   | 27,301 |
| February                                                                                                                                                                                               | 4,994,900     | 2,819,838    | 4,805,000    | 547,257      | 1,152,000    | 24,725                              | 13,958    | 23,785  | 2,709   | 5,702  |
| March                                                                                                                                                                                                  | 6,016,500     | 2,923,000    | 1,149,000    | 1,100,000    | 750,000      | 29,782                              | 14,469    | 5,688   | 5,445   | 3,713  |
| April                                                                                                                                                                                                  | 9,089,830     | 3,942,750    | 1,779,000    | 1,075,000    | 870,000      | 44,995                              | 19,517    | 8,806   | 5,321   | 4,307  |
| May                                                                                                                                                                                                    | 4,285,470     | 7,254,950    | 1,859,000    | 2,372,000    | 2,796,250    | 21,213                              | 35,912    | 9,202   | 11,741  | 13,841 |
| June                                                                                                                                                                                                   | 5,868,926     | 560,000      | 540,000      | 2,605,000    | 1,215,000    | 29,051                              | 2,772     | 2,673   | 12,895  | 6,014  |
| July                                                                                                                                                                                                   | 15,533,779    | 3,739,900    | 18,013,000   | 3,354,950    | 4,196,500    | 76,892                              | 18,513    | 89,164  | 16,607  | 20,773 |
| August                                                                                                                                                                                                 | 12,492,130    | 3,857,600    | 1,020,000    | 3,045,950    |              | 61,836                              | 19,095    | 5,049   | 15,077  | 0      |
| September                                                                                                                                                                                              | 6,504,602     | 2,275,000    | 11,276,760   | 15,691,044   |              | 32,198                              | 11,261    | 55,820  | 77,671  | 0      |
| October                                                                                                                                                                                                | 3,397,877     | 5,949,213    | 610,000      | 7,873,950    |              | 16,819                              | 29,449    | 3,020   | 38,976  | 0      |
| November                                                                                                                                                                                               | 5,851,865     | 6,393,000    | 1,020,000    | 875,000      |              | 28,967                              | 31,645    | 5,049   | 4,331   | 0      |
| December                                                                                                                                                                                               | 619,950       | 1,855,348    | 2,178,000    | 2,189,000    |              | 3,069                               | 9,184     | 10,781  | 10,836  | 0      |
|                                                                                                                                                                                                        | \$103,135,114 | \$45,380,549 | \$48,040,260 | \$41,775,236 | \$16,495,033 | \$510,519                           | \$224,634 | 237,800 | 206,787 | 81,651 |



\* NOTE THE 2012 TARGET IS BASED ON A 3-YEAR AVERAGE (2009-2011) OF ACTUAL RECEIPTS.



**City of Kenmore, Washington**  
**Monthly Report for Kenmore Village**  
**July 31, 2012**



**Revenues**

Lease Income (USPS & Kenmore Village)  
 Return of Security Deposit  
 Other Rent Income  
 Insurance Proceeds  
 Leasehold Excise Returned

Total Revenues

|    | <b>July<br/>Activity</b> | <b>Biennium-to-<br/>Date</b> | <b>Biennium Budget</b> |
|----|--------------------------|------------------------------|------------------------|
| \$ | 10,186                   | \$ 89,519                    | \$ 88,266              |
|    | 0                        | 3,257                        | 0                      |
|    | 2,050                    | 12,350                       | 0                      |
|    | 0                        | 19,672                       | 0                      |
|    | 0                        | 2,025                        | 0                      |
|    | <u>12,236</u>            | <u>126,823</u>               | <u>88,266</u>          |

**Expenditures**

6700 Building Improvements  
 Utilities and Insurance - Kenmore Village  
 Leasehold Tax (12.84% of Lease Income)  
 Total Expenditures

Net Income (Loss)

|    |              |                  |                  |
|----|--------------|------------------|------------------|
|    | 2,976        | 37,154           | 40,820           |
|    | 2,947        | 71,824           | 0                |
|    | 2,264        | 2,264            | 0                |
|    | <u>8,186</u> | <u>111,242</u>   | <u>40,820</u>    |
| \$ | <u>4,050</u> | \$ <u>15,581</u> | \$ <u>47,446</u> |

City of Kenmore, Washington  
SR 522 Phase I Revenue and Expenditure History  
as of July 31, 2012

|                                                                                     |                   | **Actuals Received on Cash Basis** |                   |                  |                |                |                      |                   |
|-------------------------------------------------------------------------------------|-------------------|------------------------------------|-------------------|------------------|----------------|----------------|----------------------|-------------------|
| <b>Phase I</b>                                                                      |                   |                                    |                   |                  |                |                |                      |                   |
| Stage 3 Burke Gilman Trail @73rd Ave NE-nearing completion                          |                   |                                    |                   |                  |                |                |                      |                   |
| Stage 1 SR 522 Central Segment 65th to 73rd and other improvements, in construction |                   |                                    |                   |                  |                |                |                      |                   |
| Stage 2 SR 522 West Segment 57th to 65th and other improvements, pending funding    |                   |                                    |                   |                  |                |                |                      |                   |
|                                                                                     |                   | Cumulative<br>through 2008         | 2009              | 2010             | 2011           | July<br>2012   | Year to Date<br>2012 | Life to Date      |
| <b>Revenues:</b>                                                                    |                   |                                    |                   |                  |                |                |                      |                   |
| <b>Secured:</b>                                                                     |                   |                                    |                   |                  |                |                |                      |                   |
| Wa State Transportation Improve. Board:<br>to Street Fund                           | 5,047,000         | 851,786                            | 0                 | 0                | 0              | 0              | 0                    | 851,786           |
| to Arterial Street Fund                                                             | 0                 | 148,214                            | 2,545,308         | 1,501,692        | 0              | 0              | 0                    | 4,195,214         |
| Wa State Gas Tax                                                                    | 4,663,620         | 3,119,047                          | 1,765,416         | 0                | 0              | 0              | 0                    | 4,884,463         |
| Federal Surface Transportation Prog                                                 | 12,045,444        | 1,708,895                          | 8,535,460         | 1,781,817        | 0              | 55             | 55                   | 12,026,227        |
| Brightwater                                                                         | 15,000            | 15,000                             | 0                 | 0                | 0              | 0              | 0                    | 15,000            |
| Federal: Wa State Dept of Trans Signal                                              | 357,914           | 0                                  | 0                 | 546,862          | 0              | 0              | 0                    | 546,862           |
| King County Parks                                                                   | 906,500           | 514,616                            | 201,467           | 0                | 0              | 0              | 0                    | 716,083           |
| King County Roads                                                                   | 350,000           | 350,000                            | 0                 | 0                | 0              | 0              | 0                    | 350,000           |
| Northshore Utility District Reimb                                                   | 432,400           | 80,559                             | 0                 | 0                | 0              | 0              | 0                    | 80,559            |
| Puget Sound Energy Reimb                                                            | 264,100           | 0                                  | 0                 | 0                | 0              | 0              | 0                    | 0                 |
| Northshore School Dist Reimb                                                        | 22,258            | 0                                  | 0                 | 0                | 0              | 0              | 0                    | 0                 |
| Library Reimb                                                                       | 10,000            | 0                                  | 0                 | 0                | 0              | 0              | 0                    | 0                 |
| Comcast Reimb                                                                       | 168,800           | 88,620                             | 0                 | 0                | 0              | 0              | 0                    | 88,620            |
| Urban Partners                                                                      | 75,000            | 0                                  | 25,000            | 54,438           | 0              | 0              | 0                    | 79,438            |
| Fire District Reim                                                                  | 49,000            | 0                                  | 0                 | 0                | 0              | 0              | 63,245               | 63,245            |
| City Art Fund                                                                       | 126,486           | 0                                  | 0                 | 0                | 0              | 0              | 0                    | 0                 |
| BWR St. 1 Ph. 1 Settlement                                                          |                   |                                    |                   |                  |                | 0              | 0                    | 0                 |
| City Funds:                                                                         | 5,607,250         | 0                                  | 0                 | 0                | 0              | 0              | 200,000              | 200,000           |
| Transfer from REET Muni Cap                                                         |                   | 1,083,250                          | 0                 | 3,290,000        | 0              | 0              | 0                    | 4,373,250         |
| Transfer from Street Fund                                                           |                   | 0                                  | 0                 | 521,870          | 0              | 0              | 0                    | 521,870           |
| Stage 1/181st Transfer from REET Muni Cap                                           |                   | 0                                  | 334,000           | 0                | 0              | 0              | 0                    | 334,000           |
| Stage 2 Transfer from REET Muni Cap                                                 | 700,000           | 0                                  | 700,000           | 0                | 470,174        | 157,468        | 157,468              | 1,327,642         |
| Transfer from Trans Impact Fees                                                     |                   | 900,000                            | 0                 | 0                | 0              | 0              | 0                    | 900,000           |
| <b>Total Revenues</b>                                                               | <b>30,840,772</b> | <b>8,859,987</b>                   | <b>14,106,651</b> | <b>7,696,679</b> | <b>470,174</b> | <b>157,523</b> | <b>420,768</b>       | <b>31,554,259</b> |
| <b>Expenditures:</b>                                                                |                   |                                    |                   |                  |                |                |                      |                   |
| Street Fund                                                                         |                   | 15,148,961                         | 1,090             | 0                | 0              | 0              | 0                    | 15,150,051        |
| Street-Interfund Loan Interest                                                      |                   | 0                                  | 0                 | 0                | 0              | 0              | 0                    | 0                 |
| 1% Art Fund                                                                         |                   | 0                                  | 0                 | 0                | 0              | 0              | 0                    | 0                 |
| Arterial Street Fund                                                                |                   | 253,860                            | 11,708,313        | 2,874,519        | 154,162        | 0              | 370,424              | 15,361,278        |
| Stage 2 Design Arterial Street Fund                                                 |                   |                                    | 483,830           | 435,358          | 132,834        | 20,452         | 32,129               | 1,084,151         |
| Muni Cap Fund                                                                       |                   | 46,782                             | 0                 | 0                | 0              | 0              | 0                    | 46,782            |
| <b>Total Expenditures</b>                                                           |                   | <b>15,449,603</b>                  | <b>12,193,233</b> | <b>3,309,877</b> | <b>352,046</b> | <b>20,452</b>  | <b>402,553</b>       | <b>31,642,262</b> |

City of Kenmore, Washington  
SR 522 Phase II Revenue and Expenditure History  
as of July 31, 2012

**Phase II**

SR 522 East Segment, 73rd to 83rd, nearing completion

**\*\*Actuals Received on Cash Basis\*\***

**Revenues:**

|                                         | <b>Secured:</b>   | Cumulative<br>through 2008 | 2009             | 2010             | Year to Date<br>2011 | July<br>2012 | Year to Date<br>2012 | Life to Date      |
|-----------------------------------------|-------------------|----------------------------|------------------|------------------|----------------------|--------------|----------------------|-------------------|
| Wa State Transportation Improve. Board: | 3,450,000         | 3,145,975                  | 131,526          | 172,500          | 0                    | 0            | 0                    | 3,450,000         |
| Sound Transit                           | 8,192,307         | 8,192,307                  | 0                | 0                | 0                    | 0            | 0                    | 8,192,307         |
| Brightwater                             | 250,000           | 0                          | 0                | 0                | 0                    | 0            | 0                    | 0                 |
| Federal Grant via WSDOT                 | 697,312           | 578,381                    | 91,120           | 0                | 6,683                | 0            | 0                    | 676,184           |
| Federal: WSDOT Signal/Overlay           | 683,608           | 185,272                    | 498,322          | 0                | 0                    | 0            | 0                    | 683,594           |
| Regional Mobility WSDOT                 | 1,800,000         | 1,441,827                  | 358,173          | 0                | 0                    | 0            | 0                    | 1,800,000         |
| King County Metro                       | 400,000           | 0                          | 0                | 400,000          | 0                    | 0            | 0                    | 400,000           |
| Wa State Gas Tax Grant                  | 8,336,380         | 4,636,717                  | 2,951,182        | 439,620          | 0                    | 0            | 0                    | 8,027,519         |
| Comcast Reimb                           | 147,770           | 92,680                     | 0                | 55,090           | 0                    | 0            | 0                    | 147,770           |
| Northshore Utility District Reimb       | 1,621,486         | 1,024,376                  | 441,836          | 0                | 0                    | 0            | 0                    | 1,466,212         |
| Northshore School District Reimb        | 28,914            | 0                          | 0                | 0                | 2,694                | 0            | 0                    | 2,694             |
| PSE Reimbursement                       | 150,000           | 0                          | 0                | 0                | 0                    | 0            | 0                    | 0                 |
| City: Art Fund                          | 161,006           | 0                          | 0                | 0                | 0                    | 0            | 0                    | 0                 |
| City:                                   | 2,870,793         | 0                          | 0                | 0                | 0                    | 0            | 0                    | 0                 |
| Investment Earnings                     |                   | 92,191                     | 15,331           | 2,532            | 0                    | 0            | 0                    | 110,054           |
| Fuel Tax                                |                   | 274,153                    | 0                | 0                | 0                    | 0            | 0                    | 274,153           |
| Transfer of Trans Impact Fees           |                   | 512,000                    | 430,698          | 450,000          | 387,500              | 0            | 0                    | 1,392,698         |
| Transfer from Street Fund               |                   | 0                          | 0                | 1,000,000        | 0                    | 0            | 0                    | 1,000,000         |
| Transfer of REET                        |                   | 1,096,420                  | 0                | 0                | 215,307              | 0            | 0                    | 1,096,420         |
| <b>Total Revenues</b>                   | <b>28,789,576</b> | <b>21,272,299</b>          | <b>4,918,188</b> | <b>2,519,742</b> | <b>612,184</b>       | <b>0</b>     | <b>0</b>             | <b>28,719,606</b> |

**Expenditures:**

|                                |                   |                  |                  |                  |              |               |                   |
|--------------------------------|-------------------|------------------|------------------|------------------|--------------|---------------|-------------------|
| Arterial Street                | 22,497,211        | 4,671,626        | 1,068,152        | 1,403,237        | 4,277        | 36,405        | 29,676,630        |
| Interfund Loan Interest        | 127,175           | 0                | 0                | 0                | 0            | 0             | 127,175           |
| Art 1%                         | 0                 | 0                | 0                | 0                | 0            | 0             | 0                 |
| Transportation Impact Fee Fund | 100,000           | 0                | 0                | 0                | 0            | 0             | 100,000           |
| <b>Total Expenditures</b>      | <b>22,724,386</b> | <b>4,671,626</b> | <b>1,068,152</b> | <b>1,403,237</b> | <b>4,277</b> | <b>36,405</b> | <b>29,903,805</b> |



City Council Business Agenda Items  
City of Kenmore, WA

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Subject/Topic:</b><br/>Public Hearing on the Proposed Changes to the City's Land Alterations Code -KMC Chapter 15.25</p> <p><b>Proposed Council Action/Motion:</b><br/>Hold a public hearing to receive input on the proposed changes to the City's land alteration code, KMC Chapter 15.25.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>For Council Meeting Agenda of: September 24, 2012</p> <p>Department: Development Services</p> <p>Prepared by: Bryan Hampson</p> <p>Initial &amp; Date<br/>Approved by Department Head: <u>BA 9/11/12</u><br/>Approved by City Attorney: <u>RPK 9/10/12 (BA)</u><br/>Approved by Finance Director: <u>gmg 9/11/12</u><br/>Approved by City Manager: <u>RPK 9/14/12</u></p> <p><b>Exhibits/Attachments:</b></p> <ol style="list-style-type: none"><li>1. Proposed KMC Chapters 15.25 (Exhibit A)</li><li>2. KMC Chapter 15.25 (with tracked changes)</li><li>3. Agenda Bill and Attachments from July 16, 2012 Council Meeting.</li></ol> |
| <p>Expenditure Required N/A      Amount Budgeted N/A      Appropriation Required N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b><u>INFORMATION/BACKGROUND:</u></b></p> <p>These amendments were identified through the development codes amendment project in the beginning of 2010 and were initiated by Council and staff last year as part of the overall development code update.</p> <p>The purpose of this initiative is to align the development codes with the vision and direction of the City of Kenmore.</p> <p>The new regulations for Chapter 15.25 KMC are consistent with the City's adopted Comprehensive Plan and eliminate redundancies and inconsistencies, streamline and simplify regulations and permit processes.</p> <p>On July 16, 2012, the proposed amendments to KMC 15.25 were discussed with City Council at a public meeting.</p> <p>The City's current land alteration development code models King County standards, procedures and requirements. The proposed changes result in a 40% reduction in regulations and non-applicable sections (reduced from 14 pages to 8). These changes will provide clarity to developers and property owners and simplify the process.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

I:\City Clerk\AGENDA ITEMS\Development Services\2012 Council Meetings\September 24, 2012\Agenda Bill\_Ch 15\_September 24 Public Hearing.docx

SEE Attachments for ITEM IX.C.,  
“Grading and Clearing Regulations,  
Kenmore Municipal Code (KMC) 15.25  
– Adopt Ordinance No. 12-0345”





City Council Business Agenda Items  
City of Kenmore, WA

**Subject/Topic:**

Adopt Amendments to the City's Land  
Alterations Code -KMC Chapter 15.25-  
Ordinance No. 12-0345

For Council Meeting Agenda of: September 24, 2012

Department: Development Services

Prepared by: Bryan Hampson

**Proposed Council Action/Motion:**

Adopt Ordinance No. 12-0345, Amendments  
to KMC Chapter 15.25

Approved by Department Head:

Approved by City Attorney:

Approved by Finance Director:

Approved by City Manager:

Initial & Date

*BA* 9/11/12

*RPK* 9/10/12 (B-H)

*June* 9/12/12

*RJK* 9/14/12

**Exhibits/Attachments:**

1. Ordinance No. 12-0345 and Exhibit A
2. KMC Chapter 15.25 (with tracked changes)
3. Agenda Bill and Attachments from July 16, 2012  
Council Meeting.

Expenditure Required N/A

Amount Budgeted N/A

Appropriation Required N/A

**INFORMATION/BACKGROUND:**

These amendments were identified through the development codes amendment project in the beginning of 2010 and were initiated by Council and staff last year as part of the overall development code update. The new regulations for Chapter 15.25 KMC are consistent with the City's adopted Comprehensive Plan and eliminate redundancies and inconsistencies, streamline and simplify regulations and permit processes. On July 16, 2012, the proposed amendments to KMC 15.25 were discussed with City Council at a public meeting.

The City's current land alteration development code models King County standards, procedures and requirements. Preparing comprehensive codes and standards for land alterations within the City requires a great deal of forethought and analysis. A handful of individuals from the City's development review team drafted the proposed changes based on the City's standards, requirements, and direction. The proposed changes result in a 40% reduction in regulations and non-applicable sections (reduced from 14 pages to 8). These changes will provide clarity to developers and property owners and simplify the process. The proposed amendments are summarized as follows (significant changes are underlined):

1. Allow the City Manager the authority to administer and interpret the code and establish applicable procedures and materials as needed. This is the same language used in the zoning code amendment.
2. Changed the title of the chapter from Grading to Land Alterations. Because the chapter covers more than just

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>grading, it includes clearing, tree removal, surface drainage and impervious surfaces.</p> <p>3. Deleted obsolete sections and terms throughout the chapter that pertained to King County (i.e. quarries, gravel pits, forests and cemeteries). Ensured terms and definitions aligned with other sections or chapters of the code.</p> <p>4. Identified the applicable standards necessary to support this code.</p> <p>5. Revised and reworded the exempt permits. This makes it clear and easier to understand and aligns with other requirements throughout this code, critical areas code, zoning code, and the building codes.</p> <p>6. <u>Added a new permit for impervious surface. This will allow the City to regulate the surface water and allowable paving limits on sites.</u></p> <p>7. Added an emergency activities section. This will allow people to stabilize a hazardous situation (such as a slide or flooding) before obtaining a permit.</p> <p>8. Revised the time frame for land alteration permits associated to a land-use permit to expire along with the land-use permit. Land-use permits such as subdivision and site plans are valid for a period between 3 and 9 years. They vary depending on circumstance and situation. With a land-use permit the codes and standards for the land alteration construction is vested. This allows the land alteration permit to be valid as long as the land-use permit is valid.</p> <p>9. <u>Added regulations for tree removal on vacant property. Currently properties with a structure or house on them are limited to the amount of trees that can be removed. However, currently vacant lots are exempt from the regulations. This will allow the City to use the same regulations for properties with or without a structure or house located on the property.</u></p> |
| <p><b><u>FISCAL CONSIDERATION:</u></b></p> <p>None</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b><u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u></b></p> <p>Continue to improve the effectiveness and efficiency of City services and to make economic development a top priority for the City</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 12-0345

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**AN ORDINANCE OF THE CITY OF KENMORE,  
WASHINGTON RELATING TO CLEARING AND  
GRADING; REPEALING CHAPTER 15.25 KMC AND  
REPLACING IT WITH A NEW CHAPTER 15.25; AND  
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City Council adopted Chapter 15.25 of the Kenmore Municipal Code (KMC), entitled "Grading," which provides regulations and procedures; and

WHEREAS, the City Council desires to adopt revised regulations for land alterations; and

WHEREAS, the revised regulations (1) are consistent with the City's Comprehensive Plan, the Kenmore Municipal Code, the Growth Management Act and the King County planning policies, (2) eliminate redundancies and inconsistencies, (3) streamline and simplify regulations and permit processes, (4) are beneficial to the City as a whole and (5) will not adversely affect public health, safety and welfare; and

WHEREAS, on July 11, 2012, the City sent notice of the revised regulations to the Washington State Department of Commerce pursuant to RCW 36.70A.106; and

WHEREAS, the revised regulations are categorically exempt from review under the State Environmental Policy Act; and

WHEREAS, on July 16, 2012 the City Council considered the revised regulations; and

WHEREAS, on September 24, 2012 the City Council held a public hearing on the revised regulations; and

WHEREAS, the City Council desires to repeal Chapter 15.25 KMC and adopt a new Chapter 15.25 KMC; now, therefore

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

Section 1.     Findings.     The City Council adopts the foregoing recitals as findings for this Ordinance, which are incorporated by reference as if set forth in full.

Section 2.     Repealer.     The City Council repeals Chapter 15.25, Grading, of the Kenmore Municipal Code (KMC).

Section 3.     Adoption. The City Council adopts a new Chapter 15.25 KMC as set forth in Exhibit A, attached hereto and incorporated by reference.

Section 4.     Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

APPROVED by the City Council this 24<sup>th</sup> day of September, 2012.

**CITY OF KENMORE**

\_\_\_\_\_  
David Baker, Mayor

**ATTEST/AUTHENTICATED:**

\_\_\_\_\_  
Patty Safrin, City Clerk

**Approved as to form:**

\_\_\_\_\_  
Rod Kaseguma, City Attorney

FILED WITH THE CITY CLERK: September 14, 2012  
PASSED BY THE CITY COUNCIL: September 24, 2012  
PUBLISHED: September 28, 2012  
EFFECTIVE DATE: October 4, 2012  
ORDINANCE NO. 12-0345

## EXHIBIT A

### Chapter 15.25

#### LAND ALTERATIONS

##### Sections:

- 15.25.010 Purpose.
- 15.25.020 Scope.
- 15.25.030 Definitions.
- 15.25.040 References adopted.
- 15.25.050 Administration.
- 15.25.060 Hazards.
- 15.25.070 Permit required - Exception.
- 15.25.080 Emergency repairs or activities
- 15.25.090 Application requirements.
- 15.25.100 Time limitation of application.
- 15.25.110 Validity of permit.
- 15.25.120 Permit expiration.
- 15.25.130 Suspension or revocation.
- 15.25.140 Liability insurance required – Exception.
- 15.25.150 Restrictions.
- 15.25.160 Standards.
- 15.25.170 Land restoration.
- 15.25.180 Shorelines.
- 15.25.190 Enforcement.
- 15.25.200 Financial guarantees authorized.

##### **15.25.010 Purpose.**

This chapter is intended to regulate *land alterations* within the city in order to protect public health, safety and welfare by:

1. Minimizing adverse *stormwater* impacts caused by *land alterations*;
2. Protecting water quality from the adverse impacts associated with erosion and sedimentation;
3. Minimizing aquatic and terrestrial wildlife habitat loss caused by the *removal* of *vegetation*;
4. Protecting critical areas from adverse *clearing* and *grading* activities;
5. Preventing damage to property and harm to persons caused by *land alterations*;
6. Establishing administrative procedures for the issuance of permits, approval of plans, and inspection of *land alteration* operations; and
7. Providing penalties for the violation of this chapter.

##### **15.25.020 Scope.**

The provisions of this chapter apply to *land alterations* within the city, except work located in a public right-of-way. Where conflicts occur between the technical requirements of this chapter and a geotechnical report, the geotechnical report shall govern.

##### **15.25.030 Definitions.**

Certain words and phrases used in this chapter, unless otherwise clearly indicated by their context, mean as follows:

A. “Applicant” means a person who files an application for a permit under this chapter and who is either the owner of the land on which that proposed activity would be conducted, a contract purchaser, or the authorized agent of such a person.

B. “Bench” is a relatively level step excavated or constructed on the face of a graded *slope* surface for drainage and maintenance purposes.



## EXHIBIT A

- C. “City manager” means the city of Kenmore City Manager or his or her designee(s).
- D. “Clearing” means the cutting or *removal of vegetation* or other organic plant material by physical, mechanical, chemical or any other means.
- E. “Department” means the *department* designated by the *city manager* to administer this chapter.
- F. “Diameter at breast height” means a *tree’s* diameter in inches at four and one-half feet above the ground. On multiple stemmed or trunked *trees*, the diameter shall be the sum of diameters of all individual stems or trunks.
- G. “Director” means the director of the *department* designated by the *city manager* to administer this chapter.
- H. “Earth material” is any rock, natural soil or any combination thereof.
- I. “Erosion” is the wearing away of the ground surface as the result of the movement of wind, water and/or ice.
- J. “Excavation” is the *removal of earth material*.
- K. “Fill” is a deposit of *earth material* placed by mechanical means.
- L. “Grade” means the elevation of the ground surface.
1. “Existing grade” is the *grade* prior to *grading*.
  2. “Rough grade” is the stage at which the *grade* approximately conforms to the approved plan.
  3. “Finish grade” is the final *grade* of the *site* which conforms to the approved plan.
- M. “Grading” is any excavating, filling, removing of the duff layer, or combination thereof.
- N. “Hazard tree” means any *tree* that has a high probability of failure due to any structural defect, disease or damage or combination of defect, disease or damage. A “high probability of failure” means falling and causing damage to persons or property. A “hazard tree” includes, but is not limited to, any isolated *tree(s)* that have a high probability of failure due to low *wind-firmness* in post-construction conditions as determined by a *qualified tree protection professional*.
- O. “Impervious surface” means a hard surface area which either prevents or retards the entry of water into the soil mantle under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at a rate of flow greater than the flow under natural conditions prior to development. Common *impervious surfaces* include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, paved areas, gravel areas, areas of packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface and *stormwater*. Open uncovered flow control or water quality treatment facilities shall not be considered as *impervious surfaces*.
- P. “Land alteration” means any alteration to the surface of the land or the surface drainage including improvements to a storm water tract. *Land alterations* include but are not limited to: *excavations, fills, clearing, grading, and tree removal* or any combination thereof; placing or removing *impervious surfaces*, including *structures* and pavement; compacting the earth surface; changing the existing *grade*; or changing the surface so that surface water leaves the *site* differently, including changes to flow path, flow rate, or flow volume.
- Q. “Removal” with regard to *trees* means the act of removing a *tree* by digging up, cutting down, or causing a *tree* to die within a period of three years from such act.
- R. “Shorelines” means those lands defined as shorelines in the state Shorelines Management Act of 1971.
- S. “Significant tree” means an existing healthy *tree* that is not a *hazard tree* and that, when measured four and one-half feet above *grade*, has a minimum diameter of:
- A. Eight inches for evergreen trees; or
  - B. Twelve inches for deciduous trees.
- T. “Site” is any lot or parcel of land or contiguous combination thereof where projects covered by this chapter are performed or permitted.
- U. “Slope” is an inclined ground surface, the inclination of which is expressed as a ratio of vertical distance to horizontal distance.

## EXHIBIT A

V. “Storm drain system” means a system of gutters, pipes, or ditches used to carry surface and *stormwater* from the surrounding lands to drainage facilities, critical areas, streams or lakes.

W. “Stormwater” means water originating from rainfall and other precipitation that ultimately flows into drainage facilities, rivers, streams, lakes and wetlands. As applied in this Chapter, *stormwater* is synonymous with the term surface water.

X. “Structure” means anything permanently constructed in or on the ground, or over the water, and excluding fences eight feet or less in height, decks less than 18 inches above *grade*, paved areas, and structural or nonstructural *fill*.

Y. “Terrace” is a relatively level step excavated or constructed on the face of a graded *slope* surface for drainage and maintenance purposes.

Z. “Tree” means a self-supporting woody perennial plant characterized by one main stem or trunk of at least six inches diameter at breast height, or a multiple stemmed or trunk system with a definite crown, maturing at a height of at least 12 feet above ground level. The *department* shall determine whether any specific woody plant shall be considered a *tree*.

AA. “Vegetation” means any and all organic plant life growing at, below, or above the soil surface.

### 15.25.040 References Adopted.

The following codes and standards shall be considered part of the requirements of this chapter to the extent applicable. In the event of differences between provisions of this chapter and referenced codes and standards, the provisions of this chapter shall apply.

- A. The street standards of chapter 12.50 KMC;
- B. The appropriate version of the Washington State Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction, as referenced in the road standards adopted by the city;
- C. The King County Surface Water Design Manual (KCSWDM) adopted by chapter 13.35 KMC;
- D. The current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD).

### 15.25.050 Administration.

The *city manager* is authorized to enforce the provisions of this chapter.

A. Inspections. The *city manager* is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

B. Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the *city manager* has reasonable cause to believe that any land, building, *structure*, premises, or portion thereof is being used in violation of this chapter, the *city manager* may enter such land, building, *structure*, premises, or portion thereof at all reasonable times to inspect the same or perform any duty imposed upon the director by this chapter; provided, that if such building, land, *structure*, premises or portion thereof is occupied, he shall first present proper credentials and demand entry; and if such land, building, *structure*, premises, or portion thereof be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the land, building, *structure*, premises, or portion thereof and demand entry.

No owner or occupant or any other person having charge, care or control of any building, land, *structure*, premises, or portion thereof shall fail or neglect, after proper demand, to promptly permit entry thereon by the *city manager* for the purpose of inspection and examination pursuant to this chapter. Any person violating this subsection is guilty of a misdemeanor.

### 15.25.060 Hazards.

Whenever the *city manager* determines that an existing *site*, as a result of *land alterations* has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the *land alteration* is located, or other person or agent in control of said property, upon receipt of notice in writing from the *city manager*, shall

## EXHIBIT A

within the period specified therein restore the *site* affected by such *land alteration* or repair or eliminate such *land alteration* so as to eliminate the hazard and be in conformance with the requirements of this chapter.

### 15.25.070 Permit required - Exception.

No *land alteration* shall be performed without first having obtained a permit therefore from the city. Exemptions from permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of the city. Even if a permit is required, best management practices must be utilized to limit *erosion* and sedimentation. Permits shall not be required for the following:

#### A. Grading.

1. *Excavation* for construction of a *structure* authorized by a valid building permit;
2. *Excavations* for trenches for utilities not within critical areas, shorelines or associated buffers;
3. Exploratory *excavations* performed under the direction of a registered design professional; provided, that any disturbance of the area shall be the minimum necessary to carry out the work or studies and the disturbed area shall be immediately restored; and
4. *Excavation* or *fill* less than four feet in vertical depth not involving more than 100 cubic yards of earth or other material on a single *site* and not within critical areas, shorelines or associated buffers;

#### B. Clearing and tree removal.

1. *Clearing* and *removal* of *trees* for the construction of a *structure* authorized by a valid building permit;
2. *Removal* of *significant trees* on lots that contain existing single-family detached dwellings, and that not within critical areas, shorelines or associated buffers, native growth protection areas, wildlife protection zones, or that have not been previously designated for protection (e.g. as part of a plat) and based on the following table;

|                                        |                         |
|----------------------------------------|-------------------------|
| Lots up to 10,000 sq. ft.:             | 2 <i>trees</i> per year |
| Lots 10,001 sq. ft. to 20,000 sq. ft.: | 4 <i>trees</i> per year |
| Lots 20,001 sq. ft. to 30,000 sq. ft.: | 6 <i>trees</i> per year |
| Lots 30,000 sq. ft. and greater:       | 8 <i>trees</i> per year |

3. *Clearing* by a public agency, franchise utility or public or private golf course for routine maintenance activities;

4. Minor stream restoration projects for fish habitat enhancement pursuant to a Washington State Joint Aquatic Resource Permit Application (JARPA);

5. Normal and routine maintenance of existing lawns and landscaping; and

6. *Removal* of noxious weeds. *Removal* of noxious weeds from critical areas, shorelines or associated buffers shall be subject to the requirements of KMC Chapter 18.55 & Title 16;

#### C. Engineering.

1. Less than 2000 square feet of replaced *impervious surface* or new plus replaced *impervious surface* that is not within critical areas or associated buffers and that results in not more than 10,000 square feet of total *impervious surface* added within 10 years; and

2. *Land alterations* that are exempt from a *grading* permit and that do not alter the method by which the *stormwater* leaves the *site*.

### 15.25.080 Emergency repairs or activities

Where repairs or activities necessary to prevent or correct an immediate threat to public health, safety, property or welfare are performed in an emergency situation, the permit application and evidence of the threat shall be submitted within the next business working day to the City (for example, landslide

## EXHIBIT A

stabilization, flood prevention and *hazard tree removal*). Mitigation may be required for such repairs or activities.

### **15.25.090 Application requirements.**

A. The *department* shall not commence review of any application for *land alteration* until the *applicant* has submitted the required materials and fees for a complete application.

B. The *applicant* shall file the following information with the *department*:

1. A complete permit application, with supporting affidavits, on forms provided by the *department*;
2. Information specified on the application checklist provided by the *department* for the requested decision(s); and
3. Any additional information or materials that the *department* specifies at the pre-application meeting.

C. A permit application is complete for purposes of this section upon satisfaction of the application requirements and upon the *department's* determination that the application is sufficiently complete for continued processing, even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the *department* from requesting additional information or studies either at the time of notice of completeness or subsequently if new or additional information is required or substantial changes in the proposed *land* application occur, as determined by the *department*.

D. The *city manager* may waive any specific submittal requirements that are determined to be unnecessary for review of an application.

E. The *applicant* shall attest by written oath to the accuracy of all information submitted with an application.

### **15.25.100 Time limitation of application.**

A. Applications for which no permit is issued within 18 months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the *applicant* or destroyed in accordance with state law by the *city manager*.

B. Applications may be canceled for inactivity, if an *applicant* fails to respond to the *department's* written request for revisions, corrections, actions or additional information within 90 days of the date of request. The *city manager* may extend the response period beyond 90 days if within the original 90-day time period the *applicant* provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the *department*.

C. The *city manager* may extend the life of an application if any of the following conditions exist:

1. Compliance with the State Environmental Policy Act is in progress; or
2. Any other city review is in progress; provided that the *applicant* has submitted a complete response to city requests or the *city manager* determines that unique or unusual circumstances exist that warrant additional time for such response, and the *city manager* determines that the review is proceeding in a timely manner toward final city decision; or
3. Litigation against the city or *applicant* is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application.

### **15.25.110 Validity of permit.**

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter or of any other ordinance or law of the city. Permits presuming to give authority to violate or cancel the provisions of this chapter or other ordinance or law of the city shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the *city manager* from requiring the correction of errors in the construction documents and other data.

## EXHIBIT A

### 15.25.120 Permit expiration.

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

B. Stand-alone *land alteration* permits which have been expired for less than one year may be renewed for a period of one year from the expiration date for an additional fee, as long as no changes have been made to the originally approved plans. *Land alteration* permits associated with a land-use permit or approval which has been expired for less than one year may be renewed for an additional fee as long as no changes have been made to the originally approved *land alteration* plans and the originally approved land-use permit or approval is not expired. For permits that have been expired for longer than one year, a new permit must be obtained and full new fees paid. No permit shall be renewed more than once.

### 15.25.130 Suspension or revocation.

Subject to applicable case authority, the *city manager* is authorized to suspend or revoke a permit issued under the provisions of this chapter wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

### 15.25.140 Liability insurance required – Exception.

The applicant shall procure and maintain for the duration of the permit, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the land alteration. The insurance shall include automobile liability and commercial general liability. The automobile liability insurance shall be a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident, and the commercial general liability insurance shall be with limits no less than \$1,000,000 each occurrence, and \$2,000,000 general aggregate. The City shall be named as an insured under the commercial general liability insurance policy. The insurance shall be endorsed to state that coverage shall not be cancelled, except after 30 days prior written notice to the City. Prior to issuance of a *land alteration* permit for *grading*, the *applicant* shall provide to the *department* an original certificate evidencing the required insurance, on a form approved by the *city manager*, and a copy of the amendatory endorsement. The insurance requirements may be waived or modified by the *city manager* for projects which do not present a risk to surrounding properties. Liability insurance shall not be required of other city departments.

### 15.25.150 Restrictions.

*Land alterations* for projects within critical areas per chapter 18.55 KMC are restricted to the time period between May 1st and October 1st, with all *grading* activities stabilized by October 1st. No *land alteration* activities shall occur outside of this time period, except with written approval from the *city manager*.

### 15.25.160 Standards.

A. Any activity that will *clear*, *grade* or otherwise disturb the *site*, whether requiring a *land alteration* permit or not, shall provide *erosion* and sediment control (ESC) that prevents, to the maximum extent possible, the transport of sediment from the *site* to drainage facilities, water resources and adjacent properties. *Erosion* and sediment control shall be applied as specified by the temporary ESC measures and performance criteria and implementation requirements of the Title 13 KMC.

B. Cuts and *fills* shall conform to the following provisions unless otherwise approved by the *city manager*.

1. *Slope*. No *slope* of cut and *fill* of surfaces shall be steeper than is safe for the intended use and shall not exceed two horizontal to one vertical, unless approved by the geotechnical engineer of record.



## EXHIBIT A

2. *Erosion Control*. All disturbed areas including faces of cuts and *fill slopes* shall be prepared and maintained to control *erosion* in compliance with subsection (A) of this section.

3. *Preparation of Ground*. The ground surface shall be prepared to receive *fill* by removing *vegetation*, topsoil, and other unsuitable materials.

4. *Fill Material*. *Fill* material shall not include organic, frozen or other deleterious materials, and shall be made with non-noxious, nonflammable, noncombustible and nonputrescible solids. No rock or similar irreducible material greater than 18 inches in diameter shall be used.

5. *Drainage*. Provisions shall be made to:

a. Prevent any surface water or seepage from damaging the cut face of any *excavations* or the sloping face of a *fill*; and

b. Carry any surface waters that are or might be concentrated as a result of a *fill* or *excavation* to a natural watercourse or public *storm drain system*, or by other means approved by the department of public works.

6. *Bench/Terrace*. *Benches*, if required, at least ten feet in width shall be back-sloped and shall be established at not more than 25 feet vertical intervals to control surface drainage and debris. Swales or ditches on *benches* shall have a maximum gradient of five percent.

7. *Access Roads Maintenance*. Access roads to *grading sites* shall be maintained and located to the satisfaction of the *city manager* to minimize problems of dust, mud and traffic circulation.

8. *Access Roads – Gate*. Access roads to *grading sites* shall be controlled by a gate when required by the *city manager*.

9. *Warning Signs*. Signs warning of hazardous conditions, if such exist, shall be established at locations as required by the *city manager*. All signage and traffic control shall be compliant with Manual on Uniform Traffic Control Devices.

10. *Fencing*. Fencing, where required by the *city manager* to protect life, limb and property, must be installed with lockable gates and must be closed and locked when work is not occurring at the *site*. The fence must be no less than five feet in height and cannot have a horizontal opening larger than two inches.

11. *Setbacks*. The tops and the toes of cut and *fill slopes* shall be set back from property boundaries as far as necessary to protect adjacent properties and to prevent damage from water runoff or *erosion* of the *slopes*.

The tops and the toes of cut and *fill slopes* shall be set back from *structures* as far as is necessary to protect foundation support and to prevent damage from water runoff or *erosion* of the *slopes*.

*Slopes* and setbacks shall be determined by the *city manager*.

12. *Easements*. The applicant shall provide to the *department* copies of recorded and executed easements for land *alterations* that are proposed on neighboring properties

C. For *land alteration* permits issued under this chapter, the current *vegetation* standards contained in this section and in the following regulations shall apply:

1. Chapter 18.55 KMC, Critical Areas;
2. Property-specific development standards pursuant to Chapter 18.47 KMC;
3. Critical drainage area designations identified by adopted administrative rule;
4. Wildlife habitat corridors; and
5. Chapter 18.35 KMC, Development Standards- Landscaping.

D. *Tree Removal*. The following additional regulations shall apply to vacant property:

1. Chapter 18.57.060 KMC, Tree Management and Protection.

### 15.25.170 Land restoration.

A. *Finish grades* shall encourage the uses permitted within the underlying zone classification.

B. *Grading* or backfilling shall not include organic, frozen or other deleterious materials, and shall be made with nonnoxious, nonflammable, noncombustible and nonputrescible solids. No rock or similar irreducible material greater than 18 inches shall be used.

## EXHIBIT A

C. Such graded or backfilled areas, except for roads, shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the immediately surrounding land areas, and to a depth of at least four inches or a depth of that of the topsoil of immediately surrounding land areas if less than four inches.

D. Such topsoil as required by subsection (C) of this section shall be planted with *trees*, shrubs, legumes or grasses, and these plants shall be so selected as to be indigenous to the surrounding area, or as approved through a mitigation plan.

E. Graded or backfilled areas shall be reclaimed in a manner which will not allow water to collect and permit stagnant water to remain, unless otherwise approved through a mitigation plan. Suitable drainage systems approved by the *city manager* shall be constructed or installed if natural drainage is not possible.

F. Waste or soil piles shall be leveled and the area treated as to sodding or surfacing and planting as required in subsections (D) and (E) of this section. [Ord. 02-0130 § 1 (KCC 16.82.110).]

### **15.25.180 Shorelines.**

A. No permit required by this chapter shall be issued for *land alteration* upon the *shorelines* until approved by the appropriate federal, state and local authority, (See Title 16 KMC).

B. For *land alteration* which requires a shoreline management substantial development permit, the conditions of the shoreline management substantial development permit shall be incorporated into the conditions of any permit issued pursuant to this chapter and shall be subject to the inspection and enforcement procedures authorized by this chapter.

### **15.25.190 Enforcement.**

The *city manager* is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated there under pursuant to the enforcement and penalty provisions of Chapter 1.20 KMC Code Enforcement.

If *land alterations* inconsistent with the purposes and requirements of this chapter have occurred on a *site*, the city shall not accept or grant any development permits or approvals for the *site* unless the *applicant* adequately restores the *site*. The *city manager* shall require appropriate restoration of the *site* under a City approved restoration plan which shall include a time schedule for compliance if significant resource damage has or may occur. If restoration has not been completed within the time established by the *department*, the *city manager* shall order restoration using funds from the appropriate contingency accounts and seek restitution from the property owner through available legal methods.

### **15.25.200 Financial guarantees authorized.**

The *department* is authorized to require all *applicants* who are issued permits or approvals under the provisions of the chapter to post performance financial guarantees consistent with the provisions of Title 21 KMC in an amount up to 125 percent of the estimated cost of completing or restoring the work in accordance with the approved plans, specifications, permit or approval requirements, and applicable regulations.

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## ATTACHMENT 2

### Chapter 15.25

#### GRADING LAND ALTERATIONS

##### Sections:

- 15.25.010 Purpose.
- 15.25.020 Scope.
- 15.25.030 Definitions.
- 15.25.040 References adopted.
- 15.25.050 Administration.
- 15.25.060 Hazards.
- 15.25.070 Permit required - Exception.
- 15.25.080 Emergency repairs or activities
- 15.25.090 Application requirements.
- 15.25.100 Time limitation of application.
- 15.25.110 Validity of permit.
- 15.25.120 Permit expiration.
- 15.25.130 Suspension or revocation.
- 15.25.140 Liability insurance required – Exception.
- 15.25.150 Restrictions.
- 15.25.160 Standards.
- 15.25.170 Land restoration.
- 15.25.180 Shorelines.
- 15.25.190 Enforcement.
- 15.25.200 Financial guarantees authorized.

##### 15.25.010 Purpose.

A. This chapter is intended to regulate ~~clearing and removal of vegetation, excavation, grading and earthwork construction~~ *land alterations including cuts and fills, gravel pits, dumping, quarrying and mining operations* within the city in order to protect public health, safety and welfare by:

1. Minimizing adverse ~~stormwater~~ impacts ~~generated by the removal of vegetation and caused by land alterations~~ *alteration of landforms*;
2. Protecting water quality from the adverse impacts associated with erosion and sedimentation;
3. Minimizing aquatic and terrestrial wildlife habitat loss caused by the ~~removal of vegetation~~;
4. Protecting critical areas from adverse *clearing and grading* activities;
5. ~~Facilitating and encouraging long term forest practice and agricultural production operations where appropriate;~~
6. ~~Minimizing the adverse impacts associated with quarrying and mining operations;~~
7. ~~Preventing damage to property and harm to persons caused by excavations and fills~~ *land alterations*;
8. Establishing administrative procedures for the issuance of permits, approval of plans, and inspection of ~~clearing and grading and~~ *land alteration* operations; and
9. Providing penalties for the violation of this chapter.

B. ~~This chapter establishes the administrative procedure for issuance of permits, provides for approval of plans and inspection of clearing and grading operations, and provides for penalties for the violation of this chapter. [Ord. 02-0130 § 1 (KCC 16.82.010).]~~

##### 15.25.020 Scope.

The provisions of this chapter apply to *land alterations* within the city, except work located in a public right-of-way. Where conflicts occur between the technical requirements of this chapter and ~~the~~ geotechnical report, the geotechnical report shall govern.

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### 15.25.03 Definitions.

Certain words and phrases used in this chapter, unless otherwise clearly indicated by their context, mean as follows:

A. "Applicant" ~~is a property owner or a public agency or public or private utility which owns a right-of-way or other easement or has been adjudicated the right to such an easement pursuant to RCW 8.12.090, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit or approval~~ means a person who files an application for a permit under this chapter and who is either the owner of the land on which that proposed activity would be conducted ~~located~~, a contract purchaser, or the authorized agent of such a person.

B. "Bench" is a relatively level step excavated or constructed on the face of a graded *slope* surface for drainage and maintenance purposes.

~~C. "Berm" is a mound or raised area used for the purpose of screening a site or operation.~~

~~C.D.~~ "City manager" means the city of Kenmore City Manager or his or her designee(s).

~~"Civil engineer" means a professional engineer registered in the state of Washington to practice in the field of civil works.~~

D.E. "Clearing" means the cutting or *removal* of ~~vegetation~~ or other organic plant material by physical, mechanical, chemical or any other means.

~~F. "Compaction" is the densification of a fill by mechanical means.~~

~~G. "Cutting" is the severing of the main trunk or stems from close to or at the soil surface or at a point up to 25 percent of the total vegetation height.~~

H.I. "Department" means the ~~department~~ designated by the *city manager* to administer this chapter.

F. "Diameter at breast height" means a *tree's* diameter in inches at four and one-half feet above the ground. On multiple stemmed or trunked *trees*, the diameter shall be the sum of diameters of all individual stems or trunks.

G. "Director" means the director ~~or the authorized agent~~ of the *department* designated by the *city manager* to administer this chapter ~~of community development~~.

H.I. "Earth material" is any rock, natural soil or any combination thereof.

I.J. "Erosion" is the wearing away of the ground surface as the result of the movement of wind, water and/or ice.

J.K. "Excavation" is the *removal* of ~~earth material~~.

K.L. "Fill" is a deposit of ~~earth material~~ placed by mechanical means.

L.M. "Grade" means the elevation of the ground surface.

1. "Existing grade" is the *grade* prior to *grading*.

2. "Rough grade" is the stage at which the *grade* approximately conforms to the approved plan.

3. "Finish grade" is the final *grade* of the *site* which conforms to the approved plan.

M.N. "Grading" is any excavating, filling, removing of the duff layer, or combination thereof.

~~O. "Grading and clearing permit" means the permit required by this chapter for grading and clearing activities, including temporary permits.~~

N. "Hazard tree" means any *tree* that has a high probability of failure due to ~~with~~ any structural defect, disease or damage or combination ~~of defect, disease or damage~~ ~~these which make which might cause damage to persons or property~~. A "high probability of failure" means falling and causing damage to persons or property. A "hazard tree" includes, but is not limited to, any isolated *tree(s)* that have a high probability of failure due to low *wind-firmness* in post-construction conditions as determined by a *qualified tree protection professional*.

O. "Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle ~~as~~ under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at a ~~an increased~~ rate of flow greater than ~~from~~ the flow ~~present~~ under natural conditions prior to development. Common *impervious surfaces* include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, paved areas, gravel areas, areas ~~which are paved, graveled or made~~ of packed or oiled earthen materials or other surfaces

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which similarly impede the natural infiltration of surface and ~~stormwater~~. Open uncovered flow control or water quality treatment facilities shall not be considered as *impervious surfaces*.

P. "Land alteration" means any alteration to the surface of the land or the surface drainage including improvements to a storm water tract. ~~Land~~ *Land alterations* include but are not limited to: *excavations, fills, clearing, grading, and free removal* or any combination thereof; placing or removing *impervious surfaces*, including ~~structures~~ and pavement; compacting the earth surface; ~~changes to~~ changing the existing *grade*; or changing ~~any change to~~ the surface so that ~~which results in any change in the way~~ surface water leaves the *site* differently, including changes to flow path, flow rate, or flow volume.

~~P. "Reclamation" means the final grading and land restoration of a site.~~

Q. "Removal" with regard to *trees* means the act of removing a *tree* by digging up, cutting down, or causing ~~any act which causes~~ a *tree* to die within a period of three years from such act.

~~Q~~R. "Shorelines" means those lands defined as shorelines in the state Shorelines Management Act of 1971.

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

A. Eight inches for evergreen trees; or

B. Twelve inches for deciduous trees.

~~T~~R. "Site" is any lot or parcel of land or contiguous combination thereof where projects covered by this chapter are performed or permitted ~~where a public street or way may intervene~~.

~~U~~S. "Slope" is an inclined ground surface, the inclination of which is expressed as a ratio of vertical distance to horizontal distance.

~~T. "Soil engineer" means a person who has earned a degree in geology from an accredited college or university, or a person who has equivalent educational training and has experience as a practicing geologist.~~

V. "Storm drain system" means ~~the~~ a system of gutters, pipes, or ditches used to carry surface and ~~stormwater~~ from the surrounding lands to drainage facilities, critical areas, streams or lakes.

W. "Stormwater" means water originating from rainfall and other precipitation that ultimately flows into drainage facilities, rivers, streams, lakes and wetlands. As applied in this Chapter, ~~stormwater~~ is synonymous with the term surface water.

~~X~~U. "Structure" ~~is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner~~ means anything permanently constructed in or on the ground, or over the water, and excluding fences eight feet or less in height, decks less than 18 inches above *grade*, paved areas, and structural or nonstructural *fill*.

~~Y~~V. "Terrace" is a relatively level step excavated or constructed on the face of a graded *slope* surface for drainage and maintenance purposes.

~~W. "Tidelands" means that portion of the land which is covered and uncovered by the ebb and flood tide.~~

~~Z~~X. "Tree" ~~is a large woody perennial plant usually with a single main stem or trunk and generally over 12 feet tall at maturity~~ means a self-supporting woody perennial plant characterized by one main stem or trunk of at least six inches diameter at breast height, or a multiple stemmed or trunk system with a definite crown, maturing at a height of at least 12 feet above ground level. The *department* shall determine whether any specific woody plant shall be considered a *tree*.

~~Y. "Understory" is the vegetation layer of a forest that includes shrubs, herbs, grasses, and grass-like plants, but excludes native trees.~~

ZAA. "Vegetation" means any and all organic plant life growing at, below, or above the soil surface.

### 15.25.040 References Adopted.

The following codes and standards shall be considered part of the requirements of this chapter to the ~~prescribed~~ extent applicable ~~of each such reference~~. ~~Where~~In the event of differences ~~occur~~ between provisions of this chapter and referenced codes and standards, the provisions of this chapter

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shall apply.

- A. The street standards of ~~currently adopted and amended by the city per~~ chapter ~~KMC~~ 12.50 KMC;
- B. The appropriate version of the Washington State Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction, as referenced in the road standards adopted ~~as amended~~ by the city;
- C. The King County Surface Water Design Manual (KCSWDM) ~~currently~~ adopted ~~and amended~~ by ~~the city per KMC~~ chapter 13.35 KMC;
- D. The current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD).

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### 15.25.050 Administration.

The ~~director~~ city manager is authorized to enforce the provisions of this chapter.

A. Inspections. The ~~director~~ city manager is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

B. Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the ~~director~~ city manager has reasonable cause to believe that any land, building, ~~structure~~, premises, or portion thereof is being used in violation of this chapter, the ~~director~~ city manager may enter such land, building, ~~structure~~, premises, or portion thereof at all reasonable times to inspect the same or perform any duty imposed upon the director by this chapter; provided, that if such building, land, ~~structure~~, premises or portion thereof is occupied, he shall first present proper credentials and demand entry; and if such land, building, ~~structure~~, premises, or portion thereof be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the land, building, ~~structure~~, premises, or portion thereof and demand entry.

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No owner or occupant or any other person having charge, care or control of any building, land, ~~structure~~, premises, or portion thereof shall fail or neglect, after proper demand, to promptly permit entry thereon by the ~~director~~ city manager for the purpose of inspection and examination pursuant to this chapter. Any person violating this subsection is guilty of a misdemeanor.

### 15.25.060 Hazards.

Whenever the ~~director~~ city manager determines that an existing site, as a result of ~~clearing or grading, excavation, embankment, or fill land alterations~~ has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the ~~clearing, grading, excavation or fill land alteration~~ is located, or other person or agent in control of said property, upon receipt of notice in writing from the ~~director~~ city manager, shall within the period specified therein restore the site affected by such ~~clearing or grading land alteration~~ or repair or eliminate such ~~excavation or embankment or fill land alteration~~ so as to eliminate the hazard and be in conformance with the requirements of this chapter.

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#### ~~15.25.070 Clearing and grading permit required—Exceptions.~~

~~A. No person shall do any clearing or grading without first having obtained a clearing and grading permit from the director, except for the following:~~

~~1. An on-site excavation or fill for basements and footings of a building, retaining wall, parking lot, or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than five feet after the completion of such structure;~~

~~2. Removal of trees on lots associated with existing single-family detached dwellings or lots associated with construction of new single-family detached dwellings based on the following table. If there are critical areas or associated buffers on site and/or a tree protection plan is applicable to the lot, then a clearing permit and/or an arborist report may be required as determined on a case-by-case basis by the community development director. If an exemption is granted from clearing permit requirements for removal of trees within critical areas or buffers, the applicant must utilize best management practices to limit erosion and sedimentation into critical areas and buffers;~~

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

Trees previously designated for protection (e.g., as part of a plat) or within a native growth protection area or within a critical area required may not be removed unless they are determined to be hazardous. Hazardous, dead or otherwise dangerous trees are not included in this limit. The administrator may allow removal of more trees per year if the remaining trees would pose a hazard;

3. The depositing or covering of any garbage, rubbish or other material at any solid waste facility operated by the city;

4. Maintenance of existing driveways or private access roads within their existing road prisms; provided, that the performance and restoration requirements of this chapter are met and best management practices are utilized to protect water quality.

5. Any grading within a publicly owned road right-of-way;

6. Clearing or grading by a public agency for the following routine maintenance activities:

a. Roadside ditch cleaning, provided the ditch does not contain salmonids;

b. Pavement maintenance;

c. Normal grading of gravel shoulders;

d. Maintenance of culverts;

e. Maintenance of flood control or other approved surface water management facilities;

f. Routine clearing within road right-of-way;

g. Removal of dangerous, diseased or damaged trees in imminent danger of falling;

7. Any clearing or grading for roads within a preliminary or finally approved residential plat which has been approved by the director and for which a financial guarantee has been posted and that meets tree management and protection regulations set forth in Chapter 18.42 KMC;

8. Maintenance or reconstruction of the facilities of a common carrier by a rail in interstate commerce within its existing right-of-way; provided, restoration is consistent with the requirements of KMC 15.25.100; provided, that this exception does not apply if the clearing or grading is within a critical area as regulated in Chapter 18.55 KMC;

9. Cemetery graves; provided, that this exception does not apply except for routine maintenance if the clearing or grading is within a critical area as regulated in Chapter 18.55 KMC;

10. Clearing or grading within a preliminary or finally approved residential plat not involving any excavation exceeding five feet in vertical depth or any fill exceeding three feet in vertical depth, regardless of the amount of material to be removed; provided, that this exception does not apply if the clearing or grading is within a critical area as regulated in Chapter 18.55 KMC or an area placed into tracts or easements pursuant to KMC 18.30.030. This exception does not apply within an area placed into tracts or easements for a wildlife habitat corridor pursuant to Chapter 18.35 KMC unless the proposed activity is otherwise exempt under Chapter 18.55 KMC;

11. Excavation less than five feet in vertical depth not involving more than 100 cubic yards of earth or other material on a single site; provided, that the exception does not apply if the clearing or grading is within a critical area as regulated in Chapter 18.55 KMC or an area placed into tracts or easements pursuant to KMC 18.30.030. This exception does not apply within an area placed into tracts or easements for a wildlife habitat corridor pursuant to Chapter 18.35 KMC unless the proposed activity is otherwise exempt under Chapter 18.55 KMC;

12. Fill less than three feet in vertical depth not involving more than 100 cubic yards of earth or other material on a single site; provided, that the exception does not apply if the clearing or grading is within a critical area as regulated in Chapter 18.55 KMC or an area placed into tracts or easements pursuant to KMC 18.30.030. This exception does not apply within an area placed into tracts or easements

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for a wildlife habitat corridor pursuant to Chapter 18.35 KMC unless the proposed activity is otherwise exempt under Chapter 18.55 KMC;

13. Minor stream restoration projects for fish habitat enhancement by a public agency, utility or tribe as set out in Chapter 18.55 KMC;

14. Clearing or grading for construction of livestock manure storage facilities or associated nonpoint source pollution facilities designed to the standards of and approved in a conservation plan by the King County conservation district, and constructed and maintained to those standards or livestock flood sanctuaries constructed and maintained to the standards approved by the Soil Conservation Service and conservation district and the best management practices approved by the city;

15. Any clearing or grading which has been approved by the director as part of a commercial site development permit and for which a financial guarantee has been posted;

16. Clearing outside of critical areas and buffers as regulated in Chapter 18.55 KMC, unless the development proposal site is within an area subject to clearing restrictions contained in KMC 15.25.140, wildlife habitat corridors pursuant to Chapter 18.35 KMC, critical drainage areas established by administrative rule or property specific development standards pursuant to Chapter 18.82 KMC;

17. Within critical areas, as regulated in Chapter 18.55 KMC, the following activities are exempt from the clearing requirements of this chapter and no permit shall be required:

a. Normal and routine maintenance of existing lawns and landscaping subject to the limitations on the use of pesticides in critical areas as set out in Chapter 18.55 KMC.

b. Permitted agricultural uses; provided, the clearing is consistent with the agricultural exemptions in critical areas as regulated in Chapter 18.55 KMC.

c. Emergency tree removal to prevent imminent danger or hazard to persons or property.

d. Normal and routine horticultural activities associated with commercial orchards, nurseries, or Christmas tree farms in existence on November 27, 1990, subject to the limitations on the use of pesticides in critical areas as set out in Chapter 18.55 KMC. This does not include clearing or grading in order to develop or expand such activities.

e. Normal and routine maintenance of existing public parks and private and public golf courses. This does not include clearing or grading in order to develop or expand such activities in critical areas. For the purpose of this subsection, a park is defined as any real property managed for public use which has been previously maintained as a park or has been developed as a park pursuant to a properly issued permit.

f. Removal of noxious weeds from steep slope hazard areas and the buffers of streams and wetlands subject to the limitations on the use of pesticides in critical areas as set out in Chapter 18.55 KMC.

g. Pruning and limbing of vegetation for maintenance of above ground electrical and telecommunication facilities; provided, that the clearing is consistent with the electric, natural gas, cable communication and telephone utility exemption in critical areas as regulated in Chapter 18.55 KMC.

h. Class II, III and IV Special forest practices; provided, they occur on parcels that meet all of the following criteria for long term forestry:

(1) The parcel is enrolled under the current use taxation program as timber land pursuant to Chapter 84.24 RCW or as forest land pursuant to Chapter 84.23 RCW;

(2) A long term management plan is approved for the parcel by the Washington Department of Natural Resources;

(3) The parcel is located within areas designated rural or agricultural by the Kenmore comprehensive plan;

(4) The parcel is located outside of expansion areas for incorporated rural cities or rural towns and neighborhoods as designated in the Kenmore comprehensive plan;

(5) The parcel equals or exceeds five acres in size;

(6) Removal of trees, based on limits established by clearing requirements, on lots associated with existing single family detached dwellings or lots associated with construction of new single family detached dwellings. If there are critical areas or associated buffers on site and/or a tree protection plan is

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applicable to the lot, then a clearing permit and/or an arborist report may be required as determined on a case by case basis by the community development director. If an exemption is granted from clearing permit requirements for removal of trees within critical areas or buffers, the applicant must utilize best management practices to limit erosion and sedimentation into critical areas and buffers.

B. Temporary Permits. The director shall have the authority to issue temporary permits for excavations, processing, quarrying and mining, and removal of sand, gravel, rock and other natural deposits, together with the necessary buildings, apparatus or appurtenances incident thereto for specific jobs on application for highway, road, street, airport construction, flood control and other public works projects. In conjunction with such operations, allied uses such as, but not limited to, rock crushers, concrete batching plants and asphalt batching plants may be authorized by this temporary permit. The director shall also have the authority to issue temporary permits for the removal of existing stockpiles of previously mined material for the reclamation of land to its best use, consistent with the underlying zoning.

The department of community development shall consider the effect of the proposed operation on the city street system and any effect it may have on surface or groundwater drainage and flood control, and shall make such recommendations as are necessary to protect the public interest in this regard.

The department of community development shall also consider the effect of the proposed operation on the current and future land use in the area affected by the proposed operation and shall condition permits as necessary to protect the public interest in this regard. Temporary permits are good for the life of the contract of the specific job but must be reviewed annually. Each temporary permit site shall be fully restored during the term of the temporary permit, unless the site is included in an unclassified use permit.

Development proposals will be subject to two levels of review standards based on occupancy types: critical facilities and standard structures. The review standards for critical facilities will be based on larger earthquake reoccurrence intervals than the earthquakes considered for standard occupancy structures. The review standards will be set forth in the administrative rules. [Ord. 04 0218 § 1; Ord. 02 0130 § 1 (KCC 16.92.050).]

**15.25.070 Permit required - Exception.**

No land alteration shall be performed without first having obtained a permit therefore from the city. Exemptions from permit requirements of this chapter ~~code~~ shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter ~~code~~ or any other laws or ordinances of ~~this~~ the city. Even ~~Regardless~~ if a permit is required ~~or not~~, best management practices must be utilized to limit erosion and sedimentation. Permits shall not be required for the following:

A. Grading.

1. Excavation for construction of a ~~structure~~ authorized by a valid building permit;
2. Excavations for trenches for utilities not within ~~a~~ critical areas, shorelines or associated buffers;
3. Exploratory excavations performed under the direction of a registered design professional; provided, that any disturbance of the area shall be the minimum necessary to carry out the work or studies and the disturbed area shall be immediately restored; and
4. Excavation or fill less than four feet in vertical depth not involving more than 100 cubic yards of earth or other material on a single site and not within critical areas, shorelines or associated buffers;

B. ~~Clearing~~ and ~~tree~~ removal.

1. ~~Clearing~~ and removal of ~~trees~~ for the construction of a ~~structure~~ authorized by a valid building permit;
2. ~~Removal of significant trees on lots~~ that contain existing single family detached dwellings, and that ~~not within~~ critical areas, shorelines or associated buffers, ~~native growth protection areas, wildlife protection zones, or that have not been previously designated for protection (e.g. as part of a plot) and based on the following table;~~

|                                        |                             |
|----------------------------------------|-----------------------------|
| Lots up to 10,000 sq. ft.:             | 2 <del>trees</del> per year |
| Lots 10,001 sq. ft. to 20,000 sq. ft.: | 4 <del>trees</del> per year |

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Lots 20,001 sq. ft. to 30,000 sq. ft.: 6 ~~fees~~ per year  
Lots 30,000 sq. ft. and greater: 8 ~~fees~~ per year

3. ~~Clearing~~ by a public agency, franchise utility or public or private golf course for routine maintenance activities;

4. Minor stream restoration projects for fish habitat enhancement pursuant to ~~permitted through~~ a Washington State Joint Aquatic Resource Permit Application (JARPA);

5. Normal and routine maintenance of existing lawns and landscaping; and

6. ~~Removal of noxious weeds, Removal of noxious weeds from~~ critical areas, shorelines or associated buffers shall be ~~subject to the~~ requirements of KMC Chapter 18.55 & Title 16;

C. Engineering.

1. Less than 2000 square feet of replaced *impervious surface* or new plus replaced *impervious surface* that is not within critical areas or associated buffers and that ~~AND~~ results in not more than 10,000 square feet of total *impervious surface* added within 10 years; and

2. *Land alterations* that are exempt from a *grading permit* and that ~~does~~ do not alter the method by which the ~~stormwater~~ leaves the site.

### 15.25.080 Emergency repairs or activities

Where repairs or activities necessary to prevent or correct an immediate threat to public health, safety, property or welfare are performed in an emergency situation, the permit application and evidence of the threat shall be submitted within the next business working day to the City (for example, landslide stabilization, flood prevention and *hazard tree removal*). Mitigation may be required for such repairs or activities.

~~15.25.090 Applications Complete applications:~~

~~A. For the purposes of determining the application of time periods and procedures adopted by this chapter, applications for permits authorized by this chapter shall be considered complete as of the date of submittal upon determination by the department that the materials submitted contain the following:~~

~~1. For clearing and grading permits:~~

~~a. A legal description of the property;~~

~~b. A 1:2000 scale vicinity map with a north arrow;~~

~~c. Grading plans including:~~

~~(1) Horizontal and vertical scale;~~

~~(2) Size and location of existing improvements within 50 feet of the project, indicating which will remain and which will be removed;~~

~~(3) Existing and proposed contours at maximum five foot intervals, and extending for 100 feet beyond the project edge;~~

~~(4) At least two cross sections, one in each direction, showing existing and proposed contours and horizontal and vertical scales, and~~

~~(5) Temporary and permanent erosion sediment control facilities;~~

~~d. The following plans must be stamped and signed by a registered civil engineer, licensed to practice in the state of Washington:~~

~~(1) Permanent drainage facilities;~~

~~(2) Structures to be built or construction proposed in landslide hazard areas, and~~

~~(3) Proposed construction or placement of a structure;~~

~~2. A completed environmental checklist, if required by Chapter 19.35 KMC, Environmental Procedures;~~

~~3. Satisfaction of all requirements for grading permits under KMC 15.25.070.~~

~~B. Applications found to contain material errors shall not be deemed complete until such material errors are corrected.~~

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~~C. The director may waive specific submittal requirements determined to be unnecessary for review of an application. [Ord. 02-0130 § 1 (KCC 16.82.055).]~~

### **15.25.070**

#### **Permit requirements:**

~~Except as exempted in KMC 15.25.050, no person shall do any clearing or grading without first obtaining a clearing and grading permit from the director. A separate permit shall be required for each site and may cover both excavations and fills.~~

~~A. Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished for that purpose. The director shall prescribe the form by which application is made. No application shall be accepted unless it is completed consistent with the requirements of this chapter and Chapter 19.25 KMC, Procedures for Land Use Permit Applications, Public Notice, Hearings and Appeals. In addition to the requirements of KMC 19.25.040 every application shall:~~

- ~~1. Identify and describe the work to be covered by the permit for which application is made;~~
  - ~~2. Describe the land on which the proposed work is to be done, by lot, block, tract and house and street address, or similar description that will readily identify and definitely locate the proposed site;~~
  - ~~3. Identify and describe those critical areas as defined in Chapter 18.55 KMC on or adjacent to the site;~~
  - ~~4. Indicate the estimated quantities of work involved;~~
  - ~~5. Identify any clearing restrictions contained in KMC 15.25.140, wildlife habitat corridors pursuant to Chapter 18.35 KMC, critical drainage areas established by administrative rule or property-specific development standards pursuant to Chapter 18.82 KMC;~~
  - ~~6. Be accompanied by plans and specifications as required in subsections (B) and (C) of this section;~~
  - ~~7. Designate who the applicant is, on a form prescribed by the department, except that the application may be accepted and reviewed without meeting this requirement when a public agency or public or private utility is applying for a permit for property on which the agency or utility does not own an easement or right of way and the following three requirements are met:
    - ~~a. The name of the agency or public or private utility is shown on the application as the applicant;~~
    - ~~b. The agency or public or private utility includes in the complete application an affidavit declaring that notice of the pending application has been given to all owners of property to which the application applies, on a form provided by the department; and~~
    - ~~c. The form designating the applicant is submitted to the department prior to permit issuance;~~~~
- ~~and~~
- ~~8. Give such other information as may be required by the director.~~

~~B. Plans and Specifications. When required by the director, each application for a grading or clearing permit shall be accompanied by six sets of plans and specifications and other supporting data as may be required. The plans and specifications shall be prepared and signed by a civil engineer or landscape architect registered to practice in the state of Washington when required by the director; provided, the director may require additional studies prepared by a qualified soils specialist or certified arborist. If the plans and specifications are returned as a result of permit denial or any other reason, they shall be returned to the applicant.~~

~~C. Information on Plans and in Specifications. Plans shall be drawn to an engineer's scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this chapter and all other relevant laws, rules, regulations and standards. The first sheet of each set of plans shall give the location of the work and the name and address of the owner and the person by whom they were prepared. The plans shall include the following minimum information:~~

- ~~1. General vicinity of the proposed site;~~
- ~~2. Property limits and accurate contours of existing ground and details of terrain and area drainage;~~



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3. Limiting dimensions, elevations or finished contours to be achieved by the grading, and proposed drainage channels and related construction;
4. Location of all proposed cleared areas;
5. Location of any open space tracts or conservation easements if required pursuant to:
  - a. KMC 15.25.140;
  - b. Chapter 18.35 KMC;
  - c. Critical drainage area, or
  - d. Property specific development standards pursuant to Chapter 18.82 KMC;
6. Calculations of the total proposed area cleared on site as a percentage of the total site area;
7. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, berms, settling ponds and other protective devices to be constructed with or as a part of the proposed work, together with the maps showing the drainage area and the estimated runoff of the area served by any drains;
8. A determination of whether drainage review applies to the project pursuant to Chapter 18.35 KMC, and, if applicable, all drainage plans and documentation consistent with King County Surface Water Design Manual requirements;
9. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners which are within 50 feet of the property or which may be affected by the proposed grading operations;
10. Landscape and rehabilitation plan as required by KMC 15.25.100;
11. Other information as may be required by the director; and
12. If the clearing or grading is proposed to take place in or adjacent to a critical area as regulated in Chapter 18.55 KMC, provide information as required by that chapter.

### D. Granting of Permits.

1. The director shall determine if the proposed grading will adversely affect the character of the site for present lawful uses or with the future development of the site and adjacent properties for building or other purposes as indicated by the comprehensive plan, the shoreline master program, and the zoning code.
2. After an application has been filed and reviewed, the director shall also ascertain whether such grading work complies with the other provisions of this chapter. If the application and plans so comply, or if they are corrected or amended so as to comply, the director may issue to the applicant a grading permit. A grading permit shall be valid for the number of days stated in the permit but in no case shall the period be more than two years; provided, that when operating conditions have been met, the permit may be renewed every two years, or less if a shorter approval and/or renewal period is specified by the director.
3. No grading permit shall be issued until approved by federal, state and local agencies having jurisdiction by laws or regulations.
4. Upon approval of the application and issuance of the grading permit, no work shall be done that is not provided for in the permit. The director is authorized to inspect the premises at any reasonable time to determine if the work is in accordance with the permit application and plans.
5. The permits from the director shall be required regardless of any permits issued by any other department of county government or any other governmental agency who may be interested in certain aspects of the proposed work. Where work for which a permit is required by this chapter is started or proceeded with prior to obtaining the permit, the violator shall be subject to such civil penalties as provided in Chapter 1.15 KMC, General Penalty. However, the payment of such civil penalties shall not relieve any persons from fully complying with the requirements of this chapter in the execution of the work nor from any other penalties prescribed thereon. [Ord. 04-0218 § 2; Ord. 02-0130 § 1 (KCC 16.02.060).]

### 15.25.090 Application requirements.

- A. The department shall not commence review of any application for *land alteration* until the applicant has submitted the required materials and fees specified for a complete applications.
- B. The applicant shall file the following information with the department:

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1. A complete permit application, with supporting affidavits, on forms provided by the *department*;
2. Information specified on the application checklist provided by the *department* for the requested decision(s); and
3. Any additional information or materials that the *department* specifies at the pre-application meeting.

C. A permit application is complete for purposes of this section upon satisfaction of the *when it meets the procedural submission* application requirements *of the department* and upon the *department's* determination that the application is *sufficient* sufficiently complete for continued processing, even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the *department* from requesting additional information or studies either at the time of notice of completeness or subsequently if new or additional information is required or substantial changes in the proposed *land application* occur, as determined by the *department*.

D. The *city manager* may waive any specific submittal requirements that are determined to be unnecessary for review of an application.

E. The *applicant* shall attest by written oath to the accuracy of all information submitted with *for* an application.

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### 15.25.100 Time limitation of application.

A. Applications for which no permit is issued within 18 months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the *applicant* or destroyed in accordance with state law by the *city manager*.

B. Applications may be canceled for inactivity, if an *applicant* fails to respond to the *department's* written request for revisions, corrections, actions or additional information within 90 days of the date of request. The *city manager* may extend the response period beyond 90 days if within the original 90-day time period the *applicant* provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the *department*.

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C. The *city manager* may extend the life of an application if any of the following conditions exist:

1. Compliance with the State Environmental Policy Act is in progress; or
2. Any other city review is in progress; provided that the *applicant* has submitted a complete response to city requests or the *city manager* determines that unique or unusual circumstances exist that warrant additional time for such response, and the *city manager* determines that the review is proceeding in a timely manner toward final city decision; or
3. Litigation against the city or *applicant* is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application.

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### 15.25.110 Validity of permit.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter *code* or of any other ordinance or laws of the city. Permits presuming to give authority to violate or cancel the provisions of this chapter *code* or other ordinance or laws of the city shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the *city manager* from requiring the correction of errors in the construction documents and other data.

### 15.25.120 Permit expiration.

A. *Every* Stand-alone *land alteration* permits *issued* shall expire two years from the date of issuance. *Land alteration* permits issued and associated with another *an approved* land-use permit or approval shall expire in conjunction with the land-use permit or approval. The *city manager* may approve a request for

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an extended expiration date where a construction schedule is provided by the *applicant* and approved prior to permit issuance.

B. ~~Every~~ Stand-alone *land alteration* permits which have been expired for less than one year may be renewed for a period of one year from the expiration date for an additional fee, as long as no changes have been made to the originally approved plans. *Land alteration* permits associated with a land-use permit or approval which has been expired for less than one year may be renewed for an additional fee as long as no changes have been made to the originally approved *land alteration* plans and the originally approved land-use permit or approval is not expired. For permits that have been expired for longer than one year, a new permit must be obtained and full new fees paid. No permit shall be renewed more than once.

### 15.25.130 Suspension or revocation.

Subject to applicable case authority, the ~~The~~ *city manager* is authorized to suspend or revoke a permit issued under the provisions of this ~~code~~ chapter wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

### 15.25.140 Liability insurance required – Exception.

~~The permittee shall maintain a liability policy in the amount of \$100,000 per individual, \$300,000 per occurrence, and \$50,000 property damage, and shall name the city as an additional insured. Exception: Liability insurance requirements may be waived for projects involving less than 10,000 cubic yards. Liability insurance shall not be required of other city departments. [Ord. 02-0130 § 1 (KCC 16.82.090).]~~

The applicant shall procure and maintain for the duration of the permit, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the *land alteration*. The insurance shall include automobile liability and commercial general liability. The automobile liability insurance shall be a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident, and the commercial general liability insurance shall be with limits no less than \$1,000,000 each occurrence, and \$2,000,000 general aggregate. The City shall be named as an insured under the commercial general liability insurance policy. The insurance shall be endorsed to state that coverage shall not be cancelled, except after 30 days prior written notice to the City. Prior to issuance of a *land alteration* permit for *grading*, the *applicant* shall provide to the *department* an original certificate evidencing the required insurance, ~~a Certificate of Insurance~~ on a form ~~forms~~ approved by the *city manager*, and a copy of the amendatory endorsement. ~~The insurance shall be in the amount of \$1,000,000 per occurrence. The Certificate of Insurance shall name the City as an additional insured and shall not be canceled without 30 days prior written notice to the City. The surety company shall be authorized to transact business in the State of Washington. The~~ *Exception: Liability* insurance requirements may be waived or modified by the *city manager* for projects which do not present a risk to surrounding properties. Liability insurance shall not be required of other city departments.

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### 15.25.150 Restrictions.

*Land alterations* for projects within critical areas per chapter ~~KMC~~ 18.55 KMC are restricted to the time period between May 1st and October 1st, with all *grading* activities stabilized by October 1st. No *land alteration* activities shall occur ~~are allowed~~ outside of this time period, ~~window~~ except with written approval from the *city manager*.

### 15.25.160 ~~Operating conditions and~~ Standards of performance.

A. Any activity that will *clear*, *grade* or otherwise disturb the *site*, whether requiring a ~~clearing or grading~~ *land alteration* permit or not, shall provide *erosion* and sediment control (ESC) that prevents, to the maximum extent possible, the transport of sediment from the *site* to drainage facilities, water resources and adjacent properties. *Erosion* and sediment ~~control~~ control shall be applied as specified by the temporary ESC measures and performance criteria and implementation requirements ~~in~~ of the ~~KMC~~

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Title 13 KMC King County erosion and sediment control standards. Activities performed as Class I, II, III or IV. Special forest practices shall apply erosion and sediment controls in accordance with Chapter 76.09 RCW and Title 222 WAC.

B. Cuts and fills shall conform to the following provisions unless otherwise approved by the city manager.

1. *Slope*. No slope of cut and fill of surfaces shall be steeper than is safe for the intended use and shall not exceed two horizontal to one vertical, unless otherwise approved by the director approved by the geotechnical engineer of record.

2. *Erosion Control*. All disturbed areas including faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance with subsection (A) of this section.

3. *Preparation of Ground*. The ground surface shall be prepared to receive fill by removing unsuitable material such as concrete slabs, tree stumps, brush and car bodies, vegetation, topsoil, and other unsuitable materials.

4. *Fill Material*. Except in an approved sanitary landfill, only earth materials which have no rock or similar irreducible material with a maximum dimension greater than 18 inches shall be used. Fill material shall not include organic, frozen or other deleterious materials, and shall be made with non-noxious, nonflammable, noncombustible and nonputrescible solids. No rock or similar irreducible material greater than 18 inches in diameter shall be used.

5. *Drainage*. Provisions shall be made to:

a. Prevent any surface water or seepage from damaging the cut face of any excavations or the sloping face of a fill; and

b. Carry any surface waters that are or might be concentrated as a result of a fill or excavation to a natural watercourse or, public storm drain system, or by other means approved by the department of public works.

6. *Bench/Terrace*. Benches, if required, at least ten feet in width shall be back-sloped and shall be established at not more than 25 feet vertical intervals to control surface drainage and debris. Swales or ditches on benches shall have a maximum gradient of five percent.

7. *Access Roads Maintenance*. Access roads to grading sites shall be maintained and located to the satisfaction of the city manager City King County department of public works to minimize problems of dust, mud and traffic circulation.

8. *Access Roads – Gate*. Access roads to grading sites shall be controlled by a gate when required by the city manager director.

9. *Warning Signs*. Signs warning of hazardous conditions, if such exist, shall be affixed established at locations as required by the director city manager. All signage and traffic control shall be compliant with Manual on Uniform Traffic Control Devices.

10. *Fencing*. Fencing, where required by the director city manager, to protect life, limb and property, shall must be installed with lockable gates and which must be closed and locked when work is not occurring at not working the site. The fence must be no less than five feet in height and cannot the fence material shall have a horizontal opening larger than two inches.

11. *Setbacks*. The tops and the toes of cut and fill slopes shall be set back from property boundaries as far as necessary to protect for safety of the adjacent properties and to prevent damage resulting from water runoff or erosion of the slopes.

The tops and the toes of cut and fill slopes shall be set back from structures as far as is necessary to protect for adequacy of foundation support and to prevent damage as a result of from water runoff or erosion of the slopes.

Slopes and setbacks shall be determined by the director city manager.

12. *Easements*. The applicant shall provide to the department copies of recorded and executed easements for Any land alterations which that are proposed on neighboring properties shall require proper easements or temporary easements to be recorded and a copy of the recorded easements shall be provided to the City. Excavations to Water-Producing Depth. All excavations must either be made to a water-

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producing depth or grade to permit natural drainage. The excavations made to a water-producing depth shall be reclaimed in the following manner:

- a. The depth of the excavations must not be less than two feet measured below the low water mark;
- b. All banks shall be sloped to the water line no steeper than three feet horizontal to one foot vertical;
- c. All banks shall be sloped from the low water line into the pond or lake with a minimum slope of three feet horizontal to one foot vertical to a distance of at least 25 feet;
- d. In no event shall the term water-producing depth as herein used be construed to allow stagnant or standing water to collect or remain in the excavation;
- e. The intent of this provision is to allow reclamation of the land which will result in the establishment of a lake of sufficient area and depth of water to be useful for residential or recreational purposes.

13. Hours of Operation. Hours of operation, unless otherwise authorized by the director, shall be between 7:00 a.m. and 7:00 p.m. [Ord. 02-0130 § 1 (KCC 16.82.100).]

C. For ~~clearing and grading~~ land alteration permits issued under this chapter, the current ~~clearing~~ ~~vegetation~~ standards contained in this section and in the following regulations shall apply:

1. Chapter 18.55 KMC, Critical Areas; ~~and its adopted administrative rules;~~
2. Property-specific development standards pursuant to Chapter 18.0247 KMC;
3. Critical drainage area designations identified by adopted administrative rule; ~~and~~
4. Wildlife habitat corridors; and
5. ~~Chapter 18.35 KMC, Development Standards- Landscaping.~~

~~D. Tree Removal. The following additional regulations shall apply to vacant property:~~

1. ~~Chapter 18.57.060 KMC, Tree Management and Protection.~~

### 15.25.170 Land restoration.

A. ~~Upon the exhaustion of minerals or materials or upon the permanent abandonment of the quarrying or mining operation, all nonconforming buildings, structures, apparatus or appurtenances accessory to the quarrying and mining operation shall be removed or otherwise dismantled to the satisfaction of the director. This requirement shall not require land restoration on projects completed prior to January 1, 1971, except those covered under previously existing zoning requirements.~~

~~B. Finish~~ ~~Final~~ grades shall ~~be such so as to~~ encourage the uses permitted within the underlying zone classification.

~~B. Grading~~ or backfilling shall not include organic, frozen or other deleterious materials, and shall be made with nonnoxious, nonflammable, noncombustible and nonputrescible solids. No rock or similar irreducible material greater than 18 inches shall be used ~~shall be made with nonnoxious, nonflammable, noncombustible and nonputrescible solids.~~

~~C. Such graded or backfilled areas, except for roads, shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the land areas immediately surrounding land areas, and to a depth of at least four inches or a depth of that of the topsoil of immediately surrounding land areas immediately surrounding if less than four inches.~~

~~D. Such topsoil as required by subsection (D) of this section shall be planted with trees, shrubs, legumes or grasses, and these plants~~ ~~and flora~~ shall be so selected as to be indigenous to the surrounding area, or as approved through a mitigation plan.

~~E. Graded or backfilled areas shall be reclaimed in a manner which will not allow water to collect and permit stagnant water to remain, unless otherwise approved through a mitigation plan. Suitable drainage systems approved by the department of public works~~ ~~city manager~~ shall be constructed or installed if natural drainage is not possible.

~~F. Waste or soil piles shall be leveled and the area treated as to sodding or surfacing and planting as required in subsections (D) and (E) of this section. [Ord. 02-0130 § 1 (KCC 16.82.110).]~~

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### 15.25.180 Shorelines.

A. ~~Any fill placed upon land adjacent to or beneath any stream or water body shall be contained and placed so as to prevent adverse effect upon other lands.~~

~~B.~~ No permit required by this chapter shall be issued for ~~grading~~ land alteration upon the shorelines until approved by the appropriate federal, state and local authority, ~~Reference~~ (See KMC Title 16 KMC).

~~B.~~ For ~~grading~~ land alteration which requires a shoreline management substantial development permit, the conditions of the shoreline management substantial development permit shall be incorporated into the conditions of any permit issued pursuant to this chapter and shall be subject to the inspection and enforcement procedures authorized by this chapter.

### 15.25.190 Enforcement.

The city manager ~~director of the community development department or his/her designee~~ is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of ~~Chapter 1.15 KMC, General Penalty, Chapter 1.20 KMC Code Enforcement, and Chapter 13.30 KMC General Provisions.~~

If land alterations inconsistent with the purposes and requirements of this chapter have occurred on a site, the city shall not accept or grant any development permits or approvals for the site unless the applicant adequately restores the site. The ~~director~~ city manager shall require appropriate restoration of the site under a City ~~an~~ approved restoration plan which shall include a time schedule for compliance if significant resource damage has or may occur. If restoration has not been completed within the time established by the ~~department~~, the ~~director~~ city manager shall order restoration using funds from ~~building and land development division~~ the appropriate contingency accounts and seek restitution from the property owner through ~~liens or other~~ available legal methods.

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### ~~15.25.130 Forest practices.~~

~~A. Class IV Forest Practice. Under a Class IV forest practice, all clearing not otherwise exempted under this chapter shall be subject to the requirements of this chapter. All such clearing shall be subject to the State Environmental Policy Act, Chapter 43.21C RCW, and the city shall accept or assume lead agency status. The review of the Class IV application shall be consolidated with the review of the associated city development permit or approval. Clearing independent of permit or approval shall require a separate clearing and grading permit pursuant to this chapter which meets any applicable clearing standards as defined by KMC 15.25.140. The city will also combine its SEPA review of Class IV forest practices and city permits.~~

~~B. Development applications on lands cleared or graded pursuant to a Class II, III or IV special forest practice as defined in Chapter 76.09 RCW, or which are commenced without forest practices or county authorization, shall be denied for a period of six years unless:~~

~~1. The applicant demonstrates that the clearing was consistent with the conversion option harvest plan reviewed and approved by the city pursuant to the Type I land use decision process and incorporated as a condition of the state's forest practice permit; or~~

~~2. The director of the department of community development determines special circumstances exist which should allow the landowner to be released from the moratorium pursuant to notice, review and appeal process for Type 2 land use decisions.~~

~~In all cases, lifting or waiving of the six year moratorium is subject to compliance with all local ordinances. (Ord. 02-0130 § 1 (KCC 16.82.140).)~~

### ~~15.25.140 Clearing standards.~~

~~A. For clearing and grading permits issued under this chapter, the current clearing standards contained in this section and in the following regulations shall apply:~~

~~1. Chapter 18.55 KMC, Critical Areas, and its adopted administrative rules;~~



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- ~~2. Property specific development standards pursuant to Chapter 18.82 KMC;~~
- ~~3. Critical drainage area designations identified by adopted administrative rule; and~~
- ~~4. Wildlife habitat corridors pursuant to Chapter 18.35 KMC;~~

~~B. Within critical areas designated pursuant to Chapter 18.55 KMC, uses shall be limited to those specified in that chapter. Within any other areas subject to clearing restrictions referenced or contained in this section, the following uses are allowed under a clearing permit:~~

~~1. Timber harvest in accordance with a timber harvest management plan and clearing permit approved by the department of community development or a successor agency. That department shall promulgate administrative rules specifying the contents of, and the submittal requirements and approval criteria for, timber harvest management plans in consultation with the department of natural resources prior to any permit approvals for timber harvest within these tracts or easements;~~

~~2. Passive recreation uses and related facilities, including pedestrian and bicycle trails, nature viewing areas, fishing and camping areas, and other similar uses that do not require permanent structures; provided, that cleared areas and/or areas of compacted soils associated with these uses and facilities do not exceed eight percent of the area of the tract or easement. Within wildlife habitat corridors, trail widths shall be the minimum allowed under adopted trail standards and no other recreation uses shall be permitted in the 150 foot minimum width of the corridor;~~

~~3. Utilities and utility easements, including surface water facilities; provided, that such uses are within or adjacent to existing road or utility easements whenever possible. Within wildlife habitat corridors, existing or multiple utility uses within established easements shall be allowed within the 150-foot minimum width of the corridor. Development of new utility corridors shall be allowed within wildlife habitat corridors only when multiple uses of existing easements are not feasible and the utility corridors are sited and developed using county approved best management practices to minimize disturbance; and~~

- ~~4. Removal of dangerous and/or damaged trees.~~

~~C. Construction projects can be a significant contributor of pollution to streams and wetlands. Therefore, from October 1st through March 31st, in the city of Kenmore:~~

~~1. Clearing and grading shall only be permitted if shown to the satisfaction of the director that silt-laden runoff exceeding standards in the King County Surface Water Design Manual will be prevented from leaving the construction site through a combination of the following:~~

~~a. Site conditions including vegetative coverage, slope, soil type and proximity to receiving waters;~~

~~b. Limitations on activities and the extent of disturbed areas; and~~

~~c. Proposed erosion and sedimentation control measures.~~

~~2. The director shall set forth in writing the basis for approval or denial of clearing or grading during this period.~~

~~3. Clearing and grading will be allowed only if there is installation and maintenance of an erosion and sedimentation control plan approved by the department which shall define any limits on clearing and grading or specific erosion and sediment control measures required during this period. Alternate best management practices may be approved or required onsite by the inspector.~~

~~4. If, during the course of construction, silt laden runoff exceeding standards in the King County Surface Water Design Manual leaves the construction site, or if clearing and grading limits or erosion and sediment control measures shown in the approved plan are not maintained, a notice of violation shall be issued.~~

~~5. If the erosion and sediment control problem defined in the violation is not adequately repaired within 24 hours of the notice of violation, then a notice and order may be issued by the inspector to install adequate erosion and sediment control measures to stop silt laden runoff from leaving the site. The notice and order may also require the contractor to discontinue any further clearing or grading, except for erosion and sediment control maintenance and repair, until the following March 31st.~~

~~6. The following activities are exempt from the seasonal clearing and grading requirements of this subsection:~~

## ATTACHMENT 2

~~a. Routine maintenance and necessary repair of erosion and sediment control facilities;~~  
~~b. Routine maintenance of public facilities or existing utility structures as provided by KMC 18.55.150;~~  
~~c. Activities where there is 100 percent infiltration of surface water runoff within the site in approved and installed erosion and sedimentation control facilities;~~  
~~d. Class I, II, III and IV Special forest practices;~~  
~~e. Mineral extraction activities on sites with approved permits;~~  
~~f. Public agency response to emergencies that threaten the public health, safety and welfare;~~  
~~g. Removal of trees based on limits established by clearing requirements on lots associated with existing single family detached dwellings or lots associated with construction of new single family detached dwellings. If there are critical areas or associated buffers on site and/or a tree protection plan is applicable to the lot, then a clearing permit and/or an arborist report may be required as determined on a case-by-case basis by the community development director. If an exemption is granted from seasonal clearing and grading requirements for removal of trees within critical areas or buffers, the applicant must utilize best management practices to limit erosion and sedimentation into critical areas and buffers. [Ord. 04-0218 § 4; Ord. 02-0130 § 1 (KCC 16.82.150).]~~

### **15.25.200 Financial guarantees authorized.**

The ~~department~~ is authorized to require all *applicants* who are issued permits or approvals under the provisions of the chapter ~~title~~ to post performance financial guarantees consistent with the provisions of ~~KMC~~ Title 21 KMC in an amount up to 125 percent of the estimated cost of completing or restoring the work in accordance with the approved plans, specifications, permit or approval requirements, and applicable regulations.

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City Council Business Agenda Items  
City of Kenmore, WA

|                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |
|------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>Subject/Topic:</b><br>Discussion of Changes to the City's Grading and Land Alterations Chapter, (KMC Chapter 15.25) | <b>For Council Meeting Agenda of:</b> July 16, 2012<br><br><b>Department:</b> Land Development and Permitting<br><br><b>Prepared by:</b> Bryan Hampson<br><br><b>Initial &amp; Date</b><br><b>Approved by Department Head:</b> BH 7/6/12<br><b>Approved by City Attorney:</b><br><b>Approved by Finance Director:</b> me 7/6/12<br><b>Approved by City Manager:</b> RJK 7/6/12<br><br><b>Exhibits/Attachments:</b><br><br>1. KMC Chapters 15.05 & 15.25 (clean versions)<br>2. KMC Chapters 15.05 & 15.25 (with tracked changes) |                                   |
| <b>Proposed Council Action/Motion:</b><br>Council to provide input to the proposed land alteration code revisions.     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |
| <b>Expenditure Required</b> N/A                                                                                        | <b>Amount Budgeted</b> N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Appropriation Required</b> N/A |

**INFORMATION/BACKGROUND:**

This is the first Council study session regarding staff recommendations for grading and land alteration Code amendments. These amendments were identified through the development codes amendment project in the beginning of 2010 and were initiated by Council and staff last year as part of the overall development code update. The purpose of this initiative is to align the development codes with the vision and direction of the City of Kenmore.

The City's current land alteration development code models King County standards, procedures and requirements. Preparing comprehensive codes and standards for land alterations within the City requires a great deal of forethought and analysis. A handful of individuals from the City's development review team drafted the proposed changes based on the City's standards, requirements, and direction. The proposed changes result in a 30% reduction in regulations and non-applicable sections (reduced from 13 pages to 9). These changes will provide clarity to developers and property owners and simplify the process. The proposed amendments are summarized as follows (significant changes are underlined):

1. Allow the City Manager the authority to administer and interpret the code and establish applicable procedures and materials as needed. This is the same language used in the zoning code amendment.
2. Changed the title of the chapter from Grading to Land Alterations. Because the chapter covers more than just grading, it includes clearing, tree removal, surface drainage and impervious surfaces.
3. Deleted obsolete sections and terms throughout the chapter that pertained to King County (i.e. quarries, gravel pits, forests and cemeteries). Ensured terms and definitions aligned with other sections or chapters of the code.
4. Identified the applicable standards necessary to support this code.
5. Revised and reworded the exempt permits. This makes it clear and easier to understand and aligns with other

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requirements throughout this code, critical areas code, zoning code, and the building codes.

6. Added a new permit for impervious surface. This will allow the City to regulate the surface water and allowable paving limits on sites.
7. Added an emergency activities section. This will allow people to stabilize a hazardous situation (such as a slide or flooding) before obtaining a permit.
8. Revised the time frame for land alteration permits associated to a land-use permit to expire along with the land-use permit. Land-use permits such as subdivision and site plans are valid for a period between 3 and 9 years. They vary depending on circumstance and situation. With a land-use permit the codes and standards for the land alteration construction is vested. This allows the land alteration permit to be valid as long as the land-use permit is valid.
9. Added regulations for tree removal on vacant property. Currently properties with a structure or house on them are limited to the amount of trees that can be removed. However, currently vacant lots are exempt from the regulations. This will allow the City to use the same regulations for properties with or without a structure or house located on the property.

**FISCAL CONSIDERATION:**

None

**COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:**

Continue to improve the effectiveness and efficiency of City services and to make economic development a top priority for the City

**Chapter 15.05**

**GENERAL PROVISIONS**

**Sections:**

- 15.05.010 Relationship to comprehensive plan and Growth Management Act.
- 15.05.015 Copies of codes on file.
- 15.05.018 Purpose.
- 15.05.019 City Manager authority
- 15.05.020 Interpretation.
- 15.05.025 Penalty for violation.

**15.05.010 Relationship to comprehensive plan and Growth Management Act.**

This title is hereby enacted to be consistent with and implement the comprehensive plan in accordance with Chapter 36.70A RCW. [Ord. 04-0201 § 1; Ord. 98-0021 §§ 1, 2 (KCC 17.02.010).]

**15.05.015 Copies of codes on file.**

A. Pursuant to state law (Chapters 19.27 and 19.27A RCW) the Kenmore Building Code is the Washington State Building Code as modified in this title. The Washington State Building Code is composed of the following elements, and the city shall at all times keep on file with the city clerk, for reference by the general public, a copy of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto herein made a part of this title:

1. International Building Code, issued by the International Code Council, Inc., 2009 Edition;
2. International Residential Code, issued by the International Code Council, Inc., 2009 Edition;
3. International Mechanical Code, issued by the International Code Council, Inc., 2009 Edition;
4. International Fire Code, issued by the International Code Council, Inc., 2009 Edition;
5. Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, 2009 Edition;
6. National Fuel Gas Code (NFPA 54), issued by the National Fire Protection Association, 2009 Edition;
7. Liquefied Petroleum Gas Code (NFPA 58), issued by the National Fire Protection Association, 2008 Edition;
8. International Fuel Gas Code, issued by the International Code Council, Inc., 2009 Edition;
9. Uniform Housing Code, issued by the International Conference of Building Officials, 1997 Edition;
10. Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials; 1997 Edition;
11. National Electrical Code, issued by the National Fire Protection Association, 2008 Edition;
12. International Existing Building Code, issued by the International Building Code Council, Inc., 2009 Edition;
13. All amendments, supplements, modifications, exclusions, exemptions and additions to the codes identified in subsections (A)(1) through (8) of this section adopted by the Washington State Building Code Council and published in WAC Title 51, including, but not by way of limitation, Chapters 51-11, 51-50, 51-51, 51-52, 51-54, 51-56 and 51-57 WAC.

B. The copies of codes on file may be placed by the city clerk in the custody of the office of the building official in order to make them more readily available to inspection and use by the general public. [Ord. 10-0310 § 1; Ord. 07-0261 § 1; Ord. 04-0201 § 1.]

**15.05.018 Purpose.**

The purpose of these codes as adopted in KMC Title 15 is to provide for and promote the health, safety and welfare of the general public, and not to create or to otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of these codes. [Ord. 04-0201 § 1.]

**15.05.019 City Manager authority.**

The City Manager shall have the authority and discretion to administer the provisions of this title, to make determinations with regard to the applicability of the regulations, to interpret unclear provisions, to require additional information to determine the level of detail and appropriate methodologies for required analysis, to prepare application and informational materials as required, to promulgate procedures and rules for unique circumstances not anticipated within the standards and procedures contained within this title, and to enforce requirements.

**15.05.020 Interpretation.**

A. Whenever the following words appear in the codes adopted by reference in this title, they are to be interpreted as follows:

1. "Administrative authority" as "building official";
2. "Chief or director of fire services" as "fire chief";
3. "Corporation counsel" as "city attorney or designee";
4. "Local zoning code" as the "city of Kenmore Zoning Code," Title 18 of the Kenmore Municipal Code;
5. "Municipality" and "the jurisdiction" as "the city of Kenmore."

B. Whenever reference is made to local authority, codes, jurisdiction and similar concepts within the codes adopted by reference in this title, interpretations rendered by such reference shall apply to the city jurisdiction and authority. [Ord. 04-0201 § 1.]

**15.05.025 Penalty for violation.**

A. In addition to the administrative remedies provided for in this title, any person found by a court of competent jurisdiction to be in violation of or to have violated any mandatory provision of this title shall be guilty of a misdemeanor. Each day that a violation is found to exist shall be deemed a separate offense.

B. A person who has previously been convicted of a crime for violation of this title shall be guilty of a gross misdemeanor for any subsequent violation. [Ord. 04-0201 § 1.]



## Chapter 15.25

### LAND ALTERATIONS

#### Sections:

- 15.25.010 Purpose.
- 15.25.020 Scope.
- 15.25.030 Definitions.
- 15.25.040 References adopted.
- 15.25.050 Administration.
- 15.25.060 Hazards.
- 15.25.070 Permit required - Exception.
- 15.25.080 Emergency repair or activities
- 15.25.090 Application requirements.
- 15.25.100 Time limitations of applications.
- 15.25.110 Validity of permit.
- 15.25.120 Permit expiration.
- 15.25.130 Suspension or revocation.
- 15.25.140 Liability insurance required – Exception.
- 15.25.150 Restrictions.
- 15.25.160 Standards.
- 15.25.170 Land restoration.
- 15.25.180 Shorelines.
- 15.25.190 Enforcement.
- 15.25.200 Financial guarantees authorized.

#### **15.25.010 Purpose.**

This chapter is intended to regulate *clearing* and *removal* of *vegetation*, *excavation*, *grading* and *land alterations* including cuts, fills, and alterations to *stormwater* runoff within the city in order to protect public health, safety and welfare by:

1. Minimizing adverse *stormwater* impacts generated by the *removal* of *vegetation* and *land alterations*;
2. Protecting water quality from the adverse impacts associated with erosion and sedimentation;
3. Minimizing aquatic and terrestrial wildlife habitat loss caused by the *removal* of *vegetation*;
4. Protecting critical areas from adverse clearing and *grading* activities;
5. Preventing damage to property and harm to persons caused by *land alterations*;
6. Establishing administrative procedures for the issuance of permits, approval of plans, and inspection of *clearing*, *grading* and *land alteration* operations; and
7. Providing penalties for the violation of this chapter.

#### **15.25.020 Scope.**

The provisions of this chapter apply to *clearing*, *grading*, *excavation*, and *land alterations* including cuts, *fills*, and alterations to *stormwater* runoff, and infrastructure installation within the city except work located in a public right-of-way. Where conflicts occur between the technical requirements of this chapter and the geotechnical report, the geotechnical report shall govern.

#### **15.25.030 Definitions.**

Certain words and phrases used in this chapter, unless otherwise clearly indicated by their context, mean as follows:

A. "Applicant" means a person who files an application for a permit under this chapter and who is either the owner of the land on which that proposed activity would be located, a contract purchaser, or the authorized agent of such a person.

B. "Bench" is a relatively level step excavated or constructed on the face of a graded *slope* surface for drainage and maintenance purposes.

C. "City manager" means the city of Kenmore City Manager or his or her designee(s).

D. "Clearing" means the cutting or *removal* of *vegetation* or other organic plant material by physical, mechanical, chemical or any other means.

E. "Department" means the *department* designated by the *city manager* to administer this chapter.

F. "Director" means the director of the *department* designated by the *city manager* to administer this chapter.

G. "Earth material" is any rock, natural soil or any combination thereof.

H. "Erosion" is the wearing away of the ground surface as the result of the movement of wind, water and/or ice.

I. "Excavation" is the *removal* of *earth material*.

J. "Fill" is a deposit of *earth material* placed by mechanical means.

K. "Grade" means the elevation of the ground surface.

1. "Existing grade" is the *grade* prior to *grading*.

2. "Rough grade" is the stage at which the *grade* approximately conforms to the approved plan.

3. "Finish grade" is the final *grade* of the *site* which conforms to the approved plan.

L. "Grading" is any excavating, filling, removing of the duff layer, or combination thereof.

M. "Hazard tree" means any *tree* with any structural defect, disease, damage, or combinations of these which make it subject to a high probability of failure which might cause damage to persons or property. A "hazard tree" includes, but is not limited to, any isolated *tree(s)* that have a high probability of failure due to low *wind-firmness* in post-construction conditions as determined by a *qualified tree protection professional*.

N. "Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common *impervious surfaces* include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface and *stormwater*. Open uncovered flow control or water quality treatment facilities shall not be considered as *impervious surfaces*.

O. "Land alteration" means any alteration to the surface of the land or the surface drainage including improvements to a storm water tract; *land alterations* include but are not limited to: *excavations*, *fills*, *clearing*, *grading*, and *tree removal* or any combination; placing or removing *impervious surfaces*, including *structures* and pavement; compacting the earth surface; changes to the existing *grade*; or any change to the surface which results in any change in the way surface water leaves the *site* including changes to flow path, flow rate, or flow volume.

P. "Removal" with regard to *trees* means the act of removing a *tree* by digging up, cutting down, or any act which causes a *tree* to die within a period of three years from such act.

Q. "Shorelines" means those lands defined as *shorelines* in the state Shorelines Management Act of 1971.

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

A. Eight inches for *evergreen trees*; or

B. Twelve inches for *deciduous trees*.

S. "Site" is any lot or parcel of land or contiguous combination thereof where projects covered by this chapter are performed or permitted.

T. "Slope" is an inclined ground surface, the inclination of which is expressed as a ratio of vertical distance to horizontal distance.

U. "Storm drain system" means the system of gutters, pipes, or ditches used to carry surface and *stormwater* from the surrounding lands to drainage facilities, critical areas, streams or lakes.

V. "Stormwater" means water originating from rainfall and other precipitation that ultimately flows into drainage facilities, rivers, streams, lakes and wetlands. As applied in this Chapter, *stormwater* is synonymous with the term surface water.

W. "Structure" means anything permanently constructed in or on the ground, or over the water; excluding *fences* eight feet or less in height, decks less than 18 inches above *grade*, paved areas, and structural or nonstructural *fill*.

X. "Terrace" is a relatively level step excavated or constructed on the face of a graded *slope* surface for drainage and maintenance purposes.

Y. "Tree" means a self-supporting woody perennial plant characterized by one main stem or trunk of at least six inches d.b.h., or a multiple stemmed or trunk system with a definite *crown*, maturing at a height of at least 12 feet above ground level. The *department* shall determine whether any specific woody plant shall be considered a *tree*.

Z. "Vegetation" means any and all organic plant life growing at, below, or above the soil surface.

#### **15.25.040 References Adopted.**

The following codes and standards shall be considered part of the requirements of this chapter to the prescribed extent of each such reference. Where differences occur between provisions of this chapter and referenced codes and standards, the provisions of this chapter shall apply.

- A. The street standards currently adopted and amended by the city per KMC 12.50;
- B. The appropriate version of the Washington State Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction as referenced in the road standards as amended by the city;
- C. The King County Surface Water Design Manual (KCSWDM) currently adopted and amended by the city per KMC 13.35;
- D. The current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD).

#### **15.25.050 Administration.**

The *city manager* is authorized to enforce the provisions of this chapter.

A. Inspections. The *city manager* is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

B. Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the *city manager* has reasonable cause to believe that any land, building, *structure*, premises, or portion thereof is being used in violation of this chapter, the *city manager* may enter such land, building, *structure*, premises, or portion thereof at all reasonable times to inspect the same or perform any duty imposed upon the director by this chapter; provided, that if such building, land, *structure*, premises or portion thereof is occupied, he shall first present proper credentials and demand entry; and if such land, building, *structure*, premises, or portion thereof be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the land, building, *structure*, premises, or portion thereof and demand entry.

No owner or occupant or any other person having charge, care or control of any building, land, *structure*, premises, or portion thereof shall fail or neglect, after proper demand, to promptly permit entry thereon by the *city manager* for the purpose of inspection and examination pursuant to this chapter. Any person violating this subsection is guilty of a misdemeanor.

**15.25.060 Hazards.**

Whenever the *city manager* determines that an existing *site*, as a result of *clearing* or *grading*, *excavation*, embankment, or *fill* has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the *clearing*, *grading*, *excavation* or *fill* is located, or other person or agent in control of said property, upon receipt of notice in writing from the *city manager*, shall within the period specified therein restore the *site* affected by such *clearing* or *grading* or repair or eliminate such *excavation* or embankment or *fill* so as to eliminate the hazard and be in conformance with the requirements of this chapter.

**15.25.070 Permit required - Exception.**

No *clearing*, *grading* or *land alteration* shall be performed without first having obtained a permit therefore from the city. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this city. Regardless if a permit is required or not best management practices must be utilized to limit *erosion* and sedimentation. Permits shall not be required for the following:

**A. Grading.**

1. *Excavation* for construction of a *structure* authorized by a valid building permit;
2. *Excavations* for trenches for utilities not within a critical areas, shorelines or associated buffers;
3. Exploratory *excavations* performed under the direction of a registered design professional; provided, that any disturbance of the area shall be the minimum necessary to carry out the work or studies and disturbed area shall be immediately restored;
4. *Excavation* or *fill* less than four feet in vertical depth not involving more than 100 cubic yards of earth or other material on a single *site* and not within a critical areas, shorelines or associated buffers;

**B. Clearing and tree removal.**

1. *Clearing* and *removal* of *trees* for the construction of a *structure* authorized by a valid building permit;
2. *Removal* of *significant trees* on lots that contain existing single-family detached dwellings, not within critical areas, shorelines or associated buffers, native growth protection areas, wildlife protection zones, or not previously designated for protection (e.g. as part of a plat) and based on the following table.

|                                        |                         |
|----------------------------------------|-------------------------|
| Lots up to 10,000 sq. ft.:             | 2 <i>trees</i> per year |
| Lots 10,001 sq. ft. to 20,000 sq. ft.: | 4 <i>trees</i> per year |
| Lots 20,001 sq. ft. to 30,000 sq. ft.: | 6 <i>trees</i> per year |
| Lots 30,000 sq. ft. and greater:       | 8 <i>trees</i> per year |

3. *Clearing* by a public agency, franchise utility or public or private golf course for routine maintenance activities.
4. Minor stream restoration projects for fish habitat enhancement permitted through a Washington State Joint Aquatic Resource Permit Application (JARPA);
5. Normal and routine maintenance of existing lawns and landscaping;
6. *Removal* of noxious weeds from critical areas, shorelines or associated buffers subject to the requirements of KMC Chapter 18.55 & Title 16;

C. Engineering.

1. Less than 2000 square feet of replaced *impervious surface* or new plus replaced *impervious surface* not within critical areas or associated buffers, AND results in not more than 10,000 square feet of total *impervious surface* added within 10 years;
2. *Land alterations* exempt from a *grading* permit and that does not alter the method the *stormwater* leaves the *site*.

**15.25.080 Emergency repairs or activities**

Where repairs or activities necessary to prevent or correct an immediate threat to public health, safety, property or welfare are performed in an emergency situation, the permit application and evidence of the threat shall be submitted within the next business working day to the City (for example, landslide stabilization, flood prevention and *hazard tree removal*). Mitigation may be required.

**15.25.090 Application requirements.**

A. The *department* shall not commence review of any application for *clearing, grading or land alterations* until the *applicant* has submitted the materials and fees specified for complete applications.

B. The *applicant* shall file the following information with the *department*:

1. A complete permit application, with supporting affidavits, on forms provided by the *department*;
2. Information specified on the application checklist provided by the *department* for the requested decision(s); and
3. Any additional information or materials that the *department* specifies at the pre-application meeting.

C. A permit application is complete for purposes of this section when it meets the procedural submission requirements of the *department* and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the *department* from requesting additional information or studies either at the time of notice of completeness or subsequently if new or additional information is required or substantial changes in the proposed action occur, as determined by the *department*.

D. The *city manager* may waive any specific submittal requirements that are determined to be unnecessary for review of an application.

E. The *applicant* shall attest by written oath to the accuracy of all information submitted for an application.

**15.25.100 Time limitation of application.**

A. Applications for which no permit is issued within 18 months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the *applicant* or destroyed in accordance with state law by the *city manager*.

B. Applications may be canceled for inactivity, if an *applicant* fails to respond to the *department's* written request for revisions, corrections, actions or additional information within 90 days of the date of request. The *city manager* may extend the response period beyond 90 days if within the original 90-day time period the *applicant* provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the *department*.

C. The *city manager* may extend the life of an application if any of the following conditions exist:

1. Compliance with the State Environmental Policy Act is in progress; or
2. Any other city review is in progress; provided the *applicant* has submitted a complete response to city requests or the *city manager* determines that unique or unusual circumstances exist that warrant additional time for such response, and the *city manager* determines that the review is proceeding in a timely manner toward final city decision; or

3. Litigation against the city or *applicant* is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application.

**15.25.110 Validity of permit.**

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance or laws of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the *city manager* from requiring the correction of errors in the construction documents and other data.

**15.25.120 Permit expiration.**

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

B. Stand-alone *land alteration* permits which have been expired for less than one year may be renewed for a period of one year from the expiration date for an additional fee as long as no changes have been made to the originally approved plans. *Land alteration* permits associated with a land-use permit which has been expired for less than one year may be renewed for an additional fee as long as no changes have been made to the originally approved *grading* and *land alteration* plans and the originally approved land-use permit is not expired. For permits that have been expired for longer than one year, a new permit must be obtained and full new fees paid. No permit shall be renewed more than once.

**15.25.130 Suspension or revocation.**

The *city manager* is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

**15.25.140 Liability insurance required – Exception.**

Prior to issuance of a *grading* permit the *applicant* shall provide a Certificate of Insurance on forms approved by the *city manager*. The insurance shall be in the amount of \$1,000,000 per occurrence. The Certificate of Insurance shall name the City as an additional insured and shall not be canceled without 30 days prior written notice to the City. The surety company shall be authorized to transact business in the State of Washington. Exception: Liability insurance requirements may be waived by the *city manager* for projects which present risk to surrounding properties. Liability insurance shall not be required of other city departments.

**15.25.150 Restrictions.**

*Land Alterations* for projects within critical areas per KMC 18.55 are restricted to the time period between May 1st and October 1st, with all *grading* activities stabilized by October 1st. No *grading* is allowed outside of this time window except with written approval from the *city manager*.

**15.25.160 Standards.**

A. Any activity that will clear, *grade* or otherwise disturb the *site*, whether requiring a *land alteration* permit or not, shall provide *erosion* and sediment control (ESC) that prevents, to the maximum extent possible, the transport of sediment from the *site* to drainage facilities, water resources and adjacent properties. *Erosion* and sediment controls shall be applied as specified by the temporary ESC measures and performance criteria and implementation requirements in the KMC Title 13.



B. Cuts and *fills* shall conform to the following provisions unless otherwise approved by the *city manager*.

1. *Slope*. No *slope* of cut and *fill* surfaces shall be steeper than is safe for the intended use and shall not exceed two horizontal to one vertical, unless approved by the geotechnical engineer of record.

2. *Erosion Control*. All disturbed areas including faces of cuts and *fill slopes* shall be prepared and maintained to control *erosion* in compliance with subsection (A) of this section.

3. *Preparation of Ground*. The ground surface shall be prepared to receive *fill* by removing *vegetation*, topsoil, and other unsuitable materials.

4. *Fill Material*. *Fill* material shall not include organic, frozen or other deleterious materials, and shall be made with nonnoxious, nonflammable, noncombustible and nonputrescible solids. No rock or similar irreducible material greater than 18 inches shall be used.

5. *Drainage*. Provisions shall be made to:

a. Prevent any surface water or seepage from damaging the cut face of any *excavations* or the sloping face of a *fill*;

b. Carry any surface waters that are or might be concentrated as a result of a *fill* or *excavation* to a natural watercourse, public *storm drain system*, or by other means approved by the department of public works;

6. *Bench/Terrace*. *Benches*, if required, at least ten feet in width shall be back-sloped and shall be established at not more than 25 feet vertical intervals to control surface drainage and debris. Swales or ditches on *benches* shall have a maximum gradient of five percent.

7. *Access Roads Maintenance*. Access roads to *grading sites* shall be maintained and located to the satisfaction of the City to minimize problems of dust, mud and traffic circulation.

8. *Access Roads – Gate*. Access roads to *grading sites* shall be controlled by a gate when required by the *city manager*.

9. *Warning Signs*. Signs warning of hazardous conditions, if such exist, shall be established at locations as required by the *city manager*. All signage and traffic control shall be compliant with MUTCD.

10. *Fencing*. Fencing, where required by the *city manager*, to protect life, limb and property, shall be installed with lockable gates which must be closed and locked when not working the *site*. The fence must be no less than five feet in height and the fence material shall have no horizontal opening larger than two inches.

11. *Setbacks*. The tops and the toes of cut and *fill slopes* shall be set back from property boundaries as far as necessary for safety of the adjacent properties and to prevent damage resulting from water runoff or *erosion* of the *slopes*.

The tops and the toes of cut and *fill slopes* shall be set back from *structures* as far as is necessary for adequacy of foundation support and to prevent damage as a result of water runoff or *erosion* of the *slopes*.

*Slopes* and setbacks shall be determined by the *city manager*.

12. *Easements*. Any *land alterations* which are proposed on neighboring properties shall require proper easements or temporary easements to be recorded and a copy of the recorded easements shall be provided to the City.

C. For *land alteration* permits issued under this chapter, the current *vegetation* standards contained in this section and in the following regulations shall apply:

1. Chapter 18.55 KMC, Critical Areas, and its adopted administrative rules;
2. Property-specific development standards pursuant to Chapter 18.47 KMC;
3. Critical drainage area designations identified by adopted administrative rule;
4. Wildlife habitat corridors; and
5. Chapter 18.35 KMC, Development Standards- Landscaping.

D. *Tree Removal*. The following regulations shall apply to vacant property:

1. Chapter 18.57.60 KMC, Tree Management and Protection.

**15.25.170 Land restoration.**

A. Final *grades* shall be such so as to encourage the uses permitted within the underlying zone classification.

B. *Grading* or backfilling shall not include organic, frozen or other deleterious materials, and shall be made with nonnoxious, nonflammable, noncombustible and nonputrescible solids. No rock or similar irreducible material greater than 18 inches shall be used.

C. Such graded or backfilled areas, except for roads, shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the land areas immediately surrounding, and to a depth of at least four inches or a depth of that of the topsoil of land areas immediately surrounding if less than four inches.

D. Such topsoil as required by subsection (C) of this section shall be planted with *trees*, shrubs, legumes or grasses, and said flora shall be so selected as to be indigenous to the surrounding area.

E. Graded or backfilled areas shall be reclaimed in a manner which will not allow water to collect and permit stagnant water to remain. Suitable drainage systems approved by the *city manager* shall be constructed or installed if natural drainage is not possible.

F. Waste or soil piles shall be leveled and the area treated as to sodding or surfacing and planting as required in subsections (D) and (E) of this section. [Ord. 02-0130 § 1 (KCC 16.82.110).]

**15.25.180 Shorelines.**

A. No permit required by this chapter shall be issued for *grading* upon the *shorelines* until approved by the appropriate federal, state and local authority, reference KMC Title 16.

B. For *grading* which requires a shoreline management substantial development permit, the conditions of the shoreline management substantial development permit shall be incorporated into the conditions of any permit issued pursuant to this chapter and shall be subject to the inspection and enforcement procedures authorized by this chapter.

**15.25.190 Enforcement.**

The *city manager* is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Chapter 1.15 KMC, General Penalty, Chapter 1.20 KMC Code Enforcement, and Chapter 13.30 KMC General Provisions.

If *clearing*, *grading* or *land alterations* inconsistent with the purposes and requirements of this chapter has occurred on a *site*, the city shall not accept or grant any development permits or approvals for the *site* unless the *applicant* adequately restores the *site*. The *city manager* shall require appropriate restoration of the *site* under an approved restoration plan which shall include a time schedule for compliance if significant resource damage has or may occur. If restoration has not been completed within the time established by the *department*, the director shall order restoration using funds from building and land development division contingency accounts and seek restitution from the property owner through liens or other available legal methods.

**15.25.200 Financial guarantees authorized.**

The *department* is authorized to require all *applicants* issued permits or approvals under the provisions of the title to post performance financial guarantees consistent with the provisions of KMC Title 21 in an amount up to 125 percent of the estimated cost of completing or restoring the work in accordance with the approved plans, specifications, permit or approval requirements, and applicable regulations.

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**Chapter 15.05**

**GENERAL PROVISIONS**

Sections:

15.05.010 Relationship to comprehensive plan and Growth Management Act.

15.05.015 Copies of codes on file.

15.05.018 Purpose.

15.05.019 City Manager authority

15.05.020 Interpretation.

15.05.025 Penalty for violation.

**15.05.010 Relationship to comprehensive plan and Growth Management Act.**

This title is hereby enacted to be consistent with and implement the comprehensive plan in accordance with Chapter 36.70A RCW. [Ord. 04-0201 § 1; Ord. 98-0021 §§ 1, 2 (KCC 17.02.010).]

**15.05.015 Copies of codes on file.**

A. Pursuant to state law (Chapters 19.27 and 19.27A RCW) the Kenmore Building Code is the Washington State Building Code as modified in this title. The Washington State Building Code is composed of the following elements, and the city shall at all times keep on file with the city clerk, for reference by the general public, a copy of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto herein made a part of this title:

1. International Building Code, issued by the International Code Council, Inc., 2009 Edition;
2. International Residential Code, issued by the International Code Council, Inc., 2009 Edition;
3. International Mechanical Code, issued by the International Code Council, Inc., 2009 Edition;
4. International Fire Code, issued by the International Code Council, Inc., 2009 Edition;
5. Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, 2009 Edition;
6. National Fuel Gas Code (NFPA 54), issued by the National Fire Protection Association, 2009 Edition;
7. Liquefied Petroleum Gas Code (NFPA 58), issued by the National Fire Protection Association, 2008 Edition;
8. International Fuel Gas Code, issued by the International Code Council, Inc., 2009 Edition;
9. Uniform Housing Code, issued by the International Conference of Building Officials, 1997 Edition;
10. Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials; 1997 Edition;
11. National Electrical Code, issued by the National Fire Protection Association, 2008 Edition;
12. International Existing Building Code, issued by the International Building Code Council, Inc., 2009 Edition;
13. All amendments, supplements, modifications, exclusions, exemptions and additions to the codes identified in subsections (A)(1) through (8) of this section adopted by the Washington State Building Code Council and published in WAC Title 51, including, but not by way of limitation, Chapters 51-11, 51-50, 51-51, 51-52, 51-54, 51-56 and 51-57 WAC.

B. The copies of codes on file may be placed by the city clerk in the custody of the office of the building official in order to make them more readily available to inspection and use by the general public. [Ord. 10-0310 § 1; Ord. 07-0261 § 1; Ord. 04-0201 § 1.]

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**15.05.018 Purpose.**

The purpose of these codes as adopted in KMC Title 15 is to provide for and promote the health, safety and welfare of the general public, and not to create or to otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of these codes. [Ord. 04-0201 § 1.]

**15.05.019 City Manager authority.**

The City Manager shall have the authority and discretion to administer the provisions of this title, to make determinations with regard to the applicability of the regulations, to interpret unclear provisions, to require additional information to determine the level of detail and appropriate methodologies for required analysis, to prepare application and informational materials as required, to promulgate procedures and rules for unique circumstances not anticipated within the standards and procedures contained within this title, and to enforce requirements.

**15.05.020 Interpretation.**

A. Whenever the following words appear in the codes adopted by reference in this title, they are to be interpreted as follows:

1. "Administrative authority" as "building official";
2. "Chief or director of fire services" as "fire chief";
3. "Corporation counsel" as "city attorney or designee";
4. "Local zoning code" as the "city of Kenmore Zoning Code," Title 18 of the Kenmore Municipal Code;
5. "Municipality" and "the jurisdiction" as "the city of Kenmore."

B. Whenever reference is made to local authority, codes, jurisdiction and similar concepts within the codes adopted by reference in this title, interpretations rendered by such reference shall apply to the city jurisdiction and authority. [Ord. 04-0201 § 1.]

**15.05.025 Penalty for violation.**

A. In addition to the administrative remedies provided for in this title, any person found by a court of competent jurisdiction to be in violation of or to have violated any mandatory provision of this title shall be guilty of a misdemeanor. Each day that a violation is found to exist shall be deemed a separate offense.

B. A person who has previously been convicted of a crime for violation of this title shall be guilty of a gross misdemeanor for any subsequent violation. [Ord. 04-0201 § 1.]

## Chapter 15.25

### GRADING AND LAND ALTERATIONS

Sections:

- 15.25.010 Purpose.
- 15.25.020 Scope.
- 15.25.030 Definitions.
- 15.25.040 References adopted.
- 15.25.050 Administration.
- 15.25.060 Hazards.
- 15.25.070 Permit required - Exception.
- 15.25.080 Emergency repair or activities
- 15.25.090 Application requirements.
- 15.25.100 Time limitations of applications.
- 15.25.110 Validity of permit.
- 15.25.120 Permit expiration.
- 15.25.130 Suspension or revocation.
- 15.25.140 Liability insurance required – Exception.
- 15.25.150 Restrictions.
- 15.25.160 Standards.
- 15.25.170 Land restoration.
- 15.25.180 Shorelines.
- 15.25.190 Enforcement.
- 15.25.200 Financial guarantees authorized.

#### **15.25.010 Purpose.**

~~A.~~ This chapter is intended to regulate *clearing and removal of vegetation, excavation, grading and earthwork construction* land alterations including cuts, ~~and~~ fills, ~~gravel pits, dumping, quarrying and mining operations and alterations to stormwater runoff~~ within the city in order to protect public health, safety and welfare by:

1. Minimizing adverse *stormwater* impacts generated by the *removal of vegetation and* land alterations ~~alteration of landforms~~;
2. Protecting water quality from the adverse impacts associated with erosion and sedimentation;
3. Minimizing aquatic and terrestrial wildlife habitat loss caused by the *removal of vegetation*;
4. Protecting critical areas from adverse clearing and *grading* activities;
5. ~~Facilitating and encouraging long term forest practice and agricultural production operations where appropriate;~~
6. ~~Minimizing the adverse impacts associated with quarrying and mining operations;~~
7. Preventing damage to property and harm to persons caused by ~~excavations and fills~~ land alterations;
86. Establishing administrative procedures for the issuance of permits, approval of plans, and inspection of *clearing and, grading and land alteration* operations; and
97. Providing penalties for the violation of this chapter.

~~B.~~ This chapter establishes the administrative procedure for issuance of permits, provides for approval of plans and inspection of clearing and grading operations, and provides for penalties for the violation of this chapter. [Ord. 02-0130 § 1 (KCC 16.82.010).]

#### **15.25.020 Scope.**

The provisions of this chapter apply to *clearing, grading, excavation, and land alterations* including cuts, *fills*, and alterations to *stormwater runoff*, and infrastructure installation within the city except work



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located in a public right-of-way. Where conflicts occur between the technical requirements of this chapter and the geotechnical report, the geotechnical report shall govern.

**15.25.0320 Definitions.**

Certain words and phrases used in this chapter, unless otherwise clearly indicated by their context, mean as follows:

~~A. "Applicant" is a property owner or a public agency or public or private utility which owns a right-of-way or other easement or has been adjudicated the right to such an easement pursuant to RCW 8.12.090, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit or approval.~~  
means a person who files an application for a permit under this chapter and who is either the owner of the land on which that proposed activity would be located, a contract purchaser, or the authorized agent of such a person.

B. "Bench" is a relatively level step excavated or constructed on the face of a graded *slope* surface for drainage and maintenance purposes.

~~C. "Berm" is a mound or raised area used for the purpose of screening a site or operation.~~

~~CD. "City manager" means the city of Kenmore City Manager or his or her designee(s).~~

~~"Civil engineer" means a professional engineer registered in the state of Washington to practice in the field of civil works.~~

~~DE. "Clearing" means the cutting or removal of vegetation or other organic plant material by physical, mechanical, chemical or any other means.~~

~~F. "Compaction" is the densification of a fill by mechanical means.~~

~~G. "Cutting" is the severing of the main trunk or stems from close to or at the soil surface or at a point up to 25 percent of the total vegetation height.~~

~~EH. "Department" means the department designated by the city manager to administer this chapter.~~

~~F. "Director" means the director or the authorized agent of the department designated by the city manager to administer this chapter of community development.~~

~~GI. "Earth material" is any rock, natural soil or any combination thereof.~~

~~HJ. "Erosion" is the wearing away of the ground surface as the result of the movement of wind, water and/or ice.~~

~~IK. "Excavation" is the removal of earth material.~~

~~JB. "Fill" is a deposit of earth material placed by mechanical means.~~

~~KM. "Grade" means the elevation of the ground surface.~~

~~1. "Existing grade" is the grade prior to grading.~~

~~2. "Rough grade" is the stage at which the grade approximately conforms to the approved plan.~~

~~3. "Finish grade" is the final grade of the site which conforms to the approved plan.~~

~~LN. "Grading" is any excavating, filling, removing of the duff layer, or combination thereof.~~

~~O. "Grading and clearing permit" means the permit required by this chapter for grading and clearing activities, including temporary permits.~~

~~M. "Hazard tree" means any tree with any structural defect, disease, damage, or combinations of these which make it subject to a high probability of failure which might cause damage to persons or property. A "hazard tree" includes, but is not limited to, any isolated tree(s) that have a high probability of failure due to low wind-firmness in post-construction conditions as determined by a qualified tree protection professional.~~

~~N. "Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open uncovered flow control or water quality treatment facilities shall not be considered as impervious surfaces.~~

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O. "Land alteration" means any alteration to the surface of the land or the surface drainage including improvements to a storm water tract; *land alterations* include but are not limited to: excavations, fills, clearing, grading, and tree removal or any combination; placing or removing impervious surfaces, including structures and pavement; compacting the earth surface; changes to the existing grade; or any change to the surface which results in any change in the way surface water leaves the site including changes to flow path, flow rate, or flow volume.

P. "Reclamation" means the final grading and land restoration of a site.

P. "Removal" with regard to trees means the act of removing a tree by digging up, cutting down, or any act which causes a tree to die within a period of three years from such act.

Q. "Shorelines" means those lands defined as shorelines in the state Shorelines Management Act of 1971.

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

A. Eight inches for evergreen trees; or

B. Twelve inches for deciduous trees.

SR. "Site" is any lot or parcel of land or contiguous combination thereof where projects covered by this chapter are performed or permitted ~~where a public street or way may intervene.~~

TS. "Slope" is an inclined ground surface, the inclination of which is expressed as a ratio of vertical distance to horizontal distance.

T. "Soil engineer" means a person who has earned a degree in geology from an accredited college or university, or a person who has equivalent educational training and has experience as a practicing geologist.

U. "Storm drain system" means the system of gutters, pipes, or ditches used to carry surface and stormwater from the surrounding lands to drainage facilities, critical areas, streams or lakes.

V. "Stormwater" means water originating from rainfall and other precipitation that ultimately flows into drainage facilities, rivers, streams, lakes and wetlands. As applied in this Chapter, stormwater is synonymous with the term surface water.

WU. "Structure" is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts jointed together in some definite manner means anything permanently constructed in or on the ground, or over the water; excluding fences eight feet or less in height, decks less than 18 inches above grade, paved areas, and structural or nonstructural fill.

XV. "Terrace" is a relatively level step excavated or constructed on the face of a graded slope surface for drainage and maintenance purposes.

W. "Tidelands" means that portion of the land which is covered and uncovered by the ebb and flood tide.

Y.X. "Tree" is a large woody perennial plant usually with a single main stem or trunk and generally over 12 feet tall at maturity means a self-supporting woody perennial plant characterized by one main stem or trunk of at least six inches d.b.h., or a multiple stemmed or trunk system with a definite crown, maturing at a height of at least 12 feet above ground level. The department shall determine whether any specific woody plant shall be considered a tree.

Y. "Understory" is the vegetation layer of a forest that includes shrubs, herbs, grasses, and grass-like plants, but excludes native trees.

Z. "Vegetation" means any and all organic plant life growing at, below, or above the soil surface.

**15.25.040 References Adopted.**

The following codes and standards shall be considered part of the requirements of this chapter to the prescribed extent of each such reference. Where differences occur between provisions of this chapter and referenced codes and standards, the provisions of this chapter shall apply.

A. The street standards currently adopted and amended by the city per KMC 12.50;



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- B. The appropriate version of the Washington State Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction as referenced in the road standards as amended by the city;
- C. The King County Surface Water Design Manual (KCSWDM) currently adopted and amended by the city per KMC 13.35;
- D. The current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD).

**15.25.050 Administration.**

The ~~director~~*city manager* is authorized to enforce the provisions of this chapter.

A. Inspections. The ~~director~~*city manager* is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

B. Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the ~~director~~*city manager* has reasonable cause to believe that any land, building, *structure*, premises, or portion thereof is being used in violation of this chapter, the ~~director~~*city manager* may enter such land, building, *structure*, premises, or portion thereof at all reasonable times to inspect the same or perform any duty imposed upon the director by this chapter; provided, that if such building, land, *structure*, premises or portion thereof is occupied, he shall first present proper credentials and demand entry; and if such land, building, *structure*, premises, or portion thereof be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the land, building, *structure*, premises, or portion thereof and demand entry.

No owner or occupant or any other person having charge, care or control of any building, land, *structure*, premises, or portion thereof shall fail or neglect, after proper demand, to promptly permit entry thereon by the ~~director~~*city manager* for the purpose of inspection and examination pursuant to this chapter. Any person violating this subsection is guilty of a misdemeanor.

**15.25.060 Hazards.**

Whenever the ~~director~~*city manager* determines that an existing *site*, as a result of *clearing* or *grading*, *excavation*, embankment, or *fill* has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the *clearing*, *grading*, *excavation* or *fill* is located, or other person or agent in control of said property, upon receipt of notice in writing from the ~~director~~*city manager*, shall within the period specified therein restore the *site* affected by such *clearing* or *grading* or repair or eliminate such *excavation* or embankment or *fill* so as to eliminate the hazard and be in conformance with the requirements of this chapter.

**15.25.070 Clearing and grading permit required—Exceptions.**

~~A. No person shall do any clearing or grading without first having obtained a clearing and grading permit from the director, except for the following:~~

~~1. An on-site excavation or fill for basements and footings of a building, retaining wall, parking lot, or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than five feet after the completion of such structure;~~

~~2. Removal of trees on lots associated with existing single family detached dwellings or lots associated with construction of new single family detached dwellings based on the following table. If there are critical areas or associated buffers on site and/or a tree protection plan is applicable to the lot, then a clearing permit and/or an arborist report may be required as determined on a case-by-case basis by the community development director. If an exemption is granted from clearing permit requirements for removal of trees within critical areas or buffers, the applicant must utilize best management practices to limit erosion and sedimentation into critical areas and buffers;~~

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|                                                   |                             |
|---------------------------------------------------|-----------------------------|
| <del>Lots up to 10,000 sq. ft.:</del>             | <del>2 trees per year</del> |
| <del>Lots 10,001 sq. ft. to 20,000 sq. ft.:</del> | <del>4 trees per year</del> |
| <del>Lots 20,001 sq. ft. to 30,000 sq. ft.:</del> | <del>6 trees per year</del> |
| <del>Lots 30,000 sq. ft. and greater:</del>       | <del>8 trees per year</del> |

~~Trees previously designated for protection (e.g., as part of a plat) or within a native growth protection area or within a critical area required may not be removed unless they are determined to be hazardous. Hazardous, dead or otherwise dangerous trees are not included in this limit. The administrator may allow removal of more trees per year if the remaining trees would pose a hazard;~~

~~3. The depositing or covering of any garbage, rubbish or other material at any solid waste facility operated by the city;~~

~~4. Maintenance of existing driveways or private access roads within their existing road prisms; provided, that the performance and restoration requirements of this chapter are met and best management practices are utilized to protect water quality.~~

~~5. Any grading within a publicly owned road right-of-way;~~

~~6. Clearing or grading by a public agency for the following routine maintenance activities:~~

~~a. Roadside ditch cleaning, provided the ditch does not contain salmonids;~~

~~b. Pavement maintenance;~~

~~c. Normal grading of gravel shoulders;~~

~~d. Maintenance of culverts;~~

~~e. Maintenance of flood control or other approved surface water management facilities;~~

~~f. Routine clearing within road right-of-way;~~

~~g. Removal of dangerous, diseased or damaged trees in imminent danger of falling;~~

~~7. Any clearing or grading for roads within a preliminary or finally approved residential plat which has been approved by the director and for which a financial guarantee has been posted and that meets tree management and protection regulations set forth in Chapter 18.42 KMC;~~

~~8. Maintenance or reconstruction of the facilities of a common carrier by a rail in interstate commerce within its existing right-of-way; provided, restoration is consistent with the requirements of KMC 15.25.100; provided, that this exception does not apply if the clearing or grading is within a critical area as regulated in Chapter 18.55 KMC;~~

~~9. Cemetery graves; provided, that this exception does not apply except for routine maintenance if the clearing or grading is within a critical area as regulated in Chapter 18.55 KMC;~~

~~10. Clearing or grading within a preliminarily or finally approved residential plat not involving any excavation exceeding five feet in vertical depth or any fill exceeding three feet in vertical depth, regardless of the amount of material to be removed; provided, that this exception does not apply if the clearing or grading is within a critical area as regulated in Chapter 18.55 KMC or an area placed into tracts or easements pursuant to KMC 18.30.030. This exception does not apply within an area placed into tracts or easements for a wildlife habitat corridor pursuant to Chapter 18.35 KMC unless the proposed activity is otherwise exempt under Chapter 18.55 KMC;~~

~~11. Excavation less than five feet in vertical depth not involving more than 100 cubic yards of earth or other material on a single site; provided, that the exception does not apply if the clearing or grading is within a critical area as regulated in Chapter 18.55 KMC or an area placed into tracts or easements pursuant to KMC 18.30.030. This exception does not apply within an area placed into tracts or easements for a wildlife habitat corridor pursuant to Chapter 18.35 KMC unless the proposed activity is otherwise exempt under Chapter 18.55 KMC;~~

~~12. Fill less than three feet in vertical depth not involving more than 100 cubic yards of earth or other material on a single site; provided, that the exception does not apply if the clearing or grading is within a critical area as regulated in Chapter 18.55 KMC or an area placed into tracts or easements pursuant to KMC 18.30.030. This exception does not apply within an area placed into tracts or easements~~



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~~for a wildlife habitat corridor pursuant to Chapter 18.35 KMC unless the proposed activity is otherwise exempt under Chapter 18.55 KMC;~~

~~13. Minor stream restoration projects for fish habitat enhancement by a public agency, utility or tribe as set out in Chapter 18.55 KMC;~~

~~14. Clearing or grading for construction of livestock manure storage facilities or associated nonpoint source pollution facilities designed to the standards of and approved in a conservation plan by the King County conservation district, and constructed and maintained to those standards or livestock flood sanctuaries constructed and maintained to the standards approved by the Soil Conservation Service and conservation district and the best management practices approved by the city;~~

~~15. Any clearing or grading which has been approved by the director as part of a commercial site development permit and for which a financial guarantee has been posted;~~

~~16. Clearing outside of critical areas and buffers as regulated in Chapter 18.55 KMC, unless the development proposal site is within an area subject to clearing restrictions contained in KMC 15.25.140, wildlife habitat corridors pursuant to Chapter 18.35 KMC, critical drainage areas established by administrative rule or property specific development standards pursuant to Chapter 18.82 KMC;~~

~~17. Within critical areas, as regulated in Chapter 18.55 KMC, the following activities are exempt from the clearing requirements of this chapter and no permit shall be required:~~

~~a. Normal and routine maintenance of existing lawns and landscaping subject to the limitations on the use of pesticides in critical areas as set out in Chapter 18.55 KMC.~~

~~b. Permitted agricultural uses; provided, the clearing is consistent with the agricultural exemptions in critical areas as regulated in Chapter 18.55 KMC.~~

~~c. Emergency tree removal to prevent imminent danger or hazard to persons or property.~~

~~d. Normal and routine horticultural activities associated with commercial orchards, nurseries, or Christmas tree farms in existence on November 27, 1990, subject to the limitations on the use of pesticides in critical areas as set out in Chapter 18.55 KMC. This does not include clearing or grading in order to develop or expand such activities.~~

~~e. Normal and routine maintenance of existing public parks and private and public golf courses. This does not include clearing or grading in order to develop or expand such activities in critical areas. For the purpose of this subsection, a park is defined as any real property managed for public use which has been previously maintained as a park or has been developed as a park pursuant to a properly issued permit.~~

~~f. Removal of noxious weeds from steep slope hazard areas and the buffers of streams and wetlands subject to the limitations on the use of pesticides in critical areas as set out in Chapter 18.55 KMC.~~

~~g. Pruning and limbing of vegetation for maintenance of above-ground electrical and telecommunication facilities; provided, that the clearing is consistent with the electric, natural gas, cable communication and telephone utility exemption in critical areas as regulated in Chapter 18.55 KMC.~~

~~h. Class II, III and IV Special forest practices; provided, they occur on parcels that meet all of the following criteria for long term forestry:~~

~~(1) The parcel is enrolled under the current use taxation program as timber land pursuant to Chapter 84.34 RCW or as forest land pursuant to Chapter 84.33 RCW;~~

~~(2) A long term management plan is approved for the parcel by the Washington Department of Natural Resources;~~

~~(3) The parcel is located within areas designated rural or agricultural by the Kenmore comprehensive plan;~~

~~(4) The parcel is located outside of expansion areas for incorporated rural cities or rural towns and neighborhoods as designated in the Kenmore comprehensive plan;~~

~~(5) The parcel equals or exceeds five acres in size;~~

~~(6) Removal of trees, based on limits established by clearing requirements, on lots associated with existing single family detached dwellings or lots associated with construction of new single family detached dwellings. If there are critical areas or associated buffers on site and/or a tree protection plan is~~



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applicable to the lot, then a clearing permit and/or an arborist report may be required as determined on a case-by-case basis by the community development director. If an exemption is granted from clearing permit requirements for removal of trees within critical areas or buffers, the applicant must utilize best management practices to limit erosion and sedimentation into critical areas and buffers.

~~B. Temporary Permits. The director shall have the authority to issue temporary permits for excavations, processing, quarrying and mining, and removal of sand, gravel, rock and other natural deposits, together with the necessary buildings, apparatus or appurtenances incident thereto for specific jobs on application for highway, road, street, airport construction, flood control and other public works projects. In conjunction with such operations, allied uses such as, but not limited to, rock crushers, concrete-batching plants and asphalt-batching plants may be authorized by this temporary permit. The director shall also have the authority to issue temporary permits for the removal of existing stockpiles of previously mined material for the reclamation of land to its best use, consistent with the underlying zoning.~~

The department of community development shall consider the effect of the proposed operation on the city street system and any effect it may have on surface or groundwater drainage and flood control, and shall make such recommendations as are necessary to protect the public interest in this regard.

The department of community development shall also consider the effect of the proposed operation on the current and future land use in the area affected by the proposed operation and shall condition permits as necessary to protect the public interest in this regard. Temporary permits are good for the life of the contract of the specific job but must be reviewed annually. Each temporary permit site shall be fully restored during the term of the temporary permit, unless the site is included in an unclassified use permit.

Development proposals will be subject to two levels of review standards based on occupancy types: critical facilities and standard structures. The review standards for critical facilities will be based on larger earthquake recurrence intervals than the earthquakes considered for standard occupancy structures. The review standards will be set forth in the administrative rules. [Ord. 04-0218 § 1; Ord. 02-0130 § 1 (KCC 16.82.050).]

**15.25.070 Permit required - Exception.**

No clearing, grading or land alteration shall be performed without first having obtained a permit therefore from the city. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this city. Regardless if a permit is required or not best management practices must be utilized to limit erosion and sedimentation. Permits shall not be required for the following:

A. Grading.

1. Excavation for construction of a structure authorized by a valid building permit;
2. Excavations for trenches for utilities not within a critical areas, shorelines or associated buffers;
3. Exploratory excavations performed under the direction of a registered design professional; provided, that any disturbance of the area shall be the minimum necessary to carry out the work or studies and disturbed area shall be immediately restored;
4. Excavation or fill less than four feet in vertical depth not involving more than 100 cubic yards of earth or other material on a single site and not within a critical areas, shorelines or associated buffers;

B. Clearing and tree removal.

1. Clearing and removal of trees for the construction of a structure authorized by a valid building permit;
2. Removal of significant trees on lots that contain existing single-family detached dwellings, not within critical areas, shorelines or associated buffers, native growth protection areas, wildlife protection zones, or not previously designated for protection (e.g. as part of a plat) and based on the following table.

|                                               |                         |
|-----------------------------------------------|-------------------------|
| <u>Lots up to 10,000 sq. ft.:</u>             | <u>2 trees per year</u> |
| <u>Lots 10,001 sq. ft. to 20,000 sq. ft.:</u> | <u>4 trees per year</u> |



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|                                               |                         |
|-----------------------------------------------|-------------------------|
| <u>Lots 20,001 sq. ft. to 30,000 sq. ft.:</u> | <u>6 trees per year</u> |
| <u>Lots 30,000 sq. ft. and greater:</u>       | <u>8 trees per year</u> |

3. Clearing by a public agency, franchise utility or public or private golf course for routine maintenance activities.

4. Minor stream restoration projects for fish habitat enhancement permitted through a Washington State Joint Aquatic Resource Permit Application (JARPA);

5. Normal and routine maintenance of existing lawns and landscaping;

6. Removal of noxious weeds from critical areas, shorelines or associated buffers subject to the requirements of KMC Chapter 18.55 & Title 16;

C. Engineering.

1. Less than 2000 square feet of replaced *impervious surface* or new plus replaced *impervious surface* not within critical areas or associated buffers, AND results in not more than 10,000 square feet of total *impervious surface* added within 10 years;

2. Land alterations exempt from a grading permit and that does not alter the method the *stormwater* leaves the *site*.

**15.25.080 Emergency repairs or activities**

Where repairs or activities necessary to prevent or correct an immediate threat to public health, safety, property or welfare are performed in an emergency situation, the permit application and evidence of the threat shall be submitted within the next business working day to the City (for example, landslide stabilization, flood prevention and *hazard tree removal*). Mitigation may be required.

**15.25.090 Applications — Complete applications.**

A. For the purposes of determining the application of time periods and procedures adopted by this chapter, applications for permits authorized by this chapter shall be considered complete as of the date of submittal upon determination by the department that the materials submitted contain the following:

1. For clearing and grading permits:

a. A legal description of the property;

b. A 1:2000 scale vicinity map with a north arrow;

c. Grading plans including:

(1) Horizontal and vertical scale;

(2) Size and location of existing improvements within 50 feet of the project, indicating which will remain and which will be removed;

(3) Existing and proposed contours at maximum five foot intervals, and extending for 100 feet beyond the project edge;

(4) At least two cross sections, one in each direction, showing existing and proposed contours and horizontal and vertical scales, and

(5) Temporary and permanent erosion-sediment control facilities;

d. The following plans must be stamped and signed by a registered civil engineer, licensed to practice in the state of Washington:

(1) Permanent drainage facilities;

(2) Structures to be built or construction proposed in landslide hazard areas, and

(3) Proposed construction or placement of a structure;

2. A completed environmental checklist, if required by Chapter 19.35 KMC, Environmental Procedures;

3. Satisfaction of all requirements for grading permits under KMC 15.25.070.

B. Applications found to contain material errors shall not be deemed complete until such material errors are corrected.

C. The director may waive specific submittal requirements determined to be unnecessary for review of an application. [Ord. 02-0130 § 1 (KCC 16.82.055).]



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**15.25.070**

**Permit requirements.**

~~Except as exempted in KMC 15.25.050, no person shall do any clearing or grading without first obtaining a clearing and grading permit from the director. A separate permit shall be required for each site and may cover both excavations and fills.~~

~~A. Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished for that purpose. The director shall prescribe the form by which application is made. No application shall be accepted unless it is completed consistent with the requirements of this chapter and Chapter 19.25 KMC, Procedures for Land Use Permit Applications, Public Notice, Hearings and Appeals. In addition to the requirements of KMC 19.25.040 every application shall:~~

- ~~1. Identify and describe the work to be covered by the permit for which application is made;~~
- ~~2. Describe the land on which the proposed work is to be done, by lot, block, tract and house and street address, or similar description that will readily identify and definitely locate the proposed site;~~
- ~~3. Identify and describe those critical areas as defined in Chapter 18.55 KMC on or adjacent to the site;~~
- ~~4. Indicate the estimated quantities of work involved;~~
- ~~5. Identify any clearing restrictions contained in KMC 15.25.140, wildlife habitat corridors pursuant to Chapter 18.35 KMC, critical drainage areas established by administrative rule or property-specific development standards pursuant to Chapter 18.82 KMC;~~
- ~~6. Be accompanied by plans and specifications as required in subsections (B) and (C) of this section;~~
- ~~7. Designate who the applicant is, on a form prescribed by the department, except that the application may be accepted and reviewed without meeting this requirement when a public agency or public or private utility is applying for a permit for property on which the agency or utility does not own an easement or right of way and the following three requirements are met:~~
  - ~~a. The name of the agency or public or private utility is shown on the application as the applicant;~~
  - ~~b. The agency or public or private utility includes in the complete application an affidavit declaring that notice of the pending application has been given to all owners of property to which the application applies, on a form provided by the department; and~~
  - ~~c. The form designating the applicant is submitted to the department prior to permit issuance;~~
- ~~8. Give such other information as may be required by the director.~~

~~B. Plans and Specifications. When required by the director, each application for a grading or clearing permit shall be accompanied by six sets of plans and specifications and other supporting data as may be required. The plans and specifications shall be prepared and signed by a civil engineer or landscape architect registered to practice in the state of Washington when required by the director; provided, the director may require additional studies prepared by a qualified soils specialist or certified arborist. If the plans and specifications are returned as a result of permit denial or any other reason, they shall be returned to the applicant.~~

~~C. Information on Plans and in Specifications. Plans shall be drawn to an engineer's scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this chapter and all other relevant laws, rules, regulations and standards. The first sheet of each set of plans shall give the location of the work and the name and address of the owner and the person by whom they were prepared. The plans shall include the following minimum information:~~

- ~~1. General vicinity of the proposed site;~~
- ~~2. Property limits and accurate contours of existing ground and details of terrain and area drainage;~~
- ~~3. Limiting dimensions, elevations or finished contours to be achieved by the grading, and proposed drainage channels and related construction;~~
- ~~4. Location of all proposed cleared areas;~~



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- ~~5. Location of any open space tracts or conservation easements if required pursuant to:
  - a. KMC 15.25.140;
  - b. Chapter 18.35 KMC;
  - c. Critical drainage area; or
  - d. Property specific development standards pursuant to Chapter 18.82 KMC;~~
- ~~6. Calculations of the total proposed area cleared on site as a percentage of the total site area;~~
- ~~7. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, berms, settling ponds and other protective devices to be constructed with or as a part of the proposed work, together with the maps showing the drainage area and the estimated runoff of the area served by any drains;~~
- ~~8. A determination of whether drainage review applies to the project pursuant to Chapter 13.35 KMC, and, if applicable, all drainage plans and documentation consistent with King County Surface Water Design Manual requirements;~~
- ~~9. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners which are within 50 feet of the property or which may be affected by the proposed grading operations;~~
- ~~10. Landscape and rehabilitation plan as required by KMC 15.25.100;~~
- ~~11. Other information as may be required by the director; and~~
- ~~12. If the clearing or grading is proposed to take place in or adjacent to a critical area as regulated in Chapter 18.55 KMC, provide information as required by that chapter.~~

~~D. Granting of Permits.~~

- ~~1. The director shall determine if the proposed grading will adversely affect the character of the site for present lawful uses or with the future development of the site and adjacent properties for building or other purposes as indicated by the comprehensive plan, the shoreline master program, and the zoning code.~~
- ~~2. After an application has been filed and reviewed, the director shall also ascertain whether such grading work complies with the other provisions of this chapter. If the application and plans so comply, or if they are corrected or amended so as to comply, the director may issue to the applicant a grading permit. A grading permit shall be valid for the number of days stated in the permit but in no case shall the period be more than two years; provided, that when operating conditions have been met, the permit may be renewed every two years, or less if a shorter approval and/or renewal period is specified by the director.~~
- ~~3. No grading permit shall be issued until approved by federal, state and local agencies having jurisdiction by laws or regulations.~~
- ~~4. Upon approval of the application and issuance of the grading permit, no work shall be done that is not provided for in the permit. The director is authorized to inspect the premises at any reasonable time to determine if the work is in accordance with the permit application and plans.~~
- ~~5. The permits from the director shall be required regardless of any permits issued by any other department of county government or any other governmental agency who may be interested in certain aspects of the proposed work. Where work for which a permit is required by this chapter is started or proceeded with prior to obtaining the permit, the violator shall be subject to such civil penalties as provided in Chapter 1.15 KMC, General Penalty. However, the payment of such civil penalties shall not relieve any persons from fully complying with the requirements of this chapter in the execution of the work nor from any other penalties prescribed thereon. [Ord. 04-0218 § 2; Ord. 02-0130 § 1 (KCC 16.82.060).]~~

**15.25.090 Application requirements.**

- A. The department shall not commence review of any application for clearing, grading or land alterations until the applicant has submitted the materials and fees specified for complete applications.
- B. The applicant shall file the following information with the department:
  1. A complete permit application, with supporting affidavits, on forms provided by the department;

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2. Information specified on the application checklist provided by the department for the requested decision(s); and

3. Any additional information or materials that the department specifies at the pre-application meeting.

C. A permit application is complete for purposes of this section when it meets the procedural submission requirements of the department and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the department from requesting additional information or studies either at the time of notice of completeness or subsequently if new or additional information is required or substantial changes in the proposed action occur, as determined by the department.

D. The city manager may waive any specific submittal requirements that are determined to be unnecessary for review of an application.

E. The applicant shall attest by written oath to the accuracy of all information submitted for an application.

**15.25.100 Time limitation of application.**

A. Applications for which no permit is issued within 18 months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with state law by the city manager.

B. Applications may be canceled for inactivity, if an applicant fails to respond to the department's written request for revisions, corrections, actions or additional information within 90 days of the date of request. The city manager may extend the response period beyond 90 days if within the original 90-day time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the department.

C. The city manager may extend the life of an application if any of the following conditions exist:

1. Compliance with the State Environmental Policy Act is in progress; or
2. Any other city review is in progress; provided the applicant has submitted a complete response to city requests or the city manager determines that unique or unusual circumstances exist that warrant additional time for such response, and the city manager determines that the review is proceeding in a timely manner toward final city decision; or
3. Litigation against the city or applicant is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application.

**15.25.110 Validity of permit.**

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance or laws of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the city manager from requiring the correction of errors in the construction documents and other data.

**15.25.120 Permit expiration.**

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

B. ~~Every~~Stand-alone land alteration permits which ~~has~~have been expired for less than one year may be renewed for a period of one year from the expiration date for an additional fee as long as no changes have been made to the originally approved plans. Land alteration permits associated with a land-use permit



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which has been expired for less than one year may be renewed for an additional fee as long as no changes have been made to the originally approved grading and land alteration plans and the originally approved land-use permit is not expired. For permits that have been expired for longer than one year, a new permit must be obtained and full new fees paid. No permit shall be renewed more than once.

**15.25.130 Suspension or revocation.**

The *city manager* is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

**15.25.140 Liability insurance required – Exception.**

The permittee shall maintain a liability policy in the amount of \$100,000 per individual, \$300,000 per occurrence, and \$50,000 property damage, and shall name the city as an additional insured. Exception: Liability insurance requirements may be waived for projects involving less than 10,000 cubic yards. Liability insurance shall not be required of other city departments. [Ord. 02-0130 § 1 (KCC 16.82.090).] Prior to issuance of a grading permit the applicant shall provide a Certificate of Insurance on forms approved by the city manager. The insurance shall be in the amount of \$1,000,000 per occurrence. The Certificate of Insurance shall name the City as an additional insured and shall not be canceled without 30 days prior written notice to the City. The surety company shall be authorized to transact business in the State of Washington. Exception: Liability insurance requirements may be waived by the city manager for projects which present risk to surrounding properties. Liability insurance shall not be required of other city departments.

**15.25.150 Restrictions.**

Land Alterations for projects within critical areas per KMC 18.55 are restricted to the time period between May 1st and October 1st, with all grading activities stabilized by October 1st. No grading is allowed outside of this time window except with written approval from the city manager.

**15.25.160 Operating conditions and standards of performance.**

A. Any activity that will clear, grade or otherwise disturb the *site*, whether requiring a ~~clearing or grading~~ land alteration permit or not, shall provide erosion and sediment control (ESC) that prevents, to the maximum extent possible, the transport of sediment from the *site* to drainage facilities, water resources and adjacent properties. Erosion and sediment controls shall be applied as specified by the temporary ESC measures and performance criteria and implementation requirements in the KMC Title 13 King County erosion and sediment control standards. Activities performed as Class I, II, III or IV Special forest practices shall apply erosion and sediment controls in accordance with Chapter 76.09 RCW and Title 222 WAC.

B. Cuts and *fills* shall conform to the following provisions unless otherwise approved by the *city manager*.

1. *Slope*. No *slope* of cut and *fill* surfaces shall be steeper than is safe for the intended use and shall not exceed two horizontal to one vertical, unless ~~otherwise approved by the director~~ approved by the geotechnical engineer of record.

2. *Erosion Control*. All disturbed areas including faces of cuts and *fill slopes* shall be prepared and maintained to control *erosion* in compliance with subsection (A) of this section.

3. *Preparation of Ground*. The ground surface shall be prepared to receive *fill* by removing unsuitable material such as concrete slabs, tree stumps, brush and car bodies, vegetation, topsoil, and other unsuitable materials.

4. *Fill Material*. Except in an approved sanitary landfill, only earth materials which have no rock or similar irreducible material with a maximum dimension greater than 18 inches shall be used. Fill material shall not include organic, frozen or other deleterious materials, and shall be made with nonnoxious,

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nonflammable, noncombustible and nonputrescible solids. No rock or similar irreducible material greater than 18 inches shall be used.

5. Drainage. Provisions shall be made to:

a. Prevent any surface water or seepage from damaging the cut face of any *excavations* or the sloping face of a *fill*;

b. Carry any surface waters that are or might be concentrated as a result of a *fill* or *excavation* to a natural watercourse, public storm drain system, or by other means approved by the department of public works;

6. *Bench/Terrace*. *Benches*, if required, at least ten feet in width shall be back-sloped and shall be established at not more than 25 feet vertical intervals to control surface drainage and debris. Swales or ditches on *benches* shall have a maximum gradient of five percent.

7. Access Roads Maintenance. Access roads to *grading sites* shall be maintained and located to the satisfaction of the ~~City~~King County department of public works to minimize problems of dust, mud and traffic circulation.

8. Access Roads – Gate. Access roads to *grading sites* shall be controlled by a gate when required by the ~~city manager~~director.

9. Warning Signs. Signs warning of hazardous conditions, if such exist, shall be ~~affixed~~established at locations as required by the ~~director~~city manager. All signage and traffic control shall be compliant with MUTCD.

10. Fencing. Fencing, where required by the ~~director~~city manager, to protect life, limb and property, shall be installed with lockable gates which must be closed and locked when not working the *site*. The fence must be no less than five feet in height and the fence material shall have no horizontal opening larger than two inches.

11. Setbacks. The tops and the toes of cut and *fill slopes* shall be set back from property boundaries as far as necessary for safety of the adjacent properties and to prevent damage resulting from water runoff or *erosion* of the *slopes*.

The tops and the toes of cut and *fill slopes* shall be set back from *structures* as far as is necessary for adequacy of foundation support and to prevent damage as a result of water runoff or *erosion* of the *slopes*.

*Slopes* and setbacks shall be determined by the ~~director~~city manager.

12. Easements. Any land alterations which are proposed on neighboring properties shall require proper easements or temporary easements to be recorded and a copy of the recorded easements shall be provided to the City. ~~Excavations to Water Producing Depth. All excavations must either be made to a water producing depth or grade to permit natural drainage. The excavations made to a water producing depth shall be reclaimed in the following manner:~~

~~a. The depth of the excavations must not be less than two feet measured below the low water mark.~~

~~b. All banks shall be sloped to the water line no steeper than three feet horizontal to one foot vertical.~~

~~c. All banks shall be sloped from the low water line into the pond or lake with a minimum slope of three feet horizontal to one foot vertical to a distance of at least 25 feet.~~

~~d. In no event shall the term water producing depth as herein used be construed to allow stagnant or standing water to collect or remain in the excavation.~~

~~e. The intent of this provision is to allow reclamation of the land which will result in the establishment of a lake of sufficient area and depth of water to be useful for residential or recreational purposes.~~

13. ~~Hours of Operation. Hours of operation, unless otherwise authorized by the director, shall be between 7:00 a.m. and 7:00 p.m. [Ord. 02-0130 § 1 (KCC 16.82.100).]~~

C. For clearing and grading~~land alteration~~ permits issued under this chapter, the current clearing vegetation standards contained in this section and in the following regulations shall apply:

1. Chapter 18.55 KMC, Critical Areas, and its adopted administrative rules;



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2. Property-specific development standards pursuant to Chapter 18.8247 KMC;
  3. Critical drainage area designations identified by adopted administrative rule; ~~and~~
  4. Wildlife habitat corridors; ~~and~~
  5. Chapter 18.35 KMC, Development Standards- Landscaping.
- D. Tree Removal. The following regulations shall apply to vacant property:
1. Chapter 18.57.60 KMC, Tree Management and Protection.

**15.25.170 Land restoration.**

~~A. Upon the exhaustion of minerals or materials or upon the permanent abandonment of the quarrying or mining operation, all nonconforming buildings, structures, apparatus or appurtenances accessory to the quarrying and mining operation shall be removed or otherwise dismantled to the satisfaction of the director. This requirement shall not require land restoration on projects completed prior to January 1, 1971, except those covered under previously existing zoning requirements.~~

~~B.~~ Final grades shall be such so as to encourage the uses permitted within the underlying zone classification.

~~BC.~~ Grading or backfilling shall not include organic, frozen or other deleterious materials, and shall be made with nonnoxious, nonflammable, noncombustible and nonputrescible solids. No rock or similar irreducible material greater than 18 inches shall be used~~shall be made with nonnoxious, nonflammable, noncombustible and nonputrescible solids.~~

~~CD.~~ Such graded or backfilled areas, except for roads, shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the land areas immediately surrounding, and to a depth of at least four inches or a depth of that of the topsoil of land areas immediately surrounding if less than four inches.

~~DE.~~ Such topsoil as required by subsection (~~DC~~) of this section shall be planted with *trees*, shrubs, legumes or grasses, and said flora shall be so selected as to be indigenous to the surrounding area.

~~EF.~~ Graded or backfilled areas shall be reclaimed in a manner which will not allow water to collect and permit stagnant water to remain. Suitable drainage systems approved by the ~~department of public works~~city manager shall be constructed or installed if natural drainage is not possible.

~~FG.~~ Waste or soil piles shall be leveled and the area treated as to sodding or surfacing and planting as required in subsections (D) and (E) of this section. [Ord. 02-0130 § 1 (KCC 16.82.110).]

**15.25.180 Shorelines.**

~~A. Any fill placed upon land adjacent to or beneath any stream or water body shall be contained and placed so as to prevent adverse effect upon other lands.~~

~~B.~~ No permit required by this chapter shall be issued for *grading* upon the *shorelines* until approved by the appropriate federal, state and local authority; reference KMC Title 16.

~~BC.~~ For *grading* which requires a shoreline management substantial development permit, the conditions of the shoreline management substantial development permit shall be incorporated into the conditions of any permit issued pursuant to this chapter and shall be subject to the inspection and enforcement procedures authorized by this chapter.

**15.25.190 Enforcement.**

The ~~city manager~~ director of the community development department or his/her designee is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Chapter 1.15 KMC, General Penalty, Chapter 1.20 KMC Code Enforcement, and Chapter 13.30 KMC General Provisions.

If *clearing, grading or land alterations* inconsistent with the purposes and requirements of this chapter has occurred on a *site*, the city shall not accept or grant any development permits or approvals for the *site* unless the *applicant* adequately restores the *site*. The ~~director~~city manager shall require appropriate restoration of the *site* under an approved restoration plan which shall include a time schedule for



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compliance if significant resource damage has or may occur. If restoration has not been completed within the time established by the *department*, the director shall order restoration using funds from building and land development division contingency accounts and seek restitution from the property owner through liens or other available legal methods.

**15.25.130 Forest practices.**

~~A. Class IV Forest Practice. Under a Class IV forest practice, all clearing not otherwise exempted under this chapter shall be subject to the requirements of this chapter. All such clearing shall be subject to the State Environmental Policy Act, Chapter 43.21C RCW, and the city shall accept or assume lead agency status. The review of the Class IV application shall be consolidated with the review of the associated city development permit or approval. Clearing independent of permit or approval shall require a separate clearing and grading permit pursuant to this chapter which meets any applicable clearing standards as defined by KMC 15.25.140. The city will also combine its SEPA review of Class IV forest practices and city permits.~~

~~B. Development applications on lands cleared or graded pursuant to a Class II, III or IV special forest practice as defined in Chapter 76.09 RCW, or which are commenced without forest practices or county authorization, shall be denied for a period of six years unless:~~

~~1. The applicant demonstrates that the clearing was consistent with the conversion option harvest plan reviewed and approved by the city pursuant to the Type I land use decision process and incorporated as a condition of the state's forest practice permit; or~~

~~2. The director of the department of community development determines special circumstances exist which should allow the landowner to be released from the moratorium pursuant to notice, review and appeal process for Type 2 land use decisions.~~

~~In all cases, lifting or waiving of the six year moratorium is subject to compliance with all local ordinances. [Ord. 02-0130 § 1 (KCC 16.82.140).]~~

**15.25.140 Clearing standards.**

~~A. For clearing and grading permits issued under this chapter, the current clearing standards contained in this section and in the following regulations shall apply:~~

- ~~1. Chapter 18.55 KMC, Critical Areas, and its adopted administrative rules;~~
- ~~2. Property specific development standards pursuant to Chapter 18.82 KMC;~~
- ~~3. Critical drainage area designations identified by adopted administrative rule; and~~
- ~~4. Wildlife habitat corridors pursuant to Chapter 18.35 KMC.~~

~~B. Within critical areas designated pursuant to Chapter 18.55 KMC, uses shall be limited to those specified in that chapter. Within any other areas subject to clearing restrictions referenced or contained in this section, the following uses are allowed under a clearing permit:~~

~~1. Timber harvest in accordance with a timber harvest management plan and clearing permit approved by the department of community development or a successor agency. That department shall promulgate administrative rules specifying the contents of, and the submittal requirements and approval criteria for, timber harvest management plans in consultation with the department of natural resources prior to any permit approvals for timber harvest within these tracts or easements;~~

~~2. Passive recreation uses and related facilities, including pedestrian and bicycle trails, nature viewing areas, fishing and camping areas, and other similar uses that do not require permanent structures; provided, that cleared areas and/or areas of compacted soils associated with these uses and facilities do not exceed eight percent of the area of the tract or easement. Within wildlife habitat corridors, trail widths shall be the minimum allowed under adopted trail standards and no other recreation uses shall be permitted in the 150-foot minimum width of the corridor;~~

~~3. Utilities and utility easements, including surface water facilities; provided, that such uses are within or adjacent to existing road or utility easements whenever possible. Within wildlife habitat corridors, existing or multiple utility uses within established easements shall be allowed within the 150-foot minimum width of the corridor. Development of new utility corridors shall be allowed within~~



City of Kenmore, WA  
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~~wildlife habitat corridors only when multiple uses of existing easements are not feasible and the utility corridors are sited and developed using county approved best management practices to minimize disturbance; and~~

~~4. Removal of dangerous and or damaged trees.~~

~~C. Construction projects can be a significant contributor of pollution to streams and wetlands. Therefore, from October 1st through March 31st, in the city of Kenmore:~~

~~1. Clearing and grading shall only be permitted if shown to the satisfaction of the director that silt-laden runoff exceeding standards in the King County Surface Water Design Manual will be prevented from leaving the construction site through a combination of the following:~~

~~a. Site conditions including vegetative coverage, slope, soil type and proximity to receiving waters;~~

~~b. Limitations on activities and the extent of disturbed areas; and~~

~~c. Proposed erosion and sedimentation control measures.~~

~~2. The director shall set forth in writing the basis for approval or denial of clearing or grading during this period.~~

~~3. Clearing and grading will be allowed only if there is installation and maintenance of an erosion and sedimentation control plan approved by the department which shall define any limits on clearing and grading or specific erosion and sediment control measures required during this period. Alternate best management practices may be approved or required onsite by the inspector.~~

~~4. If, during the course of construction, silt laden runoff exceeding standards in the King County Surface Water Design Manual leaves the construction site, or if clearing and grading limits or erosion and sediment control measures shown in the approved plan are not maintained, a notice of violation shall be issued.~~

~~5. If the erosion and sediment control problem defined in the violation is not adequately repaired within 24 hours of the notice of violation, then a notice and order may be issued by the inspector to install adequate erosion and sediment control measures to stop silt laden runoff from leaving the site. The notice and order may also require the contractor to discontinue any further clearing or grading, except for erosion and sediment control maintenance and repair, until the following March 31st.~~

~~6. The following activities are exempt from the seasonal clearing and grading requirements of this subsection:~~

~~a. Routine maintenance and necessary repair of erosion and sediment control facilities;~~

~~b. Routine maintenance of public facilities or existing utility structures as provided by KMC 18.55.150;~~

~~c. Activities where there is 100 percent infiltration of surface water runoff within the site in approved and installed erosion and sedimentation control facilities;~~

~~d. Class I, II, III and IV Special forest practices;~~

~~e. Mineral extraction activities on sites with approved permits;~~

~~f. Public agency response to emergencies that threaten the public health, safety and welfare;~~

~~g. Removal of trees based on limits established by clearing requirements on lots associated with existing single family detached dwellings or lots associated with construction of new single family detached dwellings. If there are critical areas or associated buffers on site and/or a tree protection plan is applicable to the lot, then a clearing permit and/or an arborist report may be required as determined on a case-by-case basis by the community development director. If an exemption is granted from seasonal clearing and grading requirements for removal of trees within critical areas or buffers, the applicant must utilize best management practices to limit erosion and sedimentation into critical areas and buffers. [Ord. 04-0218 § 4; Ord. 02-0130 § 1 (KCC 16.82.150).]~~

**15.25.200 Financial guarantees authorized.**

The *department* is authorized to require all *applicants* issued permits or approvals under the provisions of the title to post performance financial guarantees consistent with the provisions of KMC Title 21 in an

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amount up to 125 percent of the estimated cost of completing or restoring the work in accordance with the approved plans, specifications, permit or approval requirements, and applicable regulations.

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City Council Business Agenda Item  
City of Kenmore, WA

Subject/Topic:

Police Contract Assessment Follow-up

For Council Meeting Agenda of:

Department: City Manager's Office

Prepared by: Rob Karlinsey

To Be Presented By: Rob Karlinsey

Proposed Council Action/Motion:

No action required. Discuss follow up items from 2011 Matrix report with Sheriff Strachan.

Initial & Date

Approved by Department Head: \_\_\_\_\_

Approved by City Attorney: \_\_\_\_\_

Approved by Finance Director: \_\_\_\_\_

Approved by City Manager: ROK

Exhibits/Attachments:

August 1, 2012 Letter from Sheriff Strachan  
2011 Matrix Report

Expenditure Required \$ N/A

Amount Budgeted \$N/A

Appropriation Required \$N/A

INFORMATION/BACKGROUND:

In 2011 the City hired Matrix Consulting Group to conduct an assessment of contracted police services for the City of Kenmore. The in-depth report contained, among other things, several recommendations and considerations that required further follow up and discussion. These follow up items are addressed in the attached August 1, 2012 letter from Sheriff Steven Strachan to City Manager Rob Karlinsey. Sheriff Strachan will attend the September 24 City Council meeting to discuss the items addressed in the attached letter.

FISCAL CONSIDERATION: TBD

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

A well-run police department is the foundation for economic development (Goal 2). The City's Vision and Mission Statements speak to the public safety of its citizens.





KING COUNTY SHERIFF'S OFFICE  
516 Third Avenue, W-116  
Seattle, WA 98104-2312  
Tel: 206-296-4155 • Fax: 206-296-0168

Steven D. Strachan  
Sheriff

August 1, 2012

Mr. Rob Karlinsey  
City Manager, City of Kenmore  
18120 68<sup>th</sup> Ave NE  
PO Box 82607  
Kenmore, WA 98028

RE: Response to Matrix Consulting Group Primary Recommendations

Dear Mr. Karlinsey:

Per your request, I'm enclosing some thoughts on the 10 "Phase I and Phase II Primary Recommendations" presented to the Kenmore City Council on November 28, 2011 by Matrix Consulting Group, as part of its evaluation of the police services the City of Kenmore receives from Kenmore Police Department, and of our police partnership.

While these recommendations and responses are fairly focused in nature, I look forward to continuing a broader discussion with you and the City of Kenmore about how we can further strengthen and advance our partnership.

**"Phase I and Phase II Primary Recommendations"**

**PowerPoint presentation made to Kenmore City Council – November 28, 2011**

| <i>Phase I Primary Recommendation</i>                                                                                                                    | <i>KCSO Response</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1) Kenmore should develop various internal policy directives to drive the provision of policing services (e.g. response times, minimum staffing levels). | <u>Response Times</u><br>KCSO encourages our city partners to establish any policing-related performance measurements they deem suitable for their cities. Understandably, response times vary significantly from city to city due to varying workload needs, staffing factors, geography, etc. A rough benchmark for average response time has been 5 minutes nationally; Kenmore maintained an average response time of 2.76 in 2011, and has had a 5-year average of 3.12 from 2006-2011. While Kenmore can certainly set performance standards for response times, it will remain contingent on other city-decided factors such as staffing and workload demands.<br><br><u>Minimum Staffing Levels</u><br>KCSO does not have a direct policy concerning minimum staffing, as it is left up to the supervising sergeant on an as-needed basis. Types of considerations include officer safety, geography, crime trends and crime types, workload demands, etc. Your city has set Kenmore police staffing at its current two-deputy minimum per shift, for officer safety reasons. We very much support this decision. |



|                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2) Implement various key performance indicators / objectives to help direct operations including citation issuance, use of proactive time, etc. | <p>The amount of proactive time available will depend on factors such as staffing availability, assigned project emphasis work, and other police workload demands. KCSO does not have a direct policy for minimum citations issued, or for benchmarks for other uses of proactive time. We encourage our partner cities to relay the city's police goals and objectives to its police chief, who then is responsible for directing operations to achieve those goals. Currently, Kenmore Police Department does not have a policy to establish quotas for ticket issuance; deputies assigned to Kenmore are directed by the Kenmore Police Chief regarding the use of proactive time and community oriented policing issues.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 3) KCSO should continue to better publicize the methods by which contract costs to their service recipients are developed.                      | <p>Some progress on this is already in place or underway. In 2011, KCSO met with numerous partner city members in a "Police Service Review Team" (PSRT) to touch base on the status of our partnerships, unearth any unresolved questions or concerns about our cost model, and to brainstorm ways to improve our well-established program. One of the recommendations that came from PSRT meetings was to begin providing detailed line-item definitions and cost amounts for each of our overhead cost allocations. This was first provided in 2011 as an attachment to each city's Exhibit B and we will continue to provide this in the future.</p> <p>Unit personnel meet with all city finance directors (via the "Oyster Team") twice annually to discuss Exhibit B updates and changes. As well, Contracts Unit personnel visit with each new city finance director for an in-depth study of how costs are developed, and to answer any questions the city has. This information is always available to partner cities at any time.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 4) Re-visit some costs allocated to Kenmore (SWAT, HNT, Precinct Command, etc).                                                                 | <p>KCSO provides many regional services, including bomb disposal, homicide investigations, child find, search and rescue, etc. These services are offered regionally either because of legal mandate, or because of a County service policy. Regional services are funded with regional staff allocations, to ensure that KCSO has the capacity to provide these services to everyone in King County. Costs for these services are not passed to our city partners via contract costs. Other services we provide are considered to be local for unincorporated and contract partners only, and include patrol, investigations, SWAT, hostage negotiation (HNT), sergeant and command supervision, 911 communications, etc. These local services are only funded for local service provision and are therefore not provided regionally (free of charge) to everyone in King County. However, we will provide these services to non-partner cities on a mutual-aid basis if they have a dedicated unit that could provide reciprocal services to KCSO if needed.</p> <p>KCSO regularly revisits costing methodology with its partner cities via the "Oyster Team," which includes finance director representatives from each partner city. Additionally, such as in the above PSRT review effort, we also evaluated our cost allocations with numerous partner representatives to ensure that allocations made in the KCSO Cost Book are fair, transparent, and justified. At this time, we believe our cost allocations are fair; the services for which we charge Kenmore would have to be purchased elsewhere if the City did not partner with KCSO. However, new ideas for updated and more efficient costing methodologies are always welcomed, and are encouraged for discussion in both the Oyster Team, as well as the Oversight Committee forum.</p> |
| 5) Maintain existing KCSO patrol staffing levels to Kenmore unless re-visiting the patrol schedule.                                             | <p>Kenmore Police Department staffing levels are at the discretion of the City of Kenmore, with a certain minimum level set to ensure for officer safety.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| <i>Phase II Primary Recommendation</i>                                                                                                                                                  | <i>KCSO Response</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6) If Kenmore wishes no police service delivery changes in the near-term, re-contact Kirkland, Bothell and Lake Forest Park in 36 months to re-visit possible service delivery options. | We fully support each partner city's efforts to ensure best use of their taxpayer funds for police services. Therefore, we will continue to support any study the City of Kenmore undertakes to again evaluate the police services it provides to Kenmore through our KCSO-Kenmore police partnership.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 7) Further explore the feasibility / cost of police service delivery with Lake Forest Park, requiring LFPPD to provide a detailed submittal of how they would service Kenmore.          | See response to Recommendation 6.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 8) If politically feasible, further explore a regionalized policing approach with KCSO.                                                                                                 | <p>KCSO supports the use of partnerships, as they encourage the most cost effective use of taxpayer dollars and allow for operational efficiencies. Therefore, we fully support and stand ready to discuss any and all partnership ideas brought forth from both partner and non-partner cities.</p> <p>We have already evaluated a possible combined three-city regional police department for Shoreline/Kenmore/Lake Forest Park; we estimate a possible savings between the three cities of \$1,138,596.</p>                                                                                                                                                                                                                                       |
| 9) With continued service provision by KCSO, strongly consider implementing the 3-day / 12-hour shift program.                                                                          | <p>The 3/12 schedule is not currently an approved alternate work schedule in the Collective Bargaining Agreement held between the Police Officers Guild and King County. This schedule would have to be bargained and approved between the two entities.</p> <p>Kenmore Police Department did, however, recently change the patrol work schedule from a regular 4/10 to a rotating 4/10 schedule, which makes significant gains in efficiency and effectiveness over the standard 4/10 schedule. The rotating 4/10 also better aligns with the City of Shoreline Police Department schedule (Shoreline PD shares some services with Kenmore PD), and also maximizes the number of deputies on the street in both cities.</p>                          |
| 10) Further involve Kenmore executives with respect to assignment and dismissal of Kenmore officers.                                                                                    | <p>KCSO has and will always involve our city partners in the assignment of personnel to their city. The selection process for the partner city's police chief is left at the discretion of the city, with partner cities often holding numerous interviews involving city administrators and departments.</p> <p>Once the city's police chief is selected, the selection of deputies has historically been left up to the discretion of the chief with the approval of the city manager. If at any time a partner city has a concern about assigned personnel, we encourage the city to discuss its concerns with its police chief. If at any time a partner city has a concern about its selected police chief, I invite the city to contact me.</p> |

I or another member of my command will be present at your September 24, 2012 Council meeting to discuss these recommendations and the City of Kenmore's desired path forward, and to answer any questions you should have.

Thank you and please don't hesitate to contact me directly at (206) 205-7640.

Sincerely,



Steven D. Strachan  
Sheriff

**Assessment of Contracted Police Services  
Phase I of II**

**CITY OF KENMORE, WASHINGTON**

**FINAL REPORT**



721 Colorado Avenue, Suite 101  
Palo Alto, CA 94303  
v.650.858.0507 f.650.858.0509

**July, 2011**

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# **1. INTRODUCTION AND EXECUTIVE SUMMARY**

This document is the Phase I assessment of contracted police services performed by the Matrix Consulting Group (MCG) for the City of Kenmore Police Department. This first chapter provides an introduction and an executive summary of the report. This summary identifies the information and approaches used in this study and delineates key findings, conclusions and recommendations.

## **1. INTRODUCTION.**

The Matrix Consulting Group was retained by the City to conduct an efficiency contract police services review. This report provides the project team's evaluation and analysis. Our analysis focused on a wide range of issues including staffing, workload allocation, costs, and other important issues.

Specifically, the scope of work for this project included:

- Executive summary of all key findings and recommendations.
- Detailed analysis of current staffing needs for Kenmore PD.
- A clear description of all of the analytical techniques utilized by the project team in this assignment.
- Recommendations relative to operational and cost allocation improvement opportunities.

To develop this analysis the project team conducted an extensive number of interviews and collected detailed data, in an effort to develop a comprehensive understanding of the operations of the Kenmore Police Department (KPD) and King County Sheriff's Office (KCSO) contractual operations. This included the following:

- An interview with the City Manager and the Police Chief to understand key background issues that frame this study and scope of work.



- Interviews with several executive, managerial, supervisory, and technical staff in KCSO.
- Collection and review of data from a wide range of sources, both electronic (e.g. CAD) as well as budget and statistical reports.
- Review of key documents including program budgets, contracts, and other documents.

The following section provides a summary of the major findings, conclusions and recommendations.

## **2. EXECUTIVE SUMMARY.**

The KPD patrol services findings, conclusions and recommendations are summarized below.

- Kenmore is a very safe community with minimal law enforcement issues of significance. As such, this generally results in fewer police resources needed when compared to busier communities of similar population and geographic character.
- In consideration for potential officer safety issues and back-up availability, the proportion of proactive time available cannot serve as the exclusive driver in developing KPD patrol staffing levels. Despite high levels of proactive time, the agency's small size precludes staff reductions under existing operating protocols. The ability to modify staff deployment is further impacted by the pending annexations of Kirkland, thereby limiting Kenmore's ability to regularly utilize KCSO cross-dispatch units in a back-up capacity.
- KPD staffing levels, therefore, should largely be driven by needs linked to potential officer safety situations and other factors beyond proactive time availability.
- Variables impacting officer availability such as vacation time, etc. are well within reason at Kenmore PD.
- Kenmore PD provides generally comprehensive training exceeding two weeks per officer per year on average; a best practice from the project team's perspective.
- The City of Kenmore currently does not have policy directives in place with respect to police minimum staffing levels, response time targets, required

number of police officers based on call type (e.g. domestic violence), or other important law enforcement initiatives, outputs and outcomes. There are recommendations in some of these areas, but these are not memorialized and confirmed by political or executive city leadership. While lack of such directives provides “flexibility,” it does so at the risk of consistent and policy-driven service delivery. This is particularly important for the City given such directives will largely drive staffing needs in KPD patrol services and have the attendant impact on annual operating budgets.

- Despite comparatively low citation production of KPD officers, the City of Kenmore has a very appropriate Traffic Enforcement Index (score) of 1:39.
- As part of the alternative service delivery phase of this project, optional patrol schedules and deployments, particularly emphasizing the 3/12 shift program, will be explored.

Based on our data collection, review, and analysis, the following KCSO cost of service findings, conclusions and recommendations are summarized below.

- Dedicated Cost in the Kenmore KCSO contract represents the large majority of the police services budget and is composed of on-site KPD personnel and their associated operational costs to perform day-to-day business. Based upon the project team’s review of such costs and the associated methodologies to derive them, there are no relevant opportunities to modify methodological approaches with respect to how such costs are calculated and applied to Kenmore. The only issue of significance is related to the actual cost for staff salary and benefits, which can lead to some significant salary increases in the near term based on MOA contractual terms and conditions. Further, while such salary and benefits per officer are competitive with larger agencies (e.g. Seattle PD) which KCSO must compete with, such salaries are higher than smaller policing agencies which actually reflect the city of Kenmore’s comparators.
- Additional Direct Police Services cost in the Kenmore KCSO contract represents approximately one-fifth of the allocated full-time equivalent positions and the KPD police services budget. Based upon the project team’s review of such costs and the associated methodologies to derive them, there are only a few opportunities for potential renegotiation with KCSO, to include: 1) Elimination of SWAT and Hostage Negotiation Team costs from the contract formulae; 2) recalculation of investigative service needs and associated costs based on revised metrics; 3) potential re-visitation of Precinct Command costs due to such services would not be necessary in an independent police department; and 4) determination on whether Kenmore should continue Marine and Accident Reconstruction services. Beyond these generally minor adjustments, there are no significant issues related to Additional Direct Police Services costs.

- Police Support Services (e.g. Overhead Cost) in the Kenmore KCSO contract represents only a marginal portion (approximately 12%) of the police services budget. Based upon the project team's review of such costs and the associated methodologies to derive them, they are applicable, with no relevant method for reduction unless strategies for reducing Dedicated and Direct full-time equivalent positions supporting Kenmore are employed. While there are some marginal potentialities for reduction in these areas as noted elsewhere in this report, impact on support service and overhead costs is generally insignificant.

In summary, similar to the KPD operations, KPD costs for service based on the KCSO contract are generally allocated appropriately and consistent with both best practices for contractual services and cost allocation.

The following exhibit provides a list of the principal recommendations in this report. The chapters within this report should be accessed for a detailed discussion and analysis of each issue and the background behind each recommendation.

|                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Recommendation: Maintain the KPD Chief's proposed patrol deployment strategy beginning 6/1/11 of 10 patrol officers and one Storefront Officer while using the 4/10 shift schedule.</b>                                                                                     |
| <b>Recommendation: In consultation with the School District, re-visit the need for School Resource Officer duties and responsibilities presently augmented through the use of overtime.</b>                                                                                    |
| <b>Recommendation: Develop a policy directive of required minimum patrol staffing levels by shift to help ensure officer safety.</b>                                                                                                                                           |
| <b>Recommendation: Develop a policy directive of required number of officers to respond to certain higher-risk call types (e.g. domestic violence in progress) to help ensure officer safety.</b>                                                                              |
| <b>Recommendation: Develop a policy directive or performance objective of desired minimum response times for Priority X and Priority 1 calls, recognizing such directives can impact necessary patrol staffing requirements.</b>                                               |
| <b>Recommendation: Develop a performance objective increasing desired KPD patrol officer output to 0.3 to 0.5 citations or written warnings per hour. This will likely positively impact the City's Traffic Enforcement Index thereby reducing injury and fatal accidents.</b> |

**Recommendation: Develop other formal KPD performance objectives for patrol officers that effectively use the significant amount of proactive time available during most shift periods and link such performance objectives to desired quality of living outcomes.**

**Recommendation: Maintain the existing KPD / KCSO training regimen for patrol officers exceeding, on average, two weeks per annum. Such training is consistent with best practices.**

**Recommendation: Upon completion of the Phase II alternative service delivery analysis, strongly consider revisions to the patrol shift schedule to potentially include revised days off, revised shift overlap coverage, or an alternative shift schedule (e.g. 3/12).**

**Recommendation: KCSO should continue efforts to better publicize the mechanics behind, and detailed cost components associated with, each of the Dedicated, Direct and Support Service contractual charges. Additionally, identification of actual service level outputs and outcomes for those less visible services (e.g. Crime Analysis) would be beneficial. This will serve to better educate and inform contract service recipients.**

**Recommendation: Continue to identify alternative police service delivery options that may be cost competitive with KCSO services. While KCSO offers effective service delivery, salary and benefit costs for sworn personnel can potentially impact their ability to be cost-competitive over the long-term. Such alternatives will be further explored in Phase II of this engagement.**

**Recommendation: Negotiate elimination of SWAT and HNT charges from the Kenmore police service contract.**

**Recommendation: Negotiate refinement of the metrics and/or approach used to calculate investigative services needs and the attendant costs.**

**Recommendation: Consider negotiating a revision to the Precinct Command charges.**

**Recommendation: Determine if Kenmore desires continued Marine services and Accident Reconstruction services, the latter of which may not be negotiable given KCSO service protocols. The project team recommends retaining both services.**

**Recommendation: Based on any revised Dedicated or Direct service charge changes, ensure modifications in Police Support and Overhead services charges.**

## **2. PROFILE OF THE KENMORE POLICE DEPARTMENT**

### **1. INTRODUCTION**

The pages, which follow, provide a Descriptive Profile of the Kenmore Police Department (KPD). The purpose of the Descriptive Profile is to document the project team's understanding of the organizational structure, allocation of staff by unit and function, and principal assigned roles and responsibilities of staff. Data contained in the Profile was developed based on the work conducted by the project team, including:

- Interviews with managerial, supervisory and representative line staff positions for each KPD functional unit provided by the King County Sheriff's Office (KCSO). Interviews with KCSO executives, contract management staff, and other personnel providing direct or indirect service to Kenmore.
- Collection of various data describing organization and staffing, workload and service levels as well as costs.
- Documentation of key contractual practices as that relates to work planning and scheduling, policies and procedures, as well as work processes.

The Descriptive Profile does not attempt to recapitulate all organizational and operational facets of KPD. It does, however, represent primary operational characteristics to provide a fundamental overview of the organization. In this chapter the structure of this Descriptive Profile is as follows:

- Description of staff positions, by classification, and description of appropriate reporting relationships.
- Summary descriptions of key roles and responsibilities of staff. The responsibility descriptions provided in the Descriptive Profile also summarize the team's understanding of the major programs and service activities to which staff are currently assigned. It should be clearly noted that responsibility descriptions are not intended to be at the "job description" level of detail. Rather, the descriptions



are intended to provide the basic nature of the job and including deployment philosophies, major duties and responsibilities, and the like.

- Various operational and budgetary data describing work characteristics currently collected and associated with KPD. These are not yet all inclusive, but represent some data elements.

This data was reviewed for accuracy and completeness by the KCSO representatives and the City. Comments and corrections generated from staff were incorporated into information presented in this Report. Corrected information contained in the Descriptive Profile is used in the identification and analysis of issues during subsequent stages of the project.

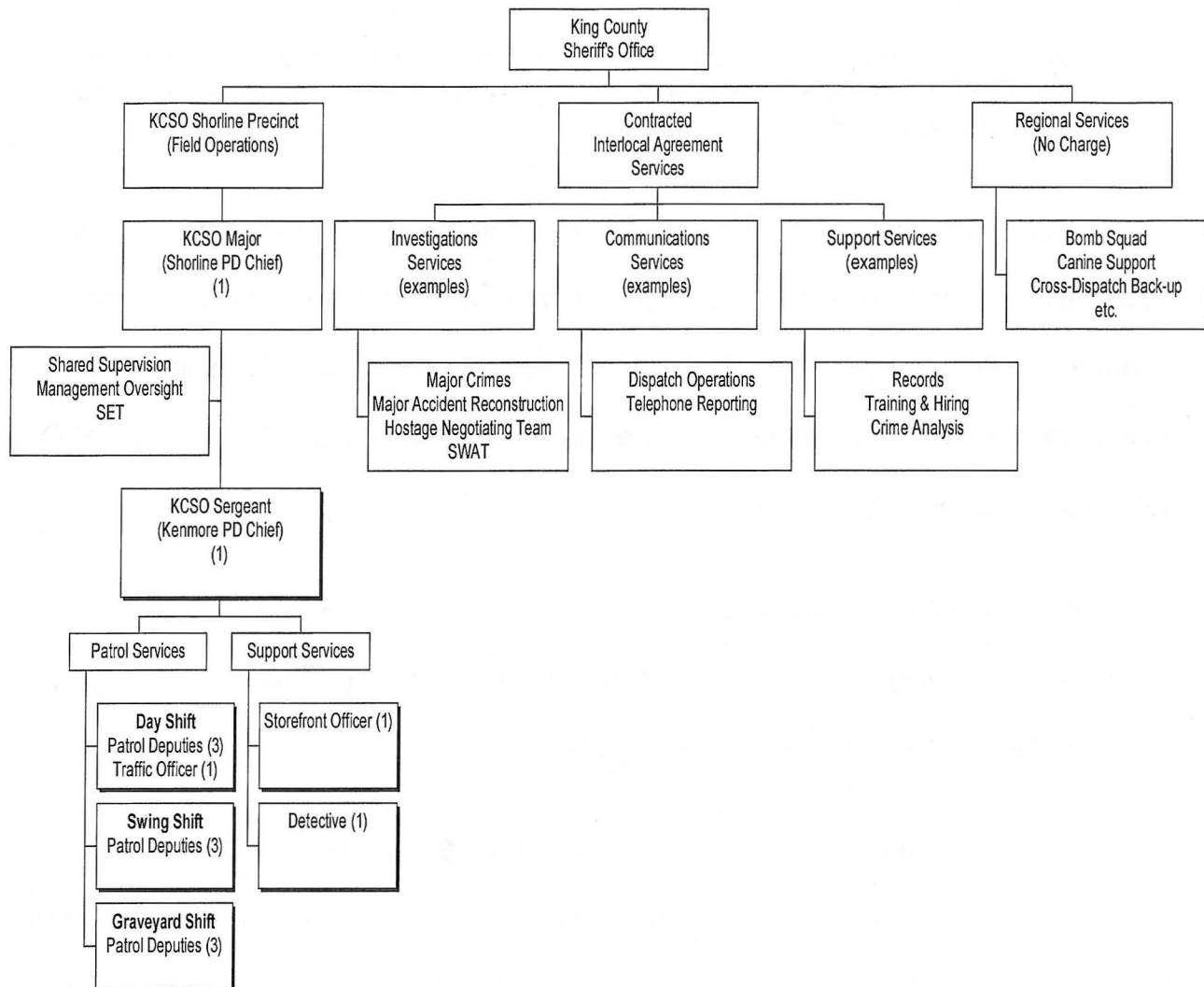
## **2. KPD ORGANIZATIONAL PROFILE**

The following provides an overview of the organization, staffing and responsibilities of the Kenmore Police Department.

### **(1) Kenmore Police Department Organizational Structure**

The following reflects the current organizational structure for the Kenmore Police Department with authorized staff positions by functional Unit. Authorized and actual staffing levels by position classification will be shown in further detail in the following sections. The organization chart below also reflects the relationship of KPD within the broader King County Sheriff Department organization and reflects various direct services provided contractually to Kenmore or regional “pro-bono” services of which Kenmore could be a recipient.

## KCSO and Kenmore Police Department Functional / Organization Chart



**(2) Kenmore Police Department, and Associated, Staff Positions**

| Unit / Position(s)                                                   | No. of Positions |         | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                                                                      | Auth.            | Current |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| ADMINISTRATION                                                       |                  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <u>Operational Oversight</u><br>KCSO Major                           | 1.0              | 1.0     | <ul style="list-style-type: none"><li>• The King County Sheriff Office Major (Shoreline Police Chief) provides the overall leadership, guidance, management and administration of KCSO Shoreline Precinct and the City of Kenmore.</li><li>• Directly supervises the Sergeant acting as Kenmore Police Department Chief of Police, providing administrative oversight, policy direction, etc.</li><li>• Functions as Shoreline Police Department Chief of Police, interacting with KPD Chief in a “peer” capacity.</li><li>• Generally on call 24 hours a day.</li><li>• Works flexible dayshift hours Monday-Friday.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <u>KPD Office of the Chief</u><br>Chief of Police<br>(KCSO Sergeant) | 1.0              | 1.0     | <ul style="list-style-type: none"><li>• The King County Sheriff Office Sergeant provides the overall leadership, guidance, management and administration of the Kenmore Police Department, acting as the community’s Chief of Police.</li><li>• Responsible for assisting in the development and implementation of the Department budget.</li><li>• Develops and maintains good working relationships with other managers in the City as well as other local, regional and state law enforcement community members.</li><li>• Develops and maintains good working relationships with local business leaders, community leaders and school officials.</li><li>• Performs various special project and administrative functions in the management of the Department, as appropriate.</li><li>• Provides day-to-day oversight of department operations.</li><li>• Directly supervises all department staff and performs as patrol field supervisor during Day Shift assignment.</li><li>• Facilitates response to citizen complaints, provides call for service response and back-up (as available/necessary) and coordinates preliminary field investigations, as necessary.</li><li>• Responds to questions, concerns and requests from the general public and provides information and problem resolution as necessary.</li><li>• Implements KCSO department policies and procedures and supporting City of Kenmore policies and procedures.</li><li>• Provides various work direction to staff with respect to patrol, investigative and other support operations.</li></ul> |

**CITY OF KENMORE, WASHINGTON**  
**Final Report of Contracted Police Services – Phase I**

| Unit / Position(s)                        | No. of Positions |         | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------------------------|------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                           | Auth.            | Current |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| PATROL SERVICES                           |                  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <u>Day Shift Patrol</u><br>Deputies       | 3.0              | 3.0     | <ul style="list-style-type: none"><li>• Responds to all Kenmore calls for service in the City, including crimes against persons, property crimes, domestic disputes, disturbances, deaths, etc.</li><li>• Provides direct field enforcement of all applicable State and local laws within the City.</li><li>• Writes criminal incident reports and performs other administrative duties as assigned.</li><li>• Engages in neighborhood patrols, preventive patrol, traffic enforcement, and other proactive efforts to reduce crime using personally assigned take-home police cruiser. Periodically conducts enforcement through foot beat, bicycle patrol or other efforts.</li><li>• Provides patrol back-up, as needed, to adjoining contract communities, unincorporated County and other cities.</li><li>• Performs initial investigation services on a variety of misdemeanor and felonious crimes.</li><li>• Performs follow-up investigation on a variety of assigned misdemeanor incidents.</li><li>• Respond to questions, concerns and requests from the general public and provides information and problem resolution as necessary.</li><li>• Conducts traffic-related duties, as required.</li><li>• Performs various jail runs to transport prisoners from Precinct to Snohomish and King County jail facilities.</li><li>• Some staff regularly acts as School Resource Officer on overtime (typically 4-hour blocks).</li><li>• When minimum staffing levels are scheduled, back-up is provided by KCSO cross-dispatching policies. This will be modified to a minimum staffing of two deputies in Kenmore upon City of Kirkland annexation of County unincorporated areas (6/1/11).</li><li>• 24/7 Operation with staffing on the 10-hour shift program with staff operating 4-days on and 3-days off with overlap periods during the weekend timeframe. Shift schedules include – Day – 0500-1500 hours; Swing – 1500-0100 hours; Graveyard – 1900-0500.</li></ul> |
| <u>Swing Shift Patrol</u><br>Deputies     | 3.0              | 3.0     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <u>Graveyard Shift Patrol</u><br>Deputies | 3.0              | 3.0     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**CITY OF KENMORE, WASHINGTON**  
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| Unit / Position(s)                     | No. of Positions |         | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------|------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                        | Auth.            | Current |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Day Shift Patrol<br>Traffic Officer    | 1.0              | 1.0     | <ul style="list-style-type: none"> <li>Enforces various traffic-related laws including moving and other infractions throughout Kenmore's road network.</li> <li>Enforce other driving behaviors to include weekend drunk driving enforcement, aggressive driving enforcement, etc.</li> <li>Periodically conducts radar-based field traffic enforcement.</li> <li>Conducts accident investigations and performs abandon vehicle enforcement.</li> <li>Provide back-up to patrol deputies, as needed, on a self-dispatched protocol.</li> <li>Day Shift Operation with staffing on the 10-hour shift program with staff operating 0500-1500 hours on Tues-Fri.</li> <li>Position will be transferred permanently to patrol on 6/1/11 in order to facilitate minimum coverage due to changes resulting from Kirkland annexation.</li> </ul>                                                                                                                                                                                                                                                                                                                             |
| <b>SUPPORT SERVICES</b>                |                  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Day Shift Patrol<br>Storefront Officer | 1.0              | 1.0     | <ul style="list-style-type: none"> <li>Provides a variety of law enforcement support services to community.</li> <li>Periodically acts as local School Resource Officer at Kenmore's middle and high school. Provides on-site presence, classroom instruction, student advisement, etc.</li> <li>Facilitates and participates in Block Watch programs.</li> <li>Performs security surveys.</li> <li>Responds regularly to neighborhood complaints, attempting mediation and resolution of civil or other issues.</li> <li>Manages both Student (Junior) and Citizens Academy. Participates, as city's law enforcement representative, in various business seminars.</li> <li>Oversees and supervises crossing guard program and police volunteers program.</li> <li>Participates in Bike Rodeo programs, organizes National Night Out, and conducts sixth grade student awareness drug classes.</li> <li>Performs vacation home checks.</li> <li>Provides patrol back-up during Day Shift, as necessary.</li> <li>Day Shift Operation with staffing on the 8-hour shift program with the Deputy operating typically Monday through Friday 0430-1230 hours.</li> </ul> |

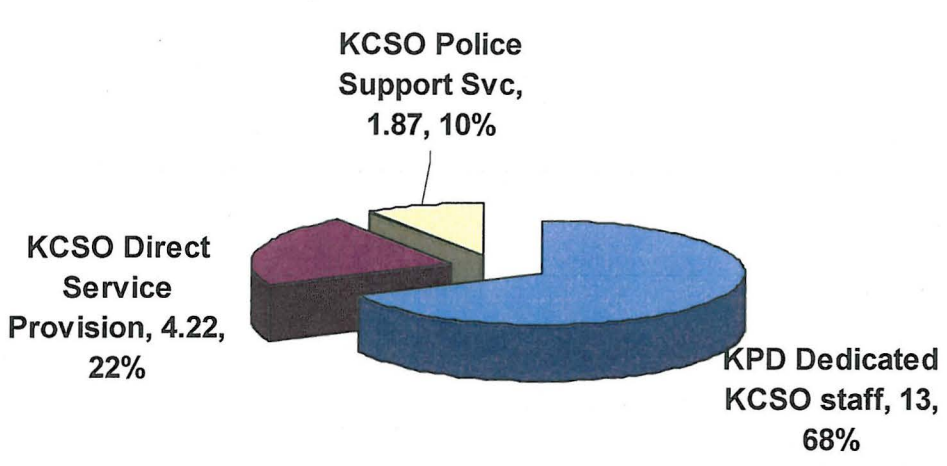


**CITY OF KENMORE, WASHINGTON**  
**Final Report of Contracted Police Services – Phase I**

| Unit / Position(s)                      | No. of Positions |         | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------|------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                         | Auth.            | Current |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Investigations<br>Deputy<br>(Detective) | 1.0              | 1.0     | <ul style="list-style-type: none"> <li>• Reporting to the City's Chief of Police, provides city-based follow-up criminal investigations generally surrounding various felonious crimes.</li> <li>• Emphasizes criminal investigations regarding property crimes to include burglaries, larcenies and other similar property based events. Investigations include victim/witness/suspect contacts, field work, supplementary report development, caseload database maintenance, etc.</li> <li>• Performs domestic violence investigations.</li> <li>• Performs minor assault investigations.</li> <li>• Performs fraud investigations.</li> <li>• Regularly interfaces with KPD patrol staff and KCSO Criminal Investigations Division.</li> <li>• Although on-call, generally works dayshift hours Monday-Friday.</li> </ul> |

### 3. SUMMARY OF OPERATIONS

The following section provides representative information of relevant operational elements of KPD, demonstrating our fundamental understanding of the department. This data is certainly not all-inclusive, but demonstrative of the types of information to be used in the Report.

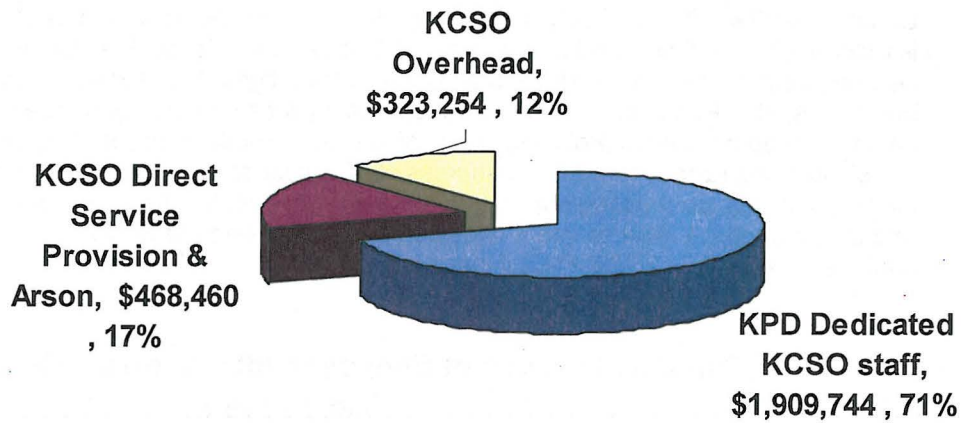
| Item                          | KPD Operational Elements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |     |            |                          |    |     |                               |      |     |                         |      |     |              |              |             |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----|------------|--------------------------|----|-----|-------------------------------|------|-----|-------------------------|------|-----|--------------|--------------|-------------|
| Staffing Allocation           | <p>The Full-time Equivalent Staffing Allocation for Kenmore Police Department as provided by the King County Sheriff's Office (KCSO) is 19.09 FTE for the 2011 Operational Year.<sup>1</sup> The allocation of such staff is reflected below. Dedicated staff represent on-site personnel such as Chief, patrol deputies, etc. Direct services represent off-site staff such as Criminal Investigation Division person detectives, dispatch operations, etc. Police support services represent allocated portions of off-site commissioned and non-commissioned personnel providing services to include: budget, accounting and payroll; crime analysis; recruiting; firing range; computer resources staff; evidence and supply; internal investigations; personnel staffing services; contracting support; criminal intelligence; legal advisor; photo lab; records, polygraph; and training unit. A letter of intent has been sent from Kenmore to KCSO to add one FTE to dedicated staff that will result in 20.09 FTEs if instituted.</p> <p style="text-align: center;"><b>Full-time Equivalent Employee Allocation for Kenmore Police Department</b></p>  <table><caption>Full-time Equivalent Employee Allocation for Kenmore Police Department</caption><thead><tr><th>Category</th><th>FTE</th><th>Percentage</th></tr></thead><tbody><tr><td>KPD Dedicated KCSO staff</td><td>13</td><td>68%</td></tr><tr><td>KCSO Direct Service Provision</td><td>4.22</td><td>22%</td></tr><tr><td>KCSO Police Support Svc</td><td>1.87</td><td>10%</td></tr><tr><td><b>Total</b></td><td><b>19.09</b></td><td><b>100%</b></td></tr></tbody></table> | Category    | FTE | Percentage | KPD Dedicated KCSO staff | 13 | 68% | KCSO Direct Service Provision | 4.22 | 22% | KCSO Police Support Svc | 1.87 | 10% | <b>Total</b> | <b>19.09</b> | <b>100%</b> |
| Category                      | FTE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Percentage  |     |            |                          |    |     |                               |      |     |                         |      |     |              |              |             |
| KPD Dedicated KCSO staff      | 13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 68%         |     |            |                          |    |     |                               |      |     |                         |      |     |              |              |             |
| KCSO Direct Service Provision | 4.22                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 22%         |     |            |                          |    |     |                               |      |     |                         |      |     |              |              |             |
| KCSO Police Support Svc       | 1.87                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 10%         |     |            |                          |    |     |                               |      |     |                         |      |     |              |              |             |
| <b>Total</b>                  | <b>19.09</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>100%</b> |     |            |                          |    |     |                               |      |     |                         |      |     |              |              |             |

<sup>1</sup> In the original profile, data from the 2011 Cost Book had not yet been finalized. These reflect final numbers.

**FY 2011  
KPD  
Budget**

Based on information provided, the Kenmore PD annual budget (excluding any internal Kenmore costs unrelated to the KCSO contract) is approximately \$2.70 million. Seventy-one percent of this budget is dedicated to on-site staff operating within the City. This is approximately \$93,000 less than the annual estimated budget in FY 2010.

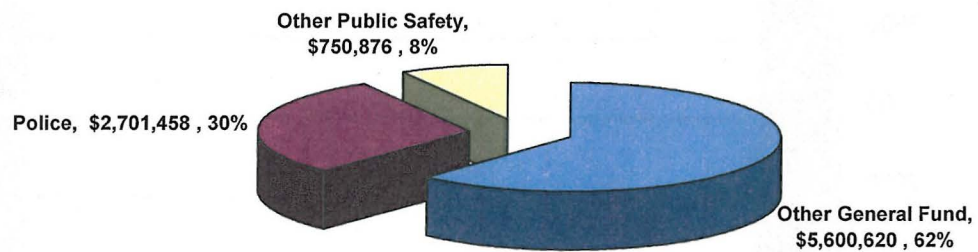
**2011 Cost Allocation for Kenmore PD (budget)**



**KPD  
Budget as  
Portion of  
City's  
General  
Fund**

The Kenmore Police Department contract represents approximately 30% of the City's General Fund budget in the 2011 Operational Year. With respect to all of public safety operations, to include Prosecuting Attorney, Jail Services, County Court, etc. the overall public safety budget reflects 38% of the General Fund.

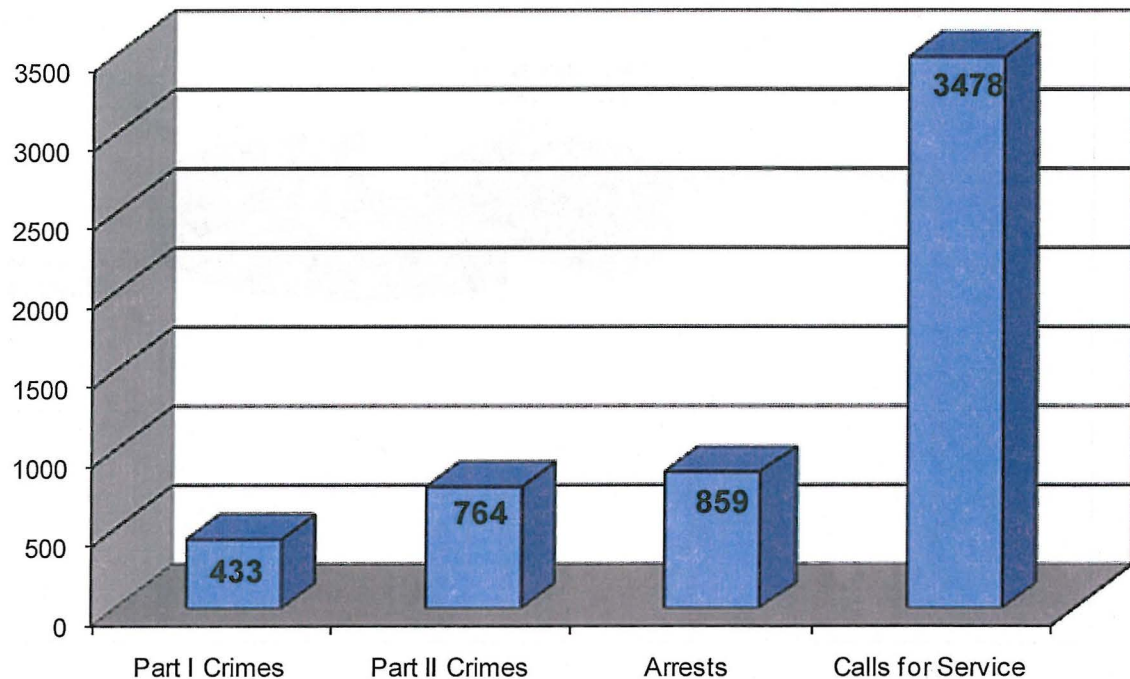
**KPD budget Compared to City General Fund (FY 2011)**



**KPD  
Workload  
Metrics  
(2009)**

Calls for Service (CFS) will represent information abstracted from KPD data resulting in community generated calls for service—a primary building block of patrol workload. CFS does not represent all workload, however, such as officer-initiated events, investigative follow-up, administrative time or all Computer-aided Dispatch (CAD) entries. Significant additional CFS information will be detailed in the Report's remaining chapters, as it requires significant analysis of KPD provided data<sup>2</sup>. As a representation of the information, however, the following chart provides KPD reported data of various workload metrics for calendar year 2009.

**KPD Workload Metrics (2009)**



<sup>2</sup> By example, the total calls for service that are used in the following chapters is slightly higher than that which is reported in the annual report and reflected in the graph.



### **3. ANALYSIS OF KENMORE POLICE DEPARTMENT PATROL SERVICES**

This chapter focuses on Kenmore's overall community profile as well as the most visible and critical service provided by the King County Sheriff's Office (KCSO): patrol services. The workload information utilized in this section was obtained from interviews with KCSO management, supervisory and line personnel and a review of documents and information from the Department's varied information systems.

#### **1. OVERALL ORGANIZATION OF PATROL SERVICES.**

As demonstrated in the Profile Chapter of this report, patrol services is composed of three shifts – Day, Swing, and Graveyard Shift – with staff operating 4-days on, 3-days off. Shift schedules are for ten (10) hours and include the following time frames: Day – 0500-1500 (5am – 3pm); Swing – 1500-0100 (3pm to 1am); and Graveyard – 1900-0500 (7pm to 5am)<sup>3</sup>.

Patrol staffing levels currently operate on a minimum of one patrol unit per shift, although the majority of times, approximately 71%, there are typically two units or more during shift overlap periods noted above. The following table reflects the typical patrol deployment for the nine deputies dedicated exclusively to patrol. This does not include the Chief, Traffic Officer or Storefront Officer who provide periodic calls for service response or back-up in addition to their other primary roles.

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<sup>3</sup> Military time will generally be used hereafter.

**Typical KPD Deputy Patrol Deployment Schedule – Early 2010<sup>4</sup>**

|               | Sun      | Mon      | Tue      | Wed      | Thr      | Fri      | Sat      |
|---------------|----------|----------|----------|----------|----------|----------|----------|
| Day 1         | 1        | 1        |          |          |          | 1        | 1        |
| Day 2         | 1        | 1        | 1        | 1        |          |          |          |
| Day 3         |          |          | 1        | 1        | 1        | 1        |          |
| <b>TOTAL:</b> | <b>2</b> | <b>2</b> | <b>2</b> | <b>2</b> | <b>1</b> | <b>2</b> | <b>1</b> |
| Swing 1       | 1        | 1        |          |          |          | 1        | 1        |
| Swing 2       | 1        | 1        | 1        | 1        |          |          |          |
| Swing 3       |          |          |          | 1        | 1        | 1        | 1        |
| <b>TOTAL:</b> | <b>2</b> | <b>2</b> | <b>1</b> | <b>2</b> | <b>1</b> | <b>2</b> | <b>2</b> |
| Grave 1       | 1        | 1        |          |          |          | 1        | 1        |
| Grave 2       | 1        | 1        | 1        | 1        |          |          |          |
| Grave 3       |          |          |          | 1        | 1        | 1        | 1        |
| <b>TOTAL:</b> | <b>2</b> | <b>2</b> | <b>1</b> | <b>2</b> | <b>1</b> | <b>2</b> | <b>2</b> |

Data, such as that in the schedule above, is used to derive patrol workload information as discussed throughout this chapter.

**2. A COMMUNITY PROFILE OF KENMORE INDICATES IT IS GENERALLY A SAFE MUNICIPALITY WITH FEW LAW ENFORCEMENT ISSUES.**

As would be expected, the economic, demographic, geographic and other community variables of a municipality impact its crime incidence and other quality of living issues that can be impacted by law enforcement. By illustration, the project team recently worked with the community of Eastpointe, Michigan, a relatively small community that adjoined the busiest police precinct in the nation (8 Mile Road in Northern Detroit). The proximity to this area, as well as other factors, influenced its policing needs. Similarly, Kenmore, Washington has its own community make-up that also impacts policing requirements.

<sup>4</sup> Upon the City of Kirkland annexation, the schedule will be adjusted to deploy two deputies 24/7 in Kenmore for (largely) officer safety reasons. This is due to the general cessation of cross-dispatching services from nearby unincorporated County areas. This will result in the Storefront Officer being deployed during Days on Tuesday and Thursday, re-deployment of the Traffic Officer to patrol (for 10 total patrol deputies deployed), and overtime coverage on Tuesdays and Thursdays during portions of Swing Shift.

The King County Sheriff's Office publishes a detailed statistics report to include individual annual reports for each contract community. This provides a valuable reference with respect to understanding the community's law enforcement profile. Data from this report and other sources can help frame this study of Kenmore's policing needs. The examples provided below are not exhaustive, but intended to provide a "community safety" perception that can serve as a foundation for understanding various issues presented in this report.

**(1) Although Aged, Community Surveys Indicate Kenmore Citizens Feel "Safe."**

The City of Kenmore administered a Police Satisfaction Survey in 1998 and 2001. One of the areas measured was neighborhood safety. In 1998, 96% of Kenmore citizens felt safe and very safe walking in their neighborhoods during the day and 83.8% felt safe and very safe at night. In 2001, 97% of the citizens felt safe and very safe during the day and 73% felt safe and very safe at night.<sup>5</sup> These responses, although deserving of update, reflect a perception by the citizenry of a very safe community. Community perception is generally critical when addressing law enforcement needs.

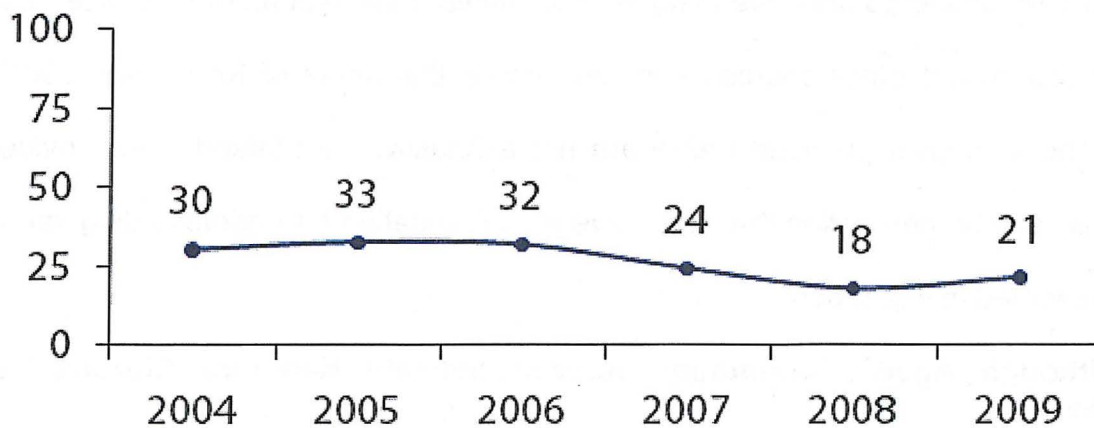
**(2) Major Crimes Occurring in Kenmore are Minimal and on a Declining Trend Over the Last Several Years.**

Major Part I Crimes such as Homicide, Burglary, Larceny, Robbery, Assault, etc. are some of the drivers that significantly impact a community and its law enforcement needs. The following graph abstracted from the aforementioned annual report shows a downward trend in Part I Crimes, and while there was a recent uptake, overall Part I Crime is down approximately 30% compared to 2004.

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<sup>5</sup> KCSO Kenmore webpage.

### Part I Crimes Per 1,000 Residents



This data can be juxtaposed against other Part I Crime information from similar sized communities in Washington as shown in the following Exhibit on the next page.

The following is noted regarding that information.

- Kenmore has one of the lowest major crime rates in the State for communities of similar-size.
- With the exception of Burglary, Auto Theft, and Arson, Kenmore is well below the average crime occurrences of the noted communities.

In addition, a review of Part II Crime information reveals similar patterns of lower crime incidence.

**Exhibit**  
**Part I Crimes (2009) – Washington Communities**

| City              | Pop.          | Violent crime | Murder   | Forcible rape | Robbery   | assault   | Property crime | Burglary   | Larceny    | Auto Theft | Arson    |
|-------------------|---------------|---------------|----------|---------------|-----------|-----------|----------------|------------|------------|------------|----------|
| Camas             | 18,618        | 14            | 0        | 7             | 3         | 4         | 348            | 61         | 274        | 13         | 4        |
| Covington         | 18,619        | 37            | 0        | 4             | 15        | 18        | 641            | 134        | 467        | 40         | 1        |
| Port Angeles      | 19,044        | 80            | 1        | 25            | 15        | 39        | 802            | 152        | 616        | 34         | 8        |
| Moses Lake        | 19,214        | 98            | 0        | 23            | 21        | 54        | 1,490          | 275        | 1,116      | 99         | 6        |
| Mountlake Terrace | 19,853        | 43            | 0        | 10            | 14        | 19        | 509            | 98         | 368        | 43         | 12       |
| <b>Kenmore</b>    | <b>20,568</b> | <b>22</b>     | <b>0</b> | <b>1</b>      | <b>3</b>  | <b>18</b> | <b>404</b>     | <b>131</b> | <b>229</b> | <b>44</b>  | <b>5</b> |
| Maple Valley      | 20,700        | 24            | 0        | 2             | 6         | 16        | 436            | 129        | 278        | 29         | 6        |
| Mukilteo          | 21,057        | 21            | 0        | 6             | 6         | 9         | 552            | 134        | 386        | 32         | 7        |
| Bainbridge Island | 22,061        | 31            | 0        | 4             | 4         | 23        | 302            | 80         | 210        | 12         | 2        |
| <b>AVERAGE:</b>   | <b>19,970</b> | <b>41</b>     | <b>0</b> | <b>9</b>      | <b>10</b> | <b>22</b> | <b>609</b>     | <b>133</b> | <b>438</b> | <b>38</b>  | <b>6</b> |



**(3) One of the Few Law Enforcement Issue Areas is Apparently Linked to Traffic Complaints.**

As indicated in the 2009 Annual Report, citizen traffic complaints were on the rise<sup>6</sup>. The following graph is abstracted from that annual report, showing the highest level of complaint in the last six year period noted.



It is generally common for communities with lower crime to focus on other law enforcement areas perceived as important. Traffic enforcement is likely perceived in Kenmore as one of the critical few law enforcement interest areas, given very low criminal incidence. Interestingly, while such complaints are experiencing peaks and valleys with the highest in 2009, this was despite collisions trending downward—the lowest number of collisions in the past six years experienced in Kenmore (143) also occurred in calendar 2009.

**(4) Citizen Action Requests Reflect Generally Minor Annoyances and Formal Complaints are Infrequent.**

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<sup>6</sup> In the 2010 Annual Report complaints were down to 88.

With respect to citizen complaints, both the number and type of complaints indicate, at worst, generally minor community problems. The following table summarizes the totality of Citizen Action Requests directed to KPD for all of calendar 2010.

**KPD Complaints by Type - 2010**

| <b>Date</b> | <b>Complaint Type</b>                        |
|-------------|----------------------------------------------|
| 8-Jan       | Bikini Coffee Vendor Unacceptable            |
| 20-Jan      | Unauthorized use of Bus Lane                 |
| 27-Jan      | Parking - Illegally Parked Camper            |
| 16-Mar      | Complaint of aggressive traffic enforcement. |
| 2-Apr       | Bikini Coffee Vendor Unacceptable            |
| 2-Apr       | Bikini Coffee Vendor Unacceptable            |
| 16-Apr      | Bikini Coffee Vendor Unacceptable            |
| 6-May       | Bikini Coffee Vendor Unacceptable            |
| 3-Jun       | Bikini Coffee Vendor Unacceptable            |
| 30-Jun      | Parking - Expired tabs on vehicle complaint  |
| 12-Jul      | Abandoned Vehicle                            |
| 14-Jul      | Graffiti complaint                           |
| 14-Jul      | Door-to-Door solicitation complaint          |
| 14-Jul      | Parking - Illegal parking of boat trailer    |
| 19-Jul      | Noise Complaint                              |
| 30-Jul      | Parking - Vehicles reducing visibility       |
| 19-Aug      | Parking - Expired tabs on vehicle complaint  |
| 8-Sep       | Harassment - Undesirable telephone calls     |
| 5-Oct       | Assist on School Project                     |
| 23-Nov      | Homelessness Complaint                       |
| 28-Dec      | Potential Trespass                           |

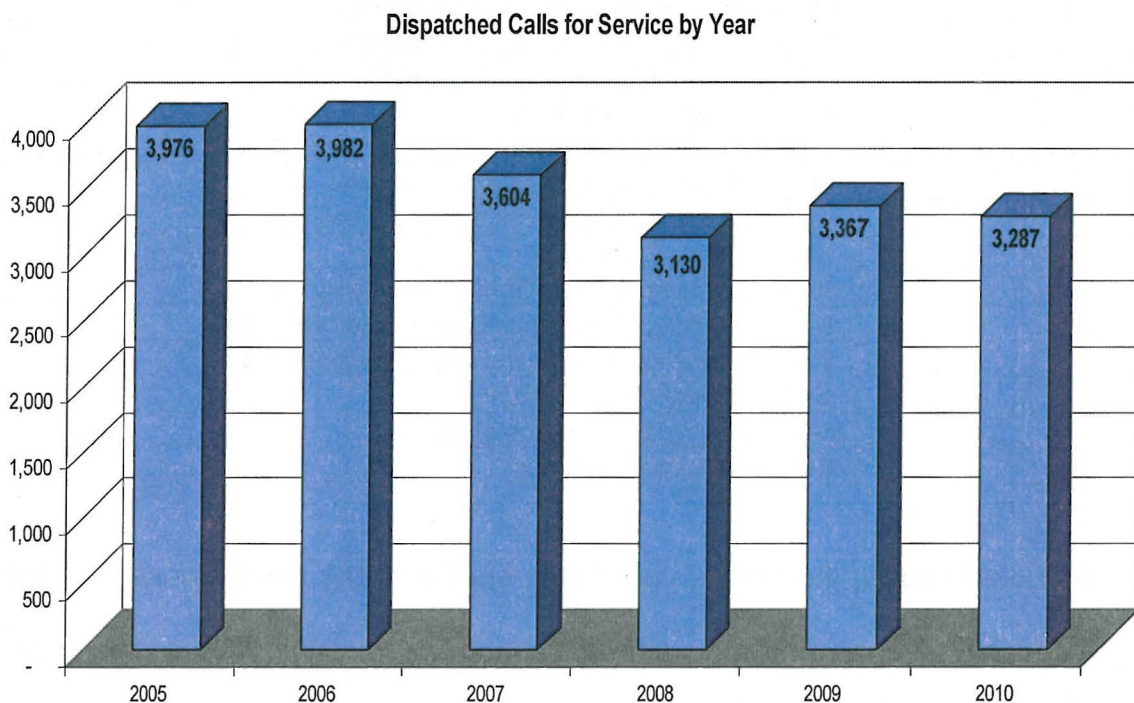
As noted above, the bulk of complaints surround one small business viewed as having “decency” issues and a variety of parking complaints. These clearly are not notifications of severe significance.

Formal complaints against Kenmore officers reveal no issues of relevance. These complaints are the types of investigations performed by an “internal affairs” unit. From 2005 through 2010 only three such complaints have been formally investigated by

internal affairs on KPD officers. This reflects no pattern of significance and further illustrates a community with little police problems.

**(5) Primary Workload in the Form of Dispatched Calls for Service are on the Decline.**

As detailed in the subsequent section, calls for service response represents one of a community's primary law enforcement responsibilities and a major component of work. With respect to Kenmore, such workload is on the decline overall, as shown in the graphic below:



In conclusion, based on the information presented and other facts noted in the City's annual police report, Kenmore is a very safe community with few law enforcement issues of significance. Many important law enforcement service delivery areas are

trending downwards over the years and there is little to suggest such trending will be significantly altered in the near future. This overall community profile and these noted community benefits directly translate into law enforcement service requirements and the attendant resource needs. These are discussed in further detail throughout this chapter.

### **3. OVERVIEW OF THE MATRIX CONSULTING GROUP'S PATROL STAFFING ANALYTICAL MODEL.**

While it would be useful to identify a 'golden rule' of law enforcement staffing needs, the utilization of various comparative measures does not adequately provide for a comprehensive evaluation of field staffing needs, nor should it be used as the primary basis for a local government to measure the effectiveness of law enforcement services. While it is somewhat common practice to suggest law enforcement resource needs based upon the number of sworn staff per thousand population, the Matrix Consulting Group does not use a "per capita" or "per 1,000" ratio as an analytical tool in assessing field staffing needs, for the following important reasons:

- Ratios do not consider the seriousness of the workload levels of the jurisdictions being compared. For example, the crime rate is not considered in any comparative analysis of workloads, specifically, the number of serious crimes in a community (e.g. homicide, rape, robbery, aggravated assault, burglary, motor vehicle theft, and larceny).
- Ratios do not consider a jurisdiction's approach to alternative service delivery or "differential law enforcement response." The use of civilian personnel (or lack thereof) to handle community-generated calls for service and other workloads has great potential to impact the staffing levels of sworn personnel. The level / amount of civilians (i.e. community service officers, telephone reporting, online services, etc.) can be used to maximize the efficiency and effectiveness of sworn personnel. By example, KCSO uses dispatch to take various telephonic reports of lesser crimes thereby freeing up patrol staff resources that do not have to respond to such calls.

- Ratios do not consider the differences in service levels provided or philosophies with which a jurisdiction may deliver law enforcement services (e.g. community-oriented or problem-oriented policing, a reactive versus proactive approach, the utilization of other regional law enforcement resources in solving problems, etc.). These variables contribute to the inability to compare the necessary number of field patrol personnel through a ratio or per-capita analyses.
- Ratios do not consider other differences which have an impact on regular patrol staffing needs such as the existence of special enforcement / support units as well as operational approaches (e.g. the use of field citations versus transported arrests, manual versus automated field reporting systems, and whether patrol officers are expected to follow-up on certain investigations).
- Ratios do not take into account geographic, meteorological and topographical differences (e.g. square miles of a service area) and other response impediments which can impact patrol staffing needs.
- Ratios do not take into account changing population characteristics, such as jurisdictions with a significant exodus of commuters, college towns with large seasonal fluctuations in population, resort communities, etc.

For these reasons, the project team does not use “per capita” or “per 1,000 residents” ratios as a way for our clients to measure effectiveness in providing law enforcement services, or as a determinant in developing staffing needs. Instead, the project team’s analysis of KPD patrol staffing considered the need for a balance of community-generated workloads and the availability of proactive time to perform proactive policing, while considering as a backdrop the importance of officer safety as a consequence of the types of calls for service workload the community generally experiences. The following subsections describe this analytical process.

**(1) The Analysis of Field Patrol Resource Requirements Should Be Based on Actual Workloads Handled and Appropriate Targets of Proactive Patrol.**

The Matrix Consulting Group utilizes a method in which the number of police field personnel required is based on an analysis of the unique workloads and service level requirements of a community. In order to evaluate these resources and staffing issues,



the project team conducted a data collection and analytical effort focusing on the following:

- Determining community generated calls for service workloads to the level of detail necessary to understand the work volume and the time required to handle such work.
- The field resources used to handle calls for service and proactive workloads based on officer availability levels.
- Deployment and scheduling patterns utilized by the Kenmore Police Department.
- Identifying self-initiated police activities and targeting a sufficient amount of time beyond community generated calls for service, otherwise known as “reactive” workload. This time can then be utilized to perform proactive or community-oriented policing services (e.g. special enforcement of high priority areas, etc.).
- Maintaining a deployment that would help reduce risk and maintain officer safety levels.

Field law enforcement services represent one of the areas of law enforcement operations in which staffing can be quantified based on service levels desired. Several factors determine the level of patrol staffing required in a community, including:

- The community generated call for service demand by time of day, and day of week.
- How deputies/officers<sup>7</sup> are utilized in the field, how they are scheduled, and in what manner they are deployed (e.g. one-person versus two-person patrol cruisers).
- How calls for service are managed by a law enforcement agency. Many departments throughout the United States “manage” lower priority calls for service in a number of ways. What these methods of handling calls for service have in common is that they free up the time of trained, professional officers from handling lower priority routine calls so that more of their available time can be spent on calls requiring a higher level of expertise and training.
- The level of service desired by the community. This reflects the amount of “proactive” time, or “unobligated” time a community desires. This is a significant factor and primary driver impacting required patrol staffing levels. Unobligated time involves time not spent handling community generated calls for service and

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<sup>7</sup> Deputies and Officers will be used interchangeably in this report given KCSO deputies serve as KPD officers.

reflects proactive time for which an officer is available for community policing, directed or preventive patrol, self-initiated activity (i.e. observations, including suspicious pedestrians or vehicles, etc.), and other approaches for addressing crime problems, quality of life issues, etc.

The project team has employed a model based on these decision points in evaluating officer field staffing for the KPD in terms of workload, service levels, and overall operations. The following section identifies and discusses the various characteristics and elements of the field staffing model, and how reactive and proactive (unobligated) time is calculated.

## **(2) Workload and Data Elements Utilized in the Patrol Staffing Model.**

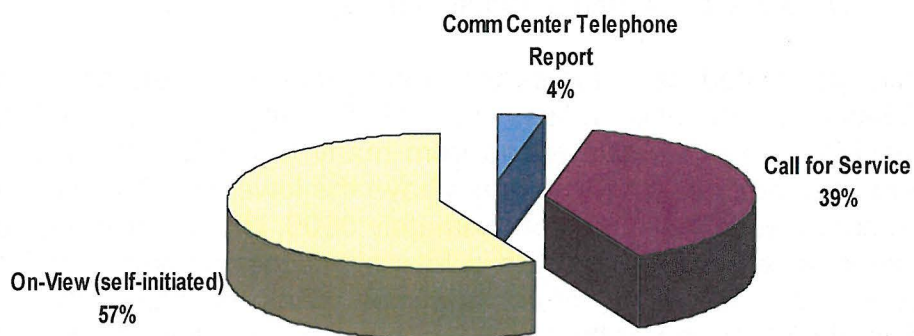
One of the primary responsibilities of a patrol officer is responding to and handling community generated calls for service. Further, workload related to these calls for service, including reports, arrests / bookings, back-up assistance to another patrol officer on a call, etc., as well as the associated times for these activities, are primary responsibilities of the officer. These elements are foundational in deriving the total field staffing levels required based on desired services levels. These elements are further discussed in the following sub-sections.

### **(2.1) Patrol Workloads.**

The first critical data element required to analyze field resources is to document the primary workloads handled by patrol officers. As stated, one of the primary responsibilities of an officer is to respond to community generated calls for service. These calls certainly do not represent all workload, however, such as officer-initiated events, officer observations in the field resulting in a contact, traffic stops, investigative follow-up, administrative time or other activities reflected in Computer-Aided Dispatch (CAD) or other records. Calls for Service, as defined herein, *represent contacts from*

the community, generally via E 9-1-1 telephone and 7-digit telephone calls ultimately resulting in one dispatched incident, regardless of the number of patrol units sent. It is critical to understand this fundamental definition in order to comprehend how future analyses are performed in this report. Community generated calls for service **are not** intended to reflect all workload that patrol officers perform. In fact, many law enforcement agencies define “calls for service” as any relevant law enforcement incident, whether initiated by the community or an officer. While this is not atypical, it must be understood that it does not reflect our methodology for staff evaluation. By example, the following pie chart displays the proportion of incidents generated from various sources based on computer records provided to the project team<sup>8</sup>.

Calendar 2009-2010 KPD Incidents by Type



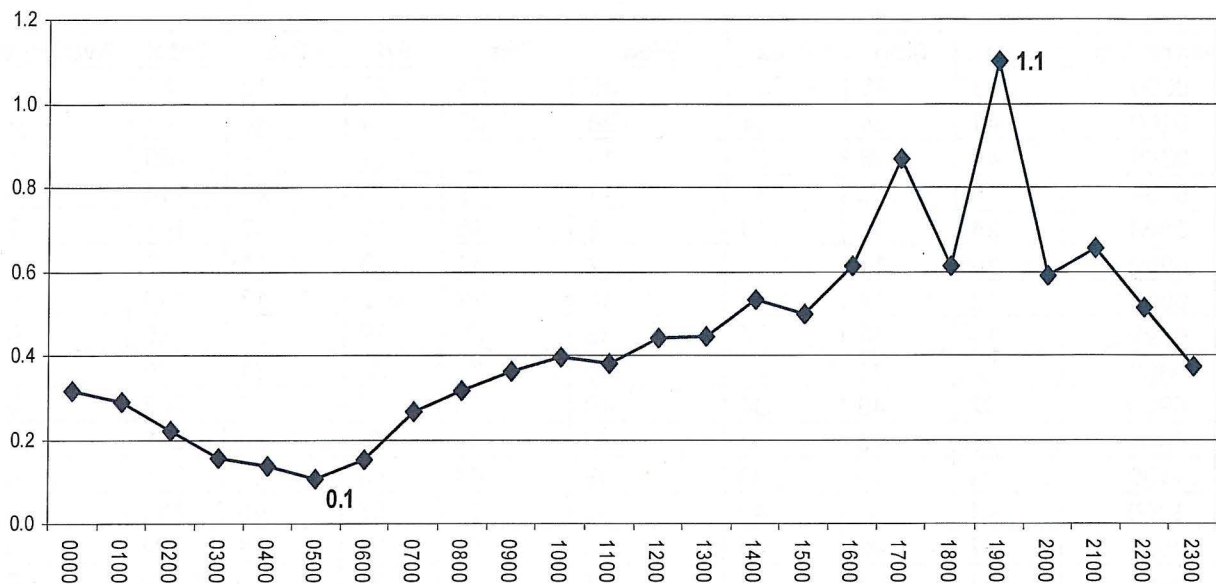
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<sup>8</sup> Data is based on computer records for calendar 2009 and 2010. It is important to note that there are minor discrepancies in data (less than 1 call per day) recently provided from dispatch and those noted in the 2009 Kenmore Annual Report. These are largely focused on the definition of community generated calls for service and alternative call handling or telephone reporting techniques. Indeed, data herein represents slightly more incidents in these categories than noted in the annual report. Consequently, any results noted err on the side of conservative with respect to proactive time, etc.

As shown, 39% of incidents are definitively identified by the project team as community generated calls for service (CFS) requiring police response. These community generated calls for service reflect workload that requires a mandatory response from the law enforcement agency; the community expects service when it telephones its agency. The largest proportion is on-view or self-initiated activities. The calls for service and other data that are available by analyzing CAD and other records reveal the following additional information:

- There were approximately 7,550 community generated calls for service in calendar 2009 and 2010. Although calls vary by both month and day, this averages approximately 10.3 calls each day.
- There were approximately 700 telephonic reports received in the two year period. This is equivalent to approximately one call per day that a KPD officer will not spend time addressing.
- There were approximately 11,150 on-view activities in 2009 and 2010 representing 57% of all incident-related workload. This is equivalent to approximately 15.3 self-initiated activities per day.
- Community generated calls for service distribution by hour, as shown in the graph, reveal peaks and valleys in call for service workload with both commonalities as well as differences from many law enforcement jurisdictions. Generally speaking, early morning hours have the lowest call for service volumes (this is common) with the lull at approximately 0500. Highest activity, however, is in early evening at 1900 hours with a less significant peak during “rush hour.” While calls for services in other agencies peak at either the rush hour (approximately 5:00 p.m.) or the few hours surrounding Midnight, only the former peak is applicable to KPD. Indeed, workload actually declines in the evenings/nights whereas in many other agencies calls escalate more rapidly from late afternoon to midnight.
- As shown in the table on the following page and as is generally typical, Friday/Saturday time periods are the busier days of the week. Similarly, Sunday is the slowest day of the week.

Average Calls for Service Per Hour (2009-10)



Based on the data shown in the table below as well as other information, further workload analysis can be accomplished as described in the project team's models for patrol staffing and deployment discussed in the following sections.



**Calendar 2009 & 2010 Community Generated Calls for Service by Time of Day and Day of Week**

| <b>Military Time</b> | <b>Sun</b> | <b>Mon</b>   | <b>Tues</b> | <b>Wed</b>   | <b>Thu</b>   | <b>Fri</b>   | <b>Sat</b>   | <b>Total</b> | <b>Avg./Hour</b> |
|----------------------|------------|--------------|-------------|--------------|--------------|--------------|--------------|--------------|------------------|
| 0000                 | 53         | 18           | 35          | 30           | 26           | 27           | 42           | 231          | 0.3              |
| 0100                 | 41         | 24           | 24          | 26           | 22           | 30           | 44           | 211          | 0.3              |
| 0200                 | 47         | 18           | 17          | 11           | 9            | 21           | 37           | 160          | 0.2              |
| 0300                 | 25         | 13           | 12          | 11           | 7            | 18           | 28           | 114          | 0.2              |
| 0400                 | 24         | 15           | 13          | 6            | 15           | 11           | 17           | 101          | 0.1              |
| 0500                 | 10         | 14           | 12          | 7            | 11           | 13           | 11           | 78           | 0.1              |
| 0600                 | 12         | 17           | 19          | 16           | 21           | 12           | 13           | 110          | 0.2              |
| 0700                 | 15         | 28           | 27          | 36           | 36           | 29           | 24           | 195          | 0.3              |
| 0800                 | 27         | 34           | 36          | 40           | 30           | 32           | 31           | 230          | 0.3              |
| 0900                 | 32         | 40           | 34          | 40           | 35           | 35           | 47           | 263          | 0.4              |
| 1000                 | 39         | 48           | 35          | 36           | 46           | 43           | 42           | 289          | 0.4              |
| 1100                 | 34         | 35           | 38          | 43           | 44           | 43           | 42           | 279          | 0.4              |
| 1200                 | 41         | 41           | 42          | 43           | 52           | 58           | 45           | 322          | 0.4              |
| 1300                 | 47         | 42           | 44          | 48           | 51           | 38           | 54           | 324          | 0.4              |
| 1400                 | 51         | 71           | 52          | 71           | 36           | 54           | 55           | 390          | 0.5              |
| 1500                 | 41         | 65           | 48          | 60           | 59           | 48           | 44           | 365          | 0.5              |
| 1600                 | 42         | 66           | 56          | 62           | 79           | 77           | 65           | 447          | 0.6              |
| 1700                 | 53         | 79           | 69          | 94           | 121          | 109          | 109          | 634          | 0.9              |
| 1800                 | 51         | 42           | 70          | 70           | 73           | 68           | 73           | 447          | 0.6              |
| 1900                 | 89         | 88           | 103         | 121          | 143          | 127          | 133          | 804          | 1.1              |
| 2000                 | 65         | 45           | 64          | 64           | 63           | 60           | 71           | 432          | 0.6              |
| 2100                 | 62         | 63           | 55          | 74           | 68           | 80           | 76           | 478          | 0.7              |
| 2200                 | 49         | 67           | 45          | 47           | 47           | 74           | 47           | 376          | 0.5              |
| 2300                 | 35         | 30           | 43          | 35           | 26           | 49           | 55           | 273          | 0.4              |
| <b>Total</b>         | <b>985</b> | <b>1,003</b> | <b>993</b>  | <b>1,091</b> | <b>1,120</b> | <b>1,156</b> | <b>1,205</b> | <b>7,553</b> |                  |

## **(2.2) Handling Time.**

A critical component of the Matrix Consulting Group's patrol staffing model is the evaluation of total time spent by patrol personnel handling community generated calls for service. There are a variety of factors that go into determining the time devoted to the "average" call for service. These include the time from call dispatch to call clearance for the primary unit handling the call, the number of calls where a back-up unit (or units) was deployed, how long such back-ups were on scene, report writing time, and jail/booking time. In nearly all instances, data manipulations of CAD computer information or other source data were able to derive these factors for the Kenmore Police Department. Information derived from KPD records can be juxtaposed against various benchmarks that the project team has developed relative to average time required for specific tasks. The following table summarizes the important data factors to arrive at handling time. Observations regarding this data follow the table.

**Factors Involved in Determining How Long a Call for Service Takes**

| <b>Factor in Call For Service Handling Time</b>       | <b>How Data was Determined</b>                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Benchmark</b>        | <b>KPD Time Required</b>      |
|-------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------------|
| <b>Primary Unit Handling Time (dispatch to clear)</b> | Benchmark based on MCG national experience. Data based on calendar 2009 and 2010 community generated calls for service derived from CAD data.                                                                                                                                                                                                                                                                                                                              | 30-40 minutes/call      | 42.5 minutes/call             |
| <b>Average Back-up Units per Call for Service</b>     | Benchmark based on MCG national experience. Data based on calendar 2009 and 2010 community generated calls for service derived from CAD data.                                                                                                                                                                                                                                                                                                                              | 0.50 units/call         | 0.31 units/call               |
| <b>Average Time Back-up Unit(s) at Scene per Call</b> | Benchmark based on MCG national experience of ~75% of Primary Unit Time at scene. Data provided through CAD data and based on: (39.4 minutes handling time for back-up unit X .31 Units per call X .67 Kenmore PD units in back-up role). Note that in about one-third of CFS a KCSO deputy is cross-dispatched instead of utilizing a KPD officer—this is not counted as workload for KPD (but will be required in the future due to the Kirkland issue noted elsewhere). | 11.25-15.0 minutes/call | 8.1 <sup>9</sup> minutes/call |
| <b>Average Time All Units at Scene</b>                | Sum of Primary and Average Back-up.                                                                                                                                                                                                                                                                                                                                                                                                                                        | 41.25-55.0 min/call     | <b>50.6 min/call</b>          |
| <b>Report Writing Time</b>                            | Based on KPD interviews and benchmark data available from other departments.                                                                                                                                                                                                                                                                                                                                                                                               | 30 min/report           | 30 min/report                 |

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<sup>9</sup> The .31 units per call includes cross-dispatched KCSO units; the time calculation does not. If KCSO outside of Kenmore were included, back-up time would increase to 12.2 minutes per CFS.

|                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                  |                              |
|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------|
| <b>Report Writing Calls for Service Allocation</b>                         | Benchmark based on MCG national experience. Based on data provided by KPD. Reports are written for incidents beyond community-generated calls for service. Further, not all incidents/call receive a report. For calculation purposes however, reports must be linked to calls for service. Based on 3,709 reports written in field (not by Dispatch) and 7,553 CFS in 2009 and 2010, approximately 49% of calls for service have a mathematically linked report. Report writing time was proportionally allocated to <u>each</u> community generated call for service resulting in the min/call noted. It is assumed reports are written <i>after</i> calls for service are cleared. | 25%-50% of CFS will have report. | 14.7 min/call                |
| <b>Jail Run Time Calls for Service Allocation</b>                          | Based on Jail-run Booking statistics for KPD and benchmarking. Similar to reports, Jail Runs are also for incidents beyond community generated calls for service. Further, not all incidents/calls require a jail run; indeed, only a small portion result in an arrest. For calculation purposes, jail runs must be linked to calls for service. In 2009 and 2010, 420 bookings were made. As with reports above, the total jail time was proportionally allocated to <u>each</u> call for service. It is assumed all jail bookings are performed <i>after</i> calls for service are cleared, although practically this is not the case in every instance.                           | 40 minutes per booking           | 2.3 min/call                 |
| <b>TOTAL FIELD TIME DEDICATED PER COMMUNITY-GENERATED CALL FOR SERVICE</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                  | <b>67.6 minutes per call</b> |

As shown above, the project team allocated average handling time per community-generated call for services at 67.6 minutes based upon calendar 2009 and 2010 data. This includes time spent by all primary and back-up units, includes travel time and on-scene time, and allocates all arrest/booking (jail) time and all report writing time. The following additional observations are noted:

- With regard to call handling time for a primary KPD unit, total time from dispatch to call clearance is 42.5 minutes—slightly longer than the upper benchmark regarding calls for service time required. While response time is slightly longer in Kenmore (discussed later), total time allocated to calls should not be considered alarming given the relatively limited activity in Kenmore, allowing KPD officers to spend time on calls. Oftentimes, law enforcement agencies, particularly those

with busy calls for service workloads, approach the low end of the benchmark range (30 minutes per call).

- With respect to back-up units, the following observations are noted:
  - The proportion of back-up units deployed to Kenmore calls for service is lower than regularly observed. Calls for service in many communities have an approximate 0.5 back-up rate, meaning an average of 1.5 units responds to each call for service. KPD has an average of 1.31 units responding to a call, somewhat less than the benchmark.
  - Conversely, while many back-up units spend 75% of the primary unit's time on a call, in the case of Kenmore, such units spend nearly the entire time at the call for service—approximately 93%. In sum, if back-up units are deployed they tend to stay for the duration of the call.
  - Of interest, it should be noted that based on the information provided, approximately one-in-three back-up units is not a KPD officer but a cross-dispatched KSCO deputy. Upon the Kirkland annexation Kenmore will lose much of this cross-dispatch capability and consequently is increasing its minimum staffing levels. The workload calculations noted herein, therefore, will be slightly lower than what will be experienced in the future, as KPD officers will likely be spending a small portion of their time in additional back-up roles.

In sum, while back-up rate is lower, back-up on-scene time is higher. This again, is largely a function of the Kenmore community make-up. That is, a relatively quiet community resulting in a need for limited law enforcement resources. Limited resources does, however, result in somewhat limited flexibility, the outcome of which is that often one-person patrol cruisers are regularly dispatched to calls with less back-up than their busier counterpart agencies.

- With regard to report writing, jail runs, and other calls for service linked functions there appear to be no vagaries compared to various benchmarks. Indeed, the overall “average time at scene” is within the benchmark range and total call handling time approximates one-hour (67.6 minutes). This is not unusual workload for any law enforcement call for service workload.

In sum, these formulae link the major activities performed by patrol officers to community generated calls for service. The resultant time of 67.6 minutes is a fundamental building block in determining resources necessary to provide efficient and effective patrol services.



### (2.3) Officer Availability.

Another critical workload element to determine staffing requirements is the amount of annual time available for field personnel to perform their work. A typical employee is paid for 2,080 regular hours per year; however, these employees perform core business duties well below this figure due to scheduled and unscheduled leave, administrative requirements, etc. The tables which follow, provide the calculation of the “net availability” of police officers in patrol, based on data abstracted from source documents provided by KPD. The project team defines net availability as the number of hours that an officer (or any other employee) is available to perform his/her key roles and responsibilities after the impact of leaves and other necessary administrative responsibilities have been subtracted from his/her gross 2,080 scheduled hours of work.

**Leave Type and Hours (2009/2010 Data)**

| Leave Type                                                    | Ave Hrs Per Officer<br>Per Year |
|---------------------------------------------------------------|---------------------------------|
| <i>Baseline Annual Hours Available</i>                        | <i>2,080.00</i>                 |
| Sick                                                          | 38                              |
| Compensatory Time Used                                        | 52                              |
| Bereavement, School event, etc.                               | 2                               |
| Vacation                                                      | 124                             |
| <b>Average Annual Assignment Hours Available<sup>10</sup></b> | <b>1,863</b>                    |

The table, above, shows that the “average” Police Officer is deployed during regular work hours 1,863 hours per year. The points, below, expand on key issues identified in the table:

- Data show that Police Officers are assigned 1,863 hours after all leave categories have been accounted for. This is equivalent to 90% of the available annual time. Net availability includes the impact of all absenteeism factors

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<sup>10</sup> Annual hours available does not include hours that an officer may work on overtime. Practically speaking, an officer can be available far more than 2,080 hours per annum if they wish. However for staff modeling “mandated overtime” is not considered as it would result in fewer officers needed than might otherwise be necessary.

including compensatory days off, unscheduled leave such as sick time, etc. that take an officer out of the patrol schedule.

- Based on the project team's experience, the current available hours exceed the range of 1,700-1,800 hours typically found within most law enforcement agencies. Interestingly, sick time utilization is very low compared to many police agencies the project team has analyzed. Similarly, compensatory time taken is also somewhat lower.

Although officers are assigned 90% of available work time per annum after leave, they are not available to perform core business work until various administrative time is subtracted from their assignment, per policy or otherwise. The following table captures these requirements, resulting in an average "net availability" for each officer per year.

**Administrative Assignment Requirements**

| <b>Administrative Requirement</b>                                        | <b>Average Hours Per Officer Per Year</b> | <b>Explanation of Information</b>                                                                      |
|--------------------------------------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <i>Average Assignment Hours Available</i>                                | 1,863                                     | Based on above calculations.                                                                           |
| Meals/Breaks                                                             | -186                                      | One ½-hour meal, two 15-minute breaks based on policy. Hours based on average 10-hour shifts deployed. |
| Briefings                                                                | -39                                       | Average of 50 minutes per week briefing; calculated attend apx. 47 briefings per year.                 |
| Vehicle Fueling / Check                                                  | -31                                       | Average of 10 minutes per shift. Hours based on average 10-hour shifts deployed.                       |
| Mandated/Essential Training                                              | -90                                       | Based on 2009 and 2010 KPD/KCSO Training records.                                                      |
| <i>Total Administrative Hours Used</i>                                   | -346                                      | <i>Sum of above</i>                                                                                    |
| <b>Net Annual Available Hours After All Leave/Administrative Factors</b> | <b>1,517</b>                              | Final "net availability" calculation.                                                                  |

The calculations above are based upon policy, data available and consultation with KPD staff regarding the impacts of administrative responsibilities, training as well as time off factors associated with meals, etc. These factors are summarized below:

- **Meals and Breaks** are calculated at one-half hour for meals and one-half hour for two 15-minute breaks per policy. Experience suggests, however, that breaks are not always taken.
- **Shift Briefing** is based on a scheduled 50 minute briefing each week. Based on absenteeism each KPD officer will likely miss a small portion of briefings.
- **Mandated/Essential Training** is based on actual training records during on-duty time (as opposed to overtime). While 90 hours per KPD officer on-duty training are calculated based on two years' records, total training received is slightly more due to this being performed on overtime.
- **Vehicle Fueling** and vehicle walk-around is scheduled for 10 minutes per shift. This is an estimate based on our and KPD's experience.

With the exception of training, it should be noted that these administrative requirements are also consistent with most other law enforcement agencies and are not outside of ranges typically seen by the project team. Training hours are partially higher in KPD than many other agencies; however, the Matrix Consulting Group is a proponent of training and thus does not believe such training is excessive.

#### **(2.4) Calculating Resource Needs Based on Available Time.**

Upon developing community generated calls for service data and net officer availability information, the final step in determining resource requirements is calculating the proportion of proactive time available to patrol services. In effect, patrol staffing levels are largely driven by the patrol officer's time, which can be classified into two categories—proactive and reactive time. Ultimately, the amount of proactive time is inextricably linked to the ability of officers to perform those duties and responsibilities above the basic response to community generated calls for service. Without sufficient proactive or unobligated time, a patrol operation is severely handicapped in its ability to respond effectively to local and regional crime, traffic, and quality of life issues unique to each community. The following section describes time definitions in further detail.

**(2.5) Response-Oriented Patrol Requirements (Also Known as “Reactive or Committed Time”).**

Reactive or Committed time, is classified as the handling of community-generated calls for service and the immediate responsibilities linked directly to that specific incidence, including reports, arrests / bookings, back-up assistance to another patrol deputy on a call, etc. In effect, reactive time includes the period of work from the point at which a unit responds to a call to the point when a unit “clears for service.” The following points are noted with respect to response-oriented or reactive time.

- This is a primary mission of any law enforcement field patrol force.
- Clearly defined areas of responsibility and clearly defined back-up relationships are a core concept for consistent ‘committed time’ service delivery.
- A Department should have clearly defined response policies in place – this includes: prioritization of calls, response time targets for each priority, back-up policies, and supervisor on-scene policies. In the absence of such formal policies, common practice, or ideally ‘best practice guidelines’ can be used.
- This Reactive or Committed time workload in many communities generally makes up an average of between 40% and 60% of each officer’s net available time per shift. This includes the time to prepare reports, transport and book prisoners, and provide field back-up. The concept of Reactive (and Proactive) time is widely acknowledged by various established bodies, including the International Association of Chiefs of Police, Northwestern Universities Police Allocation Model, etc.

The calculation of reactive or committed time is one of the cornerstones to patrol staffing level findings, conclusions and recommendations.

**(2.6) Proactive Patrol Requirements (Also Known as “Uncommitted or Unobligated Time”).**

The following points are noted with respect to Proactive or Uncommitted time:

- Proactive enforcement addresses all other workloads that are not in response to a community-generated call for service. These include such important services as officer self-initiated activity, proactive or preventive patrol, investigative follow-

up, traffic enforcement, etc. It is critical to recognize that all self-initiated activity falls within the uncommitted time category.

- A Department should have clearly defined uses for uncommitted time. Officers should know what they are expected to do with time between calls for service.
- The 'proactive' element of field patrol in many law enforcement agencies generally makes up between 40% and 60% of each officer/deputy's day, on average. Typically, less than 30% net proactive time available to patrol staff results in inefficient bundling of available time – i.e., uncommitted time comes in intervals too short to be effectively used by field personnel. Proactive time of more than 50% generally results in less than efficient use of community resources, as it is difficult to effectively manage field patrol personnel with this level of uncommitted time. There are important exceptions, however, to these ratios that can be impacted by such issues as officer safety, response times, etc. For example, *very small agencies with an extremely small contingent of field staff must have high levels of proactive time*, often in the 60% range, to address response time, potential officer safety, and other performance-related issues.

The calculation of Proactive or Uncommitted time is the other cornerstone to staffing level findings, conclusions and recommendations. These elements are further discussed in the following sections.

#### **4. ANALYSIS OF PROACTIVE TIME LEVELS INDICATES INTERESTING FINDINGS WITH REGARD TO KENMORE PATROL OPERATIONS.**

This section provides the project team's analysis of proactive time calculation related to the Kenmore Police Department's patrol services.

##### **(1) Proactive Time Targeting.**

The project team developed an analysis of proactive time to assist in the evaluation of current patrol deployment and determine staff resource allocation and, ultimately, requirements. The concept of proactive time is very important in law enforcement; reiterating, it is the amount of time available to field deployed officers after handling community generated calls for service and related workloads. If field personnel are committed to calls for service response a large proportion of the time and



have little “unobligated” time, they have little capability to undertake self-initiated activity, impact the root causes of crime and quality of life issues, or to work closely with citizens of the community. Moreover, field personnel with little uncommitted time find it difficult to produce response times that are generally satisfactory. This is particular problematic for emergency responses where life is potentially endangered or property severely jeopardized. Police departments that have developed a problem-oriented or community policing program based on effective use of proactive time typically have an average range of 40% - 45% uncommitted time, but can reach up to 50% or higher dependent upon the unique operating circumstances of the law enforcement agency.

Several key factors should be kept in mind when reviewing the analysis of proactive time.

- Proactive time availability was calculated using the community generated calls for service methodology and net availability and other information provided in the preceding sections.
- Proactive time availability is based on two years’ of data and represents a “snapshot” in time; it may not reflect what is occurring now or what is planned to occur in the future, but it can certainly be representative of near-term patrol operations and thus can drive staffing level requirements.
- Proactive time calculations are based on a few fundamental assumptions that might not completely mirror reality. By example, based on the calls for service time calculations, it assumes reports and arrests/bookings are equally distributed throughout the 24/7 cycle. This, of course, is extremely unlikely, as arrests and reports ebb and flow dependent upon several variables. Also note that the proactive time calculation assumes that meals and administrative duties are equally distributed and provided throughout a shift. However, these activities are likely put on hold or eliminated until, by example, a call for service backlog can be handled. Despite these assumptions that must be used given the vagaries of patrol workload, proactive time calculations are the soundest methodology for field services staffing and scheduling.
- Proactive time calculations can change dependent upon the number of patrol officers deployed and assigned to each time period. In effect, officer resources

founded on call for service and net availability data drive proactive time availability and ultimately staff modeling.

The following section describes proactive time availability based on different staff deployment scenarios.

## **(2) Proactive Time Calculation Walk-Through.**

In order to understand how proactive time modeling works, the project team chose a recent patrol deployment strategy for KPD. Field officer deployments as reflected by both staffing and scheduling options, impact proactive time significantly and, by association, the implied ability to perform in the most productive fashion. The sections that follow show hourly proactive time levels and overall proactive time based on these deployment strategies.

### **(2.1) Proactive Time Levels – Calls for Service Workload by Hour/Day.**

As previously noted, the KPD deploys officers on a ten hour schedule whereby staff are scheduled for four-days on and three-days off, with each staff having an alternate work schedule. Further, given shift overlaps from Graveyard Shift deployment, during the Swing Shift period additional staff are typically available from 1900 to 0100 hours. Based upon the data provided, the project team developed a table showing the amount of time dedicated to handling patrol-based community-generated calls for service by hour and by day of week. This data calculates all previously noted data elements shown in this report, including calls for service information, call handling information, report development information, and primary versus secondary unit involvement data. The following table shows the total (average) amount of minutes necessary to handle calls for service based upon two years worth of calls for service information.

**Total (average) Minutes Required to Handle Community Generated Calls for Service**

| <b>Time/Day</b> | <b>Sun</b> | <b>Mon</b> | <b>Tue</b> | <b>Wed</b> | <b>Thu</b> | <b>Fri</b> | <b>Sat</b> |
|-----------------|------------|------------|------------|------------|------------|------------|------------|
| <b>0000</b>     | 34.5       | 11.7       | 22.8       | 19.5       | 16.7       | 17.4       | 27.3       |
| <b>0100</b>     | 26.7       | 15.6       | 15.6       | 16.9       | 14.2       | 19.3       | 28.6       |
| <b>0200</b>     | 30.6       | 11.7       | 11.1       | 7.2        | 5.8        | 13.5       | 24.1       |
| <b>0300</b>     | 16.3       | 8.5        | 7.8        | 7.2        | 4.5        | 11.6       | 18.2       |
| <b>0400</b>     | 15.6       | 9.8        | 8.5        | 3.9        | 9.7        | 7.1        | 11.1       |
| <b>0500</b>     | 6.5        | 9.1        | 7.8        | 4.6        | 7.1        | 8.4        | 7.2        |
| <b>0600</b>     | 7.8        | 11.1       | 12.4       | 10.4       | 13.5       | 7.7        | 8.5        |
| <b>0700</b>     | 9.8        | 18.2       | 17.6       | 23.4       | 23.2       | 18.7       | 15.6       |
| <b>0800</b>     | 17.6       | 22.1       | 23.4       | 26.0       | 19.3       | 20.6       | 20.2       |
| <b>0900</b>     | 20.8       | 26.0       | 22.1       | 26.0       | 22.5       | 22.5       | 30.6       |
| <b>1000</b>     | 25.4       | 31.2       | 22.8       | 23.4       | 29.6       | 27.7       | 27.3       |
| <b>1100</b>     | 22.1       | 22.8       | 24.7       | 28.0       | 28.3       | 27.7       | 27.3       |
| <b>1200</b>     | 26.7       | 26.7       | 27.3       | 28.0       | 33.5       | 37.3       | 29.3       |
| <b>1300</b>     | 30.6       | 27.3       | 28.6       | 31.2       | 32.8       | 24.5       | 35.1       |
| <b>1400</b>     | 33.2       | 46.2       | 33.8       | 46.2       | 23.2       | 34.8       | 35.8       |
| <b>1500</b>     | 26.7       | 42.3       | 31.2       | 39.0       | 38.0       | 30.9       | 28.6       |
| <b>1600</b>     | 27.3       | 42.9       | 36.4       | 40.3       | 50.9       | 49.6       | 42.3       |
| <b>1700</b>     | 34.5       | 51.4       | 44.9       | 61.1       | 77.9       | 70.2       | 70.9       |
| <b>1800</b>     | 33.2       | 27.3       | 45.5       | 45.5       | 47.0       | 43.8       | 47.5       |
| <b>1900</b>     | 57.9       | 57.2       | 67.0       | 78.7       | 92.1       | 81.8       | 86.5       |
| <b>2000</b>     | 42.3       | 29.3       | 41.6       | 41.6       | 40.6       | 38.6       | 46.2       |
| <b>2100</b>     | 40.3       | 41.0       | 35.8       | 48.1       | 43.8       | 51.5       | 49.4       |
| <b>2200</b>     | 31.9       | 43.6       | 29.3       | 30.6       | 30.3       | 47.6       | 30.6       |
| <b>2300</b>     | 22.8       | 19.5       | 28.0       | 22.8       | 16.7       | 31.5       | 35.8       |

Particular highlights regarding the above information include:

- As with the calls for service distribution noted previously, the amount of time dedicated to calls for service workload generally peaks around the 1900 hour timeframe.
- Calls for service workload is extremely low in the early morning hours.

These workload fluctuations result in varied staffing requirements throughout the week as discussed subsequently.

**(2.2) Proactive Time Levels – Staffing Pattern Impact.**

As replicated from a previous table, the following represents a recent deployment schedule for KPD patrol staff.

**Typical KPD Deputy Patrol Deployment Schedule – Early 2010**

|               | Sun      | Mon      | Tue      | Wed      | Thr      | Fri      | Sat      |
|---------------|----------|----------|----------|----------|----------|----------|----------|
| Day 1         | 1        | 1        |          |          |          | 1        | 1        |
| Day 2         | 1        | 1        | 1        | 1        |          |          |          |
| Day 3         |          |          | 1        | 1        | 1        | 1        |          |
| <b>TOTAL:</b> | <b>2</b> | <b>2</b> | <b>2</b> | <b>2</b> | <b>1</b> | <b>2</b> | <b>1</b> |
| Swing 1       | 1        | 1        |          |          |          | 1        | 1        |
| Swing 2       | 1        | 1        | 1        | 1        |          |          |          |
| Swing 3       |          |          |          | 1        | 1        | 1        | 1        |
| <b>TOTAL:</b> | <b>2</b> | <b>2</b> | <b>1</b> | <b>2</b> | <b>1</b> | <b>2</b> | <b>2</b> |
| Grave 1       | 1        | 1        |          |          |          | 1        | 1        |
| Grave 2       | 1        | 1        | 1        | 1        |          |          |          |
| Grave 3       |          |          |          | 1        | 1        | 1        | 1        |
| <b>TOTAL:</b> | <b>2</b> | <b>2</b> | <b>1</b> | <b>2</b> | <b>1</b> | <b>2</b> | <b>2</b> |

This scheduling philosophy, combined with the number of officers deployed on each shift, impacts calculated proactive time levels. The following table provides assigned officers by hour by day based upon the above schedule. This includes the overlap shift from 1900-0100 hours.



**Total KPD Officers Assigned by Hour by Day of Week**

| <b>Time/Day</b> | <b>Sun</b> | <b>Mon</b> | <b>Tue</b> | <b>Wed</b> | <b>Thu</b> | <b>Fri</b> | <b>Sat</b> |
|-----------------|------------|------------|------------|------------|------------|------------|------------|
| <b>0000</b>     | 4.0        | 4.0        | 2.0        | 4.0        | 2.0        | 4.0        | 4.0        |
| <b>0100</b>     | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        | 2.0        | 2.0        |
| <b>0200</b>     | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        | 2.0        | 2.0        |
| <b>0300</b>     | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        | 2.0        | 2.0        |
| <b>0400</b>     | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        | 2.0        | 2.0        |
| <b>0500</b>     | 2.0        | 2.0        | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        |
| <b>0600</b>     | 2.0        | 2.0        | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        |
| <b>0700</b>     | 2.0        | 2.0        | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        |
| <b>0800</b>     | 2.0        | 2.0        | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        |
| <b>0900</b>     | 2.0        | 2.0        | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        |
| <b>1000</b>     | 2.0        | 2.0        | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        |
| <b>1100</b>     | 2.0        | 2.0        | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        |
| <b>1200</b>     | 2.0        | 2.0        | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        |
| <b>1300</b>     | 2.0        | 2.0        | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        |
| <b>1400</b>     | 2.0        | 2.0        | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        |
| <b>1500</b>     | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        | 2.0        | 2.0        |
| <b>1600</b>     | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        | 2.0        | 2.0        |
| <b>1700</b>     | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        | 2.0        | 2.0        |
| <b>1800</b>     | 2.0        | 2.0        | 1.0        | 2.0        | 1.0        | 2.0        | 2.0        |
| <b>1900</b>     | 4.0        | 4.0        | 2.0        | 4.0        | 2.0        | 4.0        | 4.0        |
| <b>2000</b>     | 4.0        | 4.0        | 2.0        | 4.0        | 2.0        | 4.0        | 4.0        |
| <b>2100</b>     | 4.0        | 4.0        | 2.0        | 4.0        | 2.0        | 4.0        | 4.0        |
| <b>2200</b>     | 4.0        | 4.0        | 2.0        | 4.0        | 2.0        | 4.0        | 4.0        |
| <b>2300</b>     | 4.0        | 4.0        | 2.0        | 4.0        | 2.0        | 4.0        | 4.0        |

As shown above, staffing resources range from one to four officers scheduled for deployment based upon the schedule. This, however, does not reflect the officer availability discussed previously. Once leave and administrative time is considered, as noted previously only 1,517 hours per officer per year is available to actually provide core patrol services. This impacts the schedule as noted below:



**Total (Average) KPD Officers FTEs Available Based on Schedule**

| <b>Time/Day</b> | <b>Sun</b> | <b>Mon</b> | <b>Tue</b> | <b>Wed</b> | <b>Thu</b> | <b>Fri</b> | <b>Sat</b> |
|-----------------|------------|------------|------------|------------|------------|------------|------------|
| <b>0000</b>     | 2.9        | 2.9        | 1.5        | 2.9        | 1.5        | 2.9        | 2.9        |
| <b>0100</b>     | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        | 1.5        | 1.5        |
| <b>0200</b>     | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        | 1.5        | 1.5        |
| <b>0300</b>     | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        | 1.5        | 1.5        |
| <b>0400</b>     | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        | 1.5        | 1.5        |
| <b>0500</b>     | 1.5        | 1.5        | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        |
| <b>0600</b>     | 1.5        | 1.5        | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        |
| <b>0700</b>     | 1.5        | 1.5        | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        |
| <b>0800</b>     | 1.5        | 1.5        | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        |
| <b>0900</b>     | 1.5        | 1.5        | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        |
| <b>1000</b>     | 1.5        | 1.5        | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        |
| <b>1100</b>     | 1.5        | 1.5        | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        |
| <b>1200</b>     | 1.5        | 1.5        | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        |
| <b>1300</b>     | 1.5        | 1.5        | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        |
| <b>1400</b>     | 1.5        | 1.5        | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        |
| <b>1500</b>     | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        | 1.5        | 1.5        |
| <b>1600</b>     | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        | 1.5        | 1.5        |
| <b>1700</b>     | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        | 1.5        | 1.5        |
| <b>1800</b>     | 1.5        | 1.5        | 0.7        | 1.5        | 0.7        | 1.5        | 1.5        |
| <b>1900</b>     | 2.9        | 2.9        | 1.5        | 2.9        | 1.5        | 2.9        | 2.9        |
| <b>2000</b>     | 2.9        | 2.9        | 1.5        | 2.9        | 1.5        | 2.9        | 2.9        |
| <b>2100</b>     | 2.9        | 2.9        | 1.5        | 2.9        | 1.5        | 2.9        | 2.9        |
| <b>2200</b>     | 2.9        | 2.9        | 1.5        | 2.9        | 1.5        | 2.9        | 2.9        |
| <b>2300</b>     | 2.9        | 2.9        | 1.5        | 2.9        | 1.5        | 2.9        | 2.9        |

In some periods it is noted that less than one officer is, on average, available during certain time periods (e.g. Thursday morning and afternoons). For modeling purposes, this will not yet be adjusted; practically however, with respect to actual deployment, clearly KPD will have at least one person always in the field.

**(2.3) Proactive Time Analysis Indicates Kenmore Patrol Staffing Levels are More than Satisfactory to Handle Workloads.**

Based on this net availability, the following minutes are available per hour per day to perform patrol-related work.

**Minutes per Hour/Day to Perform Patrol Related Work**

| <b>Time/Day</b> | <b>Sun</b> | <b>Mon</b> | <b>Tue</b> | <b>Wed</b> | <b>Thu</b> | <b>Fri</b> | <b>Sat</b> |
|-----------------|------------|------------|------------|------------|------------|------------|------------|
| <b>0000</b>     | 175.0      | 175.0      | 87.5       | 175.0      | 87.5       | 175.0      | 175.0      |
| <b>0100</b>     | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       | 87.5       | 87.5       |
| <b>0200</b>     | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       | 87.5       | 87.5       |
| <b>0300</b>     | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       | 87.5       | 87.5       |
| <b>0400</b>     | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       | 87.5       | 87.5       |
| <b>0500</b>     | 87.5       | 87.5       | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       |
| <b>0600</b>     | 87.5       | 87.5       | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       |
| <b>0700</b>     | 87.5       | 87.5       | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       |
| <b>0800</b>     | 87.5       | 87.5       | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       |
| <b>0900</b>     | 87.5       | 87.5       | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       |
| <b>1000</b>     | 87.5       | 87.5       | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       |
| <b>1100</b>     | 87.5       | 87.5       | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       |
| <b>1200</b>     | 87.5       | 87.5       | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       |
| <b>1300</b>     | 87.5       | 87.5       | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       |
| <b>1400</b>     | 87.5       | 87.5       | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       |
| <b>1500</b>     | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       | 87.5       | 87.5       |
| <b>1600</b>     | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       | 87.5       | 87.5       |
| <b>1700</b>     | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       | 87.5       | 87.5       |
| <b>1800</b>     | 87.5       | 87.5       | 43.8       | 87.5       | 43.8       | 87.5       | 87.5       |
| <b>1900</b>     | 175.0      | 175.0      | 87.5       | 175.0      | 87.5       | 175.0      | 175.0      |
| <b>2000</b>     | 175.0      | 175.0      | 87.5       | 175.0      | 87.5       | 175.0      | 175.0      |
| <b>2100</b>     | 175.0      | 175.0      | 87.5       | 175.0      | 87.5       | 175.0      | 175.0      |
| <b>2200</b>     | 175.0      | 175.0      | 87.5       | 175.0      | 87.5       | 175.0      | 175.0      |
| <b>2300</b>     | 175.0      | 175.0      | 87.5       | 175.0      | 87.5       | 175.0      | 175.0      |

The ratio of calls for service workload minutes shown earlier and minutes of patrol work available shown above are used to calculate both proactive and reactive time available. The following table shows the amount of proactive time calculated based upon the modeling exercise:



**Proactive Time Levels – Recent 4/10 Schedule, 3 KPD Officers Deployed Per Shift**

| Time/Day                   | Sun        | Mon        | Tue        | Wed        | Thu        | Fri        | Sat        | AVERAGE |
|----------------------------|------------|------------|------------|------------|------------|------------|------------|---------|
| 0000                       | 80%        | 93%        | 74%        | 89%        | 81%        | 90%        | 84%        | 85%     |
| 0100                       | 70%        | 82%        | 64%        | 81%        | 68%        | 78%        | 67%        | 73%     |
| 0200                       | 65%        | 87%        | 75%        | 92%        | 87%        | 85%        | 73%        | 80%     |
| 0300                       | 81%        | 90%        | 82%        | 92%        | 90%        | 87%        | 79%        | 86%     |
| 0400                       | 82%        | 89%        | 81%        | 96%        | 78%        | 92%        | 87%        | 86%     |
| 0500                       | 93%        | 90%        | 91%        | 95%        | 84%        | 90%        | 84%        | 89%     |
| 0600                       | 91%        | 87%        | 86%        | 88%        | 69%        | 91%        | 81%        | 85%     |
| 0700                       | 89%        | 79%        | 80%        | 73%        | 47%        | 79%        | 64%        | 73%     |
| 0800                       | 80%        | 75%        | 73%        | 70%        | 56%        | 76%        | 54%        | 69%     |
| 0900                       | 76%        | 70%        | 75%        | 70%        | 49%        | 74%        | 30%        | 64%     |
| 1000                       | 71%        | 64%        | 74%        | 73%        | 32%        | 68%        | 38%        | 60%     |
| 1100                       | 75%        | 74%        | 72%        | 68%        | 35%        | 68%        | 38%        | 61%     |
| 1200                       | 70%        | 70%        | 69%        | 68%        | 23%        | 57%        | 33%        | 56%     |
| 1300                       | 65%        | 69%        | 67%        | 64%        | 25%        | 72%        | 20%        | 55%     |
| 1400                       | 62%        | 47%        | 61%        | 47%        | 47%        | 60%        | 18%        | 49%     |
| 1500                       | 70%        | 52%        | 29%        | 55%        | 13%        | 65%        | 67%        | 50%     |
| 1600                       | 69%        | 51%        | 17%        | 54%        | -16%       | 43%        | 52%        | 38%     |
| 1700                       | 61%        | 41%        | -2%        | 30%        | -78%       | 20%        | 19%        | 13%     |
| 1800                       | 62%        | 69%        | -4%        | 48%        | -7%        | 50%        | 46%        | 38%     |
| 1900                       | 67%        | 67%        | 24%        | 55%        | -5%        | 53%        | 51%        | 45%     |
| 2000                       | 76%        | 83%        | 52%        | 76%        | 54%        | 78%        | 74%        | 70%     |
| 2100                       | 77%        | 77%        | 59%        | 73%        | 50%        | 71%        | 72%        | 68%     |
| 2200                       | 82%        | 75%        | 67%        | 83%        | 65%        | 73%        | 83%        | 75%     |
| 2300                       | 87%        | 89%        | 68%        | 87%        | 81%        | 82%        | 80%        | 82%     |
| <b>AVERAGE:</b>            | <b>75%</b> | <b>74%</b> | <b>60%</b> | <b>72%</b> | <b>43%</b> | <b>71%</b> | <b>58%</b> |         |
| <b>OVERALL WEEKLY AVG:</b> | <b>65%</b> |            |            |            |            |            |            |         |

The following is noted regarding the data in the table.

- Overall proactive time for the 24-hour period is calculated at 65% – exceeding the proactive targets noted previously, but with wide variations dependent upon the hour of the day.
- As shown above, proactive time levels vary considerably throughout the 24-hour period ranging from a calculated 13% in the 1700 hour time block to 89% in the 0500 time block. Overall, proactive time is highest in the latter part of Graveyard Shift during the early morning hours, with an average of 86%-89% proactive time at 3:00 a.m. to 6:00 a.m. It is fairly common to see high proactive time levels during these hours given the need to provide a minimum level of staffing

coverage for officer safety and the lower community generated workload levels typically found during these hours.

- Proactive time in a few instances results in a negative number. This model outcome indicates that, on average, there is insufficient time for the patrol resources deployed to attend to the workloads occurring. What happens in reality is that such work is queued by dispatch, administrative work allocated during this period is forgone, other resources beyond deployed patrol officers respond (e.g. the traffic unit) to the incident, these calls are resolved in a time well below the average, etc. Proactive/reactive time modeling has these kinds of weaknesses at individual hour blocks, but becomes more accurate and “representative of reality” in larger time frames.
- Proactive time is lower during some periods of the afternoon; particularly noteworthy is during the “rush hour” period of 1700 hours or 5 p.m. The model, of course, is calculated on net availability. Adjusting the model to allow for one officer to be deployed regardless of net availability calculations<sup>11</sup> still results in only 19% proactive time overall at 1700 (as opposed to 13%). These levels of proactive time indicate officers are generally very busy with call workload during these time periods.
- While proactive time varies significantly dependent upon the time of day and day of week—which is often the case for small communities deploying limited police resources—overall proactive time for the week averages 65%. This is further differentiated by the three shifts as shown below.

**Proactive Time by KPD Shift**

| <b>Day Shift</b> | <b>Swing Shift</b> | <b>Graveyard Shift</b> |
|------------------|--------------------|------------------------|
| 66%              | 56%                | 75%                    |

These proactive time levels are more than sufficient to perform effective committed and uncommitted time work. Indeed, they overall exceed the 40% to 60% range noted previously.

In summary, based on proactive time modeling, there are more than sufficient patrol resources available in Kenmore based on existing staffing allocation of 9 patrol officers or three officers per shift. Yet, as noted in the introduction, other considerations must be made for law enforcement agencies that have relatively few resources, despite community generated workloads and crime incidence.

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<sup>11</sup> From a practical operational perspective this is done with either overtime hours, temporary re-assignment of a Traffic Car or Storefront Officer to a patrol assignment, etc.

**5. THE PROJECT TEAM'S PROACTIVE TIME ANALYSIS IS ONLY ONE COMPONENT IN DEVELOPING PATROL RESOURCE NEEDS.**

There are several issues to be considered beyond that of proactive time availability. Balancing proactive time throughout the 24-hour period with appropriate staffing to help facilitate officer safety is one important objective. How officers use proactive time is another consideration. Beyond these framing issues, current authorized staffing levels for Patrol reflect that KPD is currently within the reasonable range of staffing levels required to efficiently and effectively perform proactive community-response policing services in most instances. That is, there should be no assumption that KPD patrol operations at authorized staffing levels are severely understaffed based on workload requirements; indeed, it is just the opposite. More than sufficient patrol staffing is presently available based on workloads. Ultimately however, there are other important factors that drive decision-making. As shown in the prior section, the proactive time model shows an imbalance in proactive time across the varied time periods and shifts despite overall proactive time averages that are high. This outcome is just one of several considerations that should be addressed, if possible, when evaluating staffing needs and deployment options. The following sections discuss various deployment decisions for consideration beyond proactive time elements.

**(1) Consideration for Officer Safety Issues Can Have an Important Impact on Staffing Requirements.**

As stated previously, the availability of sufficient proactive time to perform typical patrol officer duties and responsibilities is a primary driver in developing staffing levels. Implied in these staffing levels is sufficient officer back-up on various call types to help



address potential officer safety needs. Re-visiting the methodology to arrive at proactive time shows two important findings relative to officer back-up:

- The average community generated call for service has 1.31 units responding, somewhat below the generally suggested practice of 1.50 units per call.
- There are instances when only one officer is scheduled, thereby relying on cross-dispatching from other KCSO service areas (e.g. Unincorporated County or Shoreline).

In sum, two variables that can potentially impact both the perception and actuality of officer safety (despite the availability of sufficient proactive time) are problematic and must be considered when staffing patrol services. These issues, of course, are further framed by the following observations.

- Kenmore is adjacent to several other communities with relatively low crime rates and consequently does not suffer severely from “regionalized crime” that has a significant direct impact on the community and its law enforcement resource needs.
- Kenmore has low call for service volumes and, with little exception, a low Part I crime occurrence history. As a consequence, Kenmore will not deploy significant staff resources as workload does not justify a large police force. Small police agencies can generally suffer from the perception of officer safety and back-up issues although ride-along interviews suggested this was not a problem in Kenmore.
- Despite the Kenmore community’s profile, there are many call-types, not of a felony nature, that officers can benefit from a multiple unit response such as fights, suspicious circumstances, etc. In instances where risk is perceived or an event is impacting community quality of life, officer back-up is very desirable.

In effect, Kenmore PD suffers from what is typically experienced by small police forces throughout the nation; that is, a small department brings potential safety risk to field officers. This is the nature of having a “safe” community. Of important benefit, as Kenmore is part of the larger KCSO law enforcement community it has the advantage of back-up access from other KCSO contract communities and unincorporated areas, as

needed. And while the availability of such back-up was not apparently used or necessary to result in a 1.5 units/call for service average, it nevertheless is an important and accessible resource. Unfortunately, due to the City of Kirkland's pending annexation, this resource will be generally lost to Kenmore. As a consequence, minimum staffing levels are being increased at Kenmore PD to two officers 24/7. Based on the analyzed data and interviews, this is not due to workload requirements but for officer safety purposes.

In summary, beyond proactive time calculations, attempts should be made to develop an organization in which patrol staff feel safe in the field, and believe sufficient resources are available in the event of a major occurrence requiring a multiple unit police response. It is for this reason that Kenmore is slightly modifying patrol staffing requirements in the future, a philosophy that cannot be argued against given the totality of circumstances under which the City of Kenmore will be operating beginning early summer, 2011.

**(2) Response Time Desires can Impact Staffing Levels.**

Response time reflects an important service level metric, although its overall relevance to crime apprehension and suppression is in question. There are various historical reports on response time that somewhat cloud its viability as a service level metric. These include:

| <b>Year</b> | <b>Study and Primary Findings</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1977        | <b>Kansas City Response Time Study</b> found that a large proportion of the most serious (i.e., FBI Part I) crimes are not susceptible to the impact of rapid police response. Further, the study found that for the majority of calls that could be impacted by rapid response, the rapidity of response was most often linked to how quickly the complainant called rather than how quickly the police department responded. Said in another way, the study found that very low response times did nothing to deter crime and did little to result in the immediate apprehension of criminals. |

| Year | Study and Primary Findings                                                                                                                                                                                                                                                                                                                                  |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1985 | <b>Police Executive Research Forum's Studies in San Diego, Peoria and Rochester</b> found that the use of sophisticated technology and deployment strategies to reduce response times were well intentioned but generally misguided – fast response times neither addressed crime effectively nor enhanced citizen satisfaction with the police department. |

Despite such studies and their relatively aged results, law enforcement agencies throughout the nation still report response times as they are perceived important; this includes KCSO, which includes such information in their annual reports.

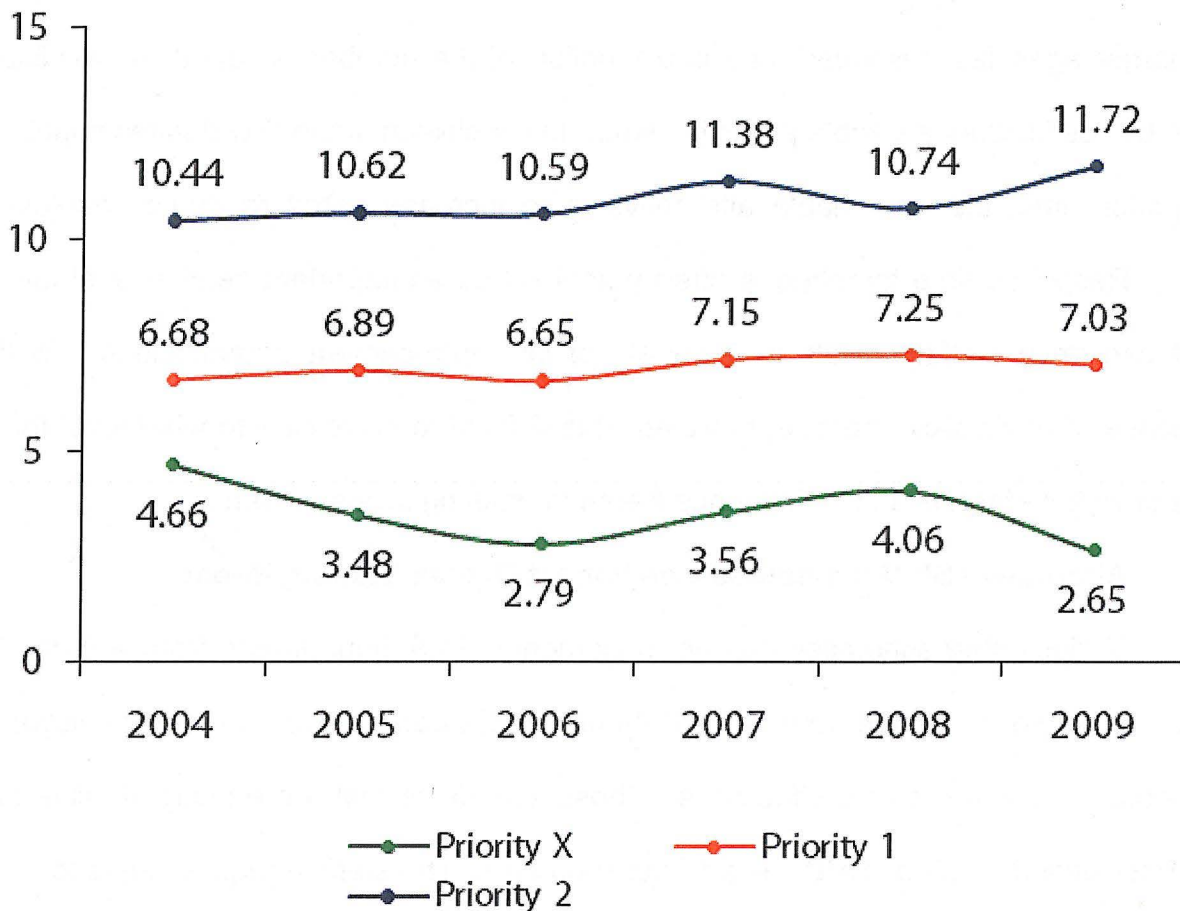
Response time is considered from the caller's perspective; that is, the time from which the caller initiates the call to arrival of the unit on scene. Response time targets are also influenced by the dispatch agency, as the time between a call receipt and that call being dispatched is one important variable in response time over which law enforcement agencies have little control (unless they are also operating the dispatch center). Many local law enforcement agencies have targeted response times for various priorities. A review of the KCSO General Orders Manual indicates no such policy is in place at KCSO or has been independently adopted by the City.

Response time data for Kenmore for the three highest priorities is noted in the graph below, Priority "X" being the highest and the priorities defined as follows:

- "Priority X" designates critical dispatches. These are incidents that pose an obvious danger to the life of an officer or citizen. It is used for felony crimes in-progress where the possibility of confrontation between a victim and suspect exists. Examples include shootings, stabbings, robberies or burglaries-in-progress.
- "Priority 1" designates immediate dispatches. These are calls that require immediate police action. Examples include silent alarms, injury traffic accidents, in-progress crimes or crimes so recent that the suspect may still be in the immediate area. In a variety of agencies, Priority 1 calls are consolidated with the above "Priority X."
- "Priority 2" designates prompt dispatches. These are calls that could escalate to

a more serious degree if not policed quickly. Examples include verbal disturbances and blocking traffic accidents.

Average Response Times to High Priority Calls  
(in minutes)



With regard to frequency of occurrence of Priority X-2, these represented 0.4%, 11.5% and 27.9% of all dispatched calls, respectively (approximately 40% of all calls).

While the highest "X" priority response is exceptional, "Priority 1" response is less so. Importantly, this "Priority 1" response time is lengthier based on the project team's experience with other police agencies. Generally speaking, in a municipal environment,



the highest priority calls such as Priority 1 are targeted at 5 minutes or less, whereas in a rural environment these are targeted at 7 minutes or less—Kenmore achieves the target for a rural environment, not a municipal environment. At issue is whether Kenmore desires improved response time. Generally speaking, in the absence of some advanced technologies (vehicle locator systems) that can partially impact response time for larger agencies, response time is a function of the number of resources available and, by association, available proactive time. In conclusion, if the City desires improved response time, the only viable alternative is to increase patrol resources deployed.

Response time targeting is often perceived as an important service level metric that can drive staffing levels in a variety of law enforcement organizations. In the absence of any policy directive, however, it is difficult to determine to what level these response time targets should influence Kenmore staffing levels in patrol.

### **(3) Alternative Shift Schedules Can Impact Overall Staffing Needs.**

Various shift schedules can be implemented in a Department, from a 5-day, 8-hour work week, to the four-day, 10-hour work week to the 12-hour deployment schedule. The most cost effective are those schedules that are equally divisible in a 24-hour period (such as KPD's eight-hour program). The staffing requirements for a 9-, 10- or 11-hour schedule increases the number of staff needed on duty, and where some effectiveness might be gained by the shift overlaps provided in these types of schedules, it is more costly and thus potentially less *efficient* than schedules equally divisible in a 24-hour time period.

From an exclusively administrative and fiscal perspective, one of the greatest benefits associated with the 12-hour shift program is the ability to field fewer staff



resources than other shift counterparts. This fact is noted in the following table which illustrates how many staff positions are necessary to cover one “24/7/365” fixed shift position based upon the type of shift schedule implemented.

**Impact of Shift Types on Staffing Needs**

| <b>SHIFT TYPE:</b>         | <b>8 hr</b> | <b>9 hr</b> | <b>10 hr</b> | <b>11 hr</b> | <b>12 hr</b> |
|----------------------------|-------------|-------------|--------------|--------------|--------------|
| Target Staff / Hr          | 1           | 1           | 1            | 1            | 1            |
| Shift Schedule (Hrs)       | 8           | 9           | 10           | 11           | 12           |
| Shift Factor <sup>12</sup> | 71%         | 64%         | 57%          | 52%          | 50%          |
| Shifts / Day               | 3           | 3           | 3            | 3            | 2            |
| Total Hours Covered / Day  | 24          | 27          | 30           | 33           | 24           |
| Shift “Inefficiency”       | 0%          | 13%         | 25%          | 38%          | 0%           |
| <b>Staff Required</b>      | <b>4.2</b>  | <b>4.7</b>  | <b>5.3</b>   | <b>5.8</b>   | <b>4.0</b>   |

As shown by the table, the 4/10 work schedule is 25% less cost-effective than either the 5/8 or 3/12 schedules. The worst schedule from a cost perspective is the 11-hour shift program. Interestingly, the 12-hour shift schedule is the most cost effective from the total number of staff positions required because of the additional 104 work hours per annum that are potentially provided by that staff position. In instances where this additional time is not worked, the “efficiency” of the 12-hour shift is equivalent to the 8-hour shift.

In addition to the noted efficiencies, the 12-hour shift program has the added advantage of deploying the total personnel resource contingent over two shifts as opposed to three shifts. As a consequence more personnel are available on a shift-to-shift basis in a 12-hour shift than any counterpart shift schedule.

Given these facts, what ultimately results is that, barring any other variables, the same level of production can typically be achieved with fewer staff resources in a 12-hour shift than other shifts of different lengths. This holds true in any industry, including

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<sup>12</sup> Shift Factor is the number of days scheduled for work versus days to be covered in the work period. By example, 5-days/7-days = 71%.

law enforcement. It is for this reason that many municipalities are implementing 12-hour shift programs in their law enforcement agencies, particularly those departments of smaller size.

In summary, varied work schedules can ultimately impact staffing needs. As a consequence, during the Phase II alternatives study of this engagement, optional shift schedules will be explored in greater detail.

\* \* \* \* \*

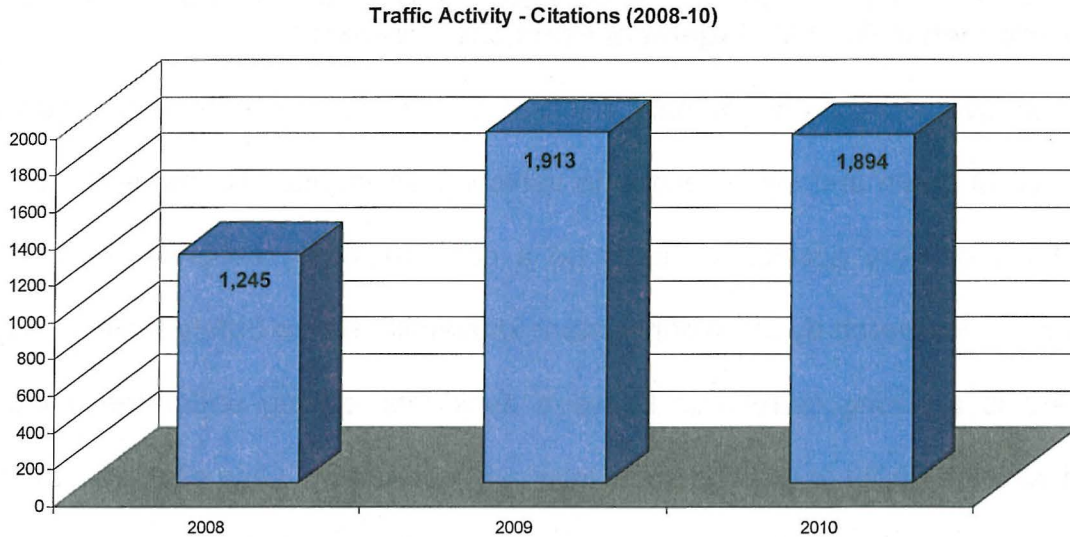
In conclusion, beyond proactive time calculations which are a primary driver of patrol staff resources, there are other variables to consider that impact necessary staff resources such as officer safety, response time targets, and alternative work schedules. Recommendations surrounding proactive time and other variables are discussed at the conclusion of this chapter.

## **6. TRAFFIC ENFORCEMENT OUTPUT INDICATES POTENTIAL OPPORTUNITIES FOR IMPROVEMENT.**

The following analysis is performed with respect to traffic enforcement activities in Kenmore.

### **(1) KPD Officers Complete a Minimal Number of Traffic Citations.**

One important measure of traffic enforcement productivity, particular for a traffic unit, is traffic-centric enforcement performed. One major output is the number of citations issued per field deployment hour. Based on calendar year 2008-2010 data, the following bar chart shows the citation production for Kenmore PD.



The data shows that citation production fluctuated from 1,311 citations to 1,960 citations. Based on the project team's research over two decades, we have discovered that a productive and dedicated traffic patrol unit should be able to generate 1.0+ citations/warnings per field deployed hour with regular patrol units generating far less dependent upon uncommitted available time and community-policing initiatives. Data is not readily available for the dedicated traffic car; however, in total the average citation production for the ten<sup>13</sup> KPD officers at 1,517 net work hours available per year is calculated at 0.11 citations per hour. This level of citation production is typically not viewed as fully effective, particularly in light of a community that appears to emphasize traffic/parking enforcement issues based on other data noted earlier in this report. Traffic enforcement is particularly important given such enforcement and accident investigation along the busier State Route 522 is required of KPD. Washington State Patrol immediately relinquishes all enforcement jurisdiction on all State highways contained within a city limits once the city incorporates or annexes that portion of the highway.

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<sup>13</sup> Nine patrol officers, one traffic officer.

**(2) Despite Lower Citation Production, KPD's Traffic Enforcement Index Approaches Best Management Practices Standards.**

The overarching and primary mission of traffic enforcement is reducing the occurrence of death and injury related to vehicular accidents. To that end, minimizing both fatal and injury accidents should be a core business responsibility of a police department. Research by the Northwestern University Traffic Safety Institute suggests that there is a strong correlation between accidents, driving under the influence of alcohol, and the ability to enforce traffic laws and generate moving citations. In brief, as citations and driving while intoxicated arrests go up, injury and fatal accidents generally go down. Consequently, a Traffic Enforcement Index (TEI) was developed by the Traffic Safety Institute and has been largely adopted by the Matrix Consulting Group as a valid analysis tool. The TEI is a performance indicator of traffic enforcement effectiveness, which suggests that the ratio of injury/fatal accidents to the number of moving citations plus the number of DUI arrests should be, at the lowest, in the 1:25 range and ideally 1:40 or better.

The TEI is typically composed of both the efforts of a dedicated traffic enforcement squad/team as well as the citations and DUI arrests generated by patrol services officers. Based on calendar year 2008-10 data provided by the KCSO, the following table is shown:

**2008-10 KPD Traffic Enforcement Index (TEI) Data**

| <b>Activity</b>                    | <b>Number of Activities</b> |
|------------------------------------|-----------------------------|
| Driving Under Influence Arrests    | 217                         |
| Citations by Patrol (regular time) | 5,052                       |
| TOTAL Citations/DUI                | 5,269                       |
| Fatal and Injury Accidents         | 135                         |
| <b>TRAFFIC ENFORCEMENT INDEX:</b>  | <b>1:39</b>                 |

Interestingly, despite comparatively low citation production per officer, the City of Kenwood's TEI is 1:39—approaching best practice standards. This can be a function of many factors beyond just law enforcement activity, to include the manner in which streets and signals are engineered, local driving habits, transportation planning initiatives, etc. Regardless of the variables impacting the Kenmore TEI, it is an important achievement to have an Index approaching the 1:40 ratio.

**7. STAFFING RELATED TO SPECIALIZED FIELD OFFICERS IS GENERALLY DRIVEN BY PROBLEM-ORIENTED POLICING PHILOSOPHIES.**

Problem-oriented policing positions, such as the Storefront Officer, are more difficult to review than their patrol counterparts, particularly those that are specialized to meet unique community needs or requests. Such positions include a variety of sworn personnel throughout the nation, from Crime Prevention Officers and DARE Officers to School Resource Officers and Community Deputies. These positions are often defined as ancillary as they tend to support the core services provided by law enforcement to generally include calls for service response, criminal investigations, and in the case of a sheriff's department jail and bailiff services. As such, the staffing levels are largely predicated on agency policy and strategy surrounding problem-oriented or community-based policing and the ability of the organization to fund these types of positions. It is evident that Kenmore's Storefront Officer is very busy, as reflected by the types of work conducted and replicated below from the profile chapter:

**Storefront Officer Primary Duties and Responsibilities**

- Periodically acts as local School Resource Officer at Kenmore's middle and high school. Provides on-site presence, classroom instruction, student advisement, etc.
- Facilitates and participates in Block Watch programs.
- Performs security surveys.
- Responds regularly to neighborhood complaints, attempting mediation and resolution of civil or other issues.



- Manages both Student (Junior) and Citizens Academy. Participates, as city's law enforcement representative, in various business seminars.
- Oversees and supervises crossing guard program and police volunteers program.
- Participates in Bike Rodeo programs, organizes National Night Out, and conducts sixth grade student awareness drug classes.
- Performs vacation home checks.
- Provides patrol back-up during Day Shift, as necessary.

It should be noted that some KPD sworn staff regularly acts as School Resource Officers on overtime (typically 4-hour blocks) and as such Kenmore is invoiced monthly for these additional services above and beyond the fixed-price KCSO contract.

Beyond the above, given pending staffing and deployment decisions as a consequence of the Kirkland annexation, the Storefront Officer will be deployed for a portion of the week as a patrol unit. Beyond this partial patrol deployment, however, is a policy decision to continue the community-based services the Storefront Officer provides, as well as additional school resource officer (SRO) duties supplied on overtime by patrol counterparts. Given these types of services are regularly perceived as beneficial throughout most national law enforcement communities, the project team believes continuation of this regular service is practical and appropriate under existing staffing levels. Overtime for SRO duties should be further considered by the City, in concert with the School District, as to need and relevance.

## **8. PATROL SERVICES FINDINGS, CONCLUSIONS AND RECOMMENDATIONS.**

Based on our data collection, review, and analysis, the following KPD patrol services findings conclusions and recommendations are summarized below.

- Kenmore is a very safe community with minimal law enforcement issues of significance. As such, this generally results in fewer police resources needed when compared to busier communities of similar population and geographic character.

- In consideration for potential officer safety issues and back-up availability, the proportion of proactive time available cannot serve as the exclusive driver in developing KPD patrol staffing levels. Despite high levels of proactive time, the agency's small size precludes staff reductions under existing operating protocols. The ability to modify staff deployment is further impacted by pending annexations of Kirkland, thereby limiting Kenmore's ability to regularly utilize KCSO cross-dispatch units in a back-up capacity.
- KPD staffing levels, therefore, should largely be driven by officer safety needs and other factors beyond proactive time availability.
- Variables impacting officer availability such as vacation time, etc. are well within reason at Kenmore PD.
- Kenmore PD provides generally comprehensive training exceeding two weeks per officer per year on average; a best practice from the project team's perspective.
- The City of Kenmore currently does not have policy directives in place with respect to police minimum staffing levels, response time targets, required number of police officers based on call type (e.g. domestic violence), or other important law enforcement initiatives, outputs and outcomes. There are recommendations in some of these areas, but these are not memorialized and confirmed by political or executive city leadership. While lack of such directives provides "flexibility," it does so at the risk of consistent and policy-driven service delivery. This is particularly important for the City, given that such directives will largely drive staffing needs in KPD patrol services and have the attendant impact on annual operating budgets.
- Despite comparatively low citation production of KPD officers, the City of Kenmore has a very appropriate Traffic Enforcement Index (score) of 1:39.
- As part of the alternative service delivery phase of this project, optional patrol schedules and deployments, particularly emphasizing the 3/12 shift program, will be explored.

In summary, with little exception, KPD operates very effectively in patrol services.

The following chapter will discuss efficiency and cost-related issues associated with KPD. Based on the above, the following recommendations are made.

**Recommendation: Maintain the KPD Chief's proposed patrol deployment strategy beginning 6/1/11 of 10 patrol officers and one Storefront Officer while using the 4/10 shift schedule.**

**Recommendation:** In consultation with the School District, re-visit the need for School Resource Officer duties and responsibilities presently augmented through the use of overtime.

**Recommendation:** Develop a policy directive of required minimum patrol staffing levels by shift to help ensure officer safety.

**Recommendation:** Develop a policy directive of required number of officers to respond to certain higher-risk call types (e.g. domestic violence in progress) to help ensure officer safety.

**Recommendation:** Develop a policy directive or performance objective of desired minimum response times for Priority X and Priority 1 calls, recognizing such directives can impact necessary patrol staffing requirements.

**Recommendation:** Develop a performance objective increasing desired KPD patrol officer output to 0.3 to 0.5 citations or written warnings per hour. This will likely positively impact the City's Traffic Enforcement Index thereby reducing injury and fatal accidents.

**Recommendation:** Develop other formal KPD performance objectives for patrol officers that effectively use the significant amount of proactive time available during most shift periods and link such performance objectives to desired quality of living outcomes.

**Recommendation:** Maintain the existing KPD / KCSO training regimen for patrol officers exceeding, on average, two weeks per annum. Such training is consistent with best practices.

**Recommendation:** Upon completion of Phase II alternative service delivery analysis, strongly consider revisions to the patrol shift schedule to potentially include revised days off, revised shift overlap coverage, or an alternative shift schedule (e.g. 3/12).

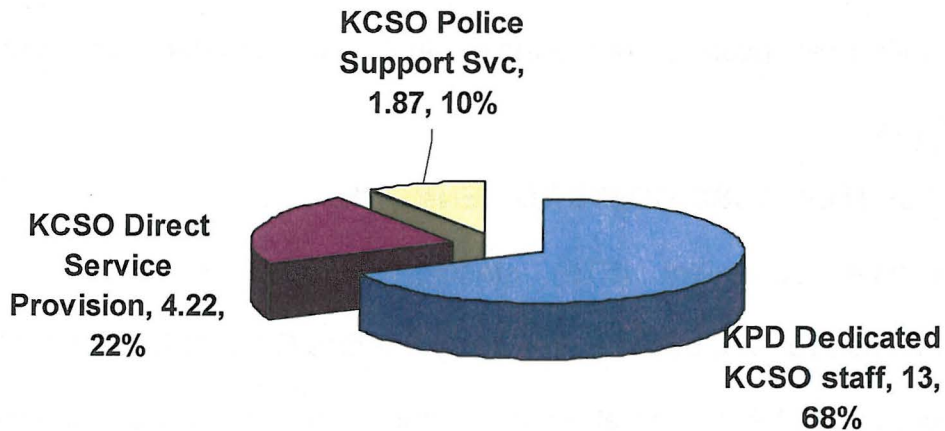
## **5. ANALYSIS OF KCSO COST OF SERVICE**

This chapter focuses on the costs of King County Sheriff Office services and evaluates whether such costs are aligned with the actual services provided. The chapter begins with a recapitulation of the major service areas under which contractual costs are developed.

### **1. BREAKDOWN OF KCSO COSTS TO KENMORE.**

The Full-time Equivalent (FTE) staffing allocation for Kenmore Police Department (KPD) as provided by the King County Sheriff's Office (KCSO) is 19.09 FTE for the 2011 Operational Year. The allocation of such staff is reflected in the pie chart below. Dedicated staff represent on-site personnel such as Chief, patrol deputies, etc. Direct services represent off-site staff such as Criminal Investigation Division person detectives, dispatch operations, etc. Police support services represent allocated portions of off-site commissioned and non-commissioned personnel providing services to include, but not be limited to: budget, accounting and payroll; crime analysis; recruiting; firing range; computer resources staff; property management and evidence; internal investigations; personnel staffing services; contracting support; criminal intelligence; legal advisor; photo lab; records; polygraph; and training unit.

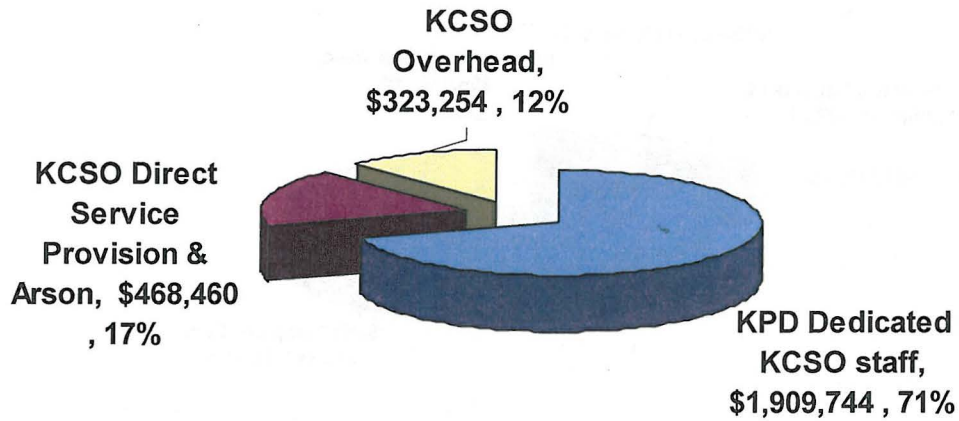
**Full-time Equivalent Employee Allocation for Kenmore Police  
Department**



The costs of these services are summarized in the following pie chart. Based on information provided, the Kenmore PD annual budget (excluding any internal Kenmore costs unrelated to the KCSO contract) is approximately \$2.70 million. Over seventy-one percent of this budget is dedicated to on-site staff operating within the City. This 2011 operating budget is approximately \$93,000 less than the annual estimated budget in 2010.



**2011 Cost Allocation for Kenmore PD (budget)**



The analysis will focus on these discreet areas for the remainder of the chapter.

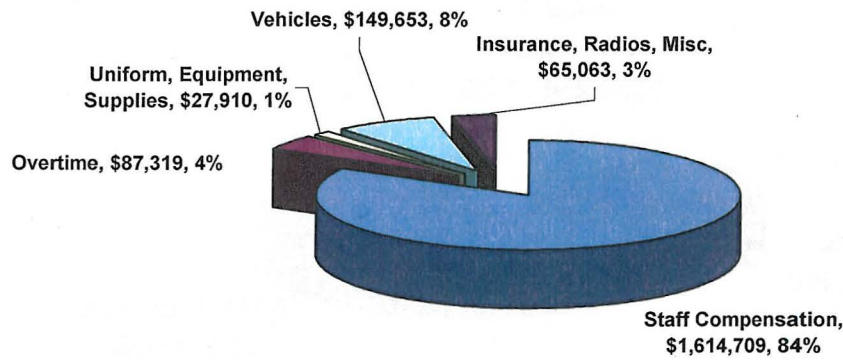
**2. DEDICATED KENMORE POLICE DEPARTMENT COST ALLOCATION.**

The cost of personnel actually deployed on a day-to-day basis in the City of Kenmore is based on a number of cost components. Fundamentally they are linked to personnel compensatory costs and associated operating costs to keep such personnel effectively deployed in the field. The total dedicated costs budget category for 2011, as shown previously, is \$1,944,655<sup>14</sup> and is broken down in the following manner:

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<sup>14</sup> The difference between this and the "Dedicated KCSO Staff" sum is related to \$34,911 in 'credit' in this category from wireless and 800 Mhz assets.

**Dedicated Police Service Costs by Category (2011) - \$1,944,655**



The following information reflects further details regarding each of the dedicated cost components.

**(1) The Largest Cost Component to the KPD Budget Calculation, Staff Compensation, is methodologically Sound.**

As in most policing organizations the salary and benefits of personnel reflect the bulk of operating costs. As noted in the previous pie chart, KPD's staff compensation of over \$1.6M annually reflects the majority of the annual budget and the vast majority of dedicated staff's costs. The following table further reflects these salary and benefit costs for the 2011 operating year.

**2011 KPD Budget for Dedicated Staff Compensation**

| <b>Position</b> | <b>Salary</b> | <b>Benefits</b> | <b>Positions</b> | <b>Total Cost</b>               | <b>Benefit %</b> |
|-----------------|---------------|-----------------|------------------|---------------------------------|------------------|
| Sergeant        | \$ 113,966    | \$ 38,144       | 1                | \$ 152,110                      | 33%              |
| Officer         | \$ 86,906     | \$ 34,656       | 11               | \$ 1,337,182                    | 40%              |
| Detective       | \$ 90,322     | \$ 35,097       | 1                | \$ 125,419                      | 39%              |
| <b>TOTAL:</b>   |               |                 |                  | <b>\$1,614,711<sup>15</sup></b> |                  |

With respect to the data in the table above, the following informative highlights are noted:

- Salaries are based on contractual costs reflected in the bargaining unit and County Agreement.
- Sergeant salary (KPD Chief) is initially based upon the highest “step” for a position with 18 months or more experience.
- Officer / Detective pay is initially based upon Step 5 ½ of a six step salary scale for 2011.
- With respect to compensation, it should be noted that costs also include a category of pay defined as ‘Special Pays.’ These Special Pay categories include such things as special assignment pay (e.g. Contracted Sergeant acting as Chief), special duty pay (e.g. acting in Detective role), etc. These pay categories are applied to salaries and generally reflect approximately 10-11% over base salaries.

Importantly, just as in any City-based budgets, actual end-of-year expenditures in these salary and benefit categories may not reflect estimated budgets, and as a result reconciliation between actual costs and budgeted costs occur. KCSO does an accurate job with respect to estimating budgets. In the 2009 and 2010 operating year the City of Kenmore received a minor credit of approximately \$98K and \$32K respectively based upon actual compensation and non-discretionary overtime expenditures compared to budget estimates.

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<sup>15</sup> Mathematical calculations may result in a few dollar rounding errors as noted by this table compared to the pie chart.

With respect to appropriate internal controls, KCSO provided sufficient work papers to link estimated budget costs to source documents, whether those source documents entailed Memorandum of Agreements, an Adopted Costing Book or other foundational materials. In sum, calculations are methodologically sound in accounting principles.

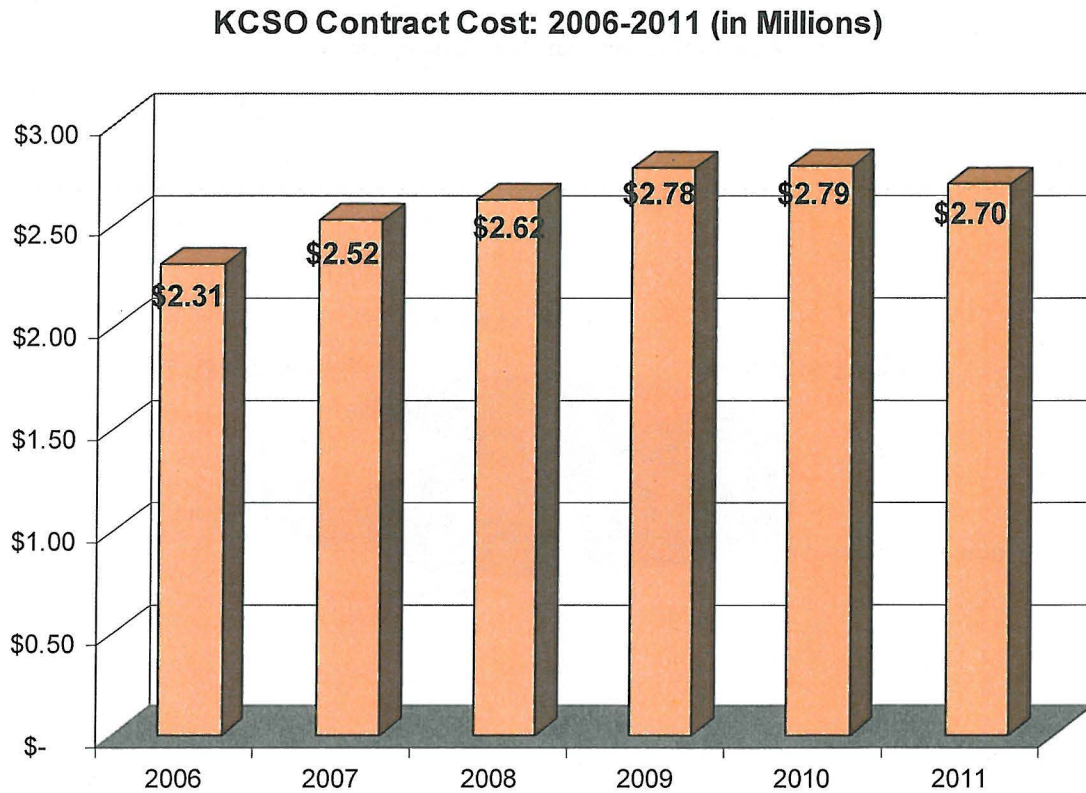
**(1.1) Salary and Benefit Costs are Higher at KPD than Some Smaller/Moderate-sized Police Agencies in King County.**

While salary/benefit impacts will be explored in greater detail in the Phase II alternatives approach, to gain context it is important to note that while salary and benefit cost calculations for KPD are accurate and reasonable given KCSO compensation packages, such compensation is higher when compared against other King County police departments of small size. Based on a small survey conducted by the project team and validated by KCSO, the following table reflects this information:

| <b>Comparative Salary and Benefit Information – Kenmore and Other Small King Co. Police Departments</b> |                                    |                              |                     |
|---------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------|---------------------|
| <b>Community</b>                                                                                        | <b>Police Officer<br/>Top Step</b> | <b>Sergeant<br/>Top Step</b> | <b>Benefit Rate</b> |
| Bothell                                                                                                 | \$ 74,676                          | \$ 85,884                    | 36%                 |
| Enumclaw                                                                                                | \$ 67,164                          | \$ 79,428                    | 35%                 |
| Lake Forest Park                                                                                        | \$ 64,956                          | \$ 80,412                    | 33%                 |
| Kirkland                                                                                                | \$ 79,620                          | \$ 92,160                    | 29%                 |
| KCSO / Kenmore                                                                                          | <b>\$ 76,551</b>                   | \$ 96,737                    | <b>37%</b>          |
| Kenmore Contract Salary (5.5 Step)                                                                      | <b>\$ 72,747</b>                   | <b>\$ 96,737</b>             |                     |
| Avg. Other Agencies in Above List                                                                       | <b>\$ 71,604</b>                   | <b>\$ 84,471</b>             | <b>33%</b>          |
| Avg. All KCSO Agency Comparators                                                                        | <b>\$ 73,036</b>                   |                              |                     |

This difference is believed to be due to the Special Pays: As shown above, the top step KCSO Deputy and Sergeant salary costs, as well as Kenmore contracted salary costs, are higher than the average of all agencies and the vast majority of individual agencies noted in the table—only Kirkland’s top step approaches KCSO

salaries. In all instances these exclude any Special Pays offered by any entity<sup>16</sup>. Additionally, benefit rates are marginally higher. Of further importance, the KCSO bargaining unit representing deputies and sergeants was able to negotiate an annual 5% increase in salary beginning in January 1, 2008 through January 1, 2012. Particularly in these economic times, such increases can potentially impact the ability of KCSO to be cost competitive with other policing agencies, particularly when juxtaposing such information with Kenmore's increasing annual KCSO cost for police services, as shown below:



In summary, given cost calculations for salary and benefits of KPD staff that are charged to Kenmore by KCSO are methodologically sound, and given such costs reflect

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<sup>16</sup> As a consequence of special pays, figures in this table do not reflect the same as figures in the prior 2011 KPD Budget for Dedicated Staff table.

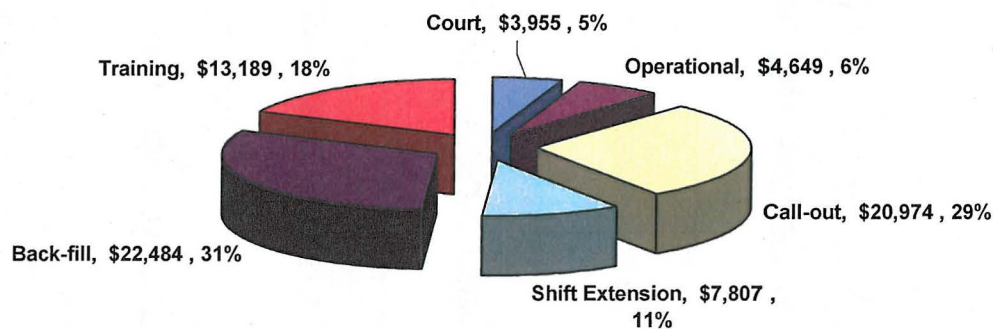


the bulk of the police services budget, this budgetary area is of critical importance to control the future costs of operating the Kenmore Police Department.

**(2) Overtime Calculations and Usage Are Appropriate.**

Linked to salary and benefit costs is the utilization of overtime. There are two categories of overtime impacting Kenmore differently—non-discretionary and discretionary overtime. Overtime noted in the previous pie chart is budgeted non-discretionary overtime. Such overtime can be further explained by noting the following pie chart information.

**2010 Non-Discretionary O/T Costs by Category**

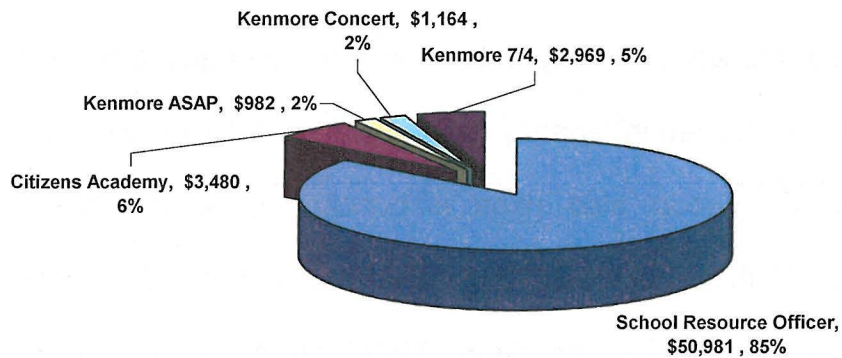


As noted above, there are various categories of non-discretionary overtime ranging from training to shift extensions. All of these overtime cost categories are valid

uses of overtime and incorporate such activities as working over the shift schedule to complete a call for service to back-filling a patrol officer who is receiving mandated training.

With regard to discretionary overtime<sup>17</sup>, the following information is noted in the pie chart.

**2010 Discretionary O/T Costs by Category**



While non-discretionary overtime is budgeted by KCSO for Kenmore on an annual basis, discretionary overtime is not. Thus, the approximate \$67,200 discretionary overtime cost in 2010 was not (and is not) included in KCSO annual budget documentation, making planning for such law enforcement costs difficult, as the annual budget submitted to the City is not all inclusive. Indeed, such discretionary

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<sup>17</sup> The pie chart does not include costs associated with FICA or Retirement charged to Kenmore. These additional costs are approximately

overtime costs are invoiced by KCSO on a monthly basis.

What is important to recognize with respect to discretionary overtime costs, is these are programs that the Kenmore community can choose not to fund, or alternately, to provide in a different fashion. As noted in the prior chapter, the Storefront Officer is a support/ancillary position that could, if desired, be eliminated by the City (though not recommended). Similarly, these discretionary overtime costs could be reduced or eliminated through similar program elimination or reduction.

As noted with salary and benefits, similar documentation exists to validate the overtime costs and charging approaches from an auditing perspective.

With respect to the actual validity of total overtime charges, the national average for overtime for a law enforcement agency is approximately 6% of the agency's budget. The Matrix Consulting Group also uses a benchmark of 7% to 10% of total salary/benefit costs. With respect to 2010 discretionary and non-discretionary overtime costs, these costs represent 5% of the overall KPD budget and 10% of the total salary and benefit costs, thus falling within the range of the noted national and MCG benchmarks.

In summary, given cost calculations for overtime the data suggest such overtime costs are reasonable. However, the City of Kenmore has the opportunity to modify programs to eliminate or reduce discretionary overtime spending if it chooses to do so.

### **(3) Support Costs for Dedicated Services.**

Support costs for dedicated services are linked to three primary categories: Uniforms, Equipment and Supplies; Vehicles; and Radios, Insurance and other categories. These costs are allocated to Kenmore, other contract agencies, and

internally to KCSO based on varied formulae. Unlike salary, benefits, and overtime, such costs are not reconciled at the end of the year based on actual experiences. In some instances this can be beneficial, in others detrimental; however, such cost allocation practices are common in local government nationally and if calculated properly are considered a best management practices approach to ensure costs are shared fairly with end-user entities. The following is noted with regard to each of these categories.

**(3.1) Uniform, Equipment, and Supplies.**

Uniforms, equipment and supplies are provided to staff per the KCSO General Orders Manual and supported by Memorandum of Agreement documentation. Costs are allocated at \$2,147 per annum per sworn member for such uniforms, equipment and supplies, or an average of \$179 per month. Such expenses are not atypical for any national police agency and should be considered reasonable.

**(3.2) Radios, Insurance and Other.**

Similar to the above expenses, the 800 MHz radio system is charged at \$1,779 per Full-time Equivalent, \$2,532 for Insurance per FTE, and dependent upon the position, approximately \$450 to \$1,350 in other ancillary support costs<sup>18</sup>. As with Uniforms, Equipment and Supplies such costs are not unreasonable on an annual basis, particularly when considering that insurance covers officers in the case of lawsuit whereby the City, except under unusual circumstances, is not legally culpable for KCSO staff wrong-doings.

**(3.3) Vehicles.**

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<sup>18</sup> Such ancillary services include pagers, cell phones, etc. Note that most formula are available for review by the reader in the 2010 or any previous/subsequent costing books, pages 9-80 through 9-87.

KCSO Annual operations, maintenance and replacement costs are provided by the King County Motor Pool. Such costs for service are calculated for both internal and external (e.g. contracts) vehicle users with no mark-up for contracted agencies. Vehicles are charged based on unit type and for most patrol units charged at \$12,192 per annum or an average of \$1,016 per month. Detective mid-size vehicles are charged half this amount. The costs for these vehicles includes, according to Motor Pool policy, fuel, maintenance, repair, collision replacement, and a 75-month or more replacement schedule.

In the absence of specific unit-by-unit O&M and replacement costs, it is difficult to determine if actual costs reflect monthly “rental charges” applied to Kenmore. There are, however, some guiding principles with respect to these charges that indicate such charges are very reasonable. These include:

- Vehicle rental rates include contribution to County funding for vehicle replacement based on an approximately five-year cycle. Fully-outfitted patrol cruisers are generally very expensive, and it is not unusual for inflationary based monthly replacement rates to be in the \$500-\$800 range alone dependent upon a patrol unit’s useful life.
- Vehicle rates include fuel usage which can be a dramatically fluctuating cost based on fuel costs and actual patrol usage. As fuel is included in the rates, the City benefits when fuel prices rise and is disadvantaged when fuel prices decline.
- Vehicle rates include the use of the patrol cruiser on a take-home basis. Dependent upon the agency, this can be an operational cost advantage or disadvantage (dependent upon commuter usage versus patrol usage and other factors).

In summary, the vehicle rates charged to include all operations, maintenance and replacement are reasonable compared to other fleet maintenance rental rates and the associated standards. There are potential alternatives to paying these fleet rental rates, including fielding Kenmore purchased or leased units. These will be discussed in



further detail in the Phase II alternatives report.

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In conclusion, Dedicated Cost in the Kenmore KCSO contract represents 71% of the costs and 68% of the allocated full-time equivalent positions. Such costs are clearly the large majority of the budget. Based upon the project team's review of such costs and the associated methodologies to derive them, there are no relevant opportunities to modify methodological approaches with respect to how such costs are calculated and applied to Kenmore. The only issue of significance is related to the actual cost for staff salary and benefits which can lead to some significant salary increases in the near term based on MOA contractual terms and conditions. Further, while such salary and benefits are competitive with larger agencies (e.g. Seattle PD) with which KCSO must compete such salaries are higher than smaller policing agencies which actually reflect the city of Kenmore's comparators. This will be discussed further in the Phase II report.

### **3. ADDITIONAL DIRECT POLICE SERVICES COST ALLOCATION.**

KCSO provides a variety of additional police services beyond the staff dedicated exclusively to Kenmore Police Department. This direct services category represents the second largest contract expenditure category and is broken down into the following sub-categories.

#### **2011 Additional (Direct) Police Service Charged to Kenmore**

| <b>Direct Service</b>      | <b>2011 Cost</b> | <b>2011 FTE</b> |
|----------------------------|------------------|-----------------|
| Precinct Command Staff     | \$ 15,251        | 0.13            |
| Patrol Supervision         | \$ 97,168        | 0.58            |
| SET Detectives             | \$ 10,000        | Fixed           |
| Precinct Support Staff     | \$ 1,986         | 0.03            |
| Communications/Dispatch    | \$ 203,491       | 2.49            |
| Hostage Negotiation Team   | \$ 436           | 0.00            |
| Major Crimes Investigation | \$ 86,134        | 0.60            |
| Marine Unit                | \$ 14,224        | 0.08            |

|               |                  |             |
|---------------|------------------|-------------|
| MARR Unit     | \$ 20,765        | 0.25        |
| SWAT Team     | \$ 11,628        | 0.07        |
| <b>TOTAL:</b> | <b>\$461,082</b> | <b>4.22</b> |

The prior section's analysis discussed KCSO's use of sound accounting methodologies and principles when allocating costs internally and to contract agencies. As such, these mathematical calculations will no longer be emphasized. Rather, emphasis will be placed on the reasonableness of the additional Direct Service charge types, and whether the full-time equivalent staffing levels and the attendant costs reflect what is generally experienced in a law enforcement operating environment.

**(1) Precinct Command Staff.**

Precinct Command Staff (e.g. Major and Captain) reflect an allocated 100 hours total per year for such staff to address issues that impact KPD operations. By example, such staff were involved in negotiating the revised Shoreline/Kenmore shared supervision strategy. Other involvement includes policy and other managerial decisions as a result of the KCSO organizational and command structure, on which the KPD Chief (sergeant) must obtain guidance.

While such time reflects less than 2 hours weekly per year, it nevertheless would not be incurred in an independent police department whereby the Chief of Police would be the sole decision-making authority on law enforcement issues. And while such a cost allocation is valid based upon services the received, it could be considered a negotiable item, given that such service would be unnecessary under an alternative delivery structure.

**(2) Patrol Supervision.**

While the necessity for Kenmore to pay KCSO precinct command staff is subject to debate, the allocation of patrol supervision is more than reasonable given the terms

and conditions negotiated between Kenmore and Shoreline. In an independent police operation a minimum of five<sup>19</sup> (5) supervisory level positions would need to be scheduled in order to ensure 24/7 coverage of one supervisor per shift—common practice suggests that supervision is a necessity during each shift operation. As such, the allocation and associated costs of 0.58 FTEs for patrol supervision is more than reasonable.

**(3) Special Emphasis Team.**

Based on agreement with Shoreline, Special Emphasis Team (SET) detectives focus on regionalized or specialized police problems in a proactive manner. Shoreline has agreed to provide such regional service to Kenmore for a fixed price of \$10,000 per annum.

**(4) Precinct Support Staff.**

KPD has no directly budgeted clerical support for the Chief or other staff. Such services come from the City staff or KCSO support personnel. A charge of 0.03 FTEs representing 50 hours annually is a more than reasonable cost allocation for administrative support services.

**(5) Communications / Dispatch.**

The largest additional Direct Service charge, representing approximately 44% of these total charges, is related to communications and dispatch services. Based on the costs allocated to Kenmore, effectively 2.49 full-time equivalent positions have been allocated to provide dispatch services to the City.

The formula for calculating dispatch costs is the ratio of community generated

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<sup>19</sup> Generally, to cover one 24/7 position given typical scheduled and unscheduled leave, positions are typically calculated above five full-time equivalents—usually 5.25. However, given the margins, the project team assumes such coverage would be performed on overtime as opposed to hiring a sixth position.

calls for service occurring in Kenmore versus total calls for service dispatched, multiplied by the fully-loaded operational costs for the Dispatch Center. Such a formula charges the service recipient by the same common workload output—community generated calls for service—which is a primary driver in patrol staff modeling as noted in the prior chapter. As such, it is generally a best practice for dispatch agencies to charge for service based on this metric, and thus the costs for Kenmore communications and dispatch are based upon sound principles and reasonable. To place in an additional context, if the City of Kenmore were to operate its own dispatch operation it would, at minimum, need six positions, to include one supervisor and five<sup>20</sup> dispatch staff. This does not address the serious problems that could occur whereby one dispatcher is deployed solo. Nevertheless, comparing six staff to the 2.49 staff charged by KCSO demonstrates that such costs are entirely reasonable.

**(6) Hostage Negotiation Team and Special Weapons and Tactics Team (SWAT).**

While the costs to Kenmore associated with these two services are minimal, reflecting just over \$12K per year<sup>21</sup>, and the formula for allocating costs is reasonable, the project team does not believe such charges should be within the Kenmore service contract. In many national law enforcement agencies a Sheriff's Department provides such services to police departments within that Sheriff's service area on a pro-bono basis. This is facilitated typically through Mutual Aide Agreements whereby the Sheriff will provide such services, given they typically have the specialized training and personnel resources to do so. In our contractual review experience, it is not common

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<sup>20</sup> Generally, to cover one 24/7 position given typical scheduled and unscheduled leave, positions are typically calculated above five full-time equivalents—usually 5.25. However, given the margins, the project team assumes such coverage would be performed on overtime as opposed to hiring a sixth position.

<sup>21</sup> Indeed, Hostage Negotiation Team charges are less than \$500 per year.

for police agencies to charge contract agencies for services they would otherwise provide at no charge when requested in a mutual aid capacity. By example, both Bothell and Seattle PD do not charge for their SWAT call-outs. To that end, these charges should be re-visited for their applicability and fairness.

**(7) Marine Unit and Major Accident Response and Reconstruction (MARR).**

Similar to SWAT and the HNT noted above, the Marine Unit and Major Accident Response and Reconstruction Unit (MARR) are specialized units providing distinct services.

The Marine Unit patrols Lake Washington. The County utilizes a 38-foot aluminum custom built boat powered by twin 420 horsepower diesel engines with jet drives. This is the primary patrol boat on Lake Washington. This vessel has a crew of two and is equipped with radar, GPS and fire fighting dewatering capabilities. It has a dive platform and is a regional support platform for long term recovery and operation missions. Allocated costs are approximately \$14,200 per year to Kenmore. In the five-month period from May through September 2010, the Kenmore-related marine unit addressed 123 calls for service and on-views totaling 135 staff hours.

At issue is whether Kenmore is *required* to patrol Lake Washington. Data available appears contradictory on this issue. Language in RCW 35.31.160: Jurisdiction over adjacent waters, gives Kenmore the authority to enforce on the lake, yet the language appears permissive as opposed to mandatory. Further, language in the Washington State Attorney General opinion (AGO 1953 No. 18) seems to indicate the County has jurisdictional authority as opposed to the cities: "The constitution vests policing jurisdiction in the county, within its geographical limits. Lake Washington is, of



course, in King County. Consequently, the county has police jurisdiction over the area so long as those regulations are not in conflict with general (state) laws.<sup>22</sup> While reconciling who is the final authority on lake enforcement is beyond the scope of this study, if Kenmore no longer wishes to contribute monetarily for marine enforcement, this issue should be further researched and resolved.

The MARR Unit is responsible for responding to all fatal and critical injury collisions. The unit also investigates felony hit and run collisions and assists the Major Crimes Unit in diagramming crime scenes. The unit includes one sergeant, six detectives, and one administrative support staff. The detectives and sergeant are available 24 hours per day, 7 days per week. In 2010, the MARR Unit responded to six (6) Major Accidents in Kenmore and was allocated .25 FTE costs for this and other potential crime scene services.

Unlike SWAT and HNT, charges for such services are often perceived as appropriate and reasonable in that they are not commonly offered pro-bono. These services provide advanced or ancillary services that could be foregone or performed in a more basic manner, if desired. While the access to a SWAT team is generally prevalent and now considered common practice in response to high-risk tactical events, an Accident Reconstruction Team is still considered a best-practice operation that many police agencies do not have the technology or staff to perform at such a sophisticated level. As such, these types of services should be paid for if a community wishes to use them. At issue is whether or not Kenmore wishes to utilize the services of the Marine and MARR Unit. It is recommended that the City continue to use these services, and pay its fair share costs as presently calculated.

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<sup>22</sup> <http://atg.wa.gov/AGOOpinions/opinion.aspx?section=topic&id=11786>

**(8) Major Crime Investigation and General Detective Services.**

The KCSO provides investigative services based on the unique needs of each contract community. These include centralized services for major crimes and, if desired, decentralized services for general detective work. Recently Kenmore has determined it will use a decentralized approach, having one full-time detective assigned to Kenmore, to be augmented by Major Crime Investigations in KCSO. In effect, Kenmore deploys and pays for 1.6 FTEs for investigative services. The formula for calculating the 0.6 FTE for Major Crimes Investigations is similar to the dispatch “ratio model” with the primary workload driver being caseload investigated over a three-year rolling average. At issue is whether or not Kenmore truly requires 1.6 investigators to handle its caseload; and while this is not an analysis of the KCSO investigative operations, there are some important tools that can be applied.

Practically, it is more difficult to evaluate the staffing levels required by criminal investigations because, unlike patrol, more subjective and qualitative determinants of workload and work practices need to be considered. Patrol services have the benefit of several quantitative measures, such as calls for service and proactive time, to assist in the evaluation of staffing requirements, whereas investigative services have fewer such reliable measures. Comparisons with other agencies are also difficult given the vagaries of conducting investigative business among differing law enforcement agencies throughout the nation. Investigative workload must consider numerous qualitative factors when compared to that which depicts typically quantitative-driven patrol workload. Unlike patrol, investigative workload lacks some specific measures that can be converted into quantitative methodologies to arrive at required staffing

levels. Investigative staffing requirements should be examined from a variety of perspectives in order to obtain an overall portrait of staffing issues, case handling issues, and operational philosophies that have an impact on overall staffing needs. To that end, to fully understand investigative operations requires an in depth analysis of the entire KCSO investigative operations which is beyond the scope of this particular report.

Despite this, investigative workload and staffing requirements can employ a series of broad indicators to determine the extent to which core investigative staffing and general workload in the Department compare to ranges observed in other departments. As noted, investigative workloads vary depending on the number and types of cases a Detective is assigned, their complexity, and also the level of service desired by an agency. Generally speaking, however, the comparative measures that can be employed are displayed in the following exhibit:

**Exhibit**  
**Comparative Measures for Investigations**

| <b>Comparative Measures</b>                                                                                                                                                                               | <b>Comparative Industry Patterns</b>                                                                                                                                                                                                                                                                                                                                                                                              | <b>Kenmore PD Observations</b>                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Part I Offenses per “line” Detective in core investigative functions such as persons and property crimes Detectives. This does not include those assigned to “proactive” units such as narcotics or vice. | The Average distribution of Part I Offenses per “line” Detective developed in police services studies in the U.S. generally ranges from 300-500 Part I Offenses per investigator.                                                                                                                                                                                                                                                 | Based on 2009 UCR data, 426 Part I offenses occurred in Kenmore. This would result in a potential need of 0.85 to 1.4 detectives based on this metric.                                                                                                                                                                                                         |
| Active cases assigned to “property” crimes Detectives (e.g., burglary/theft).                                                                                                                             | 15 to 20 active cases per month based on a survey of dozens of law enforcement agencies performed by the Matrix Consulting Group over the last several years.                                                                                                                                                                                                                                                                     | Specific caseload data is not available; however, if all Part I property crimes were assigned to detectives, it would result in 33 cases per month assigned. This does not include the possibility of Part II crimes being assigned. Based on MCG experience, the large majority of such crimes are unsolvable and should be suspended.                        |
| Active cases assigned to White Collar crimes Detectives (e.g., fraud).                                                                                                                                    | These have a broader range due to their varied complexity, from 10 to 20 active cases per month each.                                                                                                                                                                                                                                                                                                                             | Data is not readily available.                                                                                                                                                                                                                                                                                                                                 |
| Active cases assigned to “person” crimes Detectives.                                                                                                                                                      | 8 to 12 active cases per month based on the same survey. 3 to 5 active cases for complex person crimes such as felony assault (shootings) to include homicides. Domestic Violence cases vary widely dependent upon State mandates that result in varied workloads. Some DV Units can handle 20 to 30 cases per investigator per month, whereas others can only handle DV cases typically attributed to “felonious person crimes.” | Specific caseload data is not available; however, if all Part I person crimes were assigned to detectives, it would result in 1.8 cases per month assigned. At 0.6 FTEs allocated for Major Crimes Investigation in Kenmore, this is equivalent to 3 cases per month per detective--well below the benchmark noted unless major homicides or violent assaults. |
| Active cases assigned to “generalist” crimes Detectives.                                                                                                                                                  | 12 to 15 active cases per month based on the same survey.                                                                                                                                                                                                                                                                                                                                                                         | Data is not readily available.                                                                                                                                                                                                                                                                                                                                 |

Based on information in the exhibit, there appears to be an over allocation of detective resources in Kenmore based on actual need; this appears to be particularly true for Major Crime Investigations for which such activity is very minimal within Kenmore. As such, Kenmore should attempt to renegotiate detective resource support and the attendant costs based upon revised metrics.

\* \* \* \* \*

In conclusion, Additional Direct Police Services cost in the Kenmore KCSO contract represents 17% of the costs and 22% of the allocated full-time equivalent positions. Based upon the project team's review of such costs and the associated methodologies to derive them, there are a few opportunities for potential renegotiation with KCSO to include:

- Elimination of SWAT and Hostage Negotiation Team costs.
- Recalculation of investigative service needs and associated costs based on revised metrics.
- Potential re-visitation of Precinct Command costs due to such services would not be necessary in an independent police department.
- Determination on whether Kenmore wishes to continue Marine and Accident Reconstruction services. The project team recommends both continue.

Beyond these generally minor adjustments, there are no significant issues related to Additional Direct Police Services costs.

#### **4. POLICE SUPPORT SERVICES AND OVERHEAD COST ALLOCATION.**

KCSO provides other Police Support Services, generally defined as indirect overhead costs, to the Sheriff's Department and Kenmore. These costs are summarized below:



**2011 Police Support Services and Overhead Charged to Kenmore**

| <b>Direct Service</b>                                        | <b>2011 Cost</b> | <b>2011 FTE</b> |
|--------------------------------------------------------------|------------------|-----------------|
| Payroll, Crime Analysis, Evidence, Recruiting, Records, etc. | \$ 198,468       | 1.47            |
| Training, Firing Range, Criminal Intelligence, etc.          | \$ 54,051        | 0.4             |
| Shoreline Support through Interagency Agreement              | \$ 11,503        | Fixed           |
| <b>Sub-Total:</b>                                            | <b>\$264,022</b> | <b>1.87</b>     |
| Overhead                                                     | \$24,320         | Fixed           |
| OH: Insurance, 800 Mhz infrastructure, etc.                  | \$34,911         | Fixed           |
| <b>TOTAL:</b>                                                | <b>\$323,254</b> |                 |

The following observations are made with respect to the noted costs.

**(1) Payroll, Crime Analysis, Evidence, Records, Etc.**

The method by which these “indirect overhead” costs are applied to both internal KCSO operations and to external contract agencies is based upon an administrative fee of \$11,800 per year per Dedicated and Direct Full-time Equivalents. That is, this charge will be applied as overhead to each Kenmore officer as well as the proportional FTE calculation for SWAT support. While this allocation model is appropriate based on cost allocation principles, this cost would go down as both Dedicated and Direct FTE counts are reduced. As noted in earlier in this report, there are minor opportunities for such FTE reduction.

With respect to services actually received for the costs incurred, discreet analysis of each service area in KCSO is beyond the scope of this report. One outstanding issue of importance, however, is that contract agencies such as Kenmore do not feel fully informed with respect to what they are obtaining for these services. By example, what are the outputs and outcomes of Crime Analysis? This is a valid question, and such information should be well publicized. In the case of Crime Analysis, the actual cost to the City of Kenmore is negligible for such outputs as the Kenmore Annual Report, regular crime statistics, etc. Indeed, for every individual Dedicated and Direct FTE

allocated to Kenmore, the project team calculates approximately 175 hours is applied for payroll support, crime analysis support, evidence, property, recruiting, records management, and other administrative support activities based on these FTE allocations. This is the equivalent of only 3-4 hours of such support per week to each individual.

Again, placing these cost allocations in the broader context of alternatives, Kenmore receives such services for less than 1.5 full-time equivalent positions. Could such support be replicated in an independent police department with 1.5 employees? Based on the project team's experience with various sized police agencies, including smaller agencies, it is not possible for a department to provide such services with 1 1/2 positions. Indeed, it is very likely at least one FTE would be dedicated exclusively to Records functions. In effect, Kenmore benefits from the economies of scale derived from utilizing the services of a larger department.

**(2) Training, Firing Range, Criminal Intelligence, Etc.**

The method by which these "indirect overhead" costs are applied to both internal KCSO operations and to external contract agencies is based upon an administrative fee of \$3,890 per year in a very similar methodology to Payroll, Crime Analysis, etc., as described above. This allocation model is also appropriate based on cost allocation principles and would be reduced if Dedicated and Direct FTEs were reduced. Approximately two weeks of service annually is applied to each FTE for Training, Firing Range, Criminal Intelligence Activities, etc. resulting in a total full-time equivalent allocation of 0.40 FTEs to Kenmore. Such FTE support could not be duplicated by hiring a half-time position at Kenmore to perform such activities.

**(3) Overhead and Arson.**

The final indirect cost allocation is related to overhead and arson investigation charges. With respect to the latter this is an expense of \$7,378 per year. In 2009 (the last date for which UCR data is available), five arsons occurred. This would result in an expense of approximately \$1,500 per arson or 30-40 hours per investigation. This is reasonable.

With regard to overhead charges, these are calculated similarly to the aforementioned indirect support services costs at \$1,283 per FTE. In effect, this is the proportional allocation of three (3) KCSO Patrol Operations Division administration staff<sup>23</sup>. While such costs would not be incurred in an independent police department, unlike “middle-management” Precinct Command staff these personnel reflect high level executive support and ostensibly provide some services that Assistant City Managers and City Managers overseeing internal police departments might otherwise provide with their own city-level administrative and executive staff resources. Consequently, they are relevant overhead charges to administrate patrol services and as are generally typical in cost allocation modeling.

\* \* \* \* \*

In conclusion, Police Support Services and Overhead cost in the Kenmore KCSO contract represents 11% of the costs and 10% of the allocated full-time equivalent positions. Based upon the project team’s review of such costs and the associated methodologies to derive them, they are applicable, with no relevant method for reduction unless strategies for reducing Dedicated and Direct full-time equivalent positions supporting Kenmore are employed. While there are some marginal

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<sup>23</sup> Division Chief, Sergeant, and Division Secretary.

potentialities for reduction in these areas, it will impact support service and overhead costs generally insignificantly.

## **5. KCSO COST OF SERVICE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS.**

Based on our data collection, review, and analysis, the following KCSO cost of service findings conclusions and recommendations are summarized below.

- Dedicated Cost in the Kenmore KCSO contract represents the large majority of the police services budget and is composed of on-site KPD personnel and their associated operational costs to perform day-to-day business. Based upon the project team's review of such costs and the associated methodologies to derive them, there is no relevant opportunities to modify methodological approaches with respect to how such costs are calculated and applied to Kenmore. The only issue of significance is related to the actual cost for staff salary and benefits which can lead to some significant salary increases in the near term based on MOA contractual terms and conditions. Further, while such salary and benefits per officer are competitive with larger agencies (e.g. Seattle PD) with which KCSO must compete, such salaries are higher than smaller policing agencies which actually reflect the city of Kenmore's comparators.
- Additional Direct Police Services cost in the Kenmore KCSO contract represents approximately one-fifth of the allocated full-time equivalent positions and the KPD police services budget. Based upon the project team's review of such costs and the associated methodologies to derive them, there are only a few opportunities for potential renegotiation with KCSO to include: 1) Elimination of SWAT and Hostage Negotiation Team costs from the contract formulae; 2) recalculation of investigative service needs and associated costs based on revised metrics; 3) potential re-visitation of Precinct Command costs due to such services would not be necessary in an independent police department; and 4) determination on whether Kenmore should continue Marine and Accident Reconstruction services. Beyond these generally minor adjustments, there are no significant issues related to Additional Direct Police Services costs.
- Police Support Services (e.g. Overhead Cost) in the Kenmore KCSO contract represent only a marginal portion of the police services budget. Based upon the project team's review of such costs and the associated methodologies to derive them, they are applicable, with no relevant method for reduction unless strategies for reducing Dedicated and Direct full-time equivalent positions supporting Kenmore are employed. While there are some marginal potentialities for reduction in these areas as noted elsewhere in this report, it will impact support service and overhead costs generally insignificantly.



In summary, similar to the KPD operational chapter, KPD costs for service based on the KCSO contract are generally allocated appropriately and are consistent with both best practices for contractual services and cost allocation. Based on the totality of observations, the following recommendations are made.

**Recommendation:** KCSO should continue efforts to better publicize the mechanics behind, and detailed cost components associated with, each of the Dedicated, Direct and Support Service contractual charges. Additionally, identification of actual service level outputs and outcomes for those less visible services (e.g. Crime Analysis) would be beneficial. This will serve to better educate and inform contract service recipients.

**Recommendation:** Continue to identify alternative police service delivery options that may be cost competitive with KCSO services. While KCSO offers effective service delivery, salary and benefit costs for sworn personnel can potentially impact its ability to be cost-competitive over the long-term. Such alternatives will be further explored in Phase II of this engagement.

**Recommendation:** Negotiate elimination of SWAT and HNT charges from the Kenmore police service contract.

**Recommendation:** Negotiate refinement of the metrics and/or approach used to calculate investigative services needs and the attendant costs.

**Recommendation:** Consider negotiating a revision to the Precinct Command charges.

**Recommendation:** Determine if Kenmore desires continued Marine services and Accident Reconstruction services, the latter of which may not be negotiable given KCSO service protocols. The project team recommends retaining both services.

**Recommendation:** Based on any revised Dedicated or Direct service charge changes, ensure modifications in Police Support and Overhead services charges.





City Council Business Agenda Item  
City of Kenmore, WA

Subject/Topic: Estimates of Revenue and Expenditures for Current 2011-2012 Budget and Proposed Preliminary 2013-2014 Budget

For Council Meeting Agenda of: September 24, 2012

Department: Finance

Prepared by: Joanne Gregory

To Be Presented By: Rob Karlinsey, City Manager and Joanne Gregory, Finance Director

Proposed Council Action/Motion: Receive and File Estimates of Revenue and Expenditures for Current 2011-2012 Budget and Proposed Preliminary 2013-2014 Budget for the City of Kenmore, Washington

Initial & Date  
Approved by Department Head: *[Signature]* 9/17/12  
Approved by City Attorney: *[Signature]*  
Approved by Finance Director: *[Signature]* 9/17/12  
Approved by City Manager: *[Signature]* ROK

Exhibits/Attachments:

Summary of All Revenue and Expenditures by Fund

General Fund and Street Fund Revenue and Expenditure Summary Budget Development Worksheet for 2013-2014

Expenditure Required N/A  
\$44,593,809 Proposed 2013-2014 Budget

Amount Budgeted \$0

Appropriation Required

INFORMATION/BACKGROUND:

The Estimates of Revenue and Expenditures for the current 2011-2012 Budget and the proposed Preliminary 2013-2014 Budget for the City of Kenmore is presented for City Council review. This provides the opportunity for the City Council and the community to receive information on the City of Kenmore's biennial to date revenues and expenditures in comparison to the City's 2011-2012 amended biennial budget. It also provides an overview of the proposed preliminary 2013-2014 budget and financial program showing expenditures requested by each department and sources of revenues by which the financial programs are proposed to be financed, in accordance with RCW 35A.33.135.

FISCAL CONSIDERATION:

The proposed preliminary 2013-2014 budget includes a balanced General Fund with total expenditures of \$19,223,679 and revenues of \$19,241,693. The Street Fund is balanced with the addition of proposed

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new revenue sources including Transportation Benefit District Funds, and water and sewer utility franchise fees. The capital funds are also balanced and the Capital Improvement Program for parks, transportation, and surface water will be presented to the City Council on September 17, 2012. Further review and discussion of all fund budgets will begin on October 8, 2012.

**COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:**

Per RCW 35A.33.135, the City Manager must provide the legislative body with current information on estimates of revenues from all sources as adopted in the budget for the current year, no later than the first Monday in October. The City Manager must also provide the legislative body with the proposed preliminary budget setting forth the complete financial program, showing expenditures requested by each department and sources of revenue by which each such program is proposed to be financed.

# City of Kenmore, Washington

## Summary of All Revenues and Expenditures By Fund 2009/2010 to 2013/2014

|                                 | 2009-2010<br>Biennial<br><u>Total</u> | 2011-2012<br>Amended<br><u>Budget</u> | 2011<br><u>Actual</u> | 2012<br><u>Estimate</u> | 2011-2012<br>Biennium<br><u>Total Estimate</u> | 2013<br><u>Proposed</u> | 2014<br><u>Proposed</u> | 2013-2014<br><u>Proposed Budget</u> |
|---------------------------------|---------------------------------------|---------------------------------------|-----------------------|-------------------------|------------------------------------------------|-------------------------|-------------------------|-------------------------------------|
| <b>Revenues by Fund:</b>        |                                       |                                       |                       |                         |                                                |                         |                         |                                     |
| General Fund                    | \$18,944,235                          | \$18,945,595                          | \$9,287,506           | \$9,336,535             | \$18,624,041                                   | \$9,527,491             | \$9,714,203             | \$19,241,693                        |
| Street Fund                     | 8,568,320                             | 2,394,724                             | 1,036,456             | 1,312,576               | 2,349,032                                      | 2,245,722               | 1,604,451               | 3,850,173                           |
| Public Art Fund                 | 130,857                               | 3,979                                 | 819                   | 300                     | 1,119                                          | 300                     | 300                     | 600                                 |
| Park Impact Fee Fund            | 396,801                               | 440,942                               | 76,852                | 173,189                 | 250,041                                        | 423,230                 | 673,271                 | 1,096,501                           |
| Transportation Impact Fee Fund  | 1,280,266                             | 943,962                               | 239,207               | 436,844                 | 676,051                                        | 435,973                 | 440,697                 | 876,670                             |
| Swamp Creek Basin Fund          | 1,762,641                             | 35,619                                | 10,650                | 8,800                   | 19,450                                         | 8,200                   | 7,800                   | 16,000                              |
| Municipal Capital Reserve Fund  | 1,493,254                             | 2,038,341                             | 658,183               | 640,103                 | 1,298,286                                      | 569,468                 | 577,849                 | 1,147,317                           |
| Park Improvement Fund           | 0                                     | 0                                     | 0                     | 0                       | 0                                              | 568,534                 | 187,655                 | 756,189                             |
| Transportation Improvement Fund | 23,393,136                            | 7,574,163                             | 1,751,881             | 2,422,952               | 4,174,833                                      | 6,081,950               | 5,306,000               | 11,387,950                          |
| Kenmore Village Fund            | 4,693,262                             | 508,079                               | 447,633               | 1,472,638               | 1,920,271                                      | 183,020                 | 169,320                 | 352,340                             |
| Surface Water Management Fund   | 2,824,196                             | 3,743,334                             | 1,604,655             | 2,412,441               | 4,017,096                                      | 1,859,137               | 1,640,038               | 3,499,175                           |
| Surface Water Capital Fund      | 0                                     | 0                                     | 0                     | 0                       | 0                                              | 1,230,250               | 672,000                 | 1,902,250                           |
| Strategic Reserve Fund          | 206,833                               | 0                                     | 0                     | 0                       | 0                                              | 0                       | 0                       | 0                                   |
| Strategic Opportunity Fund      | 0                                     | 0                                     | 0                     | 0                       | 0                                              | 2,500,000               | 0                       | 2,500,000                           |
| Equipment Replacement Fund      | 111,199                               | 161,520                               | 22,312                | 135,652                 | 157,964                                        | 51,850                  | 103,293                 | 155,142                             |
| <b>Total Revenues</b>           | <b>63,804,999</b>                     | <b>36,790,258</b>                     | <b>15,136,154</b>     | <b>18,352,030</b>       | <b>33,488,184</b>                              | <b>25,685,124</b>       | <b>21,096,876</b>       | <b>46,782,000</b>                   |
| <b>Expenditures by Fund:</b>    |                                       |                                       |                       |                         |                                                |                         |                         |                                     |
| General Fund                    | \$18,263,109                          | \$18,914,948                          | \$9,069,408           | \$9,147,554             | \$18,216,962                                   | \$12,252,427            | \$9,471,252             | \$21,723,679                        |
| Street Fund                     | 4,156,306                             | 3,160,790                             | 1,395,044             | 1,478,007               | 2,873,051                                      | 2,193,788               | 1,646,338               | 3,840,126                           |
| Public Art Fund                 | 129,991                               | 1,000                                 | 500                   | 500                     | 1,000                                          | 500                     | 500                     | 1,000                               |
| Park Impact Fee Fund            | 18,683                                | 700,000                               | 0                     | 30,000                  | 30,000                                         | 230,000                 | 0                       | 230,000                             |
| Transportation Impact Fee Fund  | 880,698                               | 1,221,255                             | 610,628               | 610,628                 | 1,221,256                                      | 412,500                 | 380,000                 | 792,500                             |
| Swamp Creek Basin Fund          | 0                                     | 0                                     | 0                     | 131,939                 | 131,939                                        | 80,000                  | 80,000                  | 160,000                             |
| Municipal Capital Reserve Fund  | 5,328,981                             | 3,262,894                             | 1,211,586             | 1,193,592               | 2,405,178                                      | 1,317,250               | 477,655                 | 1,794,905                           |
| Park Improvement Fund           | 0                                     | 0                                     | 0                     | 0                       | 0                                              | 495,000                 | 160,000                 | 655,000                             |
| Transportation Improvement Fund | 21,416,211                            | 8,420,240                             | 2,438,719             | 2,379,913               | 4,818,632                                      | 5,635,750               | 5,265,000               | 10,900,750                          |
| Kenmore Village Fund            | 16,636,625                            | 507,820                               | 474,789               | 1,206,166               | 1,680,955                                      | 161,600                 | 177,600                 | 339,200                             |
| Surface Water Management Fund   | 5,098,955                             | 4,866,475                             | 2,301,188             | 1,943,001               | 4,244,189                                      | 2,407,752               | 2,070,397               | 4,478,149                           |
| Surface Water Capital Fund      | 0                                     | 0                                     | 0                     | 0                       | 0                                              | 1,230,250               | 672,000                 | 1,902,250                           |
| Strategic Reserve Fund          | 0                                     | 0                                     | 0                     | 0                       | 0                                              | 0                       | 0                       | 0                                   |
| Strategic Opportunity Fund      | 0                                     | 0                                     | 0                     | 0                       | 0                                              | 0                       | 0                       | 0                                   |
| Equipment Replacement Fund      | 97,246                                | 143,497                               | 11,386                | 220,138                 | 231,524                                        | 241,250                 | 35,000                  | 276,250                             |
| <b>Total Expenditures</b>       | <b>72,026,805</b>                     | <b>41,198,919</b>                     | <b>17,513,248</b>     | <b>18,341,439</b>       | <b>35,854,687</b>                              | <b>26,658,067</b>       | <b>20,435,742</b>       | <b>47,093,809</b>                   |

City of Kenmore - General Fund and Street Fund  
Revenue and Expenditure Summary  
Budget Development Worksheet for 2013-2014

|                                               | Actual<br>2009-2010 | Budget<br>2011-2012 | Actual<br>2011 | Projected<br>2012 | Projected<br>2011-2012 | Proposed<br>2013 | Proposed<br>2014 | Proposed<br>2013-2014 |
|-----------------------------------------------|---------------------|---------------------|----------------|-------------------|------------------------|------------------|------------------|-----------------------|
| <b>General Fund</b>                           |                     |                     |                |                   |                        |                  |                  |                       |
| <b>Total Revenues</b>                         | \$18,944,236        | \$18,945,596        | \$9,287,506    | \$9,336,535       | \$18,624,041           | \$9,527,491      | \$9,714,203      | \$19,241,693          |
| <b>Department</b>                             |                     |                     |                |                   |                        |                  |                  |                       |
| City Council                                  | 228,334             | 217,644             | 127,849        | 107,818           | 235,667                | 106,114          | 107,836          | 213,950               |
| City Manager                                  | 1,712,086           | 1,796,600           | 912,342        | 889,059           | 1,801,401              | 1,059,337        | 1,066,483        | 2,125,820             |
| Finance & Administration                      | 998,958             | 1,175,474           | 550,088        | \$599,392         | 1,149,480              | 480,650          | 498,191          | 978,841               |
| Legal                                         | 514,919             | 494,285             | 294,320        | \$157,181         | 451,501                | 215,000          | 215,000          | 430,000               |
| Interfund Transfers                           | 1,208,595           | 1,564,000           | 917,000        | 722,000           | 1,639,000              | 953,186          | 472,915          | 1,426,101             |
| Non Department                                | 1,779,574           | 1,532,820           | 754,185        | 796,549           | 1,550,734              | 759,482          | 703,725          | 1,463,208             |
| Public Safety                                 | 7,075,237           | 7,179,563           | 3,403,895      | 3,600,746         | 7,004,641              | 3,734,398        | 3,882,950        | 7,617,348             |
| Engineering                                   | 807,792             | 1,045,741           | 503,575        | 610,777           | 1,114,352              | 676,151          | 685,235          | 1,361,385             |
| Community Development                         | 2,744,029           | 712,632             | 330,213        | 341,216           | 671,429                | 462,482          | 476,959          | 939,441               |
| Development Review                            |                     | 1,501,147           | 560,680        | 651,463           | 1,212,143              | 647,098          | 683,149          | 1,330,246             |
| Parks & Facility Maintenance                  | 1,193,181           | 1,695,042           | 715,261        | 671,353           | 1,386,614              | 658,530          | 678,809          | 1,337,339             |
| <b>Total Expenditures</b>                     | 18,262,705          | 18,914,948          | 9,069,408      | 9,147,554         | 18,216,962             | 9,752,427        | 9,471,252        | 19,223,679            |
| <b>Net Increase (Decrease)</b>                | 681,531             | 30,648              | 218,098        | 188,981           | 407,079                | (224,936)        | 242,951          | 18,014                |
| <b>Ending Fund Balance</b>                    | 4,942,288           | 4,972,936           | 5,160,386      | 5,349,367         | 5,349,367              | 5,124,430        | 5,367,381        | 5,367,381             |
| <b>Transfer to Strategic Opportunity Fund</b> |                     |                     |                |                   |                        | (2,500,000)      | 0                | (2,500,000)           |
| <b>Adjusted Ending Fund Balance</b>           | \$4,942,288         | \$4,972,936         | \$5,160,386    | \$5,349,367       | \$5,349,367            | \$2,624,430      | \$5,367,381      | \$2,867,381           |

|                                |             |             |             |             |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Street Fund</b>             |             |             |             |             |             |             |             |             |
| <b>Total Revenues</b>          | \$8,568,320 | \$2,451,724 | \$1,036,456 | \$1,312,576 | \$2,349,032 | \$2,245,722 | \$1,604,451 | \$3,850,173 |
| <b>Total Expenditures</b>      | 4,156,306   | 3,217,790   | 1,395,044   | 1,478,007   | 2,873,051   | 2,193,788   | 1,646,338   | 3,840,126   |
| <b>Net Increase (Decrease)</b> | 4,412,014   | (766,066)   | (358,588)   | (165,431)   | (524,019)   | 51,934      | (41,887)    | 10,047      |
| <b>Ending Fund Balance</b>     | \$2,040,581 | \$1,274,515 | \$1,681,993 | \$1,516,562 | \$1,516,562 | \$1,568,496 | \$1,526,609 | \$1,526,609 |