

**City of Kenmore
City Council Meeting
Special Meeting Minutes
Monday, October 9, 2023**

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

PRESENT:

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

Staff: City Manager Rob Karlinsey
Deputy City Manager Stephanie Lucash
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Development Services Director Samantha Loyuk
Planner Riley Rosbotham
Finance and Administration Director Melinda Merrell
City Engineering Director John Vicente
Parks Project Manager Maureen Colaizzi
Senior Civil Engineer Kent Vaughan

Speaking Guests: Heidi Hiatt, Christian Coalition for Safe Families
Alicia McIntire, Parametrix
Rhea Flisakowski, DKS Consulting

Public Comments Speaking Guests:
Patrick O’Brien, Kenmore Resident
Chaim Rifkin, Chabad of Kirkland
Nancy Hanson, Kenmore Resident
Elizabeth Mooney, Kenmore Resident
Carl Michelman, Brier Resident

Public Hearing Speaking Guests:

Patrick O'Brien, Kenmore Resident
Stacey Valenzuela, Kenmore Resident
Leo Frank, Unknown
Andy O'Brien, Unknown
Matthew North, Unknown
Nancy Hansen, Kenmore Resident
Jim Meyers, Kenmore Resident
Jim Adkisson, Unknown
Paul Crater, Unknown
Sadie En, Unknown
Raul Martinez, Unknown

SPECIAL MEETING (OFF SITE)

Mayor Herbig and the City Council participated in a Joint Special meeting with the Shoreline City Council and the Lake Forest Park City Council beginning at 5:45 p.m. at the following location: Shoreline City Hall – 17500 Midvale Ave N Shoreline, WA 98133. Mayor Herbig, Deputy Mayor O'Cain, Councilmember Srebnik, Councilmember Marshall, Councilmember Pfeil, Councilmember Kugler were in attendance. In addition, City Manager Rob Karlinsey and Deputy City Manager Stephanie Lucash were in attendance. The following topics were discussed:

- City Updates - Each Mayor is given five minutes.
- Northend Aquatic Center - City Study Update
- Connections Health / Regional Crisis Response (RCR) Agency
- Legislative Priorities

CALL SPECIAL MEETING TO ORDER:

Deputy Mayor Melanie O'Cain called the special meeting to order at 7:30 p.m.

LAND ACKNOWLEDGEMENT

Deputy Mayor O'Cain read the Land Acknowledgement Honoring First Peoples.

PROCLAMATION

Deputy Mayor O'Cain read a proclamation highlighting Domestic Violence Awareness Month; it was accepted by LifeWire and Christian Coalition for Safe Families. Heidi Hiatt of the Christian Coalition for Safe Families read a statement. City Clerk Warhol read a statement submitted by Janeira Bencosme-Gil, Co-Executive Director of Organizational Operations at LifeWire.

[Domestic Violence Awareness Month](#)

WHERE'S THE FUN?

City Manager Rob Karlinsey highlighted a recent "Love Note" event, the Children's Business Fair, organized and implemented by Maura Query. This year, the event had 50 vendors. The children producing goods were aged 4-17. The Council praised Ms. Query for her efforts and her incredible community love note.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here:

https://www.youtube.com/live/zCGFaUAUF0?si=OVcwEhimuJ_fZI-P&t=891

CONSENT AGENDA

- A. Approve City Council Special and Regular Meeting Minutes from September 18, 2023.

[City Council Special and Regular Meeting Minutes from September 18, 2023](#)

- B. Approve the City Council Special and Regular Meeting Minutes from September 25, 2023.

[City Council Special and Regular Meeting Minutes from September 25, 2023](#)

- C. Approve Roundtable Town Hall City Council Special Meeting Minutes from September 28, 2023.

[Roundtable Town Hall Special Meeting Minutes from September 28, 2023](#)

- D. Authorize the City Manager to execute Contract No. 23-C2971 with Health Management Associates, Inc. for a Human Services Needs Assessment not to exceed \$49,795, in a form approved by the City Attorney.

[Agenda Bill - Contract No. 23-C2971 Human Needs Assessment](#)

- E. Approve Total Check #s 52899 through 52981 totaling \$590,413.71 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 09/08/2023 in the amount totaling \$248,403.35 and ACH Payment to Electronic Business Machines in the amount of \$255.33, and ACH Payment to KBA, Inc. in the amount of \$611.80, and ACH Payment to Thomco Construction in the amount of \$152,008.19.

[Voucher Certification and Approval 09/02/2023-09/15/2023](#)

MOTION: Councilmember Kugler moved to approve the consent agenda items A through E, outlined above. Councilmember Pfeil seconded the motion.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT.

PUBLIC HEARINGS

- A. Proposed Ordinance No. 23-0593, Exceptional Trees, presented by Development Services Director Samantha Loyuk, *for public hearing*

[Agenda Bill - Proposed Ordinance No. 23-0593 Exceptional Trees](#)

[Attachment 1 - Proposed Ordinance No. 23-0593 Exceptional Trees](#)

[Attachment 2 - Proposed Ordinance No. 23-0593 Exhibit A](#)

[Attachment 3 - Proposed Ordinance No. 23-0593 Exhibit B](#)

[Attachment 4 - Proposed Ordinance No. 23-0593 Exhibit C](#)

[Attachment 5 - King County Conservation District Tree Canopy Study](#)

[Attachment 6 - September 2021 Exceptional Trees Policy Report](#)

[Attachment 7 - KMC 18.55.180, Reasonable Use Exception Presentation - Exceptional Trees](#)

Samantha Loyuk, the Director of Development Services, emphasized in both her agenda bill and verbal communication the details regarding the outstanding tree ordinance:

- Background:
 - The ordinance was suggested in response to the City Council's request in January 2021 for tree regulation updates.
 - It stems from discussions in April 2021, with further insights presented in September 2021.
- Content of the Ordinance:
 - The ordinance aims to protect and preserve large trees, designating them as exceptional.
 - Criteria for exceptional trees include native species and those reaching a Diameter at Breast Height (d.b.h.) of 48 inches or more.
- Exemptions and Penalties:
 - The ordinance allows removal in specific situations, such as property rights, hazards, or development requirements.
 - Penalties for unauthorized removal are set at \$2,500 per inch d.b.h., with a minimum fine of \$10,000, plus replacement tree planting.
- Approval Process:
 - SEPA review and notice to the Washington State Department of Commerce have been completed.
- Public Engagement and Council Involvement:
 - The City Council has discussed tree regulations and the proposed ordinance in various public meetings since December 2021.
 - Concerns about housing obligations have been addressed, emphasizing that tree protection and housing goals can coexist.
- Council Priorities:
 - The proposed ordinance aligns with the City Council's priorities, emphasizing environmental stewardship and affordable housing options.
- Fiscal Consideration:

- Anticipate increased staff workloads due to permit processing, plan review, and code enforcement.
- There may be a need for a new position, City Arborist.

Councilmembers asked about permits required to remove hazardous trees. Staff confirmed that a permit would be required to remove the tree for a permit fee of \$210. Councilmembers also asked about the penalty fee and how to incentivize City residents to preserve trees.

Mayor Herbig opened the public hearing at 8:30 p.m.

Persons gave testimony, link provided here:

<https://www.youtube.com/live/zCGFaUAUF0?si=V3spR9Xg8XPHczGT&t=3606>

Mayor Herbig closed the public hearing at approximately 8:55 p.m.

- B. Proposed Ordinance No. 23-0584, amending Kenmore Municipal Code (KMC) Sections 18.42.030 and 18.42.135 relating to unattended temporary signs and displays on City-owned property within public/semi-public zone, presented by Development Services Director Samantha Loyuk and Planner Reilly Rosbotham, *for public hearing*

[Agenda Bill - Proposed Ordinance No. 23-0584](#)

[Attachment 1 - Proposed Ordinance No. 23-0584](#)

[Attachment 2 - Proposed Ordinance No. 23-0584 Exhibit A](#)

Planner Reilly Rosbotham explained that The City aims to regulate the posting of signs on City-owned property, addressing issues with clutter and hazards caused by unattended displays at City Hall. The proposed ordinance (Ex. 1) seeks to prohibit unattended temporary signs and displays on City-owned properties, ensuring the safety and functionality of City facilities for governance and business activities. The City has notified the Washington State Department of Commerce and received a Determination of Non-Significance under the State Environmental Policy Act for the proposed amendments.

Mayor Herbig opened the public hearing at 9:02 p.m.

Persons gave testimony, link provided here:

<https://www.youtube.com/live/zCGFaUAUF0?si=JDbPLJOfm9kobrve&t=5569>

Mayor Herbig closed the public hearing at approximately 8:55 p.m.

BUSINESS AGENDA

- A. Proposed Ordinance No. 23-0593, Exceptional Trees, presented by Development Services Director Samantha Loyuk, *for adoption*

[Agenda Bill - Proposed Ordinance No. 23-0593 Exceptional Trees](#)

[Attachment 1 - Proposed Ordinance No. 23-0593 Exceptional Trees](#)

[Attachment 2 - Proposed Ordinance No. 23-0593 Exhibit A](#)

[Attachment 3 - Proposed Ordinance No. 23-0593 Exhibit B](#)
[Attachment 4 - Proposed Ordinance No. 23-0593 Exhibit C](#)
[Attachment 5 - King County Conservation District Tree Canopy Study](#)
[Attachment 6 - September 2021 Exceptional Trees Policy Report](#)
[Attachment 7 - KMC 18.55.180, Reasonable Use Exception](#)
[Presentation - Exceptional Trees](#)

MOTION: Mayor Herbig moved to place both public hearing items (A and B) on to the next consent agenda (10/16) and to continue the public hearings for written testimony to be received by the City Clerk (Anastasiya Warhol, awarhol@kenmorewa.gov) no later than 5 p.m. on Sunday, 10/15/23. Councilmember Marshall seconded the motion.

VOTE: 4 Yes; 2 No; 0 Abstain. MOTION PASSES.

- B. Proposed Ordinance No. 23-0584, amending the Kenmore Municipal Code (KMC) Sections 18.42.030 and 18.42.135 relating to unattended temporary signs and displays on City-owned property within the public/semi-public zone, presented by Development Services Director Samantha Loyuk and Planner Reilly Rosbotham, *for adoption*

[Agenda Bill - Proposed Ordinance No. 23-0584](#)
[Attachment 1 - Proposed Ordinance No. 23-0584](#)
[Attachment 2 - Proposed Ordinance No. 23-0584 Exhibit A](#)

Due to the motion made above, the public hearing was extended for written testimony due to the City Clerk Anastasiya Warhol by 5 p.m. on Sunday, October 15. No further action on the agenda bill was taken.

- C. Transportation Element of the Comprehensive Plan Update, presented by Engineering Director John Vicente and Principal Planner Todd Hall, *for discussion and direction*

[Agenda Bill - Transportation Element Update of the Comprehensive Plan](#)
[Attachment 1 - Transportation Element Update, clean version](#)
[Attachment 2 - Transportation Element Update, red-lined version](#)
[Attachment 3 - Capital Facilities Plan](#)
[Attachment 4 - Appendix D1 - Traffic Modeling and Assumption/LOS Reports](#)
[Attachment 5 - Land Use Maps](#)
[Attachment 6 - Roadway Facts Sheets](#)
[Attachment 7 - Conceptual Design and Cost Estimates](#)
[Attachment 8 - Potential Transportation Funding Sources](#)
[Attachment 9 - Proposed Changes to Roadway Classifications \(Figure T-17\)](#)
[Attachment 10 - Response to Public Comments](#)
[Attachment 11 - Proposed Changes to Bicycle and Pedestrian Priority Routes \(Figures T-18 and T-19\)](#)
[Presentation - Transportation Element](#)

City Engineering Director John Vicente and Alicia McIntire of Parametrix presented the suggested edits to the transportation element of the Comprehensive Plan. The following Council discussion points from September 18, 2023 and responses were provided:

- Q1: King County Metro Park and Ride Lease Discontinuation
 - A1: Sound Transit confirms Metro Park and Ride, reference will be removed.
- Q2: Outdated King County Metro Routes in Table T-2
 - A2: Table will be updated to reflect currently active routes.
- Q3: Limiting Ferry Stop to University of Washington on Page 6.38
 - A3: Language will be broadened to include "other destinations along Lake Washington and Lake Union."
- Q4: Expanding Policy T-4.5.4 Beyond Carpools for Single Occupancy Vehicles
 - A4: Revised to include "and other non-motorized modes of travel" after "carpools."
- Q5: Inclusion of Policy on Clean Airplane Fuels
 - A5: Will incorporate language supporting environmentally friendly fuels and seaplane fuel containment.
- Q6: Policy T-4.3.3 and Sidewalks in Developments
 - A6: Current road standards clarify sidewalk requirements based on public or private roads.
- Q7: Priority for Pedestrian/Bicycle Access in Draft Plan
 - A7: Objectives and policies (T-4.3 and T-4.4.2) address sidewalk and bicycle facility prioritization.
- Q8: Inclusion of Bike Parking as a Policy
 - A8: Policy T-8.2.3 already includes amenities like bike lockers; "bike parking" term will be added.
- Q9: Freight Percentage on I-5 and NE 175th as a Freight Route
 - A9: NE 175th is not a freight route; freight percentage on I-5 to be provided during the council presentation.
- Q10: Sidewalks and Parking on Both Sides for Cul-de-sacs
 - A10: Policy T-4.3.3 addresses sidewalk placement; on-street parking on both sides allowed in cul-de-sacs but not required.
 - Additional Proposed Changes to Figures T-18 and T-19:
 - Removal of bicycle/pedestrian line through Swamp Creek, with a route adjustment along 73rd Ave NE, NE 192nd St, and 80th Ave NE.

D. Traffic Impact Fee Update, presented by Engineering Director John Vicente, *for Discussion*

[Agenda Bill - Traffic Impact Fee Update](#)
[Attachment 1 - Traffic Impact Fee Study](#)
[Presentation - Traffic Impact Fee Update](#)

City Engineering Director John Vicente introduced Rhea Flisakowski of DKS Consulting. Ms. Flisakowski is a Transportation Engineer and she highlighted the following points in her discussion:

- **Purpose of Impact Fees:**
 - Obtain revenue for new public facilities' cost.
 - Implement a policy where new development shares a portion of facility costs.
 - Ensure adequate facilities for new development.
- **Impact Fee Usage:**
 - Paid by new development for equitable share of capital improvement transportation project costs.
 - Rates vary based on land use type.
 - Revenue can only be used for capital facility costs, not for operating or maintenance expenses.
 - Procedures outlined in KMC Chapter 12.75, with Level of Service Standards in Chapter 12.80.
- **Proposed Changes and Study Recommendations:**
 - Traffic Impact Fee Study suggests a new per-unit rate of \$3,947, a 55% reduction from the current rate of \$7,233.57.
 - Reduction primarily attributed to completion of previous large projects.
- **Basis for Impact Fee Calculation:**
 - Calculation aligns with capital facility projects in the proposed transportation element.
 - Transportation Element presented to council on September 18th and October 9th, 2023.
- **Alignment with City Goals:**
 - Proposed Transportation Element accommodates various travel modes.
 - Aligns with City's goals, objectives, and policies through near-term and long-term transportation projects.
 - Reflects community values expressed in transportation goals and layered network.

Mr. Vicente explained that the next step is to seek Council approval of the 2024 fee schedule in November; approval includes updated impact fees based on the proposed Transportation Element.

- E. Charter for Financial Sustainability Plan Task Force (FSPTF), presented by Finance and Administration Director Melinda Merrell, *for approval*
[Agenda Bill - Charter for Financial Sustainability Plan Task Force \(FSPTF\)](#)
[Attachment 1 - Proposed Charter for Financial Sustainability Task Force \(FSPTF\)](#)

Finance and Administration Director Melinda Merrell presented the charter to move forward on resurrecting a Financial Sustainability Plan. City Manager Karlinsey will determine who is ultimately appointed to the group.

MOTION: Deputy Mayor O'Cain moved to approve the Financial Sustainability Plan Task Force Charter. Councilmember Pfeil seconded the motion.
VOTE: 6 Yes; 0 No; 0 Abstain. MOTION PASSES.

F. Walkways & Waterways Bond Measure Final Report, presented by City Manager Rob Karlinsey, Parks Project Manager Maureen Colaizzi, and Senior Civil Engineer Kent Vaughan, *no action*

[Agenda Bill - Walkways and Waterways Bond Measure Final Report](#)
[Attachment 1 - Walkways and Waterways Bond Measure Final Report](#)
[Presentation - Walkways and Waterways Bond Measure Final Report](#)

City Manager Rob Karlinsey opened the report with the background of the Walkways and Waterways initiative. The initiative stemmed from the "Imagine Kenmore" community engagement process, prioritizing pedestrian and cyclist safety and connecting residents with public open spaces and waterfront. In 2016, 64% of Kenmore voters approved the Walkways & Waterways Bond Measure, increasing property taxes. He introduced the Parks Project Manager Maureen Colaizzi and Senior Civil Engineer Kent Vaughan, both of whom played a critical role in making the project successful. A special edition newsletter titled "Walkways and Waterways Bond Measure Final Report" was published and mailed to all Kenmore residents and businesses on October 2, 2023. The team highlighted the details and deliverables of the five "Walkways and Waterways" projects:

1. 68th Avenue Pedestrian and Bicycle Safety Improvements Project
2. Juanita Drive Pedestrian and Bicycle Safety Improvements Project
3. Log Boom Park Waterfront Access & Viewing Project
4. Łaŕwadis Park Waterfront and Natural Open Space Access Project
5. Rhododendron Park Boardwalk Project

Each project had unique characteristics and challenges, but the team persevered and was able to complete the projects.

- **Project Completion:**
 - All five projects from the November 2016 Walkways and Waterways bond measure are now complete.
 - The City compiled a final report covering project costs, funding sources, bond measure details, new amenities, environmental impacts, and maintenance updates.
- **Deliverables:**

- New sidewalks and bike lanes on 68th Avenue and Juanita Drive.
- Amenities at Log Boom Park, including a sandy beach, habitat restoration, and a kayak concession building.
- Wildlife habitat restoration, bridges, trails, boardwalks, and docks at ŁaŁwadis Park.
- A new boardwalk connecting the playfield to the waterfront at Rhododendron Park.
- **Costs:**
 - Initial cost estimates in 2016 were \$25 million; however, final total costs reached \$45 million by the end of 2023.
 - Despite the increase, the City did not seek additional voter funding, reduce project scopes, or compromise project promises.
- **Funding Sources:**
 - Walkways and Waterways Bond: \$19,750,000
 - Grants: \$9,550,371
 - Utility Company Contributions: \$4,813,070
 - Other City Funds: \$13,926,180 (including 1% For Art, Real Estate Excise Tax, Impact Fees, and the Strategic Operations Fund)
- **Final Project Costs (to date, for all five projects):**
 - Administration/Project Management: \$1,250,895
 - Design/Engineering: \$4,745,395
 - Right of Way Acquisition: \$682,318
 - Construction: \$38,866,006
 - Total: \$45,544,614

Mr. Karlinsey closed by discussing lessons learned from the Walkways and Waterways projects. Estimating project costs is challenging, especially with limited design information, necessitating either more comprehensive upfront design or reliance on recent examples for a more accurate cost assessment. The renderings for the 68th Avenue and Juanita Drive improvements were overly technical, posing difficulties for the public to comprehend, adopting a simpler approach, as seen in the three parks projects, would have been more effective. Additionally, it's advisable to err on the side of caution and overestimate the construction timeline, as construction tends to take longer than initially anticipated. The experience reiterated the value of our exceptional team, successfully managing projects amidst the challenges of the pandemic, supply chain disruptions, and labor shortages. Their resourcefulness led to securing millions more in grants than initially projected.

The Council expressed overwhelming gratitude to the Kenmore team for successfully bringing these projects to fruition, extending heartfelt appreciation for their dedication and hard work. The team's efforts not only ensured the completion of the projects but

also contributed to the creation of enduring assets that will bring enjoyment to generations of Kenmore residents. The Council commended the team for their exceptional work, acknowledging the lasting positive impact these projects will have on the community.

STAFF REPORTS

City Manager Rob Karlinsey gave a brief update on the Asphalt Plant operations in Kenmore. He reiterated that the regulator on the matter is the Puget Sound Clean Air Agency (PSRC). The City Manager has asked for a meeting with the new PSRC Administrator to continue to advocate for the residents of Kenmore.

COUNCILMEMBER REPORTS & COMMENTS

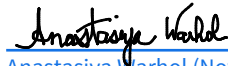
The Council debriefed the Kenmore City Council Roundtable Town Hall Meeting held on Thursday, September 28, 2023. Councilmembers got positive feedback from participants, and they requested more frequent Town Halls. Residents also noted that it loud to conduct the Town Hall in the Council Chambers; the City could consider a different venue. The Council was delighted to see the turnout of the community and the engagement.

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 11:23 p.m.


Nigel Herbig (Nov 14, 2023 17:15 PST)

Nigel Herbig, Mayor


Anastasiya Warhol (Nov 15, 2023 09:28 PST)

Anastasiya Warhol, City Clerk

City Council Special Meeting Minutes from October 9, 2023

Final Audit Report

2023-11-15

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