



City of Kenmore - 18120 68th Avenue NE - Kenmore, WA 98028  
Phone: 425-398-8900 - E-mail: [cityhall@kenmorewa.gov](mailto:cityhall@kenmorewa.gov)

## City Council Special Meeting

**ON-SITE**

**MONDAY, DECEMBER 4, 2023 - 6:00 PM**

In addition, we try to provide access to the meeting virtually:

**ZOOM LINK:** <https://kenmorewa-gov.zoom.us/j/87508248378>

**ZOOM PASSWORD: december**

Or One tap Mobile: US: +12532050468,,87508248378#

Or Telephone Dial US: +1 253 205 0468

Callers please dial \*9 to raise and lower hand

Webinar ID: 875 0824 8378

**ZOOM PASSWORD: december**

SIGN UP FOR VIRTUAL PUBLIC COMMENT HERE: [www.kenmorewa.gov/virtualpubliccomment](http://www.kenmorewa.gov/virtualpubliccomment)

**Technical Difficulties** - If the virtual component of the meeting disconnects, and we cannot resolve technical difficulties to reconnect the virtual component, the in-person meeting will continue at City Hall if there is a quorum of the body to conduct business.

### Land Acknowledgement to Honor First Peoples

*We acknowledge that the City of Kenmore is situated upon the ancestral lands of the Snohomish, Snoqualmie, Sauk-Suiattle, Duwamish, Stillaguamish, Tulalip, Suquamish, Muckleshoot, and other tribes who are part of the Coast Salish Peoples. We recognize and express our deepest respect for their enduring stewardship and profound relationship with this land, which they have cherished and protected since time immemorial. We honor the First Peoples, acknowledge their vibrant cultures, and commit ourselves to learning from their wisdom in our journey to promote justice, equity, and mutual understanding. We pledge to stand alongside these communities in acknowledging past injustices and working towards a future that respects and celebrates the diverse heritage of this land.*

## **I. CALL SPECIAL MEETING TO ORDER - 6:00 PM**

## **II. EXECUTIVE SESSION**

- A. Pursuant to RCW 42.30.110(1)(i), the City Council will now enter an executive session to discuss pending and potential litigation. This executive session is slated to last 60 minutes, until approximately 7:00 PM.

**ACTION: THE COUNCIL AUTHORIZED THE CITY ATTORNEY'S OFFICE TO EXTEND THE MANUFACTURED HOUSING COMMUNITY'S GROWTH BOARD APPEAL FOR 90 DAYS TO REACH A SETTLEMENT**

## **III. ROLL CALL**

## **IV. LAND ACKNOWLEDGEMENT**

## **V. FLAG SALUTE**

**VI. AGENDA APPROVAL**

**VII. WHERE'S THE FUN?**

**VIII. PUBLIC COMMENTS**

We welcome our community members to the Council's meeting. In this forum, the Council does not engage or dialogue with the public; the primary role of the Council is to listen. We will hear from our on-site guests first, followed by our pre-registered virtual guests. All guests must address comments to the Mayor and City Council. The Clerk will acknowledge your request and call your name when it is your turn. Your time will start when we confirm that we can hear you. Please state your name and city of residence for the record and keep your comments to the allotted time. We will not split your time with others or reset your time except by express approval of the Presiding Officer. You can submit materials to the Council or Clerk in advance. This meeting is being recorded. Thank you for taking the time to express your comments.

**NEW VIRTUAL PARTICIPATION PROCESS:** To provide public comments virtually, please fill out the [Virtual Public Comment Request Form](#) in advance of the meeting. The form opens Tuesdays at 12:00 Noon and closes Mondays at 12:00 Noon. You will be confirmed by the City Clerk. If you are having difficulty, please reach out to the City Clerk at [awarhol@kenmorewa.gov](mailto:awarhol@kenmorewa.gov).

**IX. CONSENT AGENDA**

**APPROVED BY UNANIMOUS CONSENT**

- A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 11/17/2023 in the amount totaling \$240,867.67 and ACH Payment to Center for Human Services in the amount of \$12,978.66, and ACH Payment to KBA, Inc. in the amount of \$1,080.60 and Payroll Check #10249 dated 11/17/2023 in the amount of \$404.09.  
[Voucher Certification and Approval 11/11/2023-11/24/2023](#)
- B. Approve the administrative correction for the corrected City Council Special and Regular Meeting Minutes from October 24, 2022. (*Added December 1, 2023*)  
[Agenda Bill - Administrative Correction City Council Special and Regular Meeting Minutes from October 24 2022](#)  
[Attachment 1 - Corrected City Council Special and Regular Meeting Minutes from October 24, 2022](#)  
[Attachment 2 - Original City Council Special and Regular Meeting Minutes from October 24, 2022](#)



## **X. BUSINESS AGENDA**

- A. Approval of Affordable Housing Development Proposal RFP No. 23-C2969 with Imagine Housing, presented by Deputy City Manager Stephanie Lucash, Housing and Human Services Manager Tambi Cork, and guests, *for approval*  
[Agenda Bill - RFP 23-C2969 Affordable Housing Development Proposal \(updated 12/2/2023\)](#)  
[Attachment 1 - Proposal from Imagine Housing](#)  
[Presentation - Kenmore and Imagine Housing](#)

## **XI. PUBLIC HEARINGS PUBLIC HEARINGS HELD**

**NEW VIRTUAL PARTICIPATION PROCESS:** To provide public comments virtually, please fill out the [Virtual Public Comment Request Form](#) in advance of the meeting. The form opens Tuesdays at 12:00 Noon and closes Mondays at 12:00 Noon. You will be confirmed by the City Clerk. If you are having difficulty, please reach out to the City Clerk at [awarhol@kenmorewa.gov](mailto:awarhol@kenmorewa.gov).

- A. Proposed Ordinance No. 23-0587 Mid-Biennial Amendments to the 2023-2024 Biennial Budget and 2024 Salary Plan, presented by Finance and Administration Director Melinda Merrell, *for public hearing*  
[Agenda Bill - Mid-Biennial Amendments to the 2023-2024 Biennial Budget and 2024 Salary Plan](#)  
[Attachment 1 - Proposed Ordinance No. 23-0587 including Exhibit A \(Proposed 2024 Salary Plan\)](#)  
[Attachment 2 - Mid-Biennium Budget Amendment Worksheet](#)  
[Attachment 3 - Projected Ending Fund Balance Worksheet](#)  
[Attachment 1 - Proposed Ordinance No. 23-0587 including Exhibit A \(Proposed 2024 Salary Plan\)](#)  
[Presentation - 2023-2024 Mid-Biennium Budget Amendments](#)
- B. Proposed Ordinance No. 23-0597, Remaining Tier 2 Tree Regulations, presented by Development Services Director Samantha Loyuk and Assistant to the City Manager Garrett Oppenheim, *for public hearing*  
[Agenda Bill - Proposed Ordinance No. 23-0597, Remaining Tier 2 Tree Regulations](#)  
[Attachment 1 - Proposed Ordinance No. 23-0597](#)  
[Attachment 2 - Exhibit A to Proposed Ordinance No. 23-0597](#)  
[Attachment 3 - Exhibit B to Proposed Ordinance No. 23-0597](#)  
[Attachment 4 - Exhibit C to Proposed Ordinance No. 23-0597](#)  
[Attachment 5 - Presentation](#)

## **XII. BUSINESS AGENDA (continued)**

- B. Proposed Ordinance No. 23-0587, Mid-Biennial Amendments to the 2023-2024 Biennial Budget and 2024 Salary Plan, presented by Finance

and Administration Director Melinda Merrell, *for adoption*

**ORDINANCE 23-0587 ADOPTED**

[Agenda Bill - Mid-Biennial Amendments to the 2023-2024 Biennial Budget and 2024 Salary Plan](#)

[Attachment 1 - Proposed Ordinance No. 23-0587 including Exhibit A \(Proposed 2024 Salary Plan\)](#)

[Attachment 2 - Mid-Biennium Budget Amendment Worksheet](#)

[Attachment 3 - Projected Ending Fund Balance Worksheet](#)

- C. Proposed Ordinance No. 23-0597, Remaining Tier 2 Tree Regulations, presented by Development Services Director Samantha Loyuk and Assistant to the City Manager Garrett Oppenheim, *for adoption*

**COUNCIL MOVED TO CONSIDER MORE STAKEHOLDER INPUT**

[Agenda Bill - Proposed Ordinance No. 23-0597, Remaining Tier 2 Tree Regulations](#)

[Attachment 1 - Proposed Ordinance No. 23-0597](#)

[Attachment 2 - Exhibit A to Proposed Ordinance No. 23-0597](#)

[Attachment 3 - Exhibit B to Proposed Ordinance No. 23-0597](#)

[Attachment 4 - Exhibit C to Proposed Ordinance No. 23-0597](#)

[Attachment 5 - Presentation](#)

- D. Proposed Ordinance No. 23-0599, Public Works Operations Center (PWOC) Bond Issuance, presented by City Manager Rob Karlinsey, Finance and Administration Director Melinda Merrell, Public Works Operations Director Jennifer Gordon, Environmental Services Director Richard Sawyer, D.A. Davidson & Co. Managing Director David Trageser, and Pacifica Law Group Partner Deanna Gregory, *for adoption*

**ORDINANCE 23-0599 ADOPTED**

[Agenda Bill - Proposed Ordinance No. 23-0599, Public Works Operations Center Bond Issuance](#)

[Attachment 1 - Proposed Ordinance No. 23-0599](#)

[Presentation - PWOC Bond Issuance](#)

- E. Proposed Resolution No. 23-408, Updated Council Rules and Procedures, adding Section 2.4 relating to Virtual Public Comment and Section 2.6 relating to the Consent Agenda, presented by City Clerk Anastasiya Warhol and City Attorney Dawn Reitan, *for adoption*

**RESOLUTION 23-408 ADOPTED AS AMENDED**

[Agenda Bill - Proposed Resolution No. 23-408 Updated Council Rules and Procedures](#)

[Attachment 1 - Proposed Resolution No. 23-408 Amending Council Rules and Procedures](#)

[Attachment 2 - Exhibit 1: Proposed Changes to Council Rules and Procedures](#)

**XIII. STAFF REPORTS**

**XIV. COUNCILMEMBER REPORTS & COMMENTS**

**XV. ADJOURN SPECIAL MEETING**

**UPCOMING MEETINGS**

A. December 11, 2023 7:00 PM - City Council Regular Meeting

**NOTICE OF POTENTIAL QUORUMS**

[Click here for information about Potential Quorums of the City Council.](#) Now found on the City website under City Council Meetings.



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# Voucher Certification and Approval

City of Kenmore

DATE RANGE: 11/11/2023 - 11/24/2023

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and the claim is a just, due and unpaid obligation against the City of Kenmore and that I am authorized to authenticate and certify to said claim. The following checks and electronic payments are approved for payment:

ACH Payment - Center for Human Services 12,978.66  
ACH Payment - KBA INC 1,080.60

Total Checks #53316 through 53399: 410,968.08

Total Payroll Electronic Deposits: Payroll/Taxes/Flex Spending/Health Savings/Retirement, Dated: 11/17/2023 240,867.67

Payroll Check #10249 dated 11/17/23: 404.09

Rob Karlinsey Nov 28, 2023  
Rob Karlinsey (Nov 28, 2023 10:24 PST)  
City Manager / Date

Melinda Merrell Nov 22, 2023  
Melinda Merrell (Nov 22, 2023 17:33 PST)  
Finance & Administrative Services Director / Date

Vendor Name	Payment Number	Payment Date	Description	Amount
CENTER FOR HUMAN SERVICES	1483	11/22/2023	Period 2 2023 Mental & Behavioral Health Counseling	12,978.66
KBA INC.	1484	11/22/2023	Sep/Oct 2023 Consulting Services	1,080.60
AFLAC	53316	11/17/2023	Employee Medical/Disability Plans	209.04
DEPARTMENT OF LABOR AND INDUSTRIES	53317	11/17/2023	City of Kenmore Workers' Compensation	5,959.93
DEPARTMENT OF LABOR AND INDUSTRIES	53318	11/17/2023	void	-
DEPARTMENT OF LABOR AND INDUSTRIES	53319	11/17/2023	void	-
ESD - LTC	53320	11/17/2023	Long Term Care Fund	1,941.70
ESD - PFML	53321	11/17/2023	Paid Family & Medical Leave	3,594.38
ESD - PFML	53322	11/17/2023	void	-
LINCOLN NATIONAL LIFE INSURANCE	53323	11/17/2023	Life Ins/ADD & LTD	2,212.61
MISSION SQUARE / 109964	53324	11/17/2023	City of Kenmore 401a & 401a Loan	25,159.31
MISSION SQUARE 457 / 304745	53325	11/17/2023	Mission Square 457 Deferred Compensation Plan	5,182.59
NATIONAL LIFE INSURANCE CO.	53326	11/17/2023	Life Insurance	123.17
UNITED WAY OF KING COUNTY	53327	11/17/2023	Employee Charitable Contribution	40.00
CONTECH ENGINEERED SOLUTIONS, INC	53328	11/22/2023	Contech Stormwater Cartridges	18,351.47
AWC EMPLOYEE BENEFIT TRUST	53329	11/22/2023	Employee Health Insurance	99,181.44
AWC EMPLOYEE BENEFIT TRUST	53330	11/22/2023	void	-
DEPARTMENT OF RETIREMENT SYSTEMS	53331	11/17/2023	Correction entry for \$0.05 to match DRS	0.05
AM TEST, INC	53332	11/22/2023	Swamp Creek TMDL	240.00
AMERICALL	53333	11/22/2023	Oct 2023 After Hours Call Out	156.66

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Vendor Name	Payment Number	Payment Date	Description	Page 7 of 405	Amount
APPLEONE EMPLOYMENT SERVICES	53334	11/22/2023	Temporary Receptionist Fee		4,460.00
APPLEONE EMPLOYMENT SERVICES	53335	11/22/2023	10/30-11/3 Temporary Receptionist		948.00
AURORA RENTS	53336	11/22/2023	Fork Lift Rental for CH Delivery SW Cartridge		2,143.27
BCN TELECOM, INC.	53337	11/22/2023	11/15-12/14/23 City Hall Phones		822.38
CANON FINANCIAL SERVICES, INC.	53338	11/22/2023	Oct 2023 Color Copier Contract		266.08
CAPITAL ONE TRADE CREDIT/MCLENDON	53339	11/22/2023	Small Tools for Parks		101.26
CASCADIA LAW GROUP	53340	11/22/2023	Oct 2023 Cadman Legal Services		1,406.25
CEDAR GROVE COMPOSTING, INC.	53341	11/22/2023	Compost for 175th		151.07
CENTRICITY GIS, LLC	53342	11/22/2023	Oct 2023 Cityworks Consulting		500.00
COMCAST	53343	11/22/2023	City Hall & Hangar Internet		2,109.18
COMCAST BUSINESS	53344	11/22/2023	Tl'awh-ah-dees Park Internet		81.95
COMCAST BUSINESS	53345	11/22/2023	City Hall Internet & Cable		167.40
DAY WIRELESS SYSTEMS	53346	11/22/2023	Police car units certification		357.83
FERGUSON WATERWORKS #3156	53347	11/22/2023	Cold Mix Asphalt for Pothold Filling		1,135.97
FIRE PROTECTION, INC	53348	11/22/2023	CH Fire Alarm/Sprinkler Maintenance		5,020.00
GRAINGER	53349	11/22/2023	Utility Locate Paint		154.59
HDR ENGINEERING, INC	53350	11/22/2023	T41 Juanita Drive NE (16-C1625)		1,202.66
HEIDELBERG MATERIALS	53351	11/22/2023	Asphalt Materials - Berm Work, Berm Materials, Sweeper Dump		750.29
HERBIG, NIGEL	53352	11/22/2023	Oct & Nov Conferences mileage & parking reimburse.		397.91
HONEY BUCKET	53353	11/22/2023	11/13-12/10-23 PW Yard Honey Bucket		167.75
HUANG, ANGELINA	53354	11/22/2023	Cash Deposit Refund-Agmt Restore Critical Areas		59,859.80
J3 ARCHITECTS LLC	53355	11/22/2023	General Consulting		2,500.00
JASON RICHARD SPERLING	53356	11/22/2023	Cover photo for Kenmore Quarterly		30.00
JAYMARC AV	53357	11/22/2023	Hangar A/V Repairs		429.39
JET CITY PRINTING	53358	11/22/2023	Misc. Office Supplies & Luminary Walk Sponsor Banner		1,074.58
KING COUNTY FINANCE	53359	11/22/2023	Jun-Aug 2023 Hangar Sewer Treatment		158.49
KING COUNTY FINANCE	53360	11/22/2023	Mar-May 2023 Hangar Sewer Treatment		158.49
KING COUNTY FINANCE	53361	11/22/2023	Sep-Nov 2022 Hangar Sewer Treatment Capacity Chg		158.49
KING COUNTY FINANCE	53362	11/22/2023	KC Roads Maint Signs & Signals		7,168.64
KING COUNTY FINANCE	53363	11/22/2023	Dec 22-Feb 23 Hangar Sewer Treatment		158.49
KING COUNTY FINANCE	53364	11/22/2023	KC Road Svcs Signs & Traffic Safety Program		3,901.48
KING COUNTY SHERIFF	53365	11/22/2023	Sept 2023 KCSO Police Discretionary OT		1,137.63
LANDSCAPE FORMS, INC.	53366	11/22/2023	Log Boom Park Trash Liners		633.08
MIKAELA FOWLER	53367	11/22/2023	Hangar Deposit Refund for event 10/13/23		100.00
MILLER STEPHENS, MARY	53368	11/22/2023	Oct 2023 Public Defense Services @ SCORE		1,250.00
NARWHAL MET, LLC	53369	11/22/2023	Nov 2023 Weather Monitoring Services		425.00
NORTHSHORE UTILITY DIST	53370	11/22/2023	Fleet Fuel & Maintenance; Water/Sewer City Property @18727 73rd NE and also PW Shop		5,318.34
OLBRECHTS & ASSOCIATES, PLLC	53371	11/22/2023	Oct 2023 Hearing Examiner Services		1,424.00
OLSON BROTHERS PRO VAC LLC	53372	11/22/2023	Emergency Response - Spill Sweep		648.00
O'REILLY/FIRST CALL	53373	11/22/2023	Wiper Blades for Fleet		28.16

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Vendor Name	Payment Number	Payment Date	Description	Page 8 of 405	Amount
OSBORN CONSULTING INC.	53374	11/22/2023	Oct 2023 Muck Creek Mitigation Consult Svcs & 170th Culvert FP Repair		14,577.43
PAWS	53375	11/22/2023	Sespt & Oct 2023 Animal Sheltering Services		1,980.00
PLYWOOD SUPPLY	53376	11/22/2023	Materials for Streets		98.25
PUGET SOUND ENERGY	53377	11/22/2023	City Hall Electricity; Streetlights & Parks & Traffic Signals Collectives		27,557.58
QUADIENT LEASING USA, INC.	53378	11/22/2023	Ink Cartridge		292.70
REGIONAL ANIMAL SERVICES OF KC	53379	11/22/2023	2023 Regional Animal Services		373.00
REGIONAL ANIMAL SERVICES OF KC	53380	11/22/2023	2022 Regional Animal Services		6,684.00
RRJ COMPANY, LLC	53381	11/22/2023	Oct 2023 Pavement Overlay & Sidewalk Repair		41,555.20
SCORE	53382	11/22/2023	Sept 2023 & Oct 2023 Jail & Jail Health Services		14,918.39
SCOTT BOTHEL	53383	11/22/2023	Business Directory Website Development		3,750.00
SEATTLE TIMES	53384	11/22/2023	Oct 2023 Legal Notices		1,765.91
SETH THOMPSON	53385	11/22/2023	Lodging reimbursement for CPSI class Tumwater		247.08
SHANNON & WILSON, INC.	53386	11/22/2023	On Call Geotech Services 19-C2122 ROW21-0357 & PRJ18-0170		2,422.50
SHORELINE FIRE DEPT	53387	11/22/2023	Q3 2023 Fire Marshal Plan Review		680.00
SHRED IT, C/O STERICYCLE, INC>	53388	11/22/2023	Sept & Oct 2023 Shredding Service		233.34
SNOHOMISH COUNTY	53389	11/22/2023	Drainage Maintenance Disposal		7,824.00
STAPLES	53390	11/22/2023	Facility Maintenance Supplies		176.24
STAPLES	53391	11/22/2023	City Hall Trash Liners		114.70
STEPHANIE LUCASH	53392	11/22/2023	Mileage Conferences Spokane & Chelan		616.36
STEWART MACNICHOLS HARMELL, INC.	53393	11/22/2023	Oct 2023 Public Defense Services		5,000.00
THOMAS JOACHIMIDES	53394	11/22/2023	Meal & Mileage for NWPMA Conference Portland		270.39
TOTAL LANDSCAPE CORP	53395	11/22/2023	Landscape Maintenance for Parks		2,257.05
US POSTAL SERVICE (HASLER)	53396	11/22/2023	Postage Meter Refill		4,994.11
XEROX CORPORATION	53397	11/22/2023	Oct 2023 Color Copier Rental & Overages		611.86
ZIPLY FIBER	53398	11/22/2023	City Hall Phones		674.74
58 STARS TRAVEL	53399	11/22/2023	Bal. due after C Pfeil trip to Atlanta cancelled		35.00
DRS 457	DFT0001752	11/17/2023	DRS 457 Deferred Compensation Plan		615.00
AVIDIA HEALTH	DFT0001753	11/17/2023	Employee HSA Contributions		266.30
DEPARTMENT OF RETIREMENT SYSTEMS	DFT0001754-1762	11/17/2023	Public Employees Retirement (PERS)		37,201.98
NAVIA	DFT0001763	11/17/2023	Employee FSA Contributions		1,077.28
BANK OF AMERICA 941	DFT0001764	11/17/2023	Federal Taxes		30,392.10
ELHAM ASADALI	10249	11/17/2023	Payroll		404.09
PAYROLL	EFT	11/17/2023	Direct Deposit		171,315.01
				<b>TOTAL</b>	<b>666,299.10</b>

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...



# Vendor Purchasing Report

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City of Kenmore

DATE RANGE: 01/01/2023 - 11/24/2023

Name	Amount
1901 WLD KENMORE 68TH LLC	7,500.00
4IMPRINT	5,903.29
58 STARS TRAVEL	2,477.60
A & A LIMOUSINE & BUS SERVICE	2,072.00
AA ASPHALTING LLC	34,000.00
AABCO BARRICADE COMPANY INC.	793.22
ABRACADABRA PRINTING	2,025.29
ACF WEST INC	2,557.23
ADVANCE TESTING & SERVICE INC	1,815.00
AFLAC	2,299.44
AL VAN EQUIP NORTHWEST	4,914.39
ALBIREO ENERGY LLC/AUTOMATED CONTROLS	4,688.70
ALEXA'S CATERING INC.	1,531.00
ALPHA SUPPORTED LIVING SERVICES	250.00
ALPHAGRAPHICS	1,219.51
ALPINE PRODUCTS INC.	771.86
ALWAYS ACTIVE SERVICES LLC	156,293.89
AM TEST, INC	6,555.00
AMADOR FARMS	383.00
AMERICALL	1,830.16
AMERICAN GENERAL LIFE GPO/400S	2,514.20
AMERICAN SOCIETY OF COMPOSERS	438.75
AMERICAN TRAFFIC SOLUTIONS INC	49,000.00
ANASTASIYA WARHOL	1,125.38
ANNA ARNOTT	83.90
APPLEONE EMPLOYMENT SERVICES	36,608.60
APPLIANCE REPAIR MM LLC	78.73
ART SIMPSON	428.03
ARTS OF KENMORE	9,150.00
ASPECT CONSULTING LLC	7,025.00
ASSOCIATION OF WA CITIES	29,164.16
AURORA RENTS	14,892.54
AVIDIA HEALTH	4,477.90
AWC EMPLOYEE BENEFIT TRUST	1,024,951.84
AZTECA SYSTEMS, LLC/CITYWORKS	42,751.83
BAKER, BRIDGIT	501.56
BALDWIN DESIGN WORKS, LTD.	1,469.00
BANK OF AMERICA 941	681,910.94
BCN TELECOM, INC.	8,082.58
BEAU AND STELLA	2,500.00
BELMONT HOMES	7,500.00
BENEFICIAL SOUND	6,000.00
BENNETT GOLD, TOBIN	5,380.14
BEST BEST & KRIEGER LLP ATTORNEYS AT LAW	4,433.50
BFI 4 LLC	2,000.00
BIZDIVERSITY	750.00
BOAZ COFFEE	45.00
BOTHELL KENMORE CHAMBER OF COMMERCE	2,725.00
BRIGHT SPARK EARLY LEARNING SERVICES	1,275.00
BROOK ROCHELLE HOUSEKEEPING CLEANING CO.	2,500.00
BROTHER'S FARMS	153.00
BUILDERS EXCHANGE OF WASHINGTON INC	336.40
BULGER SAFE & LOCK, INC.	570.64
BUSINESS STREET, LLC	40,000.00
CABOT DOW ASSOCIATES	6,606.25
CALICO COOKIES - ERIN CALI	77.00

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...



Name	Amount
CALPORTLAND COMPANY	5,207.90
CAMP UNITED WE STAND	2,000.00
CANON FINANCIAL SERVICES, INC.	2,660.80
CAPITAL ONE TRADE CREDIT/MCLENDON	299.37
CASCADE PEST CONTROL	1,764.23
CASCADE RECREATION, INC	7,195.04
CASCADIA CONSULTING GROUP, INC.	77,666.25
CASCADIA LAW GROUP	18,951.56
CECCANTI, INC.	435,403.54
CEDAR GROVE COMPOSTING, INC.	1,075.92
CENTER FOR HUMAN SERVICES	31,848.66
CENTRICITY GIS, LLC	3,375.00
CERTAPRO PAINTERS	2,290.08
CHANIN KELLY-RAE CONSULTING LLC	52,770.00
CHARLIE PARKS	335.33
CHICAGO TITLE	430.98
CHILLZ LLC	2,380.00
CHRISTINE CABATIT	298.49
CITY OF BELLEVUE	199,689.65
CITY OF KENT	500.00
CITY OF KIRKLAND	41,049.69
CITY OF LAKE FOREST PARK	54,026.00
CITY WIDE FENCE COMPANY, INC	21,920.92
CIVICPLUS LLC	5,078.55
CODE PUBLISHING COMPANY	7,381.54
COMCAST	18,778.50
COMCAST BUSINESS	6,828.98
CONFLUENCE ENVIRONMENTAL COMPANY	10,780.79
CONSOLIDATED PRESS	20,914.81
CONTECH ENGINEERED SOLUTIONS, INC	16,668.00
COOKIES WITH TIFFANY	4.00
CORINA PFEIL	25.80
CORNELL'S QUALITY CONSTRUCTION	8,302.75
COSTCO WHOLESALE MEMBERSHIP	60.00
CREATION ORGANICS, LLC	2,182.38
CUTE DUMPLINGS	335.00
D.P. NICOLI, INC.	1,366.59
DAILY JOURNAL OF COMMERCE	2,683.20
DAN MERIDIAN INC.	7,500.00
DANSOUND INC	5,990.00
DAVID BAKER	824.60
DAVIDSON MACRI SWEEPING, INC.	9,451.53
DAY WIRELESS SYSTEMS	1,271.68
DEBUG MOBILITY PRODUCTS	2,865.00
DELFINO'S	96.87
DEPARTMENT OF COMMERCE	47,219.75
DEPARTMENT OF ECOLOGY	30,829.00
DEPARTMENT OF LABOR AND INDUSTRIES	67,078.86
DEPARTMENT OF RETIREMENT SYSTEMS	800,236.73
DIGITAL REPROGRAPHICS SERVICES INC.	126.27
DILIGENT CORPORATION	36,005.82
DINH LIEU	50.00
DIVERSIFICATION INC	9,026.53
DIVYA GATTU	150.00
DON C SHIN	10,000.00
DRS 457	14,025.00
DTG RECYCLE	6,492.93
DYNAMIC CHIROPRACTIC CLINIC, PS	10,000.00
E SQUARED SYSTEMS, LLC	1,389.46
EARTHCRAFT SERVICES, INC.	6,606.00
EBIX, INC.	155.79
ECIVIS, INC.	4,000.00
ELECTRONIC BUSINESS MACHINES	1,917.55
ELIAS M. KAUHANE	700.00

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
ELISE JIANG	128.00
ENVIRONMENTAL SYSTEMS RESEARCH INST	32,022.60
ENVIROTECH	7,973.66
ERGOLOGY LLC	4,118.75
ESD - LTC	7,864.15
ESD - PFML	43,430.62
EVERETT OFFICE FURNITURE	1,138.43
EVERMARK, LLC	2,457.31
EXO CONTRACTING	111,494.75
FARM FRESH NW	94.00
FERGUSON WATERWORKS #3156	7,974.93
FIRE PROTECTION, INC	18,577.61
FIX AUTO KENMORE	6,440.95
FLEMINGS HOLIDAY LIGHTING LLC	4,350.61
FLYWAY RETAIL + LIVING	6,000.00
FOOTPRINT PROMOTIONS	1,052.58
GAMES2U	1,260.65
GAMETIME	1,914.94
GARRETT OPPENHEIM	150.59
GAYLEN SAUVE	600.00
GAYLYNN BRIEN	560.00
GCP WW HOLDCO, LLC	4,229.27
GEOFFREY JOHNSON	100.00
GEORGE AND LIZ MCKINNON	1,495.00
GIRL SCOUTS OF WESTERN WA	150.00
GOLDEN NAILS	6,000.00
GOOD FOR CHOCOLATE	55.00
GOOD TO GO	6.50
GORDON THOMAS HONEYWELL	45,150.00
GOURAV MITRA	250.00
GOVERNMENT FINANCE RESEARCH GROUP	1,995.00
GRAINGER	3,222.24
GRAND EVENT RENTALS	11,595.95
GRANICUS	9,306.21
GRENLAR HOLDINGS, INC.	10,000.00
GYPSY ROWS	104.00
H.D. FOWLER COMPANY	5,240.51
HAMPSON DEVELOPMENT SERVICES LLC	7,443.39
HAMPSON, BRYAN	299.55
HAYTON FARMS	97.00
HDR ENGINEERING, INC	345,447.79
HEIDELBERG MATERIALS	3,125.81
HERBIG, NIGEL	1,258.05
HESTON PHOTOGRAPHY	2,057.14
HIGHWIRE	2,059.70
HILLIS CLARK MARTIN & PETERSON P.S.	4,462.50
HOLMBERG COMPANY	7,055.76
HOME COMFORT ALLIANCE	228.48
HOME DEPOT CREDIT SERVICES	5,015.95
HONEY BUCKET	7,129.00
HORIZON DISTRIBUTORS INC	3,170.50
HP'S SMOKEHOUSE BBQ	169.50
HRA VEBA TRUST	45,085.59
HUANG, ANGELINA	59,859.80
HUNTINGTON TECHNOLOGY FINANCE	45,220.81
HYAS GROUP	8,750.00
ICLEI	1,200.00
INSLEE, BEST, DOEZIE & RYDER, P.S.	292,860.29
INTERNATIONAL CITY/CNTY MGMT ASSOC	1,200.00
INTERNATIONAL CODE COUNCIL, INC	77.62
INTERNATIONAL INST OF MUNI CLERKS	350.00
INTERSECTION MEDIA, LLC	1,010.89
IRUM YASIR BUTT	250.00
iWORQ SYSTEMS	2,800.00

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
J. A. BRENNAN ASSOCIATES, PLLC	26,200.96
J3 ARCHITECTS LLC	2,500.00
JACOBS ENGINEERING GROUP	66,916.96
JAEDEN LUKE GARMANIAN	1,400.00
JAMIE NICOLE MASCHLER	1,800.00
JASON RICHARD SPERLING	2,660.00
JAY AND FAMILY INC	10,000.00
JAYMARC AV	2,042.36
JENNIFER LEIGH DIXON	8,273.66
JENSEN TOFFEE	23.00
JESSICA'S UNIQUE BITE	267.00
JET CITY CLEANING	7,186.24
JET CITY PRINTING	8,707.23
JONATHAN G. DOCTER	10,000.00
JUDHA OF LION LANDSCAPING AND SERVICES LLC	8,794.40
JULIANA FISHER	150.00
KALE CARLSON	2,320.06
KANG, MICHELLE	292.40
KANOM SAI	385.00
KARA VAN LUCHENE	150.00
KARACHI KITCHEN	30.00
KARIM E. BELLABIOD	10,000.00
KARLINSEY, ROB	766.10
KAT ZUO	100.00
KBA INC.	223,837.98
KDJ'S THE BAKERIE	195.00
KELLER ROHRBACK LAW OFFICES LLP	975.00
KELLEY, MIGUEL	250.00
KENMORE COMMUNITY CLUB	6,000.00
KENMORE CROSSFIT	6,000.00
KENMORE ELEMENTARY PTA	5,100.00
KENMORE HERITAGE SOCIETY	4,395.02
KENMORE MIDDLE SCHOOL	7,500.00
KENMORE SENIOR CENTER	7,812.50
KENNETH RIDOUT	7,500.00
KERALA ASSOCIATION OF WASHINGTON	250.00
KING COUNTY BAR ASSOCIATION	850.00
KING COUNTY DISTRICT COURT	66,170.00
KING COUNTY FINANCE	3,500.00
KING COUNTY FINANCE	5,357.25
KING COUNTY FINANCE	320,007.05
KING COUNTY FINANCE W.L.R.D.	15,381.21
KING COUNTY POLICE CHIEFS ASSOCIATION	50.00
KING COUNTY RADIO COMM SERVICES	959.52
KING COUNTY RECORDER'S OFFICE	277.50
KING COUNTY REGIONAL HOMELESSNESS AUTHORITY	38,000.00
KING COUNTY SHERIFF	3,475,645.65
KING COUNTY TREASURY	61,227.82
KISHORE SERALATHAN	17,731.35
KLB CONSTRUCTION, INC.	250,413.87
KOMPAN, INC	165.46
KPFF CONSULTING ENGINEERS	366,115.58
KRISTA ESPIRITU	400.00
KVO INDUSTRIES, INC	2,833.00
LA CONNER INN	758.00
LADY A PRODUCTIONS	2,000.00
LAKE CITY PARTNERS ENDING HOMELESSNESS	38,625.00
LAKE DEFENSE FORCE CORP	43,078.92
LAKESIDE INDUSTRIES	1,185.78
LAKEVIEW YOGA LLC	10,000.00
LANDSCAPE FORMS, INC.	633.08
LANGUAGE LINE SERVICES, INC.	25.77
LEE JOHNSON	7,500.00
LIGHTHOUSE CONSULTING INC	141,329.50

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
LINA'S BAKERY	5.00
LINCOLN NATIONAL LIFE INSURANCE	21,668.07
LITTLE JACK FLOWER FARM	235.00
LIUBOV UZIK	300.00
LOUEDGE, INC.	4,275.00
LUCIA KWONG	150.00
LUKASZ LISOWSKI	322.64
M MEDINA REMODELING LLC	2,500.00
MACDONALD MILLER FACILITY SOLUTIONS	1,191.28
MANIMOU CAMARA	600.00
MARIA SZABLYA RIVAS	300.00
MARIAH WATSON	100.00
MARTI GAMBLE	150.00
MASONS SUPPLY COMPANY	249.12
MCNAMARA SIGNS	2,235.03
MEADOWDALE MARINA LLC	7,500.00
MEEHAN, NANCY	46.04
MELINDA MERRELL	2,011.81
MERANDA DIRECTO	311.85
METROPOLITAN TRANS. COMMISSION	2,000.00
MICHAEL GOEDEL	1,377.54
MID SOUND FISHERIES	250.00
MIKAELA FOWLER	100.00
MILLER STEPHENS, MARY	11,250.00
MINUTEMAN PRESS	17,663.25
MISSION SQUARE / 109964	554,548.61
MISSION SQUARE 457 / 304745	122,987.32
MK FLOWERS	30.00
MORGAN SOUND INC	4,274.30
MORUP SIGNS, INC.	3,005.73
MOTT MACDONALD	104,075.08
MOXIE & OLIVER	10,000.00
MR. T'S TROPHIES & AWARDS LLC	10,358.70
MSR HIDDEN MEADOW 3 LLC	7,500.00
NAC INC	96,235.00
NAMI EASTSIDE	6,375.00
NARWHAL MET, LLC	1,225.00
NATIONAL BARRICADE CO., LLC	6,429.88
NATIONAL LEAGUE OF CITIES	2,126.00
NATIONAL LIFE INSURANCE CO.	1,354.87
NAVIA	41,818.35
NELSON ELECTRIC, INC.	15,685.80
NEW IDOL NAILS INC.	10,000.00
NICKOLAI MEDVEDITSKOV	10,786.60
NIYA CHACKO	250.00
NORTH AMERICAN SAFETY, INC.	3,098.50
NORTH LAKE LITTLE LEAGUE	121.00
NORTH SHORE PUB	10,000.00
NORTH URBAN HUMAN SVCS ALLIANCE	1,000.00
NORTHEND EXCAVATING INC	106,246.50
NORTHLAKE LUTHERAN CHURCH	10,000.00
NORTHSHORE SCHOOL DISTRICT	15,312.00
NORTHSHORE SCHOOLS FOUNDATION	2,250.00
NORTHSHORE SENIOR CENTER	41,562.50
NORTHSHORE UTILITY DIST	171,941.65
NORTHSHORE YMCA	10,000.00
NORTHSHORE YOUTH SOCCER ASSOC.	55.00
NORTHWEST AQUATIC MANAGEMENT LLC	4,725.00
NORTHWEST ARBORICULTURE LLC	22,731.11
NORTHWEST ENVIRONMENTAL TRAINING CENTER	195.00
NORTHWEST PAVEMENT MANAGEMENT ASSOCIATION	700.00
NW ENVIRONMENTAL TRAINING CENTER	195.00
O'CAIN, MELANIE	295.50
OFFICE DEPOT	5,815.31

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
OLBRECHTS & ASSOCIATES, PLLC	1,919.00
OLSON BROTHERS PRO VAC LLC	648.00
OLYMPIC ENVIRONMENTAL RESOURCES INC	61,453.56
OLYMPIC NURSERY INC	876.00
ONE DIVERSIFIED	5,941.26
ONTRA MARKETING GROUP	450.00
O'REILLY/FIRST CALL	332.79
ORION ENVIRONMENTAL COMPLIANCE & CONSULTING	3,551.75
OSBORN CONSULTING INC.	505,959.68
OSTROMS	188.00
O'TIERNEY COMPANIES LLC	750.00
OUR FAMILY FARM	67.00
OUTCOMES BY LEVY, LLC	16,850.00
PACE ENGINEERS, INC.	30,475.50
PACIFIC AIR CONTROL, INC.	12,226.18
PACIFIC TOPSOILS	10,577.09
PACIFICA LAW GROUP LLP	3,160.00
PACWEST MACHINERY	77,578.04
PANE'N THE GLASS WINDOW CLEANING LLC	2,290.20
PANIC, ANXIETY, AND STRESS SUPPORT INC.	398.46
PAO DE QUEIJO	152.50
PARAMETRIX INC	55,058.75
PAT'S TREES AND LANDSCAPE INC.	1,541.40
PAUL LEE	43,255.10
PAWS	4,840.00
PENDLETON CONSULTING LLC	13,806.93
PENINSULA FINANCIAL CONSULTING	17,812.50
PERFORMANCE SYSTEMS INTEGRATION LLC	850.93
PETTY CASH CUSTODIAN	734.57
PH & N CORPORATION	10,000.00
PHOENIX UNITED INVESTMENT LLC	7,500.00
PLYWOOD SUPPLY	98.25
POLYGON WLH LLC	7,500.00
PRAIRIEFORM	165.00
PRECISION CONCRETE CUTTING	6,355.87
PREMIER MEDIA GROUP	1,595.00
PROMOTIONS NOW	236.05
PRR, INC	167,000.00
PSR MECHANICAL, LLC	1,288.18
PUBLIC AGENCY TRAINING COUNCIL	425.00
PUERTO ENSENADA	351.00
PUGET SOUND ENERGY	415,456.02
PUGET SOUND FINANCE OFFICERS ASSOC	75.00
PUGET SOUND PLANTS	1,678.11
PUGET SOUND REGIONAL COUNCIL	10,385.00
PULTEGROUP	1.00
PURE FUNGAL FRUITS	34.00
QUADIENT LEASING USA, INC.	2,423.12
QUALITY BUSINESS SYSTEMS / WELLS FARGO	2,768.32
QUALITY BUSINESS SYSTEMS INC.	1,914.38
QUALITY WATER FINANCIAL	1,887.54
RAENNETTE MARTINEZ NIRO	150.00
RANDALL, BRIAN	727.08
RAYMOND HANDLING CONCEPTS	28,773.00
RED BARN ENGINEERING, INC.	29,132.00
REGIONAL ANIMAL SERVICES OF KC	8,192.00
REGIONAL CRISIS RESPONSE AGENCY	123,148.89
REID, JAMES FALCONER	14,276.25
RELIABLE TRANSLATIONS, INC.	103.32
REPUBLIC SERVICES #172	18,621.44
RFI ENTERPRISES INC.	1,582.28
RHOMAR INDUSTRIES, INC.	42.96
RICH HARTMAN'S BELLINGHAM FORD LINCOLN	58,612.64
RICK BURNSTEAD CONSTRUCTION, LLC	10,432.00

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
ROAD CONSTRUCTION NW, INC.	9,856.46
ROBERT SAYRE-MCCORD	49.60
RRJ COMPANY, LLC	1,363,154.54
SAID HAMOOD	150.00
SALCIDO, LETICIA	80.32
SAMANTHA LOYUK	611.59
SAMUEL RODRIGUEZ	150.00
SANTIAGO FLORES	260.85
SARAH ROBERTS	136,854.94
SARAH WHITE	150.00
SCHEMATA WORKSHOP INC.	25,789.92
SCHINDLER ELEVATOR CORPORATION	3,937.71
SCHNEE, CARLA	370.06
SCHWARZWALTER, MARK	218.00
SCORE	154,857.17
SCOTT BOTHEL	8,368.00
SEATOWN DEVELOPMENT GROUP	7,500.00
SEATTLE & KING COUNTY PUBLIC HEALTH	833.00
SEATTLE METROPOLITAN CHAMBER OF COMMERCE	1,100.00
SEATTLE POPS	71.00
SEATTLE PUMP & EQUIPMENT CO./JETTERS NORTHWEST	577.37
SEATTLE TIMES	14,386.73
SECRETARY OF STATE	292.86
SEEKING FERMENTS	36.00
SELECT GOURMET FOODS INC	10,000.00
SETH THOMPSON	332.41
SHANNON & WILSON, INC.	18,240.00
SHARI BOTH	2,500.00
SHAW, MICHELLE	150.00
SHERWIN WILLIAMS CO.	781.57
SHI INTERNATIONAL CORP.	182.93
SHORELINE FIRE DEPT	2,980.00
SHRED IT, C/O STERICYCLE, INC>	2,932.59
SIGN CONNEXION LLC	477.80
SISKUN POWER EQUIPMENT	3,850.11
SKYCORP, LTD	26,864.40
SMS CLEANING, INC.	64,950.00
SNO KING WATERSHED COUNCIL	200.00
SNOHOMISH COUNTY	15,865.00
SOFTWAREONE, INC.	20,235.08
SOUND SAFETY PRODUCTS CO.	503.80
SREBNIK, DEBRA	1,670.99
SSI & MHA CORPORATION	2,500.00
STACEY VALENZUELA	100.00
STAPLES	14,731.16
STATE AUDITOR'S OFFICE	8,860.95
STATE OF WA DEPT. OF LICENSING	2.16
STEPHANIE BROWN	55.02
STEPHANIE LUCASH	1,822.27
STEPHENS & KLINGE LLP, IOLTA	728.00
STEWART MACNICHOLS HARMELL, INC.	45,000.00
STOWE DEVELOPMENT & STRATEGIES LLC	1,575.00
STRATEGIES 360, INC.	43,116.67
STREET CHARACTERS INC	6,903.00
STRIDER CONSTRUCTION CO., INC.	834,697.62
STUDIO 3 SIGNS	3,401.23
SUBLIME CORN COMPANY	2,860.00
SUNRISE LOCAL BERRIES FARM, LLC	173.00
SUPERION, LLC	27,688.21
SYDNEY DANZIGER	150.00
T MOBILE USA, INC.	15,400.69
TAMI R ALLEN	700.00
TASTAD CONTRUCTION INC	1,848,533.69
THE EVP GROUP	7,500.00

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
THE NORTHWEST JUNIOR PIPE BAND	250.00
THE ORIGINAL POOP BAGS	2,919.74
THEARY'S FLOWERS & PRODUCE	9.00
THERESA TIMMES KING	150.00
THOMAS JOACHIMIDES	270.39
THOMCO CONSTRUCTION, INC.	1,414,861.41
TML INTERNATIONAL LLC	267.32
TOSHI'S TERIYAKI	6,000.00
TOTAL LANDSCAPE CORP	88,670.06
TRADE ROOT MUSIC GROUP LLC	3,800.00
TRC ENVIRONMENTAL CORPORATION	2,262.95
TRIBAL LINES	35,000.00
TRIPLE POINT LLC	35,360.40
TRUGREEN	2,994.73
TRUSTEES OF THE HAMLINE UNIVERSITY OF MINNESOTA	4,513.87
TSEN, JULIE	150.00
TYLER TECHNOLOGIES, INC.	21,983.22
U.S. BANK N.A. / CUSTODY	354.00
U.S. BANK PURCHASE CARDS	262,705.23
ULINE	5,056.34
UNITED RENTALS NW, INC	1,360.31
UNITED WAY OF KING COUNTY	460.00
UPS STORE KENMORE	806.47
US POSTAL SERVICE	10,724.41
US POSTAL SERVICE (HASLER)	8,611.70
UTILITIES UNDERGROUND LOCATION CTR	2,040.78
VARI SALES CORPORATION	941.36
VENTILATION POWER CLEANING, INC.	29,309.50
VERIZON WIRELESS	800.70
WA ASSOC OF BUILDING OFFICIALS	1,289.31
WA ASSOC OF PUBLIC RECORDS OFFICERS	25.00
WA CITIES INSURANCE AUTHORITY	643,692.00
WA FINANCE OFFICERS ASSOCIATION	250.00
WA RECREATION & PARK ASSOC.	1,855.00
WA STATE DEPT OF LABOR & INDUSTRIES	243.10
WA STATE DEPT OF TRANSPORTATION	12,777.35
WA STATE DEPT OF TRANSPORTATION	328.68
WA STATE PUBLIC HEALTH LABORATORIES	250.00
WAGNER ARCHITECTS	93,705.00
WALTER E. NELSON CO.	1,492.47
WASHINGTON AUDIOLOGY SERVICES, INC.	1,080.50
WASHINGTON CITY/COUNTY MGMT ASSOC	3,000.00
WASHINGTON FEDERAL BANK	25,959.06
WASHINGTON MUNICIPAL CLERKS ASSOC	200.00
WASHINGTON STATE DEPT OF REVENUE	22,770.22
WASHINGTON STATE FARMERS MARKET ASSOCIATION	350.00
WASHINGTON STATE OFFICE CASH MGMT	1,706.00
WASHINGTON STATE TREASURER	4,451.00
WELWEST CONSTRUCTION INC.	11,325.00
WESTERN DISPLAY FIREWORKS, LTD.	27,500.00
WESTLAKE HARDWARE WA-153	6,006.02
WHITNEY CONNORS	150.00
WILLIAMS, KASTNER & GIBBS PLLC	1,739.50
WM CORPORATE SERVICES INC.	30,458.74
WONDERLAND CHILD & FAMILY SERVICES	1,500.00
XEROX CORPORATION	3,936.07
YOURMEMBERSHIP.COM, INC	1,647.00
ZESBAUGH, INC.	1,646.00
ZIPLY FIBER	8,274.73
ZONAR SYSTEMS	528.21
ZUMAR	5,006.61

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...





# Vendor Purchasing Report

City of Kenmore

DATE RANGE: 01/01/2023 - 11/24/2023

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Name	Amount
1901 WLD KENMORE 68TH LLC	7,500.00
4IMPRINT	5,903.29
58 STARS TRAVEL	2,477.60
A & A LIMOUSINE & BUS SERVICE	2,072.00
AA ASPHALTING LLC	34,000.00
AABCO BARRICADE COMPANY INC.	793.22
ABRACADABRA PRINTING	2,025.29
ACF WEST INC	2,557.23
ADVANCE TESTING & SERVICE INC	1,815.00
AFLAC	2,299.44
AL VAN EQUIP NORTHWEST	4,914.39
ALBIREO ENERGY LLC/AUTOMATED CONTROLS	4,688.70
ALEXA'S CATERING INC.	1,531.00
ALPHA SUPPORTED LIVING SERVICES	250.00
ALPHAGRAPHICS	1,219.51
ALPINE PRODUCTS INC.	771.86
ALWAYS ACTIVE SERVICES LLC	156,293.89
AM TEST, INC	6,555.00
AMADOR FARMS	383.00
AMERICALL	1,830.16
AMERICAN GENERAL LIFE GPO/400S	2,514.20
AMERICAN SOCIETY OF COMPOSERS	438.75
AMERICAN TRAFFIC SOLUTIONS INC	49,000.00
ANASTASIYA WARHOL	1,125.38
ANNA ARNOTT	83.90
APPLEONE EMPLOYMENT SERVICES	36,608.60
APPLIANCE REPAIR MM LLC	78.73
ART SIMPSON	428.03
ARTS OF KENMORE	9,150.00
ASPECT CONSULTING LLC	7,025.00
ASSOCIATION OF WA CITIES	29,164.16
AURORA RENTS	14,892.54
AVIDIA HEALTH	4,477.90
AWC EMPLOYEE BENEFIT TRUST	1,024,951.84
AZTECA SYSTEMS, LLC/CITYWORKS	42,751.83
BAKER, BRIDGIT	501.56
BALDWIN DESIGN WORKS, LTD.	1,469.00
BANK OF AMERICA 941	681,910.94
BCN TELECOM, INC.	8,082.58
BEAU AND STELLA	2,500.00
BELMONT HOMES	7,500.00
BENEFICIAL SOUND	6,000.00
BENNETT GOLD, TOBIN	5,380.14
BEST BEST & KRIEGER LLP ATTORNEYS AT LAW	4,433.50
BFI 4 LLC	2,000.00
BIZDIVERSITY	750.00
BOAZ COFFEE	45.00
BOTHELL KENMORE CHAMBER OF COMMERCE	2,725.00
BRIGHT SPARK EARLY LEARNING SERVICES	1,275.00
BROOK ROCHELLE HOUSEKEEPING CLEANING CO.	2,500.00
BROTHER'S FARMS	153.00
BUILDERS EXCHANGE OF WASHINGTON INC	336.40
BULGER SAFE & LOCK, INC.	570.64
BUSINESS STREET, LLC	40,000.00
CABOT DOW ASSOCIATES	6,606.25
CALICO COOKIES - ERIN CALI	77.00

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
CALPORTLAND COMPANY	5,207.90
CAMP UNITED WE STAND	2,000.00
CANON FINANCIAL SERVICES, INC.	2,660.80
CAPITAL ONE TRADE CREDIT/MCLENDON	299.37
CASCADE PEST CONTROL	1,764.23
CASCADE RECREATION, INC	7,195.04
CASCADIA CONSULTING GROUP, INC.	77,666.25
CASCADIA LAW GROUP	18,951.56
CECCANTI, INC.	435,403.54
CEDAR GROVE COMPOSTING, INC.	1,075.92
CENTER FOR HUMAN SERVICES	31,848.66
CENTRICITY GIS, LLC	3,375.00
CERTAPRO PAINTERS	2,290.08
CHANIN KELLY-RAE CONSULTING LLC	52,770.00
CHARLIE PARKS	335.33
CHICAGO TITLE	430.98
CHILLZ LLC	2,380.00
CHRISTINE CABATIT	298.49
CITY OF BELLEVUE	199,689.65
CITY OF KENT	500.00
CITY OF KIRKLAND	41,049.69
CITY OF LAKE FOREST PARK	54,026.00
CITY WIDE FENCE COMPANY, INC	21,920.92
CIVICPLUS LLC	5,078.55
CODE PUBLISHING COMPANY	7,381.54
COMCAST	18,778.50
COMCAST BUSINESS	6,828.98
CONFLUENCE ENVIRONMENTAL COMPANY	10,780.79
CONSOLIDATED PRESS	20,914.81
CONTECH ENGINEERED SOLUTIONS, INC	16,668.00
COOKIES WITH TIFFANY	4.00
CORINA PFEIL	25.80
CORNELL'S QUALITY CONSTRUCTION	8,302.75
COSTCO WHOLESALE MEMBERSHIP	60.00
CREATION ORGANICS, LLC	2,182.38
CUTE DUMPLINGS	335.00
D.P. NICOLI, INC.	1,366.59
DAILY JOURNAL OF COMMERCE	2,683.20
DAN MERIDIAN INC.	7,500.00
DANSOUND INC	5,990.00
DAVID BAKER	824.60
DAVIDSON MACRI SWEEPING, INC.	9,451.53
DAY WIRELESS SYSTEMS	1,271.68
DEBUG MOBILITY PRODUCTS	2,865.00
DELFINO'S	96.87
DEPARTMENT OF COMMERCE	47,219.75
DEPARTMENT OF ECOLOGY	30,829.00
DEPARTMENT OF LABOR AND INDUSTRIES	67,078.86
DEPARTMENT OF RETIREMENT SYSTEMS	800,236.73
DIGITAL REPROGRAPHICS SERVICES INC.	126.27
DILIGENT CORPORATION	36,005.82
DINH LIEU	50.00
DIVERSIFICATION INC	9,026.53
DIVYA GATTU	150.00
DON C SHIN	10,000.00
DRS 457	14,025.00
DTG RECYCLE	6,492.93
DYNAMIC CHIROPRACTIC CLINIC, PS	10,000.00
E SQUARED SYSTEMS, LLC	1,389.46
EARTHCRAFT SERVICES, INC.	6,606.00
EBIX, INC.	155.79
ECIVIS, INC.	4,000.00
ELECTRONIC BUSINESS MACHINES	1,917.55
ELIAS M. KAUHANE	700.00

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
ELISE JIANG	128.00
ENVIRONMENTAL SYSTEMS RESEARCH INST	32,022.60
ENVIROTECH	7,973.66
ERGOLOGY LLC	4,118.75
ESD - LTC	7,864.15
ESD - PFML	43,430.62
EVERETT OFFICE FURNITURE	1,138.43
EVERMARK, LLC	2,457.31
EXO CONTRACTING	111,494.75
FARM FRESH NW	94.00
FERGUSON WATERWORKS #3156	7,974.93
FIRE PROTECTION, INC	18,577.61
FIX AUTO KENMORE	6,440.95
FLEMINGS HOLIDAY LIGHTING LLC	4,350.61
FLYWAY RETAIL + LIVING	6,000.00
FOOTPRINT PROMOTIONS	1,052.58
GAMES2U	1,260.65
GAMETIME	1,914.94
GARRETT OPPENHEIM	150.59
GAYLEN SAUVE	600.00
GAYLYNN BRIEN	560.00
GCP WW HOLDCO, LLC	4,229.27
GEOFFREY JOHNSON	100.00
GEORGE AND LIZ MCKINNON	1,495.00
GIRL SCOUTS OF WESTERN WA	150.00
GOLDEN NAILS	6,000.00
GOOD FOR CHOCOLATE	55.00
GOOD TO GO	6.50
GORDON THOMAS HONEYWELL	45,150.00
GOURAV MITRA	250.00
GOVERNMENT FINANCE RESEARCH GROUP	1,995.00
GRAINGER	3,222.24
GRAND EVENT RENTALS	11,595.95
GRANICUS	9,306.21
GRENLAR HOLDINGS, INC.	10,000.00
GYPSY ROWS	104.00
H.D. FOWLER COMPANY	5,240.51
HAMPSON DEVELOPMENT SERVICES LLC	7,443.39
HAMPSON, BRYAN	299.55
HAYTON FARMS	97.00
HDR ENGINEERING, INC	345,447.79
HEIDELBERG MATERIALS	3,125.81
HERBIG, NIGEL	1,258.05
HESTON PHOTOGRAPHY	2,057.14
HIGHWIRE	2,059.70
HILLIS CLARK MARTIN & PETERSON P.S.	4,462.50
HOLMBERG COMPANY	7,055.76
HOME COMFORT ALLIANCE	228.48
HOME DEPOT CREDIT SERVICES	5,015.95
HONEY BUCKET	7,129.00
HORIZON DISTRIBUTORS INC	3,170.50
HP'S SMOKEHOUSE BBQ	169.50
HRA VEBA TRUST	45,085.59
HUANG, ANGELINA	59,859.80
HUNTINGTON TECHNOLOGY FINANCE	45,220.81
HYAS GROUP	8,750.00
ICLEI	1,200.00
INSLEE, BEST, DOEZIE & RYDER, P.S.	292,860.29
INTERNATIONAL CITY/CNTY MGMT ASSOC	1,200.00
INTERNATIONAL CODE COUNCIL, INC	77.62
INTERNATIONAL INST OF MUNI CLERKS	350.00
INTERSECTION MEDIA, LLC	1,010.89
IRUM YASIR BUTT	250.00
iWORQ SYSTEMS	2,800.00

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Page 20 of 405
J. A. BRENNAN ASSOCIATES, PLLC	26,200.96
J3 ARCHITECTS LLC	2,500.00
JACOBS ENGINEERING GROUP	66,916.96
JAEDEN LUKE GARMANIAN	1,400.00
JAMIE NICOLE MASCHLER	1,800.00
JASON RICHARD SPERLING	2,660.00
JAY AND FAMILY INC	10,000.00
JAYMARC AV	2,042.36
JENNIFER LEIGH DIXON	8,273.66
JENSEN TOFFEE	23.00
JESSICA'S UNIQUE BITE	267.00
JET CITY CLEANING	7,186.24
JET CITY PRINTING	8,707.23
JONATHAN G. DOCTER	10,000.00
JUDHA OF LION LANDSCAPING AND SERVICES LLC	8,794.40
JULIANA FISHER	150.00
KALE CARLSON	2,320.06
KANG, MICHELLE	292.40
KANOM SAI	385.00
KARA VAN LUCHENE	150.00
KARACHI KITCHEN	30.00
KARIM E. BELLABIOD	10,000.00
KARLINSEY, ROB	766.10
KAT ZUO	100.00
KBA INC.	223,837.98
KDJ'S THE BAKERIE	195.00
KELLER ROHRBACK LAW OFFICES LLP	975.00
KELLEY, MIGUEL	250.00
KENMORE COMMUNITY CLUB	6,000.00
KENMORE CROSSFIT	6,000.00
KENMORE ELEMENTARY PTA	5,100.00
KENMORE HERITAGE SOCIETY	4,395.02
KENMORE MIDDLE SCHOOL	7,500.00
KENMORE SENIOR CENTER	7,812.50
KENNETH RIDOUT	7,500.00
KERALA ASSOCIATION OF WASHINGTON	250.00
KING COUNTY BAR ASSOCIATION	850.00
KING COUNTY DISTRICT COURT	66,170.00
KING COUNTY FINANCE	3,500.00
KING COUNTY FINANCE	5,357.25
KING COUNTY FINANCE	320,007.05
KING COUNTY FINANCE W.L.R.D.	15,381.21
KING COUNTY POLICE CHIEFS ASSOCIATION	50.00
KING COUNTY RADIO COMM SERVICES	959.52
KING COUNTY RECORDER'S OFFICE	277.50
KING COUNTY REGIONAL HOMELESSNESS AUTHORITY	38,000.00
KING COUNTY SHERIFF	3,475,645.65
KING COUNTY TREASURY	61,227.82
KISHORE SERALATHAN	17,731.35
KLB CONSTRUCTION, INC.	250,413.87
KOMPAN, INC	165.46
KPFF CONSULTING ENGINEERS	366,115.58
KRISTA ESPIRITU	400.00
KVO INDUSTRIES, INC	2,833.00
LA CONNER INN	758.00
LADY A PRODUCTIONS	2,000.00
LAKE CITY PARTNERS ENDING HOMELESSNESS	38,625.00
LAKE DEFENSE FORCE CORP	43,078.92
LAKESIDE INDUSTRIES	1,185.78
LAKEVIEW YOGA LLC	10,000.00
LANDSCAPE FORMS, INC.	633.08
LANGUAGE LINE SERVICES, INC.	25.77
LEE JOHNSON	7,500.00
LIGHTHOUSE CONSULTING INC	141,329.50

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
LINA'S BAKERY	5.00
LINCOLN NATIONAL LIFE INSURANCE	21,668.07
LITTLE JACK FLOWER FARM	235.00
LIUBOV UZIK	300.00
LOUEDGE, INC.	4,275.00
LUCIA KWONG	150.00
LUKASZ LISOWSKI	322.64
M MEDINA REMODELING LLC	2,500.00
MACDONALD MILLER FACILITY SOLUTIONS	1,191.28
MANIMOU CAMARA	600.00
MARIA SZABLYA RIVAS	300.00
MARIAH WATSON	100.00
MARTI GAMBLE	150.00
MASONS SUPPLY COMPANY	249.12
MCNAMARA SIGNS	2,235.03
MEADOWDALE MARINA LLC	7,500.00
MEEHAN, NANCY	46.04
MELINDA MERRELL	2,011.81
MERANDA DIRECTO	311.85
METROPOLITAN TRANS. COMMISSION	2,000.00
MICHAEL GOEDEL	1,377.54
MID SOUND FISHERIES	250.00
MIKAELA FOWLER	100.00
MILLER STEPHENS, MARY	11,250.00
MINUTEMAN PRESS	17,663.25
MISSION SQUARE / 109964	554,548.61
MISSION SQUARE 457 / 304745	122,987.32
MK FLOWERS	30.00
MORGAN SOUND INC	4,274.30
MORUP SIGNS, INC.	3,005.73
MOTT MACDONALD	104,075.08
MOXIE & OLIVER	10,000.00
MR. T'S TROPHIES & AWARDS LLC	10,358.70
MSR HIDDEN MEADOW 3 LLC	7,500.00
NAC INC	96,235.00
NAMI EASTSIDE	6,375.00
NARWHAL MET, LLC	1,225.00
NATIONAL BARRICADE CO., LLC	6,429.88
NATIONAL LEAGUE OF CITIES	2,126.00
NATIONAL LIFE INSURANCE CO.	1,354.87
NAVIA	41,818.35
NELSON ELECTRIC, INC.	15,685.80
NEW IDOL NAILS INC.	10,000.00
NICKOLAI MEDVEDITSKOV	10,786.60
NIYA CHACKO	250.00
NORTH AMERICAN SAFETY, INC.	3,098.50
NORTH LAKE LITTLE LEAGUE	121.00
NORTH SHORE PUB	10,000.00
NORTH URBAN HUMAN SVCS ALLIANCE	1,000.00
NORTHEND EXCAVATING INC	106,246.50
NORTHLAKE LUTHERAN CHURCH	10,000.00
NORTHSHORE SCHOOL DISTRICT	15,312.00
NORTHSHORE SCHOOLS FOUNDATION	2,250.00
NORTHSHORE SENIOR CENTER	41,562.50
NORTHSHORE UTILITY DIST	171,941.65
NORTHSHORE YMCA	10,000.00
NORTHSHORE YOUTH SOCCER ASSOC.	55.00
NORTHWEST AQUATIC MANAGEMENT LLC	4,725.00
NORTHWEST ARBORICULTURE LLC	22,731.11
NORTHWEST ENVIRONMENTAL TRAINING CENTER	195.00
NORTHWEST PAVEMENT MANAGEMENT ASSOCIATION	700.00
NW ENVIRONMENTAL TRAINING CENTER	195.00
O'CAIN, MELANIE	295.50
OFFICE DEPOT	5,815.31

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
OLBRECHTS & ASSOCIATES, PLLC	1,919.00
OLSON BROTHERS PRO VAC LLC	648.00
OLYMPIC ENVIRONMENTAL RESOURCES INC	61,453.56
OLYMPIC NURSERY INC	876.00
ONE DIVERSIFIED	5,941.26
ONTRA MARKETING GROUP	450.00
O'REILLY/FIRST CALL	332.79
ORION ENVIRONMENTAL COMPLIANCE & CONSULTING	3,551.75
OSBORN CONSULTING INC.	505,959.68
OSTROMS	188.00
O'TIERNEY COMPANIES LLC	750.00
OUR FAMILY FARM	67.00
OUTCOMES BY LEVY, LLC	16,850.00
PACE ENGINEERS, INC.	30,475.50
PACIFIC AIR CONTROL, INC.	12,226.18
PACIFIC TOPSOILS	10,577.09
PACIFICA LAW GROUP LLP	3,160.00
PACWEST MACHINERY	77,578.04
PANE'N THE GLASS WINDOW CLEANING LLC	2,290.20
PANIC, ANXIETY, AND STRESS SUPPORT INC.	398.46
PAO DE QUEIJO	152.50
PARAMETRIX INC	55,058.75
PAT'S TREES AND LANDSCAPE INC.	1,541.40
PAUL LEE	43,255.10
PAWS	4,840.00
PENDLETON CONSULTING LLC	13,806.93
PENINSULA FINANCIAL CONSULTING	17,812.50
PERFORMANCE SYSTEMS INTEGRATION LLC	850.93
PETTY CASH CUSTODIAN	734.57
PH & N CORPORATION	10,000.00
PHOENIX UNITED INVESTMENT LLC	7,500.00
PLYWOOD SUPPLY	98.25
POLYGON WLH LLC	7,500.00
PRAIRIEFORM	165.00
PRECISION CONCRETE CUTTING	6,355.87
PREMIER MEDIA GROUP	1,595.00
PROMOTIONS NOW	236.05
PRR, INC	167,000.00
PSR MECHANICAL, LLC	1,288.18
PUBLIC AGENCY TRAINING COUNCIL	425.00
PUERTO ENSENADA	351.00
PUGET SOUND ENERGY	415,456.02
PUGET SOUND FINANCE OFFICERS ASSOC	75.00
PUGET SOUND PLANTS	1,678.11
PUGET SOUND REGIONAL COUNCIL	10,385.00
PULTEGROUP	1.00
PURE FUNGAL FRUITS	34.00
QUADIENT LEASING USA, INC.	2,423.12
QUALITY BUSINESS SYSTEMS / WELLS FARGO	2,768.32
QUALITY BUSINESS SYSTEMS INC.	1,914.38
QUALITY WATER FINANCIAL	1,887.54
RAENNETTE MARTINEZ NIRO	150.00
RANDALL, BRIAN	727.08
RAYMOND HANDLING CONCEPTS	28,773.00
RED BARN ENGINEERING, INC.	29,132.00
REGIONAL ANIMAL SERVICES OF KC	8,192.00
REGIONAL CRISIS RESPONSE AGENCY	123,148.89
REID, JAMES FALCONER	14,276.25
RELIABLE TRANSLATIONS, INC.	103.32
REPUBLIC SERVICES #172	18,621.44
RFI ENTERPRISES INC.	1,582.28
RHOMAR INDUSTRIES, INC.	42.96
RICH HARTMAN'S BELLINGHAM FORD LINCOLN	58,612.64
RICK BURNSTEAD CONSTRUCTION, LLC	10,432.00

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...

Name	Amount
ROAD CONSTRUCTION NW, INC.	9,856.46
ROBERT SAYRE-MCCORD	49.60
RRJ COMPANY, LLC	1,363,154.54
SAID HAMOOD	150.00
SALCIDO, LETICIA	80.32
SAMANTHA LOYUK	611.59
SAMUEL RODRIGUEZ	150.00
SANTIAGO FLORES	260.85
SARAH ROBERTS	136,854.94
SARAH WHITE	150.00
SCHEMATA WORKSHOP INC.	25,789.92
SCHINDLER ELEVATOR CORPORATION	3,937.71
SCHNEE, CARLA	370.06
SCHWARZWALTER, MARK	218.00
SCORE	154,857.17
SCOTT BOTHEL	8,368.00
SEATOWN DEVELOPMENT GROUP	7,500.00
SEATTLE & KING COUNTY PUBLIC HEALTH	833.00
SEATTLE METROPOLITAN CHAMBER OF COMMERCE	1,100.00
SEATTLE POPS	71.00
SEATTLE PUMP & EQUIPMENT CO./JETTERS NORTHWEST	577.37
SEATTLE TIMES	14,386.73
SECRETARY OF STATE	292.86
SEEKING FERMENTS	36.00
SELECT GOURMET FOODS INC	10,000.00
SETH THOMPSON	332.41
SHANNON & WILSON, INC.	18,240.00
SHARI BOTH	2,500.00
SHAW, MICHELLE	150.00
SHERWIN WILLIAMS CO.	781.57
SHI INTERNATIONAL CORP.	182.93
SHORELINE FIRE DEPT	2,980.00
SHRED IT, C/O STERICYCLE, INC>	2,932.59
SIGN CONNEXION LLC	477.80
SISKUN POWER EQUIPMENT	3,850.11
SKYCORP, LTD	26,864.40
SMS CLEANING, INC.	64,950.00
SNO KING WATERSHED COUNCIL	200.00
SNOHOMISH COUNTY	15,865.00
SOFTWAREONE, INC.	20,235.08
SOUND SAFETY PRODUCTS CO.	503.80
SREBNIK, DEBRA	1,670.99
SSI & MHA CORPORATION	2,500.00
STACEY VALENZUELA	100.00
STAPLES	14,731.16
STATE AUDITOR'S OFFICE	8,860.95
STATE OF WA DEPT. OF LICENSING	2.16
STEPHANIE BROWN	55.02
STEPHANIE LUCASH	1,822.27
STEPHENS & KLINGE LLP, IOLTA	728.00
STEWART MACNICHOLS HARMELL, INC.	45,000.00
STOWE DEVELOPMENT & STRATEGIES LLC	1,575.00
STRATEGIES 360, INC.	43,116.67
STREET CHARACTERS INC	6,903.00
STRIDER CONSTRUCTION CO., INC.	834,697.62
STUDIO 3 SIGNS	3,401.23
SUBLIME CORN COMPANY	2,860.00
SUNRISE LOCAL BERRIES FARM, LLC	173.00
SUPERION, LLC	27,688.21
SYDNEY DANZIGER	150.00
T MOBILE USA, INC.	15,400.69
TAMI R ALLEN	700.00
TASTAD CONTRUCTION INC	1,848,533.69
THE EVP GROUP	7,500.00

IX. A. Approve Total Check #s 53316 through 53399 totaling \$410,968.08 a...



Name	Amount
THE NORTHWEST JUNIOR PIPE BAND	250.00
THE ORIGINAL POOP BAGS	2,919.74
THEARY'S FLOWERS & PRODUCE	9.00
THERESA TIMMES KING	150.00
THOMAS JOACHIMIDES	270.39
THOMCO CONSTRUCTION, INC.	1,414,861.41
TML INTERNATIONAL LLC	267.32
TOSHI'S TERIYAKI	6,000.00
TOTAL LANDSCAPE CORP	88,670.06
TRADE ROOT MUSIC GROUP LLC	3,800.00
TRC ENVIRONMENTAL CORPORATION	2,262.95
TRIBAL LINES	35,000.00
TRIPLE POINT LLC	35,360.40
TRUGREEN	2,994.73
TRUSTEES OF THE HAMLINE UNIVERSITY OF MINNESOTA	4,513.87
TSEN, JULIE	150.00
TYLER TECHNOLOGIES, INC.	21,983.22
U.S. BANK N.A. / CUSTODY	354.00
U.S. BANK PURCHASE CARDS	262,705.23
ULINE	5,056.34
UNITED RENTALS NW, INC	1,360.31
UNITED WAY OF KING COUNTY	460.00
UPS STORE KENMORE	806.47
US POSTAL SERVICE	10,724.41
US POSTAL SERVICE (HASLER)	8,611.70
UTILITIES UNDERGROUND LOCATION CTR	2,040.78
VARI SALES CORPORATION	941.36
VENTILATION POWER CLEANING, INC.	29,309.50
VERIZON WIRELESS	800.70
WA ASSOC OF BUILDING OFFICIALS	1,289.31
WA ASSOC OF PUBLIC RECORDS OFFICERS	25.00
WA CITIES INSURANCE AUTHORITY	643,692.00
WA FINANCE OFFICERS ASSOCIATION	250.00
WA RECREATION & PARK ASSOC.	1,855.00
WA STATE DEPT OF LABOR & INDUSTRIES	243.10
WA STATE DEPT OF TRANSPORTATION	12,777.35
WA STATE DEPT OF TRANSPORTATION	328.68
WA STATE PUBLIC HEALTH LABORATORIES	250.00
WAGNER ARCHITECTS	93,705.00
WALTER E. NELSON CO.	1,492.47
WASHINGTON AUDIOLOGY SERVICES, INC.	1,080.50
WASHINGTON CITY/COUNTY MGMT ASSOC	3,000.00
WASHINGTON FEDERAL BANK	25,959.06
WASHINGTON MUNICIPAL CLERKS ASSOC	200.00
WASHINGTON STATE DEPT OF REVENUE	22,770.22
WASHINGTON STATE FARMERS MARKET ASSOCIATION	350.00
WASHINGTON STATE OFFICE CASH MGMT	1,706.00
WASHINGTON STATE TREASURER	4,451.00
WELWEST CONSTRUCTION INC.	11,325.00
WESTERN DISPLAY FIREWORKS, LTD.	27,500.00
WESTLAKE HARDWARE WA-153	6,006.02
WHITNEY CONNORS	150.00
WILLIAMS, KASTNER & GIBBS PLLC	1,739.50
WM CORPORATE SERVICES INC.	30,458.74
WONDERLAND CHILD & FAMILY SERVICES	1,500.00
XEROX CORPORATION	3,936.07
YOURMEMBERSHIP.COM, INC	1,647.00
ZESBAUGH, INC.	1,646.00
ZIPLY FIBER	8,274.73
ZONAR SYSTEMS	528.21
ZUMAR	5,006.61



## City Council Agenda Bill City of Kenmore, WA

<b>Subject/Topic:</b>  Administrative Correction - City Council Special and Regular Meeting Minutes from October 24, 2022	<b>For Council Meeting Agenda of:</b> December 4, 2023  <b>Department:</b> City Clerk's Office  <b>Prepared by:</b> Michelle Kang, Deputy City Clerk  <table><tr><td></td><td><b>Initial &amp; Date</b></td></tr><tr><td><b>Approved by Department Head:</b></td><td>AW 12/1/2023</td></tr><tr><td><b>Approved by City Attorney:</b></td><td>N/A</td></tr><tr><td><b>Approved by Finance Director:</b></td><td>N/A</td></tr><tr><td><b>Approved by City Manager:</b></td><td>RGK 12/1/2023</td></tr></table>		<b>Initial &amp; Date</b>	<b>Approved by Department Head:</b>	AW 12/1/2023	<b>Approved by City Attorney:</b>	N/A	<b>Approved by Finance Director:</b>	N/A	<b>Approved by City Manager:</b>	RGK 12/1/2023
	<b>Initial &amp; Date</b>										
<b>Approved by Department Head:</b>	AW 12/1/2023										
<b>Approved by City Attorney:</b>	N/A										
<b>Approved by Finance Director:</b>	N/A										
<b>Approved by City Manager:</b>	RGK 12/1/2023										
<b>Proposed Council Action/Motion:</b>  Approve the Corrected City Council Special and Regular Meeting Minutes from October 24, 2022.	<b>Exhibits/Attachments:</b> 1. Corrected Meeting Minutes 2. Original Meeting Minutes										
<b>Information/Background:</b>  During inspection, Staff discovered a Scrivener's Error in the City Council Special and Regular Meeting Minutes from October 24, 2022.  The original meeting minutes omitted the detailed reference to consent agenda items A-F, see Attachment 2. The corrected meeting minutes include the detailed reference to consent agenda items A-F, see Attachment 1.  The motion and action remain unaffected.											
<b>Fiscal Consideration:</b>  N/A											
<b>City Council Priority or Budget Objective Being Addressed:</b>  Supporting transparency in government.											

**City of Kenmore  
City Council Meeting  
Special & Regular Meeting Minutes  
Monday, October 24, 2022**

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

**PRESENT:**

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

Staff: City Manager Rob Karlinsey  
Assistant City Manager Stephanie Lucash  
City Attorney Dawn Reitan  
Deputy City Clerk Michelle Kang  
Co-Clerk Brian Randall  
Development Services Director Samantha Loyuk  
Assistant to the City Manager Garrett Oppenheim  
Parks Project Manager Rob Sayre-McCord  
Finance & Administration Director Leticia Salcido  
Community Development Director Debbie Bent  
Environmental Services Manager Richard Sawyer

Speaking Guests: Washington State Department of Commerce Growth Management  
Services Deputy Managing Director Valerie Smith  
Rhododendron Boathouse Fundraising Committee Member Tom  
Sanderson

Public Comments Speaking Guests:  
Dakota Rash, Lake Forest Park Resident  
Jim Myers, Kenmore Resident  
Ausamee Sawatpradit, Thailand Resident  
Elizabeth Mooney, Kenmore Resident  
Jon Culver, Kenmore Resident

Nicholas Bykov, Kenmore Resident  
Phyllis Finley, Kenmore Resident  
Stacey Valenzuela, Kenmore Resident

Public Hearing Speaking Guests:

Phyllis Finley, Kenmore Resident  
Stacey Valenzuela, Kenmore Resident  
Corey Holder, Kenmore Resident

### **CALL SPECIAL MEETING TO ORDER**

Mayor Herbig called the special meeting to order at 6:00 PM.

### **STUDY SESSION AGENDA**

Amendments to the City of Kenmore Tree Regulations including Exceptional Trees (Ordinance No. 22-0553), presented by Development Services Director Samantha Loyuk and Assistant to the City Manager Garrett Oppenheim, *for Discussion and Direction*

[Agenda Bill - Tree Regulation Amendments](#)

[Attachment 1 - Current Kenmore Municipal Code Tree Regulations](#)

[Attachment 2 - Proposed Code Amendments \(Draft\)](#)

[Attachment 3 - Tree Fund Memo](#)

Development Services Director Samantha Loyuk and Assistant to the City Manager Garrett Oppenheim presented the proposed amendments to the City of Kenmore Tree Regulations including Exceptional Trees. Staff reviewed the Agenda Bill and Attachments with Council.

Attachment 1 is the current Tree Regulations found in the Kenmore Municipal Code.

Attachment 2 is the proposed code amendments to the Kenmore Municipal Code.

Attachment 3 is a memo about tree regulations in general.

Staff presented the proposed code amendments and Councilmembers provided questions and comments throughout.

(C = Councilmember. S = Staff)

- C: Some of the language was confusing and required better organization within the regulation.
- C: We should be mindful of circumstances that necessitate removal of a tree.
- C: If significant trees are not causing harm to the property, it should be preserved.
- C: The language of "enjoyment of a substantial property right" is too broad
- C: Where did the list of exceptional tree species come from?
  - S: The list based off other cities around the area. The trees are all native to this region of the Pacific Northwest lowlands.
- S: The term "exceptional trees" is just used for a means of protection classification
- C: The purpose is to protect mature trees

- C: We should consider holding public developers to the same standards as private developers. Reworking the language may be needed so the city can do its job, but still walk the walk.
- C: Prohibited activities need to be reviewed further to consider family activities, such as tree houses, tire swings, etc. Staff should return with some reasonable, limited recreational use.
- S: Our regulation already states that if you are participating in any activities that would kill a tree within three years, the activity is already prohibited. But other activities that would not kill a tree, could be considered normal use.
- S: Mitigation requirements would exist where a removed tree would have to be replaced with three native species trees.
- C: There should be a survivability requirement of these replacement trees.
- S: A procedure exists called bond and agreement. A developer would put up a financial guarantee tied to an agreement for three years. There would be an inspection at the end of the three years and if everything is good with the trees, the funds would be released.

#### **ADJOURN SPECIAL MEETING**

Mayor Herbig adjourned the special meeting at 7:01 PM.

#### **CALL REGULAR MEETING TO ORDER**

Mayor Herbig called the regular meeting to order at 7:01 PM.

#### **FLAG SALUTE**

Mayor Herbig led the Council in the flag salute.

#### **AGENDA APPROVAL**

**MOTION:** Councilmember Kugler motioned to add the Amendments to the City of Kenmore Tree Regulations including Exceptional Trees (Ordinance No. 22-0553) Study Session to be the next item in the agenda to finish the discussion. Councilmember Pfeil seconded the motion.

**APPROVED BY UNANIMOUS CONSENT**

#### **STUDY SESSION AGENDA - CONTINUED**

Staff continued presenting the proposed code amendments and Councilmembers continued providing questions and comments throughout.

- S: Hazardous trees are ones that are sick or have some kind of defect that makes them very likely to fail. It has a "high" or "extreme" risk, and no other mitigation measure will reduce the risk below "high."
- C: How do we ensure there is no abuse from the exception where a tree can be removed/should be removed?
  - S: The property owner would obtain a tree risk assessment prepared by their arborist, the City would review the assessment, and if there were a question

about the validity of the assessment, we could require a site visit before issuing a permit. We can have a city arborist go out and do a site inspection. We could add an additional safeguard by requiring a second opinion before removal of an exceptional tree.

- C: Do we have a current City arborist?
  - S: No, we don't have one on staff, but we contract arborists.
- C: How many exceptional trees do you foresee to be requested to remove?
  - S: We have no way of answering that question at this time because our current permit system does not ask the size of the tree.
- S: A "fee in lieu" option is only available if a resident does not have the space to plant the three replacement trees. The cost of the fee is for the cost of purchasing one 8-10 foot tall native coniferous tree, installation (labor and equipment), maintenance for five years, and fund administration.
- S: Next steps include going to SEPA and Department of Commerce. We would then bring the tree regulation amendments back for a public hearing, and a vote by Council, hopefully in the first quarter of 2023.

## **PRESENTATION**

A. Washington State Department of Commerce Growth Management Services Deputy Managing Director Valerie Smith presented the Governor's 2022 Smart Communities Award for the Rhododendron Boathouse to the City of Kenmore, the Northshore School District, the Kenmore Community Rowing Club, and the George Pocock Rowing Foundation. Council accepted the award for the City of Kenmore and took a photo with Ms. Smith.

B. Rhododendron Boathouse Fundraising Quarterly Update, presented by Parks Project Manager Rob Sayre-McCord and Rhododendron Boathouse Fundraising Committee Member Tom Sanderson  
[Agenda Bill - Rhododendron Park Boathouse Fundraising Quarterly Update \(updated on 10/19\)](#)  
[Attachment 1 - Lease Agreement](#)

Parks Project Manager Rob Sayre-McCord and Rhododendron Boathouse Fundraising Committee Member Tom Sanderson provided a quarterly update to Council.

- The management of the Friends of Kenmore Boathouse Board has transitioned since the last update, which took place in July 2022.
- The West Sammamish River Bridget celebration was largest single event we have had since we were last together.
- We do not currently have kayak storage for the public. However, it was the most popular request we have received.
- We are currently working on the design of a donor wall to recognize donors who support the Boathouse.
- We submitted the final paperwork for the tax-exempt approval last week.
- The major tasks for the next three months:

1. Complete the design of the donor wall and get that approved
  2. Receive confirmation from the IRS that our tax-exempt status is complete
  3. Figuring out the events, specifically targeting the high schoolers and their families
  4. Bringing one or two student athletes onto the board
  5. Adding a directional sign to indicate how to get to the Boathouse
  6. Joining the Kenmore-Bothell Chamber of Commerce
- We have a need to close the fundraising gap. The two biggest levers are grants and high-value donations.

Councilmembers asked questions and provided comments. Staff responded.

- How many families participated this year, last year, and the first year, specifically in the high school?
  - About 120 families
- A list of those households should be generated for outreach to help with closing the fundraising gap.

### **PUBLIC COMMENTS**

The Council took comments from the public.

Timestamped link included here: <https://youtu.be/l7fdgTCD700?t=6247>

### **CONSENT AGENDA**

- A. Approve City Council Regular Meeting Minutes from October 10, 2022  
[City Council Regular Meeting Minutes from October 10, 2022](#)
- B. Approve Total Check #s 50541 through 50612 totaling \$916,970.14 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 9/23/2022 in the amount totaling \$188,737.34 and ACH Payment to Thomco Construction, Inc. in the amount of \$914,023.31, and ACH Payment to U.S. Bank in the amount of \$14,717.74, and ACH Payment to Washington Federal Bank in the amount of \$7,485.94, and Payroll Check #10189 in the amount of \$1,961.70, and Wire Transfer to Old Republic Title dated 9/19/2022 in the amount of \$3,155,684.69.  
[Voucher Approval 9-30-2022](#)
- C. Approve Total Check #s 50613 through 50703 totaling \$912,020.65 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 10/07/2022 in the amount totaling \$190,450.02 and ACH Payment to U.S. Bank in the amount of \$867.41, and ACH Payment to Washington Federal Bank in the amount of \$18,038.40, and Payroll Check #10191 in the amount of \$82.29, and Payroll Check #10192 in the amount of \$1,081.17, and Payroll Check #10194 in the amount of \$82.29, and EFT Payment to Dept. of revenue in the amount of \$1,062.28.  
[Voucher Approval 10-14-2022](#)



- D. Adopt Ordinance 22-0565 accepting the donation of land (parcel 011410-0971) from Seattle Audubon Society and Authorize the City manager to execute documents associated with the transfer of property  
[Agenda Bill - Ordinance 22-0565 Accepting Donation of Land from Seattle Audubon Society](#)  
[Attachment 1 - Aerial Showing Property Location](#)  
[Attachment 2 - Quit Claim Deed](#)  
[Attachment 3 - Ordinance 22-0565 Accepting Property Donation](#)  
[Attachment 4 - Ordinance 19-0492](#)
- E. Move to Adopt Resolution No. 22-391, Ratifying Proclamation 22-03.1 which terminates and rescinds the Covid-19 local emergency declaration and remaining Emergency Proclamations 20-02 et seq., and 20-05 et seq., and Repeals Resolution Nos. 20-337, 20-344, and 20-346  
[Agenda Bill - Adoption of Resolution No. 22-391 Ratifying Proclamation 22-03.1](#)  
[Attachment 1 - Proclamation 22-03.1](#)  
[Attachment 2 - Resolution 22-391](#)
- F. Authorize the City Manager to Execute a Purchase and Sale Agreement with the owner of parcel 112604-9107 located on 61st AVE NE south of NE 185th ST for the purchase price of \$49,000 plus closing costs  
[Agenda Bill - Property on 61st AVE NE south of NE 185th ST](#)  
[Attachment 1 - Property Map](#)

**MOTION:** Deputy Mayor O’Cain moved to approve the consent agenda including items A – F outlined above. Councilmember Kugler seconded the motion.  
**VOTE:** Consent Agenda was approved by UNANIMOUS CONSENT

### **PUBLIC HEARING**

Public Hearing No. 2 for the 2023-2028 Capital Improvement Program (CIP) for Parks, Transportation, Surface Water, City Facilities, and Other Public Facilities, presented by Finance & Administration Director Leticia Salcido.

[Agenda Bill - Capital Improvement Program Public Hearing No. 2](#)

[Exhibits A-L - Capital Improvement Program](#)

[Presentation - Capital Improvement Program Public Hearing No. 2](#)

Finance & Administration Director Leticia Salcido presented an updated version of the proposed 2023-2028 Capital Improvement Program (CIP). The original public hearing for the CIP was October 3, 2022. Based on input from Councilmembers at the original public hearing, the following changes were made:

- Rhododendron Park Sign: reduced from \$50,000 to \$28,000

- Moorland Park Improvements: turf replacement allocation decreased from \$2,600,000 to \$775,000
- Sidewalk Program: increased from \$515,000 to \$1,900,000
- Public Works Shop: reduced total project cost and corresponding debt service from \$49,500,000 to \$21,100,000

Mayor Herbig opened the Public Hearing at approximately 8:17 PM. The Council heard public testimony from the public. Timestamped link included here: <https://youtu.be/l7fdgTCD700?t=8223>. Mayor Herbig closed the Public Hearing at approximately 8:28 PM.

### **BUSINESS AGENDA**

- A. 2023-2028 Capital Improvement Program (CIP) for Parks, Transportation, Surface Water, City Facilities, and Other Public Facilities, Ordinance No. 22-0559, presented by Finance & Administration Director Leticia Salcido, *for Adoption*  
[Agenda Bill - 2023-2028 Capital Improvement Program Ordinance No. 22-0559](#)  
[\(Exhibit A included\)](#)

No additional presentation was provided. Councilmembers offered questions and comments; staff responded:

- When did we put in the turf, when did we finish the park?
  - It was about four years ago when the field was put in
- Were the baseball clubs involved or aware of the decision to put in natural turf at the time?
  - The clubs were aware. They were also aware of the city's proposal for lighting and were the ones to suggest turf rather than lighting.
- There is no rationale for spending \$775,000 to change what we just put in four years ago; uncomfortable putting more money into this project
- Not all \$775,000 comes from the city; there is a combination of funding from the city, clubs, and grants
- Can we elaborate on the Public Works amount?
  - That is the total cost; it is a placeholder at this time
- Appreciate the additional funds in the pedestrian facilities line item

**MOTION:** Councilmember Marshall moved to approve the 2023-2028 Capital Improvement Program for Parks, Transportation, Surface Water, City Facilities, and Other Public Facilities, Ordinance No. 22-0559. Councilmember Kugler seconded the motion.

**VOTE:** 7 Yes; 0 No; 0 Abstain. **MOTION PASSES UNANIMOUSLY**

- B. 2023-2024 Proposed Biennial Budgets for: Strategic Reserve, Strategic Opportunities, Transportation Benefit District, Public Art, 2016 & 2021 UTGO Debt Service, Real Estate Excise Tax, Impact Fees, Public Works Shop Fund, Equipment Replacement & other funds, Surface Water Management Fund, Surface Water

Capital Fund, Swamp Creek Basin, presented by Finance & Administration Director Leticia Salcido and Staff, *for Presentation and Discussion*

[Agenda Bill - 2023-2024 Budget Presentations for 10/24/2022](#)

[Presentation - Budget Presentations for 10/24/2022](#)

Staff presented on the following:

- Surface Water Management Fund – self contained fund that primarily receives revenue from the surface water service charge. Single family residential properties are charged a flat fee, and all other properties are charged a rate per acre based on the amount of impervious surface on the property. The purpose of this fund and service charge is to comply with the Clean Water Act and National Pollutant Discharge Elimination System (NPDES) compliance. This fund helps fund some of the Climate Action Plan. There is an increase of 20% in the operations budget for the upcoming biennium due to additional personnel.
- Surface Water Capital Fund – Used for expenditures for surface water capital improvements and surface water components of other capital improvements. Proposed budget of \$3,949,550 for the next biennium.
- Swamp Creek Basin Fund – the name is misleading and has evolved overtime. The fund was originally created for maintenance for the Swamp Creek Basin, but the agreement was revised in 2018 to allow funds to be used to acquire and restore land for flood prevention, open space, and wildlife habituate in the Swamp Creek Basin.
- Strategic Reserve Fund – there is no projected use of the fund in the next biennium
- Strategic Opportunities Fund – serves as a savings account. Expenditures for the next biennium include RADAR, Farmer's Market, Bastyr Clinic, Air Quality & Emissions Consulting services.
- Public Art Fund – no expenditures are projected for the next biennium
- Transportation Benefit District Fund – accumulates resources from the \$20 vehicle license fee
- 2016 \$2021 UTGO Debt Service Fund – accumulates resources from the property tax levy
- Walkways & Waterways Project Fund – fund accounts for the proceeds in the UTGO bonds; transfers funds to the Walkways & Waterways, Transportation, and Park Projects as needed. There are no expenditures projected for the next biennium.
- Real Estate Excise Tax – we are projected to gain \$2.4 million per year
- Park Impact Fee Fund – this fund is funded by any fee assessed on new development that creates additional demand and need for public parks. There are no projected expenditures from this fund in the next biennium.
- Transportation Impact Fee Fund – projected \$1,032,638 revenue for the biennium
- Public Works Shop Fund – accounts for property acquisition, development and financing of a public works shop facility; assumption of total cost is \$20 million, which is lowered from the original total cost of \$36 million
- Equipment Replacement Fund – used to collect and maintain a reserve for future replacement of vehicles, computers, and equipment; other departments and funds contribute to this fund that benefit from or use the assets

Councilmember offered a suggestion of leasing vehicles for the fleets until electric vehicles are available to purchase for the city.

### **STAFF REPORTS**

- A. City Manager Rob Karlinsey updated Council about the plan to include a study session at the City Council Special Meeting on Monday, November 7, 2022, to further discuss the Climate Action Plan funding options.
- B. Update on Affordable Housing Development Efforts - Holt Property and Plymouth Affordable Housing Project, presented by Assistant City Manager Stephanie Lucash [Presentation - Affordable Housing Development Efforts](#)

Assistant City Manager Stephanie Lucash presented updates on the Plymouth Affordable Housing Development. This property is located on 6532 Bothell Way and includes 100 units, all at 30% of AMI, for seniors, veterans, individuals with disabilities, and formerly homeless individuals. The project is projected to cost \$44.2 million. The increase in the cost is due to inflation, supply chain issues, construction and material costs, and higher than anticipated Davis-Bacon commercial wage rates we are required to use. The plan is to break ground in 2023 and have residents move in late 2024.

Assistant City Manager Stephanie Lucash also updated Council on the Holt Property that closed in September 2022. The city is currently seeking a development partner for housing on upper-level floors and community/commercial space for the ground floor. The project is anticipated for the request for proposal process in 2023.

Councilmembers provided comments.

- An appreciation to the dedication for the Council's goal of affordable housing
- A suggestion to continue to look into a land-lease model where the city would retain the land

### **COUNCILMEMBER REPORTS & COMMENTS**

### **ADJOURNMENT**

Mayor Herbig adjourned the regular meeting at 9:40 PM.

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Nigel Herbig, Mayor

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Michelle Kang, Deputy City Clerk

**City of Kenmore  
City Council Meeting  
Special & Regular Meeting Minutes  
Monday, October 24, 2022**

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

**PRESENT:**

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

Staff: City Manager Rob Karlinsey  
Assistant City Manager Stephanie Lucash  
City Attorney Dawn Reitan  
Deputy City Clerk Michelle Kang  
Co-Clerk Brian Randall  
Development Services Director Samantha Loyuk  
Assistant to the City Manager Garrett Oppenheim  
Parks Project Manager Rob Sayre-McCord  
Finance & Administration Director Leticia Salcido  
Community Development Director Debbie Bent  
Environmental Services Manager Richard Sawyer

Speaking Guests: Washington State Department of Commerce Growth Management  
Services Deputy Managing Director Valerie Smith  
Rhododendron Boathouse Fundraising Committee Member Tom  
Sanderson

Public Comments Speaking Guests:  
Dakota Rash, Lake Forest Park Resident  
Jim Myers, Kenmore Resident  
Ausamee Sawatpradit, Thailand Resident  
Elizabeth Mooney, Kenmore Resident  
Jon Culver, Kenmore Resident  
Nicholas Bykov, Kenmore Resident

Phyllis Finley, Kenmore Resident  
Stacey Valenzuela, Kenmore Resident

Public Hearing Speaking Guests:

Phyllis Finley, Kenmore Resident  
Stacey Valenzuela, Kenmore Resident  
Corey Holder, Kenmore Resident

**CALL SPECIAL MEETING TO ORDER**

Mayor Herbig called the special meeting to order at 6:00 PM.

**STUDY SESSION AGENDA**

Amendments to the City of Kenmore Tree Regulations including Exceptional Trees (Ordinance No. 22-0553), presented by Development Services Director Samantha Loyuk and Assistant to the City Manager Garrett Oppenheim, *for Discussion and Direction*

[Agenda Bill - Tree Regulation Amendments](#)

[Attachment 1 - Current Kenmore Municipal Code Tree Regulations](#)

[Attachment 2 - Proposed Code Amendments \(Draft\)](#)

[Attachment 3 - Tree Fund Memo](#)

Development Services Director Samantha Loyuk and Assistant to the City Manager Garrett Oppenheim presented the proposed amendments to the City of Kenmore Tree Regulations including Exceptional Trees. Staff reviewed the Agenda Bill and Attachments with Council. Attachment 1 is the current Tree Regulations found in the Kenmore Municipal Code. Attachment 2 is the proposed code amendments to the Kenmore Municipal Code. Attachment 3 is a memo about tree regulations in general.

Staff presented the proposed code amendments and Councilmembers provided questions and comments throughout.

(C = Councilmember. S = Staff)

- C: Some of the language was confusing and required better organization within the regulation.
- C: We should be mindful of circumstances that necessitate removal of a tree.
- C: If significant trees are not causing harm to the property, it should be preserved.
- C: The language of “enjoyment of a substantial property right” is too broad
- C: Where did the list of exceptional tree species come from?
  - S: The list based off other cities around the area. The trees are all native to this region of the Pacific Northwest lowlands.
- S: The term “exceptional trees” is just used for a means of protection classification
- C: The purpose is to protect mature trees
- C: We should consider holding public developers to the same standards as private developers. Reworking the language may be needed so the city can do its job, but still walk the walk.

- C: Prohibited activities need to be reviewed further to consider family activities, such as tree houses, tire swings, etc. Staff should return with some reasonable, limited recreational use.
- S: Our regulation already states that if you are participating in any activities that would kill a tree within three years, the activity is already prohibited. But other activities that would not kill a tree, could be considered normal use.
- S: Mitigation requirements would exist where a removed tree would have to be replaced with three native species trees.
- C: There should be a survivability requirement of these replacement trees.
- S: A procedure exists called bond and agreement. A developer would put up a financial guarantee tied to an agreement for three years. There would be an inspection at the end of the three years and if everything is good with the trees, the funds would be released.

### **ADJOURN SPECIAL MEETING**

Mayor Herbig adjourned the special meeting at 7:01 PM.

### **CALL REGULAR MEETING TO ORDER**

Mayor Herbig called the regular meeting to order at 7:01 PM.

### **FLAG SALUTE**

Mayor Herbig led the Council in the flag salute.

### **AGENDA APPROVAL**

**MOTION:** Councilmember Kugler motioned to add the Amendments to the City of Kenmore Tree Regulations including Exceptional Trees (Ordinance No. 22-0553) Study Session to be the next item in the agenda to finish the discussion. Councilmember Pfeil seconded the motion.

**APPROVED BY UNANIMOUS CONSENT**

### **STUDY SESSION AGENDA - CONTINUED**

Staff continued presenting the proposed code amendments and Councilmembers continued providing questions and comments throughout.

- S: Hazardous trees are ones that are sick or have some kind of defect that makes them very likely to fail. It has a “high” or “extreme” risk, and no other mitigation measure will reduce the risk below “high.”
- C: How do we ensure there is no abuse from the exception where a tree can be removed/should be removed?
  - S: The property owner would obtain a tree risk assessment prepared by their arborist, the City would review the assessment, and if there were a question about the validity of the assessment, we could require a site visit before issuing a permit. We can have a city arborist go out and do a site inspection. We could add an additional safeguard by requiring a second opinion before removal of an exceptional tree.
- C: Do we have a current City arborist?
  - S: No, we don’t have one on staff, but we contract arborists.
- C: How many exceptional trees do you foresee to be requested to remove?
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## **PRESENTATION**

- A. Washington State Department of Commerce Growth Management Services Deputy Managing Director Valerie Smith presented the Governor’s 2022 Smart Communities Award for the Rhododendron Boathouse to the City of Kenmore, the Northshore School District, the Kenmore Community Rowing Club, and the George Pocock Rowing Foundation. Council accepted the award for the City of Kenmore and took a photo with Ms. Smith.
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- The major tasks for the next three months:
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Councilmembers asked questions and provided comments. Staff responded.

- How many families participated this year, last year, and the first year, specifically in the high school?

- About 120 families
- A list of those households should be generated for outreach to help with closing the fundraising gap.

### **PUBLIC COMMENTS**

The Council took comments from the public.

Timestamped link included here: <https://youtu.be/l7fdgTCD700?t=6247>

### **CONSENT AGENDA**

**MOTION:** Deputy Mayor O’Cain moved to approve the consent agenda including items A – F outlined above. Councilmember Kugler seconded the motion.

**VOTE:** Consent Agenda was approved by UNANIMOUS CONSENT

### **PUBLIC HEARING**

Public Hearing No. 2 for the 2023-2028 Capital Improvement Program (CIP) for Parks, Transportation, Surface Water, City Facilities, and Other Public Facilities, presented by Finance & Administration Director Leticia Salcido.

[Agenda Bill - Capital Improvement Program Public Hearing No. 2](#)

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### **BUSINESS AGENDA**

A. 2023-2028 Capital Improvement Program (CIP) for Parks, Transportation, Surface Water, City Facilities, and Other Public Facilities, Ordinance No. 22-0559, presented by Finance & Administration Director Leticia Salcido, *for Adoption*

[Agenda Bill - 2023-2028 Capital Improvement Program Ordinance No. 22-0559 \(Exhibit A included\)](#)

No additional presentation was provided. Councilmembers offered questions and comments; staff responded:

- When did we put in the turf, when did we finish the park?
  - It was about four years ago when the field was put in
- Were the baseball clubs involved or aware of the decision to put in natural turf at the time?
  - The clubs were aware. They were also aware of the city's proposal for lighting and were the ones to suggest turf rather than lighting.
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- Can we elaborate on the Public Works amount?
  - That is the total cost; it is a placeholder at this time
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**MOTION:** Councilmember Marshall moved to approve the 2023-2028 Capital Improvement Program for Parks, Transportation, Surface Water, City Facilities, and Other Public Facilities, Ordinance No. 22-0559. Councilmember Kugler seconded the motion.

**VOTE:** 7 Yes; 0 No; 0 Abstain. **MOTION PASSES UNANIMOUSLY**

- B. 2023-2024 Proposed Biennial Budgets for: Strategic Reserve, Strategic Opportunities, Transportation Benefit District, Public Art, 2016 & 2021 UTGO Debt Service, Real Estate Excise Tax, Impact Fees, Public Works Shop Fund, Equipment Replacement & other funds, Surface Water Management Fund, Surface Water Capital Fund, Swamp Creek Basin, presented by Finance & Administration Director Leticia Salcido and Staff, *for Presentation and Discussion*

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Councilmembers provided comments.

- An appreciation to the dedication for the Council's goal of affordable housing
- A suggestion to continue to look into a land-lease model where the city would retain the land


### **COUNCILMEMBER REPORTS & COMMENTS**

### **ADJOURNMENT**

Mayor Herbig adjourned the regular meeting at 9:40 PM.

  
Nigel Herbig (Nov 15, 2022 12:43 PST)

Nigel Herbig, Mayor

  
Michelle Kang (Nov 15, 2022 10:58 PST)

Michelle Kang, Deputy City Clerk









# City Council Special and Regular Meeting Minutes from October 24, 2022

Final Audit Report

2022-11-15

Created:	2022-11-15
By:	Michelle Kang (mkang@kenmorewa.gov)
Status:	Signed
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## City Council Agenda Bill City of Kenmore, WA

<p><b>Subject/Topic:</b></p> <p>Approval of Affordable Housing Development Proposal</p> <p><b>Proposed Council Action/Motion:</b> Motion to</p> <p>(1) approve the selection of the Proposal submitted by Imagine Housing, Habitat for Humanity and Hopelink in response to City RFP 23-C2969, and authorize the City to move forward with creating a partnership to develop affordable housing consistent with the proposal and</p> <p>(2) provide staff direction to initiate negotiations with Imagine Housing, Habitat for Humanity and/or Hopelink for the property sale price, property transfer agreement, threshold determination, development agreement, and/or any other necessary agreements.</p>	<p><b>For Council Meeting Agenda of:</b> 12/4/23</p> <p><b>Department:</b> City Manager's Office</p> <p><b>Prepared by:</b> Tambi Cork, HHS Manager</p> <table><thead><tr><th></th><th><u>Initial &amp; Date</u></th></tr></thead><tbody><tr><td><b>Approved by Department Head:</b></td><td>SLL, 11/22/23</td></tr><tr><td><b>Approved by City Attorney:</b></td><td>DFR, 11/27/2023</td></tr><tr><td><b>Approved by Finance Director:</b></td><td>MM, 11/27/2023</td></tr><tr><td><b>Approved by City Manager:</b></td><td>RK, 11/27/2023</td></tr></tbody></table> <p><b>Exhibits/Attachments:</b></p> <p>1. Proposal</p>		<u>Initial &amp; Date</u>	<b>Approved by Department Head:</b>	SLL, 11/22/23	<b>Approved by City Attorney:</b>	DFR, 11/27/2023	<b>Approved by Finance Director:</b>	MM, 11/27/2023	<b>Approved by City Manager:</b>	RK, 11/27/2023
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<b>Approved by City Manager:</b>	RK, 11/27/2023										
<p><b>Information/Background:</b></p> <p>The Kenmore City Council's number one priority for 2021-22, number two priority for 2023, and number one priority for 2024 is <i>to increase and preserve the options for affordable housing stock</i>. In support of this goal, a working group, consisting of City employees and employees from A Regional Coalition for Housing (ARCH) developed a Request for Proposals (RFP) for affordable housing on City-owned property at 7010 NE 181<sup>st</sup> Street.</p>											

The RFP closed on October 6, 2023, and the City received two proposals. The working group evaluated the proposals, interviewed both respondents, and recommends the selection of the Imagine Housing/Habitat for Humanity/Hopelink proposal. The goal for tonight is to give the City Council an opportunity to learn more about the proposal and approve motions that will allow the City and its partners to proceed with this work. Staff is requesting that the City Council pass motions to: (1) approve the selection of the Proposal submitted by Imagine Housing/Habitat for Humanity/Hopelink in response to City RFP 23-C2969, and authorize the City to move forward with creating a partnership with Imagine Housing (as the lead agency) to develop affordable housing consistent with the proposal and (2) provide staff direction to initiate negotiations with Imagine Housing for the threshold determination, development agreement, property sale price, property transfer agreement, and/or any other necessary agreements.

Staff will return to Council in the first half of 2024 for a threshold determination related to the development agreement. The development agreement is anticipated to include areas where it is expected the development will deviate from current zoning, including density, parking and other considerations to be determined as the project proceeds. Tonight's action will allow the team to move forward with this work in the coming months and to fully develop the affordable housing proposal so it can be submitted in the September 2024 State and County affordable housing funding cycle.

**Fiscal Consideration:**

The City purchased the Holt property in 2022 for \$3.2 million by drawing down reserves in the City's General Fund and Strategic Opportunities Fund, with the understanding that the City's reserves would eventually be replenished upon sale of the property to a future developer. City leadership direction is that the negotiations and final agreement include a purchase price of at least \$1.5 million for the land, which would partially replenish the City's reserves.

**City Council Priority or Budget Objective Being Addressed:**

2. *Increase and preserve the options for affordable housing stock*



# Proposal for Affordable Housing Development

for the City of Kenmore (RFP #23-C2969)

Pictured: Velocity



Submitted by:

**Imagine Housing**  
building eastside communities

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**Habitat for Humanity SKKC**

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**Hopelink**

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**Rooney Partners**

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[www.rooney-partners.com](http://www.rooney-partners.com)

**W.G. Clark Construction Co.**

1945 Yale Place East, Seattle, WA 98102  
206.624.5244, [mmahan@wgclark.com](mailto:mmahan@wgclark.com)  
[www.wgclark.com](http://www.wgclark.com)

**SMR Architects**

117 S. Main Street, Suite 400, Seattle, WA 98104  
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[www.smrarchitects.com](http://www.smrarchitects.com)

**Subconsultants:**

Atlas Design Group | Kimley-Horn  
Karen Kiest Landscape Architects



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Imagine Housing

1722 138th Place NE

Bellevue, WA 98005

[imaginehousing.org](http://imaginehousing.org)

October 6, 2023

Anastasiya Warhol, City Clerk, City of Kenmore

Via email: [bids@kenmorewa.gov](mailto:bids@kenmorewa.gov)

RE: **RFP# 22-C2789 - City of Kenmore Affordable Housing Development**

Dear Anastasiya and Selection Committee:

On behalf of Imagine Housing, Habitat for Humanity Seattle-King & Kittitas Counties (SKKC), Hopelink, and the rest of our project team, we are extremely excited for the opportunity to present our team's proposal and qualifications, and to express our interest in collaborating with the City of Kenmore to create new affordable housing and community services in the City's downtown core. Our vision will transform this City of Kenmore owned property into a vibrant, affordable, mixed-use development that embraces the City of Kenmore's vision of creating highly needed affordable housing and services within the community. Our project team is an assemblage of the leading developers and providers of permanent affordable housing and services in east King County, which uniquely positions us to create a successful project that is in touch with the local community's needs.

"The Approach at Kenmore," the current working title for our proposed project that pays homage to the City of Kenmore's aviation heritage, is envisioned as a 152-unit mixed-use affordable housing community created as a collaboration between The City of Kenmore, Imagine Housing, Habitat for Humanity SKKC and Hopelink. The project will provide 132 units of affordable multifamily rental housing, 20 units of affordable home ownership units and nearly 7,000 square feet of commercial space for our community services partner Hopelink.

Highlights of our proposed development include:

**Family-Focused Housing Options:** Our project will provide an array of affordable housing options including studios, 1, 2, and 3-bedroom affordable rental units, and 1, 2, and 3-bedroom permanently affordable for-sale units. Over 20% of our affordable units will be 3-bedroom units that can serve the needs of larger families. Integrated indoor and outdoor common spaces, including a roof deck community space, will provide gathering spaces for our residents' enjoyment.

**Stabilizing the Basic Needs of the Community:** Housing and basic needs stability are fundamental for the health and welfare of all members of the community. This collaborative project will create a welcoming community

offering a significant variety of community and resident services to help residents, and other members of the Kenmore community, take the next step in transforming their lives through housing and basic needs stability.

For this project, we have assembled a highly qualified project team. Rooney Partners will support the team with development consulting expertise. Building from the success of our Velocity and Andrew's Glen projects, we are partnering with the same core team members: W.G. Clark as general contractor, and SMR Architects as architect. SMR will be supported by a team of subconsultants, including Atlas Design Group, structural engineers; Kimley-Horn, civil engineers, and Karen Kiest Landscape Architects, landscape architecture.

We believe the attached proposal for The Approach at Kenmore illustrates how passionate our team is about designing, building, and providing affordable housing and community service opportunities for the Kenmore community. We choose the work we do because we understand the importance of having a place to call home and having basic needs stability benefits everyone in the community. Thank you for your favorable consideration. If you have any questions, please feel free to contact us.

Sincerely,

Yi Zhao

Executive Director

Imagine Housing

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[yichuanz@imaginehousing.org](mailto:yichuanz@imaginehousing.org)

Geoff Crump

Interim Chief Executive Officer

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Brett D'Antonio (Oct 5, 2023 15:49 PDT)

Brett D'Antonio

Chief Executive Officer

Habitat for Humanity SKKC

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## Section 1

## Development Team Information

### BACKGROUND AND EXPERIENCE OF ALL KNOWN TEAM MEMBERS

We are eager to partner with the City of Kenmore to build new affordable housing and community services downtown. Our vision will turn the City's property into a lively, affordable, mixed-use development that embraces Kenmore's goal of creating urgently needed affordable housing and services. As leading developers and providers of permanent affordable housing and services in east King County, our project team is uniquely positioned to create a successful project that addresses the community's needs.

**Additional information on our team's qualifications and resumes are provided in Exhibits C and D.**

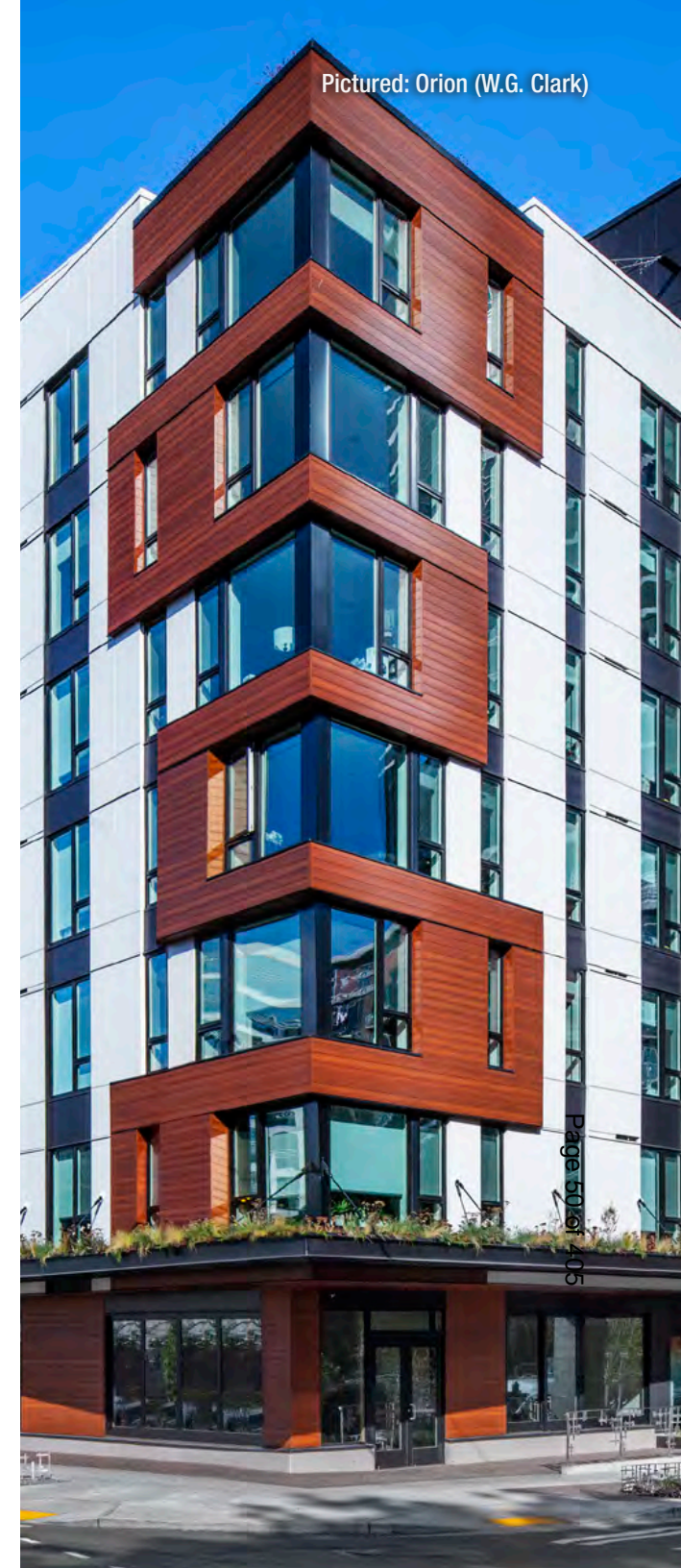
#### Imagine Housing | Project Sponsor and Developer

Imagine Housing is the leading, award-winning affordable housing developer based in east King County. Our mission is to develop affordable housing, build welcoming communities, and foster vibrant futures. We provide permanent affordable housing with support services to over 1,500 low-income individuals (60% AMI or less). Imagine Housing seeks to provide appropriate housing for larger families and our residents include youth exiting foster care, veterans and seniors, as well. 50% of our residents identify as Black, Indigenous or People of Color (BIPOC), a third of our residents previously experienced homelessness, and the average income across our portfolio is \$24,000 a year. Our successful model of permanent affordable housing leverages an on-site Resident Services program driven by Case Managers who partner with residents to achieve long-term housing stability.

Imagine Housing's Resident Services program is an integral component of our business model and is designed to connect our participating households with the basic needs, public programs and human service agencies that can help them meet individual goals. This framework advances a sense of belonging and community at each of our 16 apartment communities across the Eastside in Bellevue, Issaquah, Kirkland, Mercer Island, Redmond, and Sammamish.

Imagine Housing will also be supported by Allied Residential. Allied Residential currently manages the entire Imagine Housing portfolio and is highly capable of managing and staffing this property.

Pictured: Orion (W.G. Clark)





**Troy A. Drawz** will serve as Imagine Housing's project manager and the main point of contact for the City of Kenmore. For over 20 years, Troy has served as an advocate and developer of affordable housing. To date, he has created more than 900 units of affordable, mixed-income, special needs, and senior housing. Throughout the arc of his affordable housing career, he has successfully negotiated over \$600M in real estate development transactions. Troy is an engaged and transparent leader and is adept at building relationships with internal and external stakeholders in a manner that fosters a sense of ownership for everyone involved in a project. Troy has held a leadership role at Imagine Housing for more than five years. Prior to his work at Imagine Housing, he served over 11 years at the Housing Authority of the City of Vancouver (WA) as an affordable housing project manager and as the Director of Development and Construction. Additionally, Troy served 3 years as the Chief Development Officer and Executive Vice President of Real Estate Development at the Charlotte Housing Authority. He is an expert in utilizing Low Income Housing Tax Credits (LIHTC) allocated under the Washington State Housing Finance Commission's (WSHFC) Qualified Allocation Plan. Troy received his Bachelor's in Science at New Mexico State University.



**Yi Zhao** joined Imagine Housing as Executive Director in 2022. From the start of his career with AmeriCorps to his leadership roles with King County Housing Authority and, most recently, as Chief Asset Manager at Plymouth Housing,

Zhao has pursued the advancement of meaningful social and economic justice. This includes working to close the income inequality gap by advocating for vulnerable working families and addressing the food insecurity challenges in BIPOC communities. A listener who doesn't shy away from the complexities of the affordable housing shortage, Zhao cites his resourcefulness and skillful approach to relationship building as the key to achieving organizational excellence.

### Habitat for Humanity SKKC |

#### Homeownership Partner

Habitat for Humanity Seattle-King and Kittitas Counties (HFHSKCC) creates permanently affordable homes for families and individuals with incomes between 30% and 80% of AMI. HFHSKCC has built and sold over 340 homes across King County, Repaired and Preserved 296 homes and has resold 56 Habitat homes to low income buyers. Over the last five years, the average Area Median Income of Habitat homebuyers is 41%, with an average annual income of \$48, 000, a household size of four, and 57% served are Black Indigenous People of Color (BIPOC).



**Brett D'Antonio** is the Chief Executive Officer with Habitat and holds responsibility for the success of the program. Brett worked in affordable housing for 12 years and had led this affiliate from minimal

housing production annually to now having numerous multi-million dollar projects in our pipeline to occur simultaneously. Brett oversees a robust and qualified team and spearheads the overall vision for the affiliate.



**Rebecca Wold** is the Director of Real Estate Partnerships. Rebecca's role on the team is to support the project through the robust partnership of the co-sponsors. She will coordinate activity on

acquisition, feasibility and partnership management through the project. A lawyer by training, Rebecca has five years of experience leading multifamily development projects through community partnership, due diligence, acquisition, and pre-development entitlements. She has also led complex community engagement efforts with multiple stakeholders in communities throughout the PNW.



**Patrick Sullivan** is the Chief Operations Officer and Director of Real Estate Development. He works on acquisition, feasibility and development management through the project. Patrick has worked in

for-profit real estate development prior to joining us at HFHSKCC. Patrick has been extremely successful in managing a large number of projects in our pipeline. Patrick has formed strategic partnerships with local developers to help HFHSKCC maximize its production potential.

### Hopelink | Commercial Space Partner

Since 1971, Hopelink has provided stability-building programs for people experiencing poverty, immigrants and refugees, and people with disabilities in north and east King County. The agency's nine programs work in tandem to fill gaps, supporting each family or individual's unique needs. These include housing, food assistance, financial assistance, adult education,



energy assistance, financial capabilities, family development, and transportation.



**Meghan Altimore** serves as Vice President of Community Services and Operational Excellence for Hopelink. She has over 32 years of experience in non-profit program development and

leadership, particularly in leading initiatives designed to help community members experiencing poverty reach their full potential. Meghan joined Hopelink in 2004 as the Associate Director of Housing and Child Development. She currently oversees the operations and leadership of Hopelink's Community Services business unit as well as oversight of all Hopelink Facilities and the Organizational Excellence Department.



**Lucy Pyeatt** leads Hopelink's department of energy and financial assistance programs, serving over 6,000 households with \$11 million in assistance to clients last year. Her team includes the managers and

front desk teams of Hopelink's five Integrated Service Centers in Bellevue, Redmond, Kirkland, Shoreline and Carnation, as well as direct service staff. She began her nonprofit career in Workforce Development and HUD-approved Housing Counseling at the largest AAPI led social services agency in Texas. Building on her experience in the Community Action network of agencies, she moved to Seattle in 2018 to join Hopelink and lead city, county and state funded programming, including LIHEAP services.

## Rooney Partners | Development Consultant

Imagine Housing will be supported by Rooney Partners, a real estate development firm specializing in development management, project management (CAPEX), acquisition and disposition support, entitlement, real estate advisory, project financing, and new market expansion.



**Mike Rooney** will serve as Imagine Housing's development consultant and has over 25 years of multifamily real estate experience in the Puget Sound market; currently as

Managing Partner of Rooney Partners, a real estate development firm (2021 - current) and previously as Executive Director of Mt. Baker Housing, an affordable housing development company (2008 - 2021). While at MBH, Mike grew the organization from one employee to a team of 16 people. During Mike's tenure at MBH, he nearly tripled the real estate portfolio by completing multiple apartment building acquisitions and expanded the development pipeline to 1,200 units of affordable housing totaling over a half a billion dollars in total development cost.

## W.G. Clark | General Contractor

Founded in 1910, W.G. Clark has grown and prospered through adherence to its principles of integrity, professionalism, service, and stability. With over 100 years of service, W.G. Clark continues to focus on collaborative innovation with their development partners. As a relationship and solution-focused firm, W.G. Clark provides expert construction teams that maximize the greatest potential for each project. They start with expert preconstruction

planning, accurate budgeting, and detailed coordination. W.G. Clark excels in working in high density areas and meeting the challenges of zero lot line construction while keeping construction workers and the communities they work in safe. Focusing on quality and communication are key components of W.G. Clark's success.



**Molly Mahan** will serve as the principal for W.G. Clark, working closely with project stakeholders to guarantee that all project goals are met or exceeded.

Her educational background

combines architecture, environmental planning, and construction management, giving her an excellent understanding of all aspects of the design and construction process. She is a creative project management leader known for leading collaborative and successful teams that are focused on ensuring the best interests of her clients. She specializes in multifamily, commercial, and student housing facilities. She is leading teams on three local affordable housing buildings, and has built over 3,700 units of housing during her 24 years at W.G. Clark.



As W.G. Clark's superintendent for the project, **Daniel Coccia** will support Molly. Over a 20 year career in construction, Daniel has worked in many roles, including laborer, carpenter, project engineer

and superintendent. His strong leadership and team building abilities, along with his commitment to quality, make him a positive presence on his projects. Daniel's projects include multifamily and commercial work.

## SMR Architects | Architecture

SMR Architects is a 39-person, full-service architecture firm established in Seattle in 1977 as Stickney & Murphy Architects. SMR prides itself on employing the best in the profession who are passionate about community design, affordable housing, historic preservation, and social and environmental sustainability. The firm is experienced working on projects ranging in size from small tenant improvements to master planned developments. However, the primary focus of its work is concentrated on the design and renovation of affordable multifamily housing projects. The firm has designed over 13,100 affordable units and is fortunate to have ongoing partnerships with many nationally recognized non-profit housing developers, including collaborating with Imagine Housing on four projects.



As Managing Principal of SMR, **John Woodworth** leverages his extensive housing experience to provide oversight across all phases of development. With a keen attention to design, he has an eye for well crafted and economical solutions. He prioritizes fulfilling client visions and goals. John's focus on affordable and supportive housing includes multiple projects for Imagine Housing, as well as many other non-profit housing developers. John joined SMR in 1994 and has been a principal since 2004.



For the past 16 years, **Kate Smith** has contributed to affordable housing and communities in Western Washington. Her open communication, breadth of project type experience,

and collaboration in fully integrated design leads to highly successful developments for her clients. Kate brings experience with challenging sites, master planning/multi-building projects, integrated design, multiple public funding sources, community engagement, and design-build. Kate currently serves on the Housing Development Consortium of Seattle King County as the Board President. She pushes for policy reform, increased funding opportunities, and supporting the collective strength of the affordable housing community. Supporting emerging leadership in the affordable housing development community, specifically those individuals from BIPOC communities, is a commitment Kate and others at SMR are dedicated to.

## Subconsultants

SMR Architects will be supported by a subconsultant team consisting of **Atlas Design Group**, a structural engineering firm certified as a Washington State MBE and DBE, **Kimley-Horn**, a civil engineering firm whose staff have experience working within the City of Kenmore, and **Karen Kiest Landscape Architects**, a landscape architecture firm certified as a Washington State DBE. **Additional information on our team's qualifications and resumes are provided in Exhibits C and D.**

## Mixed-Use Developments & Public/Private Partnerships Experience

Our team includes individuals and organizations with proven track records in affordable housing development and social services. Mixed-use developments are an integral part of successful communities, and we have worked on many of these types of projects throughout the region that combine residential, commercial, retail, cultural/arts,

community, and office uses. These projects are all designed to be pedestrian- and bicycle-friendly and emphasize neighborhood character. Through this experience, our team is accustomed to working and collaborating with others through partnerships of all types. We have worked in conjunction with designers, architects, and contractors with separate ownership structures, and consequently, separate goal sets for the same project. Our team works to keep communication open between all parties and through teamwork, effective communication, and a mutual desire to deliver a successful project, which helps achieve consensus on a project's vision. As a result, individual stakeholders feel heard, included, and in the end, are satisfied that the completed project meets their particular goals.

One example of our team's past collaboration with a transit-oriented development with a public/private partnership is Velocity Apartments. It was built through a collaboration between the City of Kirkland, the City of Bellevue, and King County Metro Transit to provide jobs and housing close to public transit along the SR 520 corridor as it shares a site with the South Kirkland Park-and-Ride. Imagine Housing developed Velocity while Weber Thompson and Polygon Northwest developed an adjacent mixed-use retail/residential building and a new parking garage for King County Metro. Due to the involvement of multiple stakeholders and designers, collaboration was key to creating individual projects that complemented one another as parts of a cohesive design. Through communication, sharing ideas, and working together for the good of the campus and surrounding neighborhood, the individual project teams met their clients' objectives as well as the broader goals for the campus.



## Section 2

## Project Description

### How Proposal Responds to the Development Program and RFP Goals and Objectives

The Approach at Kenmore project team is comprised of the leading affordable housing and community services providers in east King County. Our team, which includes Imagine Housing, Habitat for Humanity SKKC, Hopelink, SMR Architects, W.G. Clark Construction, and Rooney Partners, was specifically assembled to bring the extensive expertise of each team member to foster the development of a vibrant mixed-use, mixed-income project that fulfills the affordable housing and community service goals defined in the City of Kenmore's RFP for this site. Our team proposes a project with the following highlights:

- **Affordable Home Ownership:** Habitat for Humanity SKKC will lead the charge in creating 20 affordable homeownership opportunities within the project. These for sale units will be an excellent opportunity for members of the Kenmore community seeking homeownership that may otherwise be unattainable.
- **Affordable Multifamily Rental:** As the leading affordable rental housing provider in east King County, Imagine Housing brings the depth of experience needed to meet the affordable housing goals of the City of Kenmore project. Our multifamily rental for this project is focused on providing ample amenities for families, including an expansive courtyard, rooftop terrace with stunning views, community space, laundry facilities, and activity spaces for children.
- **Community Service:** Hopelink, our community service partner for the project, will allow the community to thrive by providing access to essential services to the residents and Kenmore community at large. Everyone will receive the support they need or find other ways to steward stability for community members.

The Approach at Kenmore has been designed to maximize the site, create pedestrian connections to neighboring sites, and provide fire department access. The affordable for sale condominium building features a compact design and a shared amenity space that will also serve the residents of the affordable rental housing.

The ground level of the affordable for sale condominium units will also serve as the hub for property management and resident services, as well as the location for amenities such as a modern business center equipped with computers, printers, and other needs, potential exercise space, and community gathering spaces. The ground level of the affordable rental housing building will be the future home for community services provided by Hopelink.

Pictured: Hoa Mai Gardens (SMR)





The affordable rental building hugs the north and east borders of the site. Each residential floor will have a shared laundry facility. The 7th floor (top floor) will showcase an outdoor terrace for all residents to enjoy. It will provide views to the mountains, Lake Washington, and act as a viewing deck to see the seaplanes from Kenmore Air. The outdoor space is designed to be a community-building space which allows residents to meet neighbors and enjoy open space. The resident services staff will develop a program around the expected tenant population to ensure these valuable amenity spaces are used and enjoyed.

The Approach at Kenmore team brings a breadth of experience to benefit the City of Kenmore. Our quality of design, understanding of the affordable housing community's needs, and genuine care about resident comfort and satisfaction are of paramount importance and result in exceptional projects and satisfied clients. We have earned a reputation for obtaining and developing consistent, reliable details and design work that yield success during permitting and construction with a very low incidence of errors and omissions related change orders. Our high-quality designs are a direct result of our in-house quality control review process and our knowledge of codes, ordinances, and building types. We have included multiple project examples in the appendix that highlight our team's experience in planning, designing, building, and operating affordable housing developments. All of these completed projects carry multiple sustainable certifications, including the state-mandated Evergreen Sustainable Design Standard (ESDS).

### Overall Vision of Affordable Housing (Unit Mix, Affordability, Special Population)

The Approach at Kenmore closely aligns with the City's income targets identified in the RFP. For our proposed development, half of the rental units provided by Imagine Housing will be at 50% AMI and half at 60% AMI. Additionally, Habitat for Humanity SKKC will provide 20 permanently affordable homes for low-income families and individuals at or below 80% AMI. These new condominium homes will include 4 three-bedroom, 12 two-bedroom, and 4 one-bedroom units, providing a much-needed opportunity for home ownership to those who would not otherwise be able to afford to buy a home in Kenmore.

When starting this project, the development team's goals were to create a new community that will be statement buildings for the City of Kenmore, all while being able to create an affordable building for families and individuals. A guiding principle for the team was to ensure that the buildings would blend into the current and future landscape and rapidly changing city-scape. Although this would be one of the taller developments in Kenmore, it is expected that this area will be developed with similar surrounding buildings as NE 181st Street as the city's "main street." Moreover, the design goal was to create vibrant, modern buildings that Kenmore residents can be proud of.

The development team has prioritized the number of units as well as number of bedrooms as the highest importance. This goal was balanced by resident amenities, homeownership opportunities, and community partnerships. A primary goal was to create a building that blends into the cityscape and strengthen the community of Kenmore.



Residential Lobby at The Maddux (W.G. Clark and Rooney)

Because of the location of family units in this building, we anticipate there to be at least **126 children living in The Approach at Kenmore**. To accommodate this number of children in the building, the development team proposed modern building amenities located throughout the building. The showcase amenity will be located on the 7th floor and will feature outdoor gathering spaces looking towards Lake Washington. Additional amenities include an entry plaza and courtyard for a variety of outdoor vistas and places to gather.

The rental units will range from studios to three-bedrooms. The studio units will be 494 square feet; one-bedroom units will be 572 square feet; two-bedroom units will be 832 square feet; and three-bedroom units will range be 1,092 square feet.

### Overall Vision of Nonresidential Space

Hopelink's space on the east side of the site meets the community with a grand plaza for activity and gathering. It will be visible as one drives or walks along NE 181st Street. Every effort will be made to ensure the space along NE 181st Street will look consistent with street level commercial. The development team places a high priority on contextually responsive design, including uses that are appropriate for sidewalk adjacency.

## Estimated Building Square Footage

Total residential square footage is estimated to be 170,522 compared to a building gross square footage of 192,461.

## Proposed Program and Project Partners Imagine Housing's Resident Support Services

Imagine Housing's Resident Support staff members will meet regularly with residents starting the day they move in. They connect residents to resources for employment, healthcare, education, substance abuse, or mental health counseling, legal assistance, and help with basic needs such as food and clothing. Imagine Housing builds a sense of community at each of our properties through community meals, barbecues, holiday parties, craft nights, and open houses. By integrating services whenever possible, Imagine Housing promotes respect and dignity for all people, encourages healthy and thriving communities, recognizes the strengths of our residents, and honors our residents' rights to make their own decisions in their lives. A vital part of our service model includes listening to the needs and desires of our residents and supporting them in determining their own goals and paths. The types of services we would offer to support families, youth, and individuals would be case management, community building activities, goal-setting, life coaching, job search assistance, life skills training, help securing benefits, and youth activities (homework club, after-school activities, arts and crafts, and summer camps).

## HFHSKKC's Affordable Homeownership

Habitat's proven model works with low-income home buyers to make homeownership a reality. Habitat's model leverages layered financing including State Housing Trust Fund financing, down payment assistance funds and mortgage loans to cover a significant portion of the cost of a home.

The remaining amount of financing is provided by construction financing and Habitat, making homeownership affordable to families at or below 80% AMI. Habitat's model offers homeownership to low-income King County residents and we work with the buyers and WSHFC approved lenders, such as HomeSight, to ensure the overall housing costs are affordable to the buyers.

Habitat ensures permanent affordability of our homes, while also providing some equity growth for our homeowners. The sale of the homes will be permanently restricted to buyers with incomes at or below 80% AMI. Restrictive covenant agreements will be recorded on each unit requiring income eligibility for all resales. In addition, a restrictive covenant will require owner-occupancy, and will contain a resale restriction formula that balances equity growth with ongoing affordability. Appreciation is limited to 1.5% per year, compounded annually. When a homeowner sells their home, Habitat will buy back the home and then sell them to another income qualified buyer. This ensures long-term affordability.

This shared equity homeownership program balances long-term affordability with equity growth. The one time public investment will therefore serve generations of home buyers in need. As important, the home buyers in the program receives equity that contributes to intergenerational wealth and housing security.

## Hopelink

Hopelink is a valued partner focused on connecting residents and community members to an array of services that they need. The Hopelink Kenmore Service Center will provide a full complement of Hopelink services including a grocery-style Food Market providing free groceries for community members; Energy Assistance, Flexible Financial



Assistance; Case Management for Families; Employment Services; Adult Education classes; Mobility Management; and Financial Coaching and Education.

## Design Approach (Open Space, Parking, Connections with Downtown)

The development team made every effort to provide as much parking as financially feasible. The design allows for 109 parking spaces; 27 dedicated to Hopelink on their own parking level, 20 for Habitat for Humanity SKKC homeowners, and 62 for Imagine Housing residents which is a ratio of .48 : 1 unit. The goal is to prioritize parking spaces for family units, as well as offering spaces for the building's staff, Habitat for Humanity SKKC homeowners, guests, and Hopelink staff and visitors. We anticipate that many tenants, but not all, will have cars. With abundant transit along NE Bothell Way and a short walk to adjacent grocery stores and other services, the development team believes this deviation is mitigated. The garage, as designed, will descend into one level

When envisioning this project, the development team wanted to emphasize the center as a major piece of Kenmore's vision of a walkable downtown. The Approach at Kenmore will extend the vision of "main street" to the east.

Our team has a proven track record of transforming our concepts into beautiful, thoughtfully detailed structures that are assets to our communities. The Approach at Kenmore team takes great pride in creating affordable housing that is safe, secure, welcoming, and conducive to fostering community among residents.

Community Engagement

Within two months after receiving the award for this project, we intend to reach out to a variety of community organizations, interest groups, elected officials, and the general public as part of the community engagement process.

Imagine Housing and Habitat for Humanity SKKC are at the heart of the communities they develop and have established trusting relationships with this project’s stakeholders. SMR will follow the client’s lead on community outreach. We bring extensive experience working with diverse communities and will be a resource that the client can use to help receive, share, communicate, and execute ideas. We are dedicated to including community members, businesses, and boards in our design charrettes and community events. At each of these meetings, we listen intently to individuals and groups representing their unique cultural perspectives, and we gather and incorporate design feedback about the specific community needs of the residents and neighbors who will engage with the project.

We engage the clients, stakeholders and community members early on to understand their goals and values. Subsequent meetings and/or presentations are then held to keep stakeholders informed of design progress. Neighborhood community presentations are helpful to inform and provide updates of the process.

The type of housing developments we create frequently include non-profit offices, community spaces, and supportive facilities, as well as commercial and retail space, in addition to residences. We ensure the overall design is responsive to the varying interests and needs of all involved.

We have experience designing for a wide variety of low-income populations, including families, seniors, immigrants, the formerly homeless, and the physically and mentally disabled. When designing for these populations, we use all of the skills and knowledge we have developed to create beautiful, functional, safe, and durable buildings that enhance the lives of residents. When we meet with resident groups, we set aside our assumptions and focus and listen to what people tell us – sometimes through translators – about their ideas, preferences, and cultural values. There is always something we learn that improves the design.

SMR Architects takes great pride in creating housing that is safe, secure, welcoming, and conducive to fostering community among residents. Principles we incorporate when planning for projects serving diverse communities include:

- Outdoor open space
- Ample natural light and ventilation
- Flexible space
- Thoughtful planning/arrangement of rooms relative to opening and circulation paths
- Anticipating and designing for furniture placement
- Designing units that allow for multi-generational households
- Noise and odor isolation between units
- Designing units for the maximum number of potential occupants.

Anticipated Development Standards for a Development Agreement

This property is purposefully designed to deviate from the current zoning requirements. Each of these departures are directly related to bringing the total development cost down to a financially-feasible level and maximizing the potential of the site. **The design and ownership team look forward to working closely with the City of Kenmore to develop components that integrate with future planning efforts**

- **Parking (18.40 Parking and Circulation) –** Current development standards would require approximately 296 parking stalls:

Studio	1 : 1.2	31
1-bed	1 : 1.5	96
2-bed	1 : 1.7	51
3-bed	1 : 2	64
Guest	1 : 5	30
TI # of Parking Stalls	1 per 300 SF	23
Minimum Total Stalls		296

This development proposal maximizes the parking potential while maintaining the vision and within financial feasibility a total of 109 stalls.

- **Residential Use (18.50 Design Requirements for Specific Uses) –** For mixed-use developments, current zoning standards allows 75% maximum in gross floor area (GFA) in residential use. The proposed development includes 170,522 sq. ft. of residential use. This is approximately 89% of the total floor area proposed.
- **Street Setback (18.25.040 Zoning Standards) –** Current zoning requires the front setback to be between 0ft and 10ft. The ground level of the façades are angles back opening towards a public plaza leading to the building entries and a public gathering space. The proposed minimum setback is 2’-0” and the maximum is ~20’-0”.



Section 3

Project Development Budget and Schedule and Operating Pro-Forma

a. Estimate of Total Project Development Costs and a Financing Plan

Our estimated total project development cost is \$91,119,644 for the Imagine Housing and Hopelink portion and the total development cost for acquisition of the Habitat for Humanity building is \$10,061,259. This proposal's assumptions for the development budget were derived from conceptual plans. All estimates were prepared by W.G. Clark Construction to their best ability at this stage in planning. We estimate the buildings will be approximately 192,461 square feet, including parking. There will be 152 units and will include studios to three-bedroom units. In addition to the funding sources from the City of Kenmore and ARCH, we anticipate funding from the State of Washington, construction loan, LIHTC equity, and a CHIP grant. For permanent financing following conversion a permanent loan, as well as LIHTC equity as permanent funding sources is anticipated. Our development budget is included as Exhibit E of this document and is also included in Form 6A of Form A&B/CFA.

B. Affordability

Form 8A in Form A&B/CFA details The Approach at Kenmore's rents and sales prices by unit type, and an overview is included below. 50% of the rental units will be 50% AMI, with the other 50% at 60% AMI. Additionally, The Approach at Kenmore will provide 20 permanently affordable homes for low income families and individuals at or below 80% AMI. These new condominium homes will provide a much-needed opportunity for home ownership to those who would not otherwise be able to afford to buy a home in Kenmore. The commercial space will be sold to Hopelink rather than rented.

	NUMBER OF UNITS BY BEDROOMS AND AFFORDABILITY LEVEL						RENT PRICES	
RENTAL	Rental Units		Rental Unit Configuration				Monthly Rent	
	Total Number	Percent	Studio	1BR	2BR	3BR	Low	High
Units at or below 50% of AMI		50% AMI	13	30	9	14	\$1,163	\$1,681
Units at or below 60% of AMI		60% AMI	13	30	9	14	\$1,403	\$2,037
Total Rental Units	132	50 - 60% AMI	26	60	18	28		
AFFORDABLE HOMEOWNERSHIP	Ownership Units		Ownership Unit Configuration				Buyer's Mortgage	
	Total Number	Percent	Studio	1BR	2BR	3BR	Low	High
For Sale Units at 80% of AMI	20	80% AMI	0	4	12	4	\$218,925	\$357,000

Pictured: The Rise at 19th (SMR)



### c. Operating Pro-Forma

This has been consolidated into 8B of Form A&B/CFA and is also included as Exhibit D of this document.

### d. Project Schedule

Our proposed project schedule is included at right.

### e. Management Plan

Allied Residential will manage the property upon competition. Allied currently manages the entire Imagine Housing portfolio and is highly capable of managing and staffing this property when the building approaches completion. We project that 25% of the building will be preleased at the certificate of occupancy and the remaining units will be leased over the next three months. Allied has been a property manager for 36 years and is very experienced with this type of product. Allied manages over 10,000 rental units with over 100 buildings in their management portfolio.

### f. Marketing Plans

#### Imagine Housing's Affirmative Fair Housing Marketing Plan

Allied Residential takes the approach to marketing with the tenant population first. They will reach out to all neighborhood and regional organizations (examples included below) to ensure that they are familiar with this building and its features. Marketing programs for other Imagine Housing properties include print (brochures, letters, handouts) translated when appropriate that is provided to community agency contacts for posting in offices and/or distribution to their constituents. In addition, verbal outreach will be conducted in communities for whom written materials in any language are not accessible. A database of community and regional groups and organizations will be maintained and will be in contact

#### PROJECT SCHEDULE

Task	Date Completed or Expected Completion
<b>Site Control</b>	
Purchase and Sale Agreement / Option	1/2/2024
Closing	11/1/2025
<b>Feasibility / Due Diligence</b>	
Site Survey	2/15/2024
Market Study	3/1/2024
Phase 1 Environmental Assessment	2/15/2024
Phase 2 Environmental Assessment	5/15/2024
SEPA	3/1/2024
NEPA Clearance	3/1/2024
Choice Limiting Actions Clearance	2/15/2024
Neighborhood Notification (if required)	4/15/2024
<b>Financing</b>	
Appraisal	8/1/2025
Financial Underwriting	8/1/2025
Application for Funding: King County	9/15/2024
Application for Funding: ARCH	9/15/2024
Application for Funding: Department of Commerce	9/15/2024
Application for Funding: WSHFC	1/31/2025
Construction Cost Estimate	7/1/2024
Lender Selection	2/1/2025
Investor Selected	2/1/2025
Award Date for Funding Source: WSHFC	4/1/2025
Award Date for Funding Source: King County	1/31/2025
Award Date for Funding Source: ARCH	1/31/2025
Award Date for Funding Source: Department of Commerce	1/31/2025
Capital Finance Closing	11/1/2025
Permanent Financing Conversion	6/1/2028
Final Equity Pay-In (LIHTC Projects)	6/1/2028
<b>Design / Permitting / Construction</b>	
Preliminary Drawings Completed	12/15/2023
Zoning Approval	1/15/2023
Site Plan Approval	2/15/2023
Schematic Design Completed	2/15/2024
Design Development Completed	6/15/2024
Construction Documents Completed	9/15/2024
Building Permit Application Submitted	9/15/2024
Building Permits Issued	8/1/2025
Submit Evergreen Project Plan	6/1/2025
Final Plans and Specifications Completed	5/1/2025
Selection of General Contractor	9/1/2024
Begin Construction	11/1/2025
Issued Certificate of Occupancy	11/1/2027
<b>Occupancy</b>	
Selection of Management Entity	3/1/2026
Selection of Service Providers	1/1/2024
Begin Lease-up	4/1/2027
100% Lease-up	12/1/2027
Placed in Service - 1st Building	4/1/2028
Placed in Service - Last Building	4/1/2028
Evergreen Sustainable Development Standard Occupancy Manual Approval	3/1/2027
Qualified Occupancy	4/1/2028
Projected First LIHTC Year Start	4/1/2028

with them.

**Purpose:** The goal of marketing at The Approach at Kenmore will be to make special efforts to reach populations who:

- Are least likely to apply for the housing because of language, cultural, or other barriers;
- Are generally not reached through mainstream marketing efforts;
- Are under served in terms of housing; and
- Who could most benefit from the large units and set asides for disabled persons, large families, and homeless families at The Approach at Kenmore.

**Housing Market Area:** City of Kenmore, King County

**Mixed Area:** 22% BIPOC residents

### **Habit for Humanity's Home Buying Process and Affirmative Marketing**

Habitat's Homeowner Services team will conduct ongoing outreach to recruit and support low and moderate income families interested in homeownership in The Approach at Kenmore. Outreach partners include HomeSight, Washington Resource Center, Urban League, El Centro de la Raza, and faith organizations throughout King County - all of whom work with Habitat to reach potential homebuyer applicants. In addition, Habitat will also actively conduct outreach to local school districts, social service agencies, and community-based organizations in Kenmore and east King County to ensure the local community is aware of the opportunity.

Habitat has implemented a Community Preference policy to help guide homeowner selection. Habitat's Affirmative Marketing and Outreach Policy that is designed to comply with regulations of the Fair Housing Act, as well as the Consumer Financial Protection Bureau, Housing and Urban Development (HUD), the Equal Credit Opportunity Act, the Fair Credit Reporting Act, the Privacy Act and the Americans with Disabilities Act and any applicable federal, state and local laws. Through our homeowner selection process, applicants are awarded additional points based on need and connection to the community (distance from work/home, utilization of local community services) and other factors that indicate displacement or risk of displacement.

The top score earners are selected for the available homes. If less than 25% of the units are awarded to applicants that scored Community Preference points, then the top scores for this category would take priority in selection. If there is a tie in points then the Need score is used as the tie breaker. In this way, we hope to prioritize those with greatest need and those who may otherwise be forced to move from their community.

**Habitat for Humanity Seattle-King and Kittitas Counties is pleased to partner with Imagine Housing on this exciting opportunity to bring our model of permanently affordable homeownership to Kenmore.**

Name of Group	Function the Group Will Undertake
Hopelink Kenmore	Direct referrals and posting
Mary's Place Kenmore	Direct referrals and posting
Camp Unity Eastside	Direct referrals and posting
YWCA Seattle King County	Direct referrals and posting
Lake City Partners Ending Homelessness	Direct referrals and posting
SCIDpda	Direct referrals and posting
Solid Ground	Direct referrals and posting
A Regional Coalition for Housing (ARCH)	Direct referrals and posting
Asian Counseling and Referral Service	Direct referrals and posting
Catholic Community Services of Western WA	Direct referrals and posting
DSHS, King East Community Service Office	Direct referrals and posting
Issaquah Community Services	Direct referrals and posting
Jewish Family Services / Multi-Ethnic Service Center	Direct referrals, posting translation and interpretation
King County Housing Authority	General posting, and posting in Section 8 notebook
Salvation Army - Eastside Social Services Corp	Direct referrals and posting
Eastside Hmong Association	Direct referrals, translation, interpretation, verbal outreach
Lao Highland Association of King County	Direct referrals, translation/ interpretation, verbal outreach
HOPWA	Direct referrals and posting
Easterseals of Washington	Direct referrals and posting



## Section 4

# Preliminary Project Designs

## SCHEMATIC SITE PLAN AND LEVEL ONE PLAN\*



## TYPICAL FLOOR PLANS\*

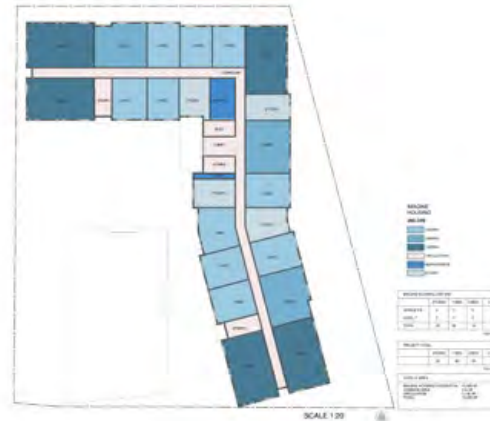
Floor Plan: Parking Level One



Floor Plan: Levels Two - Five



Floor Plan: Level Six



Floor Plan: Level Seven



SCALE 1:20



\*Full scale copies of plans and elevations are provided in the Appendix.



## TYPICAL BUILDING ELEVATIONS\*



\*Full scale copies of plans and elevations are provided in the Appendix.



X. A. Approval of Affordable Housing Development Proposal RFP No. 23-C29... PHOTOS OF BUILDINGS ILLUSTRATING ARCHITECTURAL STYLE\*



Plaza Roberto Maestas (SMR)



12th Avenue Arts (SMR)



Ravello (SMR)



Ravello (SMR)



The Union Flats\*\*



Midtown Square (W.G. Clark)



Midtown Square (W.G. Clark)



Station House Apartments (W.G. Clark)



Artspace Hiawatha (SMR)

\*Full scale copies of plans and elevations are provided in the Appendix. \*\*Project inspiration, not designed by team members.



# EXHIBIT A

# Form A&B/ CFA





a. Estimate of Total Project Development Costs and a Financing Plan

Form A&B/CFA is attached as a separate Excel document.

EXHIBIT B

# Team Qualifications

Pictured: YWCA Family Village Issaquah (SMR)





## Exhibit B

# Team Qualifications

## IMAGINE HOUSING

### About Imagine Housing

Imagine Housing is the leading, award-winning affordable housing developer based in east King County. Our mission is to develop affordable housing, build welcoming communities, and foster vibrant futures. We provide permanent affordable housing with support services to over 1,500 low-income individuals (60% AMI or less). Imagine Housing seeks to provide appropriate housing for larger families and our residents include youth exiting foster care, veterans and seniors, as well. 50% of our residents identify as Black, Indigenous or People of Color (BIPOC), a third of our residents previously experienced homelessness, and the average income across our portfolio is \$24,000 a year. Our successful model of permanent affordable housing leverages an on-site Resident Services program driven by Case Managers who partner with residents to achieve long-term housing stability.

Imagine Housing's Resident Services program is an integral component of our business model and is designed to connect our participating households with the basic needs, public programs and human service agencies that can help them meet individual goals. This framework advances a sense of belonging and community at each of our 16 apartment communities across the Eastside in Bellevue, Issaquah, Kirkland, Mercer Island, Redmond, and Sammamish.

### Our Story

In 1987, a small group of highly passionate people at St. Andrew's Lutheran Church in Bellevue saw a clear need for more affordable housing in east King County. They soon formed St. Andrew's Housing Group as an independent non-profit organization focused entirely on creating affordable apartment homes in the region. Today, because of the of ongoing grassroots commitment of local citizens, 639 affordable apartments exist in Bellevue, Issaquah, Sammamish Kirkland, Mercer Island, and Redmond. From the very beginning and for nearly 35 years, Imagine Housing has successfully preserved and expanded affordable housing options in King County's Eastside. Today, this means that:

- a young family has a place to settle and children can access extraordinary public education;
- a person living with a disability can find an accessible home to meet their needs;



Senior residents at Athene receiving their Farms for Life fresh produce delivery



30Bellevue (Imagine and SMR)



Velocity (Imagine, W.G. Clark, and SMR)

- a veteran has the stability needed to pursue new goals after service;
- our elders can age in place with a built-in support system; and
- a person exiting homelessness has the support they need to start a new life indoors.

## Our Programs

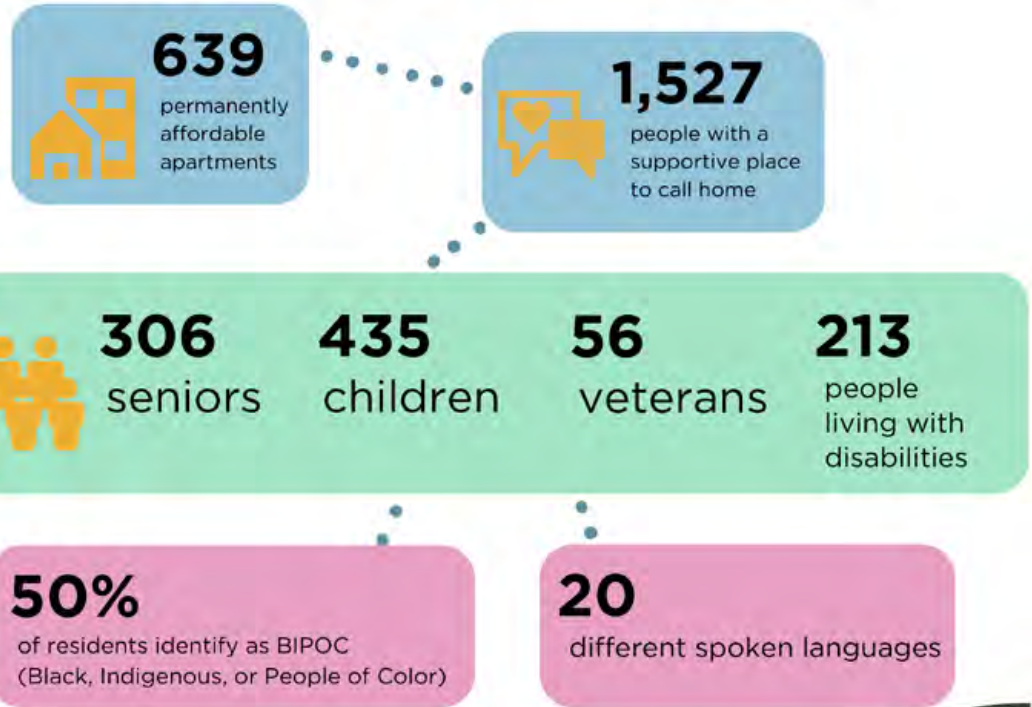
Finding a safe, stable, and affordable home is the first step toward achieving long term stability. Our case managers serve as community focal points as well as critical links to external service partners and resources, tailored to the specific needs of the residents. Together with our residents, we are preserving shared values and realizing the full promise our community.

## Our Communities



## AFFORDABLE HOUSING + SUPPORTIVE SERVICES = HOUSING STABILITY

90% of Imagine Housing households maintain housing for a year or more.



Our diverse team of skilled professionals deliver wrap-around, tailored, and holistic support that meets every person where they are. Together with our residents, we are preserving shared values and realizing the full promise of our community.



## ALLIED RESIDENTIAL

### About Allied Residential

Allied Residential was established in 1987 with the sole focus of providing the best property management services to owners of multifamily properties in the Puget Sound region. Over the past 30 years, we have remained committed to that goal and now manage over 10,000 residential units throughout Western Washington for owners located throughout the country. Although we are one of the oldest multifamily property management firms in the area, Allied Residential remains an innovative firm, utilizing current technology, communications, training and software to better support our team members, provide better living environments for residents, and generate customized and exceptional results for each of our clients.

Our commitment to excellence extends internally from each team member's dedication and personal contributions through Allied's contributions across the multifamily industry. At the highest level, Allied Residential holds the prestigious Accredited Management Organization (AMO) designation from the Institute of Real Estate Management (IREM). The AMO designation is bestowed at the national level only after a firm has fulfilled strict requirements in the areas of fiscal stability, integrity, professionalism, operations excellence and the highest ethical standards. Our adherence to the principles behind the AMO designation is your assurance of quality and professional service. Many team members throughout our company hold various officer and board positions, serve on committees, attend seminars and classes, maintain professional designations, and volunteer for

organizations such as IREM, NAA/WMFHA (National Apartment Association / Washington Multifamily Housing Association), AHMA (Affordable Housing Management Association), and several other industry specific and charitable organizations.

### Allied Residential's Services

- Market Rate and Affordable Multifamily Management
- Mixed Use, Mid-Rise, High-Rise, and Traditional Garden-Style Properties
- Customized Property Management Solutions
- Full Affordable Housing/Tax Credit Compliance for Section 42, LIHTC and Others
- New Property Lease Up Services
- Property Repositioning
- Property Renovation and Construction Supervision
- Timely and Accurate Financial and Management Reports
- Master Property Insurance Program
- Bulk Property Supply and Services Discounts
- Acquisition Due Diligence, Inspections, Audits
- Pre-development Consulting
- Market Analysis

Pictured: 30Bellevue



## 30Bellevue

*"Equitable communities, such as 30Bellevue, are being developed by Imagine Housing on the Eastside due to their insistence on forming strategic partnerships to increase the supply of and access to affordable housing with on-site support services. Imagine Housing's on-site support services staff provide case management, resource referrals, and community engagement through shared dinners and activities."*

*As Director of Community Development for Bellevue School District, I am responsible for developing and cultivating effective strategic partnerships with community organizations, post-secondary institutions, and businesses that are aligned to the district vision, mission, goals, and priorities. 30Bellevue aligns with three of the six Bellevue School District Priorities: Student Well-Being, Family and Community, and Culture and Climate."*

- Judy Buckmaster

Former Executive Director, Community Development  
(Now Retired)

Bellevue School District

## ROONEY PARTNERS

### About Rooney Partners

Rooney Partners is a real estate development firm specializing in development management, project management (CAPEX), acquisition and disposition support, entitlement, real estate advisory, project financing, and new market expansion. Mike Rooney will serve as Imagine Housing's development consultant and has over 25 years of multifamily real estate experience in the Puget Sound market; currently as Managing Partner of Rooney Partners, a real estate development firm (2021 - current) and previously as Executive Director of Mt. Baker Housing (MBH), an affordable housing development company (2008-2021). While at MBH, Mike grew the organization from one employee to a team of 16 people. During Mike's tenure at MBH, he nearly tripled the real estate portfolio by completing multiple apartment building acquisitions and expanded the development pipeline to 1200 units of affordable housing totaling over a half a billion dollars in total development cost. This includes 6 ambitious new construction projects each having over 200 units of affordable housing.



Maddux (Rooney and W.G. Clark)

## HABITAT FOR HUMANITY SEATTLE-KING AND KITTITAS COUNTIES

### About Habitat for Humanity Seattle-King and Kittitas Counties

Founded in 1986 as an independent affiliate of Habitat for Humanity International, Habitat for Humanity Seattle- King and Kittitas Counties has served the Seattle-King County area for 35 years. Habitat creates permanently affordable homes for families and individuals with incomes between 30% and 80% of AMI. Our vision is a region— and a world — where everyone has a decent place to live. We advance our mission and seek to transform lives and promote positive and lasting social, economic and spiritual change within our community to change the lives of all who participate including those in need of housing, volunteers, advocates, and donors.

As a leading 501(c) (3) non-profit leader, HFHSC has built and sold over 340 homes across King County, Repaired and Preserved 296 homes and has resold 56 Habitat homes to low income buyers. Over the last five years, the average Area Median Income of Habitat

homebuyers is 41%, with an average annual income of —48, 000, a household size of four, and 57% served are Black Indigenous People of Color (BIPOC).

Habitat's completed and upcoming developments vary in design between townhomes, row houses, cottage style, and multifamily condominium buildings. In its current King County pipeline, HFHSC has a 40 unit development, 23 unit development, two 31 unit buildings, and a 58 unit development, as well as several smaller scattered sites with 1-6 homes. With qualified staff, a robust team and strong partnerships, HFHSC has the capacity to embark on larger projects if the opportunity comes available. In May 2022, HFHSC acquired a site on MLK in the Rainier Valley which will be the future home to 58 permanently affordable homes.



“This is amazing. I don’t even know how I deserve this. But the truth is, I do deserve this. And everybody deserves this.”

— Amber C., Habitat Homeowner

Page 70 of 105



## FY2023 Accomplishments

Last year, Habitat for Humanity Seattle – King & Kittitas Counties continued to expand services and production of affordable homes for qualifying families. We are pleased to share this summary of our accomplishments for this fiscal year.

### Homeowner Services

114 Housing Solutions completed —serving 245 people including 70 seniors, 76 children, 7 veterans and 22 people with disabilities.

- **Launched Debt Remediation Pilot Program** — providing additional opportunities for applicants to qualify for our program
- **120 units currently under construction or in our pipeline** — covering five neighborhoods throughout King County
- **Sold and dedicated 34 new homes** in four Seattle neighborhoods
- **Resold one Habitat home held in a land trust** — assuring permanent, affordable homes to first time homeowners for generations to come
- **226 individuals participated in our homeownership programs** — including applicant orientation, financial literacy training, home maintenance, and resident engagement
- **608 non-Habitat partnered individuals referred** to other affordable housing solutions

### Construction

We have 16 active projects totaling 125 homes valued at over \$54.6 million

- **Completed six projects totaling 34 units across Seattle and in North Bend** — including Capitol View, our first mid-rise housing development in Seattle for 13 Habitat families
- **We now have 252 housing units in our 5-year pipeline development**

- Current project locations:
  - Burien: 40 homes
  - South Park: 56 homes
  - West Seattle: 12 homes
  - Capitol Hill: 17 homes
  - Kittitas: 18 homes

### Critical Home Repairs

- We repaired or replaced **33 roofs, 36 gutters, 19 handrails, nine ramps, 1,200 ft of fencing, and repaired 16 decks**
- **\$14,502 average budget** for a repair
- **Launched new programming to assist homeowners in King County through CAPABLE** (Community Aging in Place-Advancing Better Living for Elders).

### Volunteers

2,390 volunteers filled 5,781 slots, contributing a total of 31,941 hours — *17% increase in volunteers over 2022*

- **766 individuals filled 2,480 volunteer spots, contributing 10,451 volunteer hours** in our Habitat Stores
- **1,697 individuals filled 3,218 volunteer slots,**

**contributing 21,385 volunteer hours** on our Construction and Home Repair Sites

- **101 different groups volunteered** across our build sites and Habitat Stores — *including 54 sponsoring organizations, seven faith partners, and 40 youth, school, corporate and community groups*
- **Four AmeriCorps members served an additional 5,007 hours** — *an invaluable support to our Construction, Resource Development, and Home Repair teams*

### Advocacy

Generated over 10,704 letters to lawmakers & policymakers at state and local levels, that led to many successes

- Helped pass **15 state legislative bills and 10 local ordinances**
- **Legalized middle housing** types statewide
- Helped pass first-in-the-nation **bill to help repair harms from racial covenants used in real estate**
- Won **\$400M for affordable housing** at the state level and **\$40M for homeownership specifically**



We are dedicated to eliminating substandard housing, advocating for fair housing policies, and providing resources to help even more families improve their living conditions for years to come.

### Habitat Stores

- 12,351 donations received with 452,967 items sold — *diverting 3,165 tons of materials from landfills*
- **387,191 donated items** – 6,985 pick-ups / 5,366 drop offs
- **124,694 customers served**
- **Record revenue of \$5.9M for the year**, including a record for our annual Earth Week Sale — *an increase of 32% over last year*
- **Launched Resupply, a priority pickup service, with record success in the ReStore network**
- **13% increase in volunteer hours**

### Resource Development

- Habitat for Humanity SKC raised \$15,522,485 in our annual fundraising campaign
- **Hosted 850 guests at our Beyond the Build Luncheon and raised over \$1.8M** — *one of the most successful luncheons to date*
- **Generated \$461,176 with the Cars for Homes program**
- **Women Build raised over \$127,000 in sponsorships** — *our most successful to date*

### Kittitas County

- **Cars for Homes donations up 23%**
- **Home Repair: nine completed, serving 21 people** — *six disabled, 10 senior citizens, and one veteran*
- **Stuart Meadows construction is underway** — *two homes framed in, and first six homes expected to be completed Spring 2024*
  - *Six partner families serving a total of 17 people*
  - *Four single moms, one disabled male, one disabled senior citizen, one two-parent home, and nine children*
  - *29% Hispanic, 70% Non-Hispanic*

- **161 volunteers — 2,299 volunteer hours**
  - *Seven partner families — 552 sweat equity hours*
  - *19 partner family volunteers — 192 sweat equity hours*
  - *81 new construction volunteers — 962 volunteer hours*
  - *Eight home repair volunteers — 43 volunteer hours*
  - *59 store volunteers — 1,102 volunteer hours*

- **Formed partnership with Ellensburg High School Career Technical Education (CTE)** — *students are building sheds for the homes at Stuart Meadows and will be on site to install. Students came to the site to help finish foundations for the 1st Phase*





## HOPELINK

### About Hopelink

Hopelink, founded in 1971, is a federally designated Community Action Agency headquartered in Redmond, Washington. Hopelink has a current annual budget of \$94 million and employs 390 staff members. Hopelink also relies on thousands of volunteers each year to accomplish its work. Hopelink serves King and Snohomish Counties with a wide variety of services including Housing, Financial Assistance, Heating Assistance, Adult Education, Employment Services, Financial Education, Case Management, Non-Emergency Medical Transportation, Bus Operations, and Mobility Management. Hopelink helps people experiencing poverty stabilize and become Equipped to Exit Poverty. Hopelink has five multi-service centers located in Kirkland, Bellevue, Redmond, Shoreline, and Carnation. It also has five Housing locations and two Bus Bases.



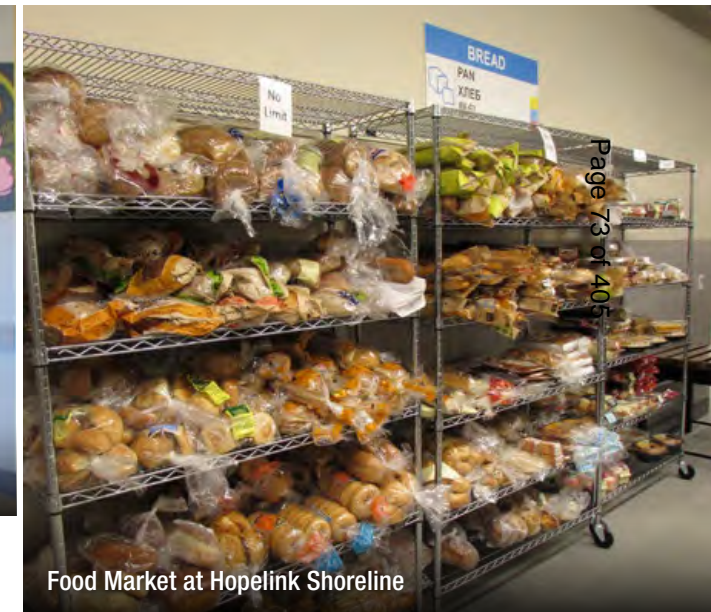
Hopelink Kenmore Housing Facility



Hopelink Redmond



Food Market at Hopelink Shoreline



Food Market at Hopelink Shoreline



## W.G. CLARK CONSTRUCTION CO.

### About W.G. Clark Construction Co.

Founded in 1910, W.G. Clark has grown and prospered through adherence to its principles of integrity, professionalism, service, and stability. With over 100 years of service, W.G. Clark continues to focus on collaborative innovation with their development partners. As a relationship and solution-focused firm, we provide expert construction teams that maximize the greatest potential for each project. We start with expert preconstruction planning, accurate budgeting, and detailed coordination. W.G. Clark excels in working in high density areas and meeting the challenges of zero lot line construction while keeping construction workers and the communities they work in safe. Focusing on quality and communication are key components of W.G. Clark's success.

We excel at complex and challenging projects of many types, whether they involve the latest innovations in construction techniques, tricky urban sites, green building, or the special sensitivity and care required of historic renovations, occupied remodels, or working on an active campus. This introductory brochure focuses on our mixed-use and multifamily housing projects, which are a company specialty.

### We are a true builder.

In addition to general contracting services, we employ a large work force of experienced carpenters and laborers. This means that we are a true builder, capable of self-performing multiple scopes of work. As a genuine builder, we take great pride in our ability to perform quality work in a highly cost effective and expeditious manner. We are able to respond faster to special circumstances when W.G. Clark crews self-perform work on the project and can reduce financial exposure due to changed conditions.

### We are known for award-winning excellence.

Our projects are industry-recognized for construction excellence year after year. Some of our recent recognition includes:

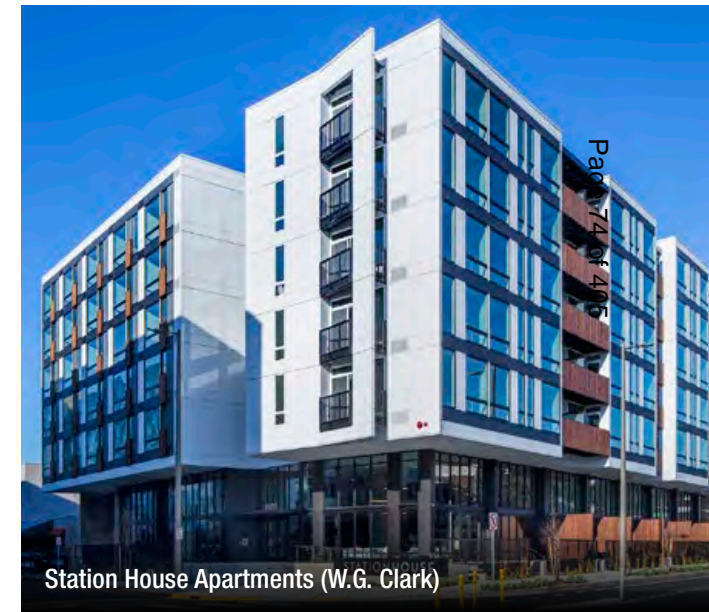
- Boardwalk | Best Mixed-Use Project Award, Gold Nugget Awards (2023)
- Boardwalk | NAIOP Development of the Year Finalist, Private Building \$50 - \$100M (2022)
- Midtown Square | AGC Build Washington Finalist for Private Building \$50–100 million (2022)
- Parque Kirkland | AGC Build Washington Award for Private Building \$20-50 million (2022)
- Edmonds Waterfront Center | AGC Build Washington Award for Private Building \$5-20 million (2021)
- UW North Campus Housing | AGC Build Washington Award for Public Building Over \$100 million (2019)
- Station House Apartments | AGC Build Washington Finalist for Private Building \$20–50 million (2019)
- Gravity Payments | AGC Build Washington Award TI under \$5 million (2018)
- The Commons | AGC Build Washington Award for Private Building \$20–50 million (2018)
- Skyway Luggage/Nature Conservancy | AGC Build Washington Award for TI under \$5 million (2017)
- Ivar's Pier 54 | AGC Grand Award and AGC Build Washington Award for TI over \$5 million (2016)
- UW Maple & Terry Halls | AGC Build Washington Award for Public Building \$50-100 million (2016)
- Velocity — AGC Build Washington Award for Private Building under \$10 million (2015)
- UW Mercer Court — AGC Build Washington Award for Public Building of \$50-100 million (2014)



Midtown Square (W.G. Clark)



Parque Kirkland (W.G. Clark)



Station House Apartments (W.G. Clark)

### **We have people you can count on.**

W.G. Clark employs over 200 of the industry's best people. Our team includes a group of managing officers, led by company president Scott Smith, as well as seasoned project managers, superintendents, foremen, specialty field support staff, key administrative staff, and top-tier craft workers.

The W.G. Clark team includes coordination specialists with architectural, engineering, LEED® and construction expertise. The longevity and expertise of our employees are unparalleled in the construction industry — over a third of our employees have been with our firm for more than 10 years.

### **We stick with you.**

Nearly all of our projects have been negotiated with repeat clients or referrals, with our involvement starting at the earliest stages of the design process. We consider repeat clients to be the greatest evidence of client satisfaction. Your project is never handed off to another team. Relationships with project team members, consistency with project management systems and information sharing, and alignment of expectations all build high levels of trust and consistent results.

### **This is our home.**

We are truly a local construction firm with a record of building successful projects all around the Puget Sound region. We focus on building locally, where our services, relationships, and reputation have afforded us the opportunity to work with development partners who share our values and commitment to the region.

All of W.G. Clark's employees are locally based, and we are very familiar with the local labor markets. From our executives to our field crews, we are completely committed to construction in Washington. This is our main focus and our primary market.

### **We've built it all.**

One of the benefits that W.G. Clark Construction brings to our projects is a history of success in building diverse projects with unique challenges. Our resume reflects a wide range of projects, including mixed-use, multifamily and student housing, high-rise work, offices and commercial space, institutional and non-profit facilities, healthcare and senior living, and tenant improvements and renovations. We draw on this wide range of expertise to solve the unique challenges of each new project.

### **We have over a century of financial stability.**

Clients can rely on W.G. Clark's 113-year history of performance and financial strength. We have completed every project we've started. Our surety is Liberty Mutual, which, with its predecessor Safeco, has been our bonding company since 1988.

### **Safety is our priority.**

W.G. Clark has been a leader in construction safety for many years, and we have been nationally recognized for our safety program. At W.G. Clark, safety is a value for life, and we work hard to ensure the safety of workers and the community surrounding our projects. We promote the health and safety of our employees and our subcontractors through our regular safety meetings, safety trainings, and Stretch and Flex program. A good safety record is also the first criteria of selection for each of the subcontractors that we bring on site. This results in optimum quality and productivity for your project.

### **We are environmentally responsible.**

W.G. Clark cares about sustainable building. We are a Salmon-safe certified and accredited builder. We are experienced with projects seeking certification through LEED,® Evergreen Sustainable Development

Pictured: Dunn Automotive (W.G. Clark)



## **Location and Resources**

- Our office is in the Eastlake area of Seattle.
- We have over 200 well-qualified employees, as well as solid relationships with subcontractors specializing in all facets of construction.
- Our database of subcontractors includes over 1,000 pre-qualified firms with longstanding working relationships.
- We involve major subs during the preconstruction phase and meet with them seeking to reduce costs and create value for our clients.
- We have excellent relationships with architects, engineers, city officials, and other agencies having jurisdiction over our projects.



Standards, Built Green, Built Smart, and other similar programs. We partner with our clients and subcontractors to efficiently develop responsible building practices, supporting these efforts with our in-house specialists and project experience.

W. G. Clark is also a PHIUS Certified Builder. Passive House Institute US, Inc. (PHIUS) is an organization committed to high-performance passive building. Passive design carefully balances a comprehensive set of factors including heat emissions from appliances and occupants to keep the building at comfortable and consistent indoor temperatures throughout the heating and cooling seasons. As a result, passive buildings offer tremendous long-term benefits and energy efficiency.

### **We build with quality and value.**

Our knowledgeable, experienced people produce quality buildings through careful constructability analysis, building modeling techniques that “pre-build” projects and avoid conflicts, intensive document review and coordination, and control of building envelope integrity at every step of planning and construction.

We exceed our clients’ highest expectations for collaboration, coordination, communication, thoroughness, and quality. We do this by creating project teams suited to the size and demands of each project and applying their skills and experience throughout the preconstruction and construction process.

We coordinate subcontractor work carefully and solicit additional ideas from key firms to build in the best value for your construction dollars. We prepare mockups, and we use pre-installation meetings to be sure all parties understand what is expected of them. We carefully monitor and inspect work as it is installed.

### **Our preconstruction services are unmatched.**

We offer preconstruction services on all of our projects, with our involvement starting at the earliest stages of the design process. Throughout preconstruction, we continually cycle price information for individual systems, scopes, and assemblies. We provide timely cost feedback to tailor design detailing to the budget.

Our teams embrace a collaborative approach to preconstruction, actively working together with clients and designers and key subcontractors to provide continuous real-time cost feedback and estimating services. Our estimates and schedules are thoughtfully developed and are continually refined throughout the preconstruction process.

Our familiarity with the preconstruction process means we know how to see behind the lines for design development yet to come. We can foresee, identify and resolve potential problems during the design phase and clearly present cost and schedule solutions that make the preconstruction process a success.

**W. G. Clark excels in working in high density areas and meeting the challenges of zero lot line construction.**



*“W.G. Clark has exhibited a very professional approach to all their projects, starting from the early estimating through their material handling and cost control procedures to the actual handing over the keys. Their projects have always been completed in a timely manner and to the complete and total satisfaction of all parties, with no involvement whatsoever of the surety company.”*

- James Binder, Propel Insurance

*“Having worked with many contractors, I can honestly say that W.G. Clark’s dedication to safety is without equal. You truly live up to your motto that ‘Safety is a Value for Life.’ Thank you!”*

- Michael Oaksmith, Hunters Capital

*“W. G. Clark provided helpful preconstruction services. Their team offered numerous alternatives to designs which were well received by the design team and resulted in high quality and lower costs for the owner. A shining example was relooking at the site building layout during early schematic design which resulted in over a million dollar savings in excavation and site work.”*

- Rob Lubin, University of Washington

### We support our non-profit clients.

We are proud that our client list includes many non-profit organizations. Non-profit agencies that provide affordable housing are among our clients, including Mount Baker Housing Association, Plymouth Housing, Imagine Housing, Seattle Housing Authority, King County Housing Authority, and Catholic Community Housing Services. We have also built projects for Neighborcare, Youth Eastside Services, Columbia Lutheran Home, Foss Home, Millionair Club, Girl Scouts, Boy Scouts, and the Boys & Girls Club.

These projects mean more to us than building apartments; it is about providing for people in our community. We closely steward all funds to make sure your organization and residents benefit from cost saving opportunities and impeccable construction execution.

Each non-profit client has a unique focus, and they share many characteristics. We know that non-profit work brings the special challenges of high

### We manage the complete spectrum of construction services including:

- Preconstruction services
- Life cycle analysis
- LEED® analysis
- Cost estimating
- Value engineering
- Scheduling
- Quality control
- Cost control
- General contracting
- Construction management

quality requirements with very tight budgets. We know how to balance these needs, and we work in this environment every day. We have built over \$700,000,000 worth of facilities for non-profit and institutional clients in the last decade alone.

Our values align with the goals of our nonprofit partners, and together, we can increase the availability of quality affordable housing in a convenient location, so residents can be close to community centers, schools, jobs and transportation.

W.G. Clark is a local company that truly cares about our region. We train, mentor and apprentice many people in the construction trade because diversity and opportunity to improve are part of our company culture. We routinely incorporate sustainable building practices into our projects. W.G. Clark was honored by the Secretary of State for our charitable work and strong commitment to our community.

### Multifamily housing is our specialty.

W.G. Clark is the leading contractor in multifamily projects based in Seattle. We offer a full range of preconstruction, general contracting and construction management services, including in-house building modeling. We self-perform significant portions of our work, assuring our clients of the exemplary quality that comes from highly trained, experienced and productive crews. Our primary market is mixed-use, multifamily, student and affordable housing. We focus on building in the Puget Sound area, where our services, relationships and reputation have afforded us the opportunity to work with clients who share our values and commitment to the region. Over the past five years, multi-unit housing projects represent 94 percent of our volume.



### We know prevailing wage.

We have worked for many housing agencies that develop or own and operate affordable housing. In the last ten years, our projects with public funding components have totaled to over \$640 million. Lisa Urban-Walstead is our dedicated in-house wage compliance officer, and she works closely with our subcontractors to track all certified payroll reports, statements of intent, affidavits of wages paid and apprenticeship documentation on prevailing wage projects.

On projects with prevailing wage components, we:

- Create a master subcontractor packet with full instructions, including a copy of the wage scale listing each trade.
- Work with subcontractors to resolve any issues pertaining to proper procedures, troubleshoot unusual payroll situations, or otherwise help to obtain required information in a timely manner.
- Check each certified payroll for accuracy and retain records to either be forwarded to the appropriate agency or held for audit at the end of the project.
- Create internal subcontractor logs, updated weekly, to track compliance and to serve as a basis for follow-up with the subcontractors if there are deficiencies in their reporting or other paperwork.

### We promote diversity, equity and inclusion.

W.G. Clark has a long-standing commitment to provide employment, training and growth opportunities to low income, disadvantaged, veteran-owned, and minority companies and individuals in all of our projects. We view outreach for inclusion and development of WMBE firms to be the responsibility of all W.G. Clark personnel. Our plan is generally

divided into two actions: 1) provide subcontracting opportunities to Section 3 and WMBE firms and 2) provide gainful employment opportunities to individuals in the surrounding community.

We are an equal opportunity employer that values diversity in our company and in our industry. We have awarded more than 780 contracts to WMBE firms, totaling to more than \$176,000,000. W.G. Clark is active in many community and industry programs that seek out and encourage the participation of women and minorities. W.G. Clark's workforce is currently 78% minority in craft labor and 44% minority for the company as a whole.

### **W.G. Clark was honored to be the very first recipient of the Associated General Contractors of Washington's diversity development award, a category of their annual Excellence Awards.**

The award criteria included participation as a mentor to the successful development of a women- or minority-owned business, recruitment of women and minorities to a company's workforce, recruiting women and minority-owned subcontractors, and promoting the entry of women and minorities into the construction industry.

### Social Equity Inclusion Plan

Our social equity inclusion plan is usually divided into two primary actions: 1) provide subcontracting opportunities to WMBE firms and 2) provide gainful employment opportunities to individuals in the surrounding community. Project sustainability and social equity goals are highly important to us, and every effort will be made to meet or exceed these goals.

## Project Funding Sources

We have a long history of work on publicly funded projects. Several of our most recent projects have been publicly funded with prevailing wages, including all of our student housing work at the University of Washington, representing over \$450 million in project value. Many of our projects have had multiple funding sources at the city, county, state, and federal level.

Examples include:

- Low income tax credit program approved by HUD
- Washington State Housing Finance Commission
- City of Seattle Office of Housing
- American Reinvestment and Recovery Act
- King County
- State of Washington
- Federal Home Loan Bank
- County Community Block Grants
- Federal EDA grants
- Snohomish County
- Amazon Housing Equity Fund

We are practiced with projects involving prevailing wage, apprenticeship, HUD reporting, WMBE and Section 3 requirements and documentation. Many of our projects, both publicly and privately funded, are for non-profit and institutional clients. You can rely on our ability to provide the necessary documentation and meet the requirements of the financing entities involved with your project.



Our inclusion plan includes:

- Attendance at workshops and business opportunity fairs.
- Attendance at networking forums.
- Outreach to local community organizations.
- Hosting outreach events.
- Sending all WMBE subcontractors in our database individually addressed bid requests.
- Meeting with select disadvantaged businesses to get their input as to what bid package scopes, sizes, and requirements could be best tailored to suit their capabilities and utilizing this information when configuring the bid packages.
- Breaking bid packages that are customarily large down into smaller packages for smaller subcontractors and suppliers. This method can extend further to sub-tier firms, reducing the size and complexity of the work to generate interest from the broader subcontractor community.

### Exceeding Equity Goals

W.G. Clark has a record of meeting and beating social equity goals on our projects.

- On our Bitter Lake Manor rehabilitation project for the Seattle Housing Authority, total contracts by Section 3 firms amounted to almost 73% of the subcontracts awarded, more than doubling the goal of 35.57%.
- On our Andrew's Glen project, 16.7% of the subcontracts awarded were to Section 3 businesses.
- On the Valli Kee project for the King County Housing Authority, 53% of the subcontracts awarded were made to Section 3 firms, and a total of 23 new hires were Section 3 individuals.

- On our University of Washington North Campus project, we exceeded the 20% social equity goal with 22% participation.
- On our University of Washington Maple & Terry project, we exceeded the 10% participation goal and achieved 20% disadvantaged business participation.
- On our Shoreline Community College project, we achieved 23% disadvantaged business participation.
- Our Station House project achieved 25% disadvantaged business participation.

### We sponsor apprenticeship programs.

W.G. Clark has been a major sponsor since the inception of the Construction Industry Training Council's four-year carpentry apprenticeship program. Many of W.G. Clark's carpenters and apprentices are current attendees or graduates, many of which are minorities. Our safety director, Ericka Bean, is a former CITC Carpentry Student of the Year, joining several other W.G. Clark employees in receiving this prestigious award in past years. W.G. Clark employees have been instructors at CITC, passing on their knowledge to a new group of students who are on their way to becoming journey level carpenters.

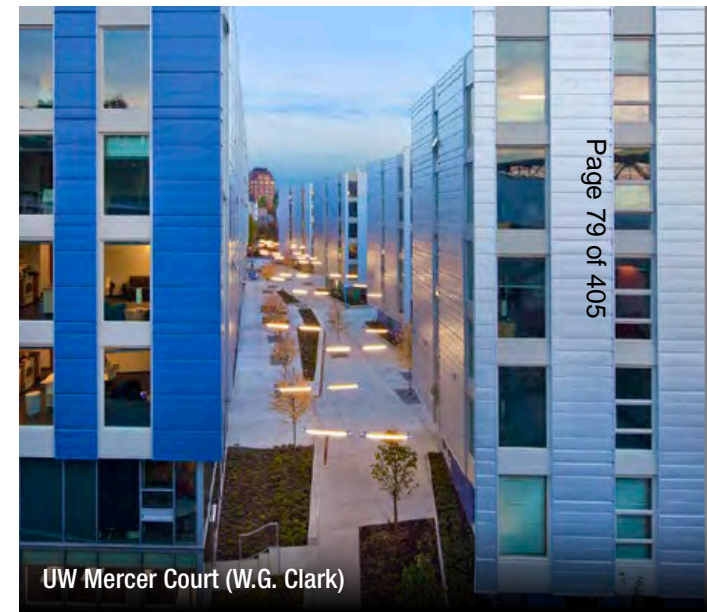
**W.G. Clark is a past recipient of the Excellence in Apprenticeship Award from the Pacific Northwest Education Conference.**

### Sustainable Construction Practices

W.G. Clark has extensive experience building durable, environmentally sustainable projects. Our staff participates in ongoing sustainability education, staying up to date on options, innovations, availability, and the cost of durable and sustainable products and processes.



Station House (W.G. Clark)



UW Mercer Court (W.G. Clark)

## LEED® Experience

W.G. Clark offers excellent credentials with LEED® projects. Our recently completed award-winning Edmonds Waterfront Center project is a LEED® Gold, fossil-fuel-free facility. Our Orion project achieved a LEED® Platinum rating and was the highest-scoring LEED® project in its certification year, with 86 LEED® points achieved. All of our University of Washington student housing projects, valued at over \$450,000,000, have been LEED® Gold or Silver, and many of our private projects are LEED® Silver or better.

Nearly all of our project managers and project engineers are LEED® Associates or LEED® Accredited Professionals. The Commons, an award-winning multi-use project, was Seattle's first pre-qualified LEED® Platinum shell and core project. Many of our projects achieve LEED® certification or meet the Evergreen Sustainable Development Standard.

## Local Programs

In addition to LEED® programs, Construction Works and the Seattle Master Builders Built Green program, we regularly participate in the Seattle City Light's Built Smart program, which addresses energy issues including glass, insulation, heating and cooling, and lighting, offering owners a rebate if the program requirements are met. Most of our clients pursue these grants, and we assist with documentation and inspections. W.G. Clark's construction management system is built for sustainability tracking to ensure that all sustainability measures are achieved and documented.

## Salmon-Safe Certified

W. G. Clark is a Salmon-safe certified and accredited builder. We have a long history of being committed to working toward zero sediment runoff and have extensive experience with building around environmentally sensitive areas and wetlands.

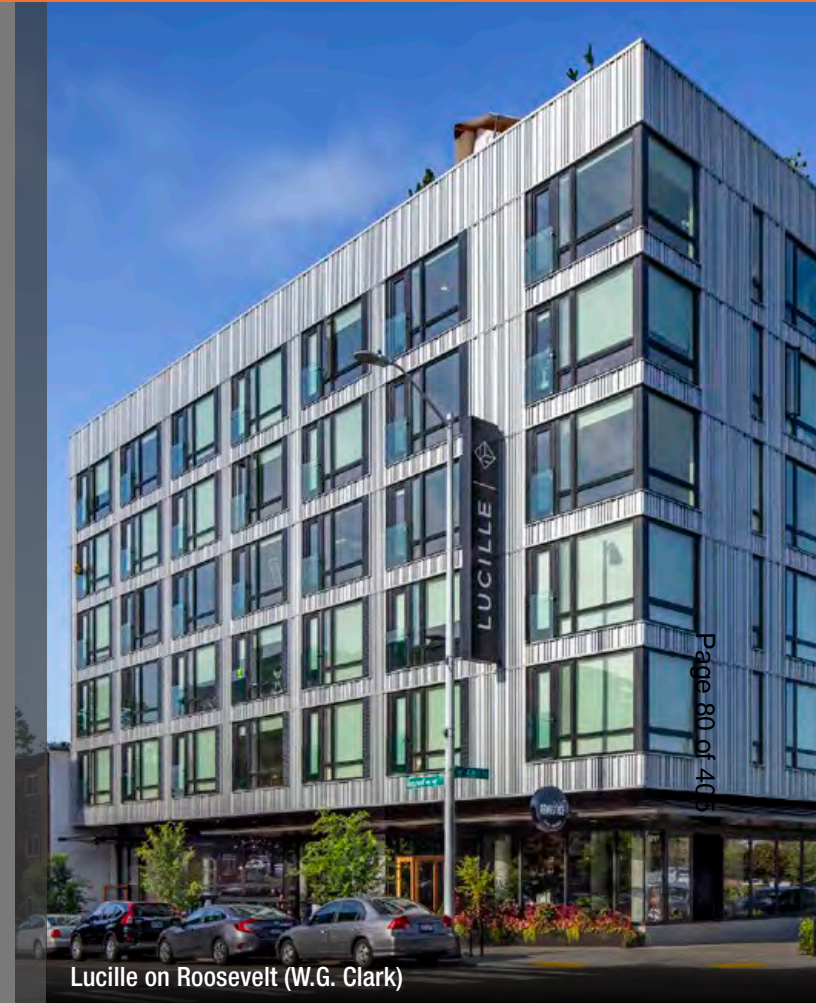
## Passive House Certified

W. G. Clark is a PHIUS Certified Builder. Passive House Institute U.S. (PHIUS) measures a set of factors in passive building, including emissions from appliances and occupants to keep buildings at consistent indoor temperatures throughout the year.

**We consider repeat selection to be the greatest evidence of a high level of client satisfaction. Over the last 10 years, over 85% of our revenue has come from work awarded by over three dozen repeat clients.**

## Experience Since 2000

- Over 270 projects built
- Over 20,000,000 SF of space
- Over 21,000 units
- Over \$3.9 billion in value
- 22 award-winning projects
- Salmon-safe certified firm



Lucille on Roosevelt (W.G. Clark)



## SMR ARCHITECTS

### About SMR Architects

SMR Architects is a 39-person, full-service architecture firm established in Seattle in 1977 as Stickney & Murphy Architects. We pride ourselves on employing the best in our profession who are passionate about affordable housing with an overlay of community design, historic preservation, and social and environmental sustainability. Over our 46-year history, SMR Architects has emerged as a leader in the fields of affordable housing, historic preservation, and sustainable design in Washington State. Our staff and associates are engaged in the community and regularly volunteer for non-profit, historic, and service-based organizations. **We recognize the critical need for affordable housing in communities across the state of Washington which is why SMR prioritizes affordable housing in the work we do.**

For us, architecture is not just drawings and specifications; it is about the people who ultimately thrive in and around the buildings we design. Our structures and open space provide a place for life to happen as they enrich, anchor, and interact with the communities they are a part. Our team's collaborative, inclusive, and innovative approach to problem solving, experience with community outreach

and engagement, and sustainable philosophy help us serve our clients, residents, and the community, putting people first.

### Experience

**Public Funding:** Nearly all of SMR's projects are financed using public funding. Through our extensive affordable housing experience, SMR Architects also has developed a practical knowledge of the multiple public and private funding sources most typically leveraged to finance affordable housing projects in Washington, including: Low-Income Housing (LIHTC), Federal Historic Preservation, and New Market Tax Credits; HUD Section 108 loans; Washington State Housing Trust Fund (HTF) awards; local County and City funds; and private bank loans. More specifically, SMR knows how to work within the unique regulations, standards, and schedule requirements associated with these funding sources and are adept at complying with multiple regulatory requirements within a single project as well as working within tight timelines. Further, SMR understands that program requirements often change in response to market conditions, public funding requirements, from switching from 9% to 4% tax credits, or using federal HOME funds or Community Development Block Grant funds. Our ability to remain flexible to meet our clients' evolving needs is one of many reasons that



46

years of operation,  
serving primarily affordable  
housing developers and  
other non-profit clients



MORE THAN

13,100

units of  
affordable housing  
designed



39

employees who have  
a genuine and sincere  
passion about working  
on mission-driven projects

Pictured: YWCA Family Village Issaquah (SMR)



SMR has a reputation as a strong project partner.

**Sustainability:** SMR recognizes that sustainable design is integral to architectural practice and as such, we have a fundamental responsibility to our clients and our communities. SMR believes in a holistic design approach that begins with the client's needs and evolves into a completed project, while considering all advantages a site may provide. We strive to help clients attain their sustainability goals by focusing on implementing strategies and systems that work best for the client's program and remain within the project budget. In this manner, we have successfully guided many affordable and supportive housing and non-residential developments through various sustainable certification programs, including the U.S. Green Building Council LEED® Program, the Master Builders Association's Built Green Program, and the Washington State Evergreen Sustainable Development Standards (ESDS). Many of these projects have received local and national attention as models of green affordable housing.

The majority of SMR's projects receive capital funds from programs which require the Evergreen Sustainable Development Standard (ESDS) at a minimum. SMR has completed over 60 projects that have complied with ESDS since the program's inception in July 2008, including 30 ESDS projects over the last five years. In addition, SMR Managing Principal Scott Starr has participated in the "Green Team" Committee that helped to develop ESDS versions 2.0, 2.1, 2.2, 3.0, and 4.0 so it is no exaggeration when we state that we know the program requirements from the inside out.

For the City of Kenmore Housing Development, we would partner with a sustainability consultant to identify innovative design solutions such as on-site electrical generation, water conservations and reuse, and passive heating and cooling. As a team, we would also focus on efficient design to minimize

construction waste, native and drought tolerant landscaping, enhanced envelop design including high-performance windows, and healthy interior building materials. Through these measures, the operator and maintainer of the property will benefit with less maintenance and utility costs, and the residents will live healthier lives.

**Code/Accessibility:** SMR is confident in our knowledge of, and experience with, the current State of Washington building codes and accessibility standards as they apply to affordable housing design, our team will be successful providing a community accessible to all. SMR has extensive experience designing according to different accessibility standards including the 2010 ADA Standards for Accessible Design, which is applicable to commercial and public access areas; the Uniform Federal Accessibility Standards (UFAS), for federally funded projects; and the ICC/ANSI A117.1-2009, which is the baseline accessibility code as outlined in the International Building Code, as amended by Washington State. Our team also keeps informed about code changes, including the new ICC/ANSI A117.1-2017 accessibility code which is anticipated to be implemented soon and contains significant changes to clear space requirements that need to

be accounted for during the early design phases. We also implement universal design principles in our projects to the greatest extent possible, depending on the needs and requirements of the client, residents, community, and funding requirements.

### **Building Design and Permitting in King County:**

SMR has a proven track record shepherding affordable housing developments through the building and land use permitting processes, and has successfully obtained permits for many affordable housing projects for many affordable housing projects in jurisdictions throughout King County. We have completed many new construction projects throughout King County, including Ravello in Redmond, Ronald Commons in Shoreline, Velocity in Kirkland, and 30Bellevue and Andrew's Glen in Bellevue, as well as multiple renovation projects in King County, such as Abbey Ridge Apartments, Spiritwood Manor, and Kirkland Heights. This depth of experience in King County has allowed our firm to form strong working relationships with building plan reviewers, land use planners, and building inspectors. It also has given us a firm understanding of the building and land-use regulations, that will govern the design, permitting, and construction of the roster projects.



SMR's quality of design, understanding of the affordable housing community's needs, and genuine care about resident comfort and satisfaction are of paramount importance and result in superior projects and satisfied clients.



## Recent Project Recognition

Our work is frequently recognized both locally and nationally for its exemplary contribution to multi-family housing design. The project examples below highlight recent acknowledgement of SMR's design excellence. Additionally, SMR Architects also was recognized with a **Friend of Housing Award** by the Washington State Housing Finance Commission in 2017 for exceptional contributions to creating and supporting affordable housing in the state.

For more information on our projects, see the project profile section of this statement of qualifications.



### The North Star

- 2023 Gold Nugget Grand Award for Best Supportive / Transitional Housing
- 2023 Puget Sound Regional Council's VISION 2050 Award



### Bertha Pitts Campbell Place

- 2023 Gold Nugget Award of Merit for Best Supportive / Transitional Housing
- 2022 AIA Washington Council's Civic Design Awards Honorable Mention



### Arlington Drive Youth Campus

- 2022 Puget Sound Regional Council's VISION 2050 Award
- 2021 Gold Nugget Grand Award for Best Supportive / Transitional Housing
- 2021 Finalist for Housing Finance Magazine's Readers Choice Awards
- 2021 Urban Land Institute's Jack Kemp Excellence in Affordable and Workforce Housing Chairman's Award



### Plaza Roberto Maestas

- 2019 ULI Jack Kemp Award for Excellence in Affordable and Workforce Housing
- 2017 AIA/HUD Secretary's Award for Creating Community Connection
- 2017 Gold Nugget Award of Merit
- 2017 Charles L. Edson Tax Credit Excellence Awards, Honorable Mention
- 2017 Puget Sound Regional Council VISION 2040 Award Winner



## Affordable Housing Experience

This table represents the affordable housing projects that SMR has designed in the last five years, most of which received funding through the LIHTC program.



## SMR'S RECENT LARGE SCALE AFFORDABLE HOUSING DEVELOPMENTS

Project Name	Affordable Housing	LIHTC, Housing Trust Fund, and/or Other Public Funding	ESDS	Community Engagement Process	Construction Cost	Number of Units	Year Completed
<b>Mercy Pacific Ave</b> TCRA, Tacoma	•	•	•	•	\$49,000,000 (est.)	81	2027**
<b>Burien Family Housing</b> Mercy Housing Northwest, Burien	•	•	•	•	TBD	89	2026**
<b>Juniper, Seattle</b> Seattle Housing Authority, Seattle	•	•	•	•	\$68,700,000	114	2025**
<b>The Four Amigos</b> El Centro de la Raza, Seattle	•	•	•	•	\$33,261,929	87	2024*
<b>Sunset Gardens</b> Renton Housing Authority	•	•	•	•	\$36,500,000	76	2023*
<b>The Aries at Bitter Lake</b> Bellwether Housing, Seattle	•	•	•	•	\$43,747,723	200	2023*
<b>Flourish on Rainier</b> Bellwether Housing, Seattle	•	•	•	•	\$53,274,186	186	2023*
<b>Everett Riverfront</b> Shelter Holdings					Confidential	333	2023*
<b>Salish Landing</b> Seattle Housing Authority, Seattle	•	•	•	•	\$32,000,000	82	2023
<b>Cosecha Court II, Phase II</b> Yakima Housing Authority, Granger	•	•	•		\$3,000,000	84 beds	2021
<b>Coronado Springs Cottages Rehabilitation</b> BRIDGE Housing, Seattle	•	•	•		\$7,960,000	146	2020
<b>Ravello</b> Shelter Holdings, Redmond					\$18,000,000	102	2018
<b>Upton Flats</b> Shelter Holdings, Seattle					\$20,000,000	104	2018
<b>Hoa Mai Gardens</b> Seattle Housing Authority, Seattle	•	•	•	•	\$39,223,898	111	2017
<b>30Bellevue</b> Imagine Housing, Bellevue	•	•	•	•	\$13,900,000	63	2019
<b>New Tacoma (Phases I and II)</b> Mercy Housing Northwest, Tacoma	•	•	•		\$18,700,000	114	2015
<b>Velocity</b> Imagine Housing, Kirkland	•	•	•		\$8,492,973	58	2014

## Our Commitment to DEI

SMR's commitment extends beyond the professional to the personal. Many of our staff volunteer in the community - often for our clients' programs - and participate in fundraising and awareness campaigns as well as advocacy efforts in the advancement of affordable housing, efforts to end homelessness, and social equity. Examples include attending Housing and Homelessness Advocacy Day in Olympia, participating in the Point in Time Count, volunteering as members of fundraising event steering committees, and serving as members of client and industry organizations such as the Housing Development Consortium of King County, the Housing Consortium of Everett & Snohomish County, and the Tacoma-Pierce County Affordable Housing Consortium. Specifically, Principal, Kate Smith, has served in a number of roles for community organizations, including as the current Board President for Housing Development Consortium of King County's Board.

SMR is committed to increasing and maintaining diversity within our own ranks, as well as with our business partners. We see our approach to diversity and equity as an ongoing process, not an answer. An initial step in this process is being aware of the underrepresentation in our field and looking at the barriers people of color face when choosing to enter the industry and ways to get a broader range of young people interested in architecture.

## Internship and Scholarship Programs

For example, SMR Architects has been working with the Rainier Scholars Program, University of Washington, and Washington State University to create an annual summer internship program to help introduce BIPOC students to the architectural profession. In 2022, the program's initial year, the firm hosted two interns, who researched two projects in the Yesler Terrace neighborhood. They visited the project sites, met with staff at Seattle Housing Authority, interviewed tenants, and examined historic data about the neighborhood. Their final presentation outlined how the buildings interact with their surroundings and how the spaces could be improved. Their research greatly benefits SMR's clients by providing invaluable feedback from the people living in recently developed affordable housing, feedback that we can implement in future projects. This year's summer interns researched outdoor spaces at permanent supportive housing projects, and specifically, and what design elements encourage active resident use.

Additionally, SMR, in partnership with the AIA Washington Council, recently created a scholarship program for BIPOC students pursuing architecture degrees at the University of Washington, Washington State University, or a community college. The SMR Architects-AIA Washington Council Diversity Scholarship was created in 2023 with an initial investment from SMR Architects with a goal of providing financial assistance to students early in their architectural education who come from marginalized and underrepresented communities. The scholarship offers students with a passion for architecture an opportunity to begin or continue their pursuit of a degree. Applications are now open for the scholarship, and the first scholarship will be awarded for the 2023 - 2024 school year.



SMR employees at Seattle Housing Levy Rally



SMR's 2023 Summer Intern Presentation



SMR team member explaining a project to a Kentridge High School student who was jobshadowing



HDC's Affordable Housing Week



## How Our Commitment is Exhibited in Our Work

SMR strongly believes that all people – regardless of race or socioeconomic status – deserve to experience the benefits of living in a home that is thoughtfully built (with a focus on durability, sustainability, and accessibility) and where they feel seen and cared for. Much of this work happens when housing is developed for the community, by the community. To this end, SMR has begun working with emerging developers of color through LISC Puget Sound. Their program, in partnership with Amazon, seeks to help emerging developers learn the tools needed to develop their own housing projects, partnering them with mentors and resources so they may bring affordable housing opportunities to their own communities. SMR has been providing preliminary design services for three of the participants in this program, focusing on helping with site selection, providing feasibility studies to determine site capacity, giving guidance for discussions with City planners, and overall support to help determine the next steps in their process.

We also know what it means to design within a specific or cultural history and context, and use those elements to guide the direction of a project. SMR has worked on several projects in Tacoma's Hilltop Neighborhood, including Tacoma Housing Authority's Housing Hilltop, where the African American history of the neighborhood was essential to the development of the individual housing projects. Whether through the incorporation of a mural depicting the unjust history of redlining, uplifting artists of color and incorporating their vision for building design, or enlisting community guidance and feedback at the inception of the project to ensure community buy in, it is essential the history of the neighborhood or place are not overlooked during design.

As SMR continues to grow and develop in this area, we strive to better respond to the needs of the specific communities we design for. Whether it's how to design units for large, multigenerational families, or the need to incorporate parking for tenants who use their vehicle as their means to generate income, SMR continues to learn and look for ways to create designs that not only respect the need for an inviting and nourishing place for people to call home, but become a valuable neighborhood asset that meets people where they are at. SMR's projects continue to be national models for affordable and permanent supportive housing, receiving recognition for their excellence in design and positive community impact that extends beyond the properties and into the surrounding neighborhoods.

## Community Engagement

Many of the neighborhoods where affordable housing is needed the most have diversity and history that should be reflected and honored in the design of the building. Utilizing an integrated design

process, we engage clients and constituents early on to understand their needs and goals for the project. We then keep them involved using design and sustainability charrettes to obtain as much information as possible, followed by meetings and/or presentations to keep stakeholders informed about design progress. The charrettes may also include the broader neighborhood, depending on the developer's wishes. Neighborhood community presentations are helpful to lay the groundwork for early design and preservation board public meetings.

The type of housing developments we create frequently include non-profit offices, community spaces, and supportive facilities, as well as commercial and retail space, in addition to residences. We ensure the overall design is responsive to the varying interests and needs of all involved.

**SMR's past projects that have had significant community input are described on the following page.**



**We recognize that by embracing individual talents and perspectives, we can actively foster a culture of collaboration and mutual respect, which leads to a positive office environment that directly impacts our client service.**

### **Arlington Drive Youth Campus | Tacoma Housing Authority**

SMR worked with THA's community engagement consultant to facilitate a community engagement process to inform stakeholders on how the Arlington Drive Campus could become the most valuable asset possible to youth in need, as well as to the broader neighborhood of Salishan. In addition to seeking people's views, concerns, advice, and support for the campus, the engagement process was also intended to help community members of Eastside feel a sense of ownership of the project, and thus actively help to integrate the campus into the surrounding neighborhood. As part of this process, more than 40 unique community engagement activities were conducted. The team engaged with various neighborhood groups, stakeholders, and most importantly, youth and young adults who have experienced the trauma of homelessness. The completed project offers high-quality supportive services that emphasize community activities, diversity, equity, and social enterprise.

Arlington Drive Campus helps to address grievous inequities. The crisis of COVID-19 greatly exacerbated crisis conditions that already existed around housing and homelessness, particularly for our homeless youth. Due to longstanding systemic inequities, youth of color and LGBTQ+ youth are disproportionately experiencing homelessness when compared to their percentage of the overall population. In the absence of an effective intervention, their homelessness promises to perpetuate these disparities into a population of adult homelessness and adult destitution. The Arlington Drive Campus interrupts this inherited inequity.

### **Plaza Roberto Maestas | El Centro de la Raza**

Plaza Roberto Maestas is an example of community-inspired development that provides opportunities for public and private spaces to co-mingle in a way that enhances the quality of life for the whole community. Through nearly eight years of planning, El Centro de la Raza and the Design Team collected ongoing community input on the overall vision, and public project components of Plaza Roberto Maestas to ensure the development reflected the community-identified needs and local character of Beacon Hill. This resulted in Plaza Roberto Maestas becoming a multicultural hub for the neighborhood.

### **Hoa Mai Gardens | Seattle Housing Authority**

One recent example of SMR's experiences working with resident groups is in the design of Hoa Mai Gardens for the Seattle Housing Authority (SHA). The project is located on part of the redeveloped Yesler Terrace neighborhood, and SHA required regular presentations and updates during design to a stakeholder group that included current and former residents of Yesler Terrace. Language interpreters were present to facilitate discussion with individuals not fluent in English. Input from those meetings helped shape the design of many of the exterior ground floor spaces.

### **Housing Hilltop | Tacoma Housing Authority**

Tacoma Housing Authority collaborated with Design the Hill to define goals and representative culture into the Housing Hilltop Development. SMR is using the community influenced report, #DesignTheHill Community Development Framework Plan, as the backbone of the continued design work for Housing Hilltop. We are working with Tacoma Housing Authority alongside the Hilltop community to represent the Hilltop culture and incorporate art on the building and in public open spaces. The goal is to activate the pedestrian pathways and make the building more

inviting for everyone living, working, and visiting the Hilltop and show a space where the neighborhood is reflected in. The project team has attended a meeting with the Hilltop Action Coalition updating the community on the development. We also assisted with the selection of two Tacoma based artists to become part of the design team. The project team has had multiple meetings with the selected artists to create culturally represented art and building design including potential murals and sculptures that will bring a sense of place, connection, and vibrancy to the historically African American Hilltop Neighborhood.



Community Celebration at Hoa Mai Gardens



Community Engagement for Plaza Roberto Maestas



## Subconsultants

### Atlas Design Group | Structural Engineering

Atlas Design Group is an innovative and mission-driven structural engineering firm focused on projects that bring positive change to local communities and the people within. The firm focuses on high-impact projects including affordable housing, senior living, and workforce housing. Project experience includes single family residences up to large multi-building developments in the Puget Sound region. The firm is also a certified minority owned and disadvantaged business (MBE/DBE) in the state of Washington with roots planted in the City of Snoqualmie. With a unique approach focused on responsiveness and customer service, Atlas Design Group understands the nuances of affordable housing projects and is highly capable of delivering projects in a timely manner with an emphasis on cost-efficiency.

Atlas Design Group specializes in customer service, responsiveness, exceeding client expectations, efficient structural designs, and comprehensive construction documents. The firm applies these specializations to single, multifamily, mixed-use, and office building projects. It is also proficient in both large- and small-scale development projects and have the capacity for large development. Atlas Design Group focuses its market sector on affordable housing, primarily working with non-profit developers in the Puget Sound. In addition to building systems, the firm also provides construction engineering support for the contractors it works with to deliver engineering for elements such as crane foundations, and shoring systems.

### Kimley-Horn | Civil Engineering

As a national, full-service consulting firm with over 130 offices and more than 7,700 people, we provide a full range of our land development services, including comprehensive engineering, planning, and environmental services. This gives the comfort

of knowing that a wide range of activities are all under the management and quality control of one firm, which means less coordination that you need to perform, better decisions, better communication, increased productivity, and quicker, more accurate project deliverables that are consistent with your needs. It's this unique connectivity that allows us to help clients time and time again, which is proven by 93% of our business deriving from repeat clients.

With extensive experience supporting clients in delivering multi-family developments, Kimley-Horn is prepared to partner with you in streamlining processes and maximizing your property value to secure integrated and effective project results.

From addressing the requirements of a local housing authority to supporting the commercial interests for a private development, we also understand how to navigate the various stakeholders, jurisdictions, and unique challenges of completing an affordable housing project. Our team knows that success hinges on an iterative, generative process requiring effective collaboration among the design team, owner, architect, contractor — as well as key City officials and members of the community. Backed by national resources, the Kimley-Horn land development team in Seattle brings strong local relationships alongside technical excellence, allowing us to best serve your needs at every stage.

### Karen Kiest | Landscape Architects

Karen Kiest Landscape Architects (KKILA) has extensive experience in the assessment, planning, design and development of public and private landscapes in the United States, Canada and Asia. Karen directed all urban design, transit, park and community planning projects for Murase Associates in Seattle from 1996 - 2002, before opening her own office. A woman-owned business and a sole-proprietorship, the 5-member firm expertise includes urban design, pedestrian streetscape design, site

planning, landscape architecture, irrigation design, and construction monitoring.

### Sustainable Strategies

Stewardship for the land and the creation of an attractive landscape should be closely knit. Wherever there is civic investment, there is an obligation to showcase that investment in ways that make a contribution back to the larger built and natural community. The firm has completed over 50 Green Factor designs and is currently working on several projects being developed for Leadership in Energy and Environmental Design (LEED®) certification.

### Community Housing

The firm is closely associated with a variety of community housing efforts in Seattle and the Puget Sound. These projects require a careful understanding of the needs of the public, and staff for a safe and secure space, while addressing the demands of clear vehicular and pedestrian circulation.

### Urban Design, Public Review

Underlying all our projects is the philosophy that community involvement is critical to the success of any planning effort. With 60% of her current projects in the public sector, Karen Kiest is known for her ability to work on urban design projects closely involving the public. She served on and was Chair of the Seattle Design Commission with oversight of all City projects from 2004-8. She previously was vice-chair of the Seattle Landmark Preservation Board.

She regularly participates in professional development for the University of Washington School of Landscape Architecture, and currently chairs the Washington State Licensing Board for Landscape Architects.

### Process and Quality Assurance

As subconsultants, we rarely establish the approach, but KKILA has extensive recent experience working on fast-track projects. We typically contribute to



multiple bid packages, regularly breaking out site development work (grading, utilities, circulation) from site features (pavements, irrigation, plantings, features) later associated with building finishes.

### Team's Representative Project Experience

The Approach at Kenmore project team has a wealth of experience working on similar affordable housing developments. Specifically, W.G. Clark and SMR Architects have worked together on Imagine Housing's Velocity and Andrew's Glen projects.

All of our team members are leaders in the field of affordable housing and have worked with many affordable housing developers, housing authorities, and other community based nonprofit organizations. Our experience includes buildings that serve a wide range of individuals, from those experiencing homelessness to families living at 60 percent AML or below

**The projects on the following pages represent the affordable housing projects that our team members have completed that are similar to the proposed City of Kenmore development.**



Andrew's Glen (Imagine, W.G. Clark, and SMR)



Velocity (Imagine, W.G. Clark, and SMR)



## VELOCITY



### LOCATION

Kirkland, WA

### OWNER

Imagine Housing

### SIZE

55,310 s.f.; 58 units; Five-story building with basement (four levels of type V-A over two levels of type I-A)

### PROJECT ELEMENTS

Busy urban site  
Early MEP involvement  
Public-private partnership  
ESDS certification  
Sustainable features  
Transit-oriented development  
Residential prevailing wage

Imagine W.G. Clark SMR

Velocity is the affordable housing for the south Kirkland transit-oriented development, which was built through a collaboration between the City of Kirkland, the City of Bellevue, and King County Metro Transit to provide jobs and housing close to public transit along the SR 520 corridor.

At Velocity, Imagine Housing offers continuous support services for 12 tenants who have exited homelessness and 12 tenants with a disability. There are 29 units for affordable households earning up to 30% of the area median income (AMI), 15 units for households earning up to 40% AMI, and 14 units for households earning up to 60% AMI. Attractions such as a media room, exercise room, library space, rooftop garden, and community room with barbecue, along with immediate access to transit, enhance Velocity's appeal. The energy-efficient project was built with environmentally friendly materials that are both handsome and durable. On-site supportive services and after-school programming for children are also available.

### AWARDS/RECOGNITION

- 2015 PSRC VISION 2040 Award
- 2015 AGC Build Washington Award (Private Project Under \$10 Million)

## ANDREWS GLEN



### LOCATION

Bellevue, WA

### OWNER

Imagine Housing  
St. Margaret's Episcopal Church

### SIZE

41 units; 42,371 s.f. (total building area); 60,000 s.f. (site area)

### PROJECT ELEMENTS

Affordable Housing  
ESDS Certification  
Transit-oriented Design  
Universal Design  
Workforce Housing

Imagine W.G. Clark SMR

Andrew's Glen provides 40 units of transitional housing to an east side community deeply in need of supportive housing. The project was initiated by St. Margaret's Episcopal Church to help struggling individuals get back on their feet. The project is designed to have a campus feel for its three established uses: a church, housing, and a thrift store. The site design defines the street edge and establishes both the pedestrian and vehicular connections to all three uses. Pedestrian activity is now focused on an active community space in between the church and the apartments, central to the site, and is directly connected to public transportation.

Units include many universal design features to increase their accessibility to a variety of tenant needs. This includes a soothing and contrasting interiors color palette to help the visually impaired; full turning circles and removable vanity cabinets in most bathrooms; and accessible appliances, fixtures, and hardware.

## 30BELLEVUE



### LOCATION

Bellevue, WA

### OWNER

Imagine Housing  
St. Luke's Lutheran Church

### SIZE

63 units

### PROJECT ELEMENTS

Affordable Housing  
Church Partnership  
ESDS Certification  
Non-profit Client  
Sustainable Features

Imagine

SMR

30Bellevue is located in the North Towne neighborhood of Bellevue next to St. Luke's Lutheran Church. The building has 63 affordable apartments ranging from one- to three-bedrooms and was built to achieve Washington State Evergreen standards for energy efficiency. 30Bellevue has four residential floors with a parking garage and two community rooms. The development was built on underutilized land sharing a campus with St. Luke's Lutheran Church of Bellevue. The project's overall plan and thoughtfully chosen location provide a community of support, with access to jobs, schools, transportation, and services for individuals in North Bellevue. A nature preserve is located behind the property, providing a serene view for the residents.

At 30Bellevue, Imagine Housing offers support services for 31 tenants who have exited homelessness and 20 tenants with a disability. There are 31 units for households earning up to 30% of the area median income (AMI), 16 units for households earning up to 40% AMI, and 16 units for households earning up to 60% AMI.

## ATHENE



### LOCATION

Kirkland, WA

### OWNER

Imagine Housing

### SIZE

91 units

### PROJECT ELEMENTS

Affordable Housing  
ESDS Certification  
Non-profit Client  
Sustainable Features

Imagine

Athene is a senior community offering 91 affordable apartments with 27 studio, 59 one-bedroom, and 5 two-bedroom homes. 20 apartments are set aside for seniors experiencing homelessness. Athene is located next door to Francis Village, another Imagine Housing community in the Totem Lake neighborhood of Kirkland. Athene is available for seniors over the age of 62 who earn 30-60% of area median income.

The units feature modern finishes with bright cabinets and floor-to-ceiling windows. Amenities include a large ground floor gathering space and courtyard and a 6th floor community room with a community kitchen and deck. The sustainably-built community features attractive and inviting community spaces; handicap-accessible spaces and universal design features; and easy access to Eastside shopping, services, and transportation. On-site supportive services enhance health, wellness, and community engagement. The community helps serve many seniors who, despite living and working in the community for years, can no longer afford Eastside rents.



## FRANCIS VILLAGE



### LOCATION

Kirkland, WA

### OWNER

Imagine Housing

### SIZE

61 units

### PROJECT ELEMENTS

Affordable Housing

Non-profit Client

Sustainable Features

Francis Village opened in December 2011. This urban-designed, “green” property is conveniently located on 124th Street in the Totem Lake neighborhood of Kirkland, where residents enjoy a close walk to grocery stores, restaurants, and the shops at Totem Lake Mall. 61 high quality studio, one-, and two- bedroom apartments.

Francis Village provides 10 apartments for formerly homeless veterans, 10 apartments for formerly homeless men (through Congregations for the Homeless), 16 apartments for formerly homeless youth and young adults (through Friends of Youth), and two apartments for survivors of domestic violence (through LifeWire). The remaining 22 apartments are available for people earning between 30 and 60% of area median income.

The community’s amenities include an outdoor rock climbing wall, outdoor exercise equipment, exercise room, community room with kitchen, pre-school play room, media room, conference room for private meetings with case managers, and two community laundry facilities.

Imagine

## BERTHA PITTS CAMPBELL PLACE



### LOCATION

Seattle, WA

### OWNER

Plymouth Housing

### SIZE

103 studio units; 59,753 sq. ft.

### PROJECT ELEMENTS

Affordable Housing

Clinic

ESDS Certification

Non-profit Client

Permanent Supportive Housing

Public Funding

Bertha Pitts Campbell Place is a seven-story, 103-unit building that provides permanent supportive housing to individuals who have previously experienced homelessness with a set aside for homeless veterans. Services are provided on-site, with three units dedicated to live-in staff. The building also includes a ground-floor commercial space, two community rooms, a common kitchen, a clinic, and a large outdoor courtyard.

The site was formerly home to St. Francis House, an organization dedicated to serving individuals experiencing homelessness. Plymouth partnered with St. Francis House to redevelop the site. The project is a win-win for both organizations, with over 52,000 square feet of residential and almost 7,000 square feet of ground-level commercial space for St. Francis House.

The building is named after Bertha Pitts Campbell, a civil rights activist who worked to expand housing and opportunities for the black community.

### AWARDS/RECOGNITION

■ 2023 Gold Nugget Award of Merit for Best Supportive/Transitional Development

■ 2022 AIA WA Civic Design Awards, Honorable Mention

W.G. Clark

SMR

## THE MADDUX



### LOCATION

Seattle, WA

### OWNER

Mt. Baker Housing Association

### SIZE

203 units; 162,748 sq. ft.

### PROJECT ELEMENTS

Preconstruction services  
Busy urban site  
Design-build MEPF  
Affordable housing  
Publicly funded  
Multiple buildings  
Extensive soil remediation  
Salmon-safe

W.G. Clark

Rooney

The Maddux is a two-building multifamily affordable housing project in Seattle's Mt. Baker neighborhood, near the Mount Baker light rail station. The Maddux North building holds 101 units and nearly 110,000 SF. Maddux South holds 102 efficiency units and approximately 58,000 SF. Mount Baker Housing Association, a repeat client, is the developer.

South McClellan Street is a busy arterial that runs between the north and south buildings. The six- and seven-story buildings also include a small amount of parking, offices for Mount Baker Housing, and about 3,560 square feet of commercial space. Soil remediation work was extensive and complex. The Maddux North site previously held an old dry-cleaning business, and the Maddux South site held a decommissioned gas station.

## GRAND STREET COMMONS



### LOCATION

Seattle, WA

### OWNER

Mt. Baker Housing Association and Lake Union Partners

### SIZE

775 units; 808,692 sq. ft.

### PROJECT ELEMENTS

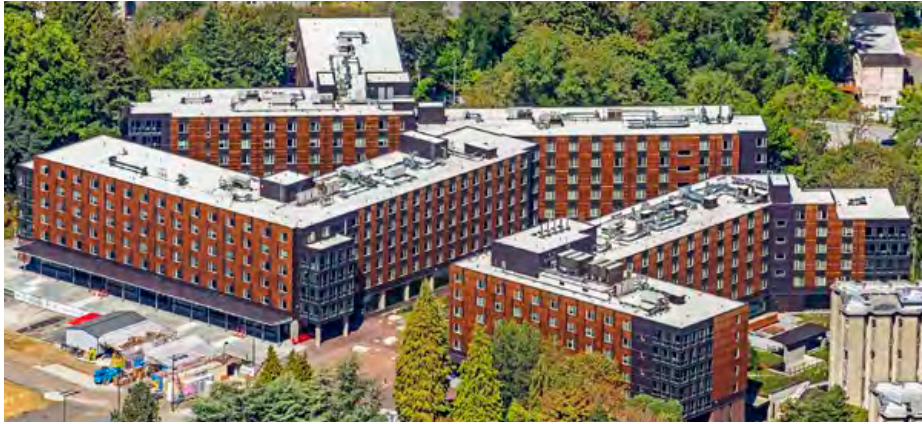
Preconstruction services  
Affordable housing  
Public/private partnership  
Multiple buildings  
Busy urban site  
Extensive soil remediation  
Salmon-safe

W.G. Clark

The Grand Street Commons development is the result of a partnership between non-profit and affordable housing developer Mount Baker Housing Association and Lake Union Partners, a local developer in the private sector. Grand Street Commons South will provide 206 units of affordable housing through Mount Baker Housing. Grand Street Commons East and West will be a mix of market rate and affordable units developed by Lake Union Partners. The site requires extensive soil remediation due to heavily contaminated soil from prior businesses. State funds will be used through a program with the Washington State Department of Ecology, which will allow both projects to go forward. The 3.2 acre transit-oriented development is located in Seattle's Judkins Park neighborhood, steps away from the future Judkins Park light rail station. The buildings are slated to hold a combined 60,000 SF of retail and commercial space and include large scale public amenities in a shared street level plaza.



## UW NORTH CAMPUS STUDENT HOUSING



### LOCATION

Seattle, WA

### OWNER

University of Washington

### SIZE

1,977 beds; 574,195 sq. ft.

### PROJECT ELEMENTS

Preconstruction services  
Self-performed concrete  
Busy urban campus site  
Public funding  
Mid-rise construction  
BIM and MEPS coordination  
LEED® Gold  
Multiple buildings

The North Campus project involved construction of three new buildings on a 12-acre site. McCarty Hall, Madrona Hall, and Willow Hall each hold five stories of wood frame over a two- to four-level concrete podium.

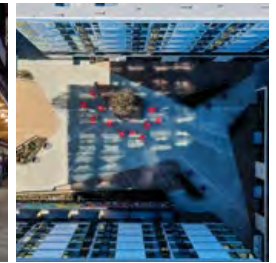
Willow Hall's lower floor holds one acre of dining facilities that serve the entire campus, as well as a complete commissary kitchen to provide catering services. Building exteriors includes board-formed concrete, brick, metal and wood cladding, along with extensive landscaped gathering areas.

### AWARDS/RECOGNITION

- 2022 Sustainability Honor Award, AIA Philadelphia, Design Category
- 2019 AGC Build Washington Award (Public Works Above \$100 Million)

W.G. Clark

## MIDTOWN SQUARE



### LOCATION

Seattle, WA

### OWNER

Lake Union Partners

### SIZE

432 units; 400,000 sq. ft.

### PROJECT ELEMENTS

Preconstruction services  
Mixed-income units  
Design-build skybridge  
Wood frame over concrete  
Busy urban site  
Early MEP involvement  
Salmon-safe

Midtown Square is a community-focused, mixed-use project in Seattle's Central District. Three seven-story buildings surround a central public square serving the entire community. The 460,834 SF complex holds 432 mixed-income apartments, including two-story townhomes, studios, and one- and two-bedroom units. The project also includes shared amenity spaces, green roof and extensive solar panels. Over 27,000 SF of retail space is dedicated to 11 tenants at street level, with a focus on local businesses. Below-grade parking connects the three buildings and the public square, which features a central tree, elevated wood decks, large custom concrete planters, and sandblast paving with decorative scoring. The work of local artists is showcased at Midtown Square.

### AWARDS/RECOGNITION

- 2022 AGC Build Washington Finalist (Private Building \$50 - 100 Million)
- 2022 NAIOF Development of the Year Award (Multi-Family Urban Development, 100+ Units)

W.G. Clark



## STATION HOUSE APARTMENTS



### LOCATION

Seattle, WA

### OWNER

Community Roots Housing

### SIZE

196 units; 238,692 sq. ft.

### PROJECT ELEMENTS

Preconstruction services  
Wood frame over concrete  
Busy urban site  
Design-build MEP systems  
Early completion

Station House is a six-story residential building located in a busy downtown Redmond neighborhood. It includes apartment units above a residential amenity level and two stories of below grade parking.

Station House contains a mix of one and two-bedroom apartments, studios, and 21 two-story loft apartments at street level. An amenity area adjacent to the courtyard includes an outdoor barbecue, community kitchen, fireplace and media center.

### AWARDS/RECOGNITION

- AGC Build Washington Finalist for Private Building \$20–50 Million (2019)

W.G. Clark

## ORION



### LOCATION

Seattle, WA

### OWNER

Lake Union Partners

### SIZE

129 units; 159,451 sq. ft.

### PROJECT ELEMENTS

Preconstruction services  
Wood frame over concrete  
Busy urban site  
Early MEP involvement  
LEED® Platinum

Orion occupies a quarter-block project in South Lake Union, opposite Olmstead's Denny Park, which serves as a primary design reference point for the building, enhanced with landscaping and outdoor seating. A planted canopy provides overhead weather protection and extends the greenery of the park across the street. Orion was the highest-scoring LEED® project in its completion year, with 86 LEED® points achieved.

The residential portions of the building are inspired by boutique hotel design, featuring a series of well-crafted common spaces, including a residential lobby, fitness center, rooftop deck, and a community lounge. The urban apartment layouts feature a high level of detailing. The top floor units are all two stories, featuring sleeping lofts and private roof decks at the upper level.

W.G. Clark



## WOODIN CREEK VILLAGE



### LOCATION

Woodinville, WA

### OWNER

Weidner Apartment Homes

### SIZE

543 units; 858,000 sq. ft.

### PROJECT ELEMENTS

Preconstruction services  
Multiple buildings  
Multiple phases  
Mid-rise construction  
Early MEP involvement

The Woodin Creek Village complex, currently under construction, is a large, 13-building apartment community that is continuing to grow and develop. Buildings consist of apartments, commercial retail and parking garages. The structures themselves vary from concrete, to wood, to load bearing metal stud, with structural steel elements as well. Work includes multiple unit schemes and finish packages, a multitude of differing cladding types, high-end amenity and common spaces, roof top spas and significant City of Redmond right-of-way improvements. The project was ranked among the Eastside's largest construction projects.

W.G. Clark

## 7000 CAMPUS LIVING



### LOCATION

Shoreline, WA

### OWNER

Shoreline Community College

### SIZE

68 units with 249 beds;  
86,860 sq. ft.

### PROJECT ELEMENTS

Preconstruction services  
Public/private contract  
Wood frame construction  
LEED® Silver

7000 Campus Living is the first student housing facility at Shoreline Community College. The former commuter campus was expanded into a living-learning community where affordable, higher education and housing coalesce. The 86,860 SF student housing building features 68 units with 249 student beds. Apartment-style units include studio, double, and quad units with living rooms, kitchens, and baths. There are gathering spaces for students to connect and study, meeting rooms, laundry facilities, a reflection room, a clerestory great room and outdoor courtyard.

The City of Shoreline determined that opening the new student housing facility was contingent on completing a \$1.6M street frontage improvement project, which was also awarded to W.G. Clark. Both projects were completed within budget and ahead of schedule.

W.G. Clark



## RONALD COMMONS



### LOCATION

Shoreline, WA

### OWNER

Compass Housing Alliance  
Ronald United Methodist Church

### SIZE

60 units

### PROJECT ELEMENTS

Affordable Housing  
Church Partnership  
ESDS Certification  
Hopelink Service Center,  
Including a Food Bank

Ronald Commons is the result of a unique collaboration between Ronald United Methodist Church, Compass Housing Alliance (CHA), and Hopelink in response to the challenges related to Seattle's affordable housing crisis. The new building is located on property that previously held the church's parking lot. CHA took an innovative and comprehensive approach to helping its residents gain stability by constructing a five-story mixed-use building that contains 60 units of low-income housing and a food bank and service center operated by Hopelink.

The housing design includes a mixture of unit types from studio apartments for veterans to multi-bedroom units and townhomes for low-income families. The service center offers residents access to a grocery store-style food bank and classrooms/offices for Hopelink that provide a full array of support services and programs to help stabilize clients who are in crisis. Ronald Commons creates access to much-needed affordable housing and builds a sense of community by linking the campus with a pedestrian path and outdoor plaza.

### AWARDS/RECOGNITION

■ 2018 Gold Nugget Award of Merit

## RAVELLO



### LOCATION

Redmond, WA

### OWNER

Shelter Holdings

### SIZE

102 units: 97 Market Rate,  
5 Affordable; 146,083 s.f.  
(total building area)

### PROJECT ELEMENTS

Green Roof  
Integrated into Woonerf  
Mixed-use  
Rooftop Deck with BBQ and  
Fire Pit  
Transit-oriented Development

Located just steps north of Downtown Park in Redmond, Ravello provides 102 apartments, 97 market rate and five affordable. Unit plans consist of open one-bedroom, one-bedroom, and two-bedroom layouts, of which nearly half include exterior decks. The project integrates a planned woonerf (living street) at 162nd Ave into the ground floor exterior open space by creating an expanded pedestrian path, residential plaza, and exterior seating area for the commercial space. Other amenities include a green roof, rooftop deck with BBQ and fire pit, a club room for entertaining or just hanging out, and a fitness room.

Ravello's bike storage for every resident, 85 parking stalls, and location just one block south of the Redmond Transit Center provide convenient transportation for any type of commuter.



## SALISH LANDING



### LOCATION

Seattle, WA

### OWNER

Seattle Housing Authority

### SIZE

82 units; 87,466 sq. ft. (total building area)

### PROJECT ELEMENTS

Affordable Housing  
ESDS  
Transit-oriented Design  
Urban Neighborhood  
Workforce Housing

SMR worked with Seattle Housing Authority on the design of a replacement affordable housing development at the former Lam Bow Apartments site in West Seattle (the site of a previous structure fire that claimed one of the two structures). The Salish Landing project was a unique opportunity to improve a large parcel currently owned by the Seattle Housing Authority and increase the number of affordable homes within the Delridge neighborhood of Seattle.

The project aimed to create a sense of community and meaningful opportunities for social engagement and interaction among residents through thoughtful design. By placing the building on the north lot and the parking on the south lot, a large central open space was created. The double horseshoe configuration between building and hardscape provides protection for, and activation of, the large open space which acts as the heart of the project. Salish Landing contributes to the neighborhood context by providing activation along both Delridge Way SW and 23rd Ave SW, at an appropriate scale and use.

SMR Architects

## HOA MAI GARDENS



### LOCATION

Seattle, WA

### OWNER

Seattle Housing Authority

### SIZE

111 units; 146,425 s.f. (total building area)

### PROJECT ELEMENTS

Affordable Housing  
Community Room for Neighborhood  
ESDS / EGC Certification  
Green Roof  
Transit-oriented Design  
Urban Neighborhood  
Workforce Housing

Hoa Mai Gardens sits atop the new 10th Avenue Hillclimb that reconnects the Yesler Terrace and Little Saigon neighborhoods of Seattle. This 111-unit family housing development is Seattle Housing Authority's third new building in the redevelopment of Yesler Terrace. It includes 18 three- and four-bedroom units for large families. The remaining 93 units are divided between one- and two-bedroom flats.

The design presented opportunities to be environmentally sustainable, culturally inclusive, and contextual. The site had twin constraints of a steep slope and known landslide, necessitating geotechnical review and site stabilization. An early project goal was to provide family units direct access to the ground floor, which afforded opportunities to create human scale, better access to play opportunities for children, and activation at the street, but also made structural and M/E/P system vertical continuity more challenging. The solution for these complexities incorporates an L-shaped mass that surrounds a southwest-facing terrace, focusing attention on views and protected open space for families.

### AWARDS/RECOGNITION

■ 2018 Gold Nugget Grand Award for Best Affordable Housing

SMR Architects



## YWCA DOROTHY HEIGHT APARTMENTS



### LOCATION

Tacoma, WA

### OWNER

YWCA Pierce County

### SIZE

54 units; 51,123 sq. ft.

### PROJECT ELEMENTS

Affordable Housing  
Counseling Offices  
ESDS Certification  
New Construction  
Public Funding  
Supportive Services

In response to the housing crisis and to create a full continuum of services that meets its mission, YWCA Pierce County created the Dorothy Height Apartments, a building with 54 units of affordable housing (and one manager unit) constructed on an existing parking lot. The project creates a link between the YWCA's existing headquarters and emergency safe shelter and fulfills the YWCA's vision for a holistic campus.

Bringing together the YWCA's historic past with its visionary future, the development's goal is to provide permanent housing for survivors of domestic violence and includes 3,000 sq. ft. of counseling space. The design team incorporated many elements of art into the building that conjure the natural world, including a welcoming mosaic of the Salish Sea by local artist Claudia Riedener. Ranging in size from studios to three-bedrooms, the building's apartments are spacious with stunning views.

### AWARDS/RECOGNITION

- 2021 WA AIA Civic Design Awards, Honorable Mention for Program Resolution

SMR Architects

## PLAZA ROBERTO MAESTAS



### LOCATION

Seattle, WA

### OWNER

El Centro de la Raza

### SIZE

112 units; 138,743 s.f. (total building area)

### PROJECT ELEMENTS

Affordable Housing  
ESDS Certification  
Bilingual Childcare Center  
Commercial Space  
Master Planned Community  
Mixed-use  
Non-profit Client  
Office Space  
Public Funding  
Transit-oriented Development

This transit-oriented development is located across the street from the Beacon Hill light rail station. This development included a short plat process that subdivided the El Centro parcel into three separate parcels. Part of a larger vision for an integrated campus that expands El Centro de la Raza's social services, the project provides 112 units of affordable workforce housing; seven classrooms for a bilingual childcare center; Centilia Cultural Center; ground floor open space; and office space. Roberto Maestas Festival Street was the first of four festival streets currently in Seattle. The development of the festival street achieves multiple goals such as promoting a sense of community through providing an approved public right-of-way location that can be closed to traffic for pedestrian-focused special events throughout the year. Plaza Roberto Maestas' ideal location across from the Beacon Hill Light Rail Station further promotes a pedestrian driven goal and meets the low-impact parking requirement.

### AWARDS/RECOGNITION

- 2019 ULI Jack Kemp Award for Excellence in Affordable and Workforce Housing
- 2017 Gold Nugget Award of Merit
- 2017 AIA/HUD Secretary's Award for Creating Community Connection
- 2017 VISION 2040 Award, PSRC

\*SMR served as the architect of record on this project, in association with Design Architect, 7 Directions Architects/Planners, and Consulting Architect, Third Place Design Cooperative.

SMR Architects



## YWCA FAMILY VILLAGE ISSAQUAH



### LOCATION

Issaquah, WA

### OWNER

YWCA Seattle | King | Snohomish

### SIZE

144 units; 154,000 s.f. (gross building area); 2.4 acres (site)

### PROJECT ELEMENTS

Child Development Center

ESDS Certified

LEED® for New Construction Gold Certification

Non-profit/Government Ownership

SMR Architects

The YWCA Family Village is targeted at serving working-class families struggling to bridge the gap between their incomes and ever-increasing housing costs. The site is home to 146 affordable units comprising multiple residential buildings, childcare center, YWCA regional offices, and community centers. The development also incorporates outdoor gathering spaces and provides safe pedestrian access to the park-and-ride via a pedestrian bridge.

The project is a strong example of SMR's experience combining multiple stakeholders, sustainable certifications, and difficult site constraints, and transforming many varied programs and amenities into a comprehensive, thoughtfully designed community campus for the residents to live, work, and play.

### AWARDS/RECOGNITION

- 2013 NAHB Best Multi-Family Building
- 2013 Built Green Hammer Award for Outstanding Affordable Housing
- 2012 Gold Nugget Award of Merit
- 2011 King County Green Globe Award, Community Leader in Green Building
- 2009 Governor's Smart Communities Award

## EL CENTRO THE FOUR AMIGOS



### LOCATION

Seattle, WA

### OWNER

El Centro de la Raza  
Columbia City Church of Hope

### SIZE

87 units; 98,681 s.f. (total building area)

### PROJECT ELEMENTS

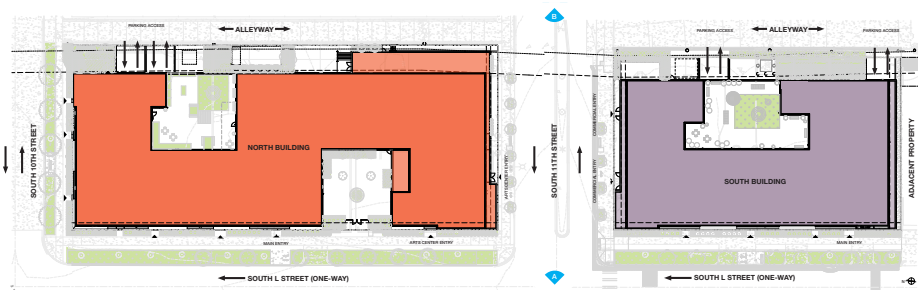
Affordable Housing  
ESDS Certification  
Bilingual Childcare Center  
Church Shell and Core  
Community- and Culture-Based Design  
Office Space  
Public Funding

SMR Architects

This project includes the redevelopment of an existing underutilized site that was occupied by the Church of Hope and Consejo Counseling. El Centro de la Raza made a commitment to maintain their presence in the new development while adding affordable housing and a culturally rich child development center, José Martí Child Development Center. The team has been collaborating directly with the Church of Hope and José Martí Child Development Center to ensure the spaces are well integrated into the design and help support the affordable housing above. Additionally, SMR is collaborating with 7 Directions Architects & Planners as they have engaged with local Afro-Latinx artists in designing the facades and culturally significant art installations. Because of SMR's experience collaborating and managing multiple project partners, the design and coordination with the multiple parties has evolved into a successful design. SMR has been implementing WALSH's CEDC principle while designing to create an efficient and cost-effective development. WALSH has been engaged for pre-construction services and will be bringing on MEPF subcontractors to begin coordination during the Construction Document phase in a traditional design-bid-build set-up.



## THA HOUSING HILLTOP



VIEW A: FROM S L STREET & S 11TH STREET LOOKING EAST



VIEW B: FROM MLK JR. WAY & S 11TH STREET LOOKING WEST

### LOCATION

Tacoma, WA

### OWNER

Tacoma Housing Authority

### SIZE

231 units; 277,066 s.f. (total building area, both buildings)

### PROJECT ELEMENTS

- Affordable Housing
- ESDS Certification
- Community-based Design
- Design-build
- Mixed-use
- New Construction
- Public Funding
- Retail Shell and Core
- Transit-oriented Development

SMR Architects

Housing Hilltop is a design/build partnership with Walsh Construction and Tacoma Housing Authority. It is comprised of two sites and two buildings that contain 231 units of family housing, 89 structured parking spaces, on-grade and elevated open space, and 13,000 sf of commercial space. The team prioritized collaboration with Hilltop residents and businesses, who have infused the project with their strong sense of community identity. Two local artists were selected to develop exterior facade color concepts. A local performing arts organization will occupy 10,000 sf in ground floor commercial space. Four incubator commercial spaces are incorporated into the building design to accommodate small businesses. The project team also has been collaborating with the City of Tacoma for future plans for a festival street at the project site.

Although permitted as two separate projects, the two sites were designed as a single project which allowed for efficiency and consistency in frontage improvements, landscape design, pedestrian access and way-finding, and utility/infrastructure design and coordination with local jurisdiction and utility representatives. Civil, landscape, and architecture disciplines collaborated with the General Contractor in a design/build contract to deliver the project master plan.

## BITTER LAKE DEVELOPMENT



### LOCATION

Seattle, WA

### OWNER

Bellwether Housing

DESC

### SIZE

200 units, 186,460 s.f. (The Aries at Bitter Lake); 100 studio units, 54,797 s.f. (The North Star)

### PROJECT ELEMENTS

- Affordable Housing
- ESDS Certification
- Master Planned Site
- Permanent Supportive Housing
- Public Funding
- Transit-oriented Development

SMR Architects







Located in the Bitter Lake Neighborhood in Seattle and developed by Bellwether Housing and Downtown Emergency Services Center (DESC), this project is comprised of two adjacent buildings, The Aries at Bitter Lake, which is owned and operated by Bellwether Housing, and The North Star, a project which DESC partnered with Bellwether Housing to buy the property and develop. Both are seven-story affordable housing units, providing homes for a combined 308 families. Collaboration amongst separate design teams, contractors, and ownership groups on-site access, massing, circulation, and grading was a critical element of this project for both buildings. New utility infrastructure was installed along North 143rd Street, with design considerations carefully evaluated for both projects, to ensure successful project delivery.

The Aries at Bitter Lake will be a vibrant new transit-oriented affordable housing community with 200 affordable homes for individuals and families earning lower incomes, including those with disabilities. The 206,000 sq. ft. apartment building will feature ground-floor residential common areas, an exterior courtyard, and on-site surface parking. The North Star features 100 studio units of permanent supportive housing with supportive services and indoor/outdoor community spaces for single adults who are disabled and formerly homeless.

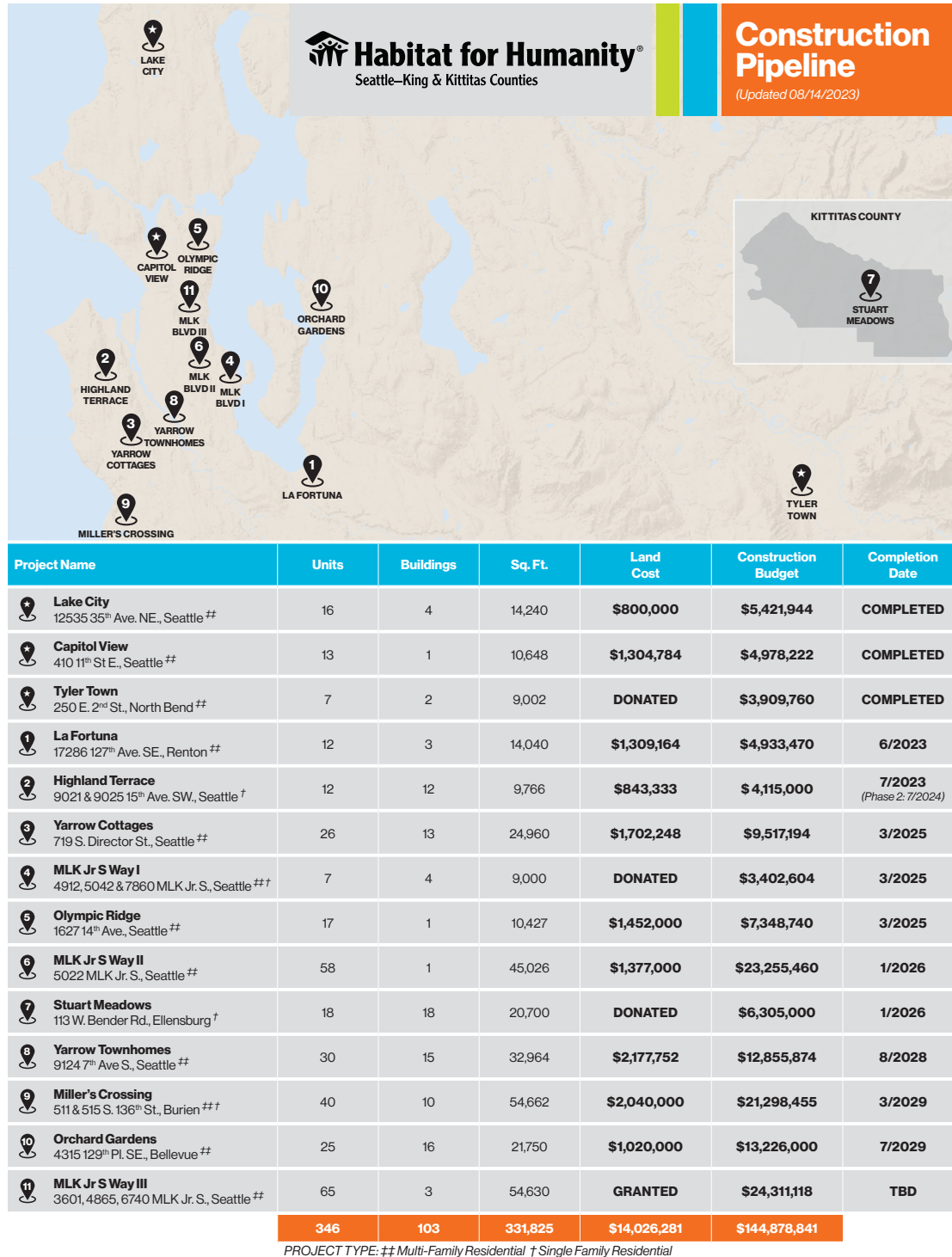
## Habitat for Humanity SKKC's Experience

Since 1986, Habitat for Humanity SKKC has created over 763 housing solutions, serving over 2,374 people. With the support of the community, we are building across King & Kittitas Counties and will reach 1,000 cumulative housing solutions by 2025 and serve 200 homeowners annually by 2028. All Habitat projects will be designed and constructed to ensure healthy, low-cost maintenance homes. The properties will be placed in a Land Trust ensuring permanent affordability for future generations of low-income families. For more information visit [www.habitatskc.org/current-builds](http://www.habitatskc.org/current-builds).

### HABITAT FOR HUMANITY SKKC'S NEW CONSTRUCTION EXPERIENCE

PROJECT AND CLIENT		PROJECT INFORMATION
<b>OLYMPIC RIDGE</b> Central Seattle	Our second condo project, this development in the Capitol Hill neighborhood, will offer 17 new affordable units in an area with an average home price of more than \$710,000. They will create a mix of unit sizes, including one, two, and three-bedrooms to ensure that low-income individuals and families continue to have a place to build lives in the heart of Seattle.	
<b>HIGHLAND TERRACE</b> West Seattle	Highland Terrace will offer 12 families with affordable houses in West Seattle. These units will be a mix of 2 and 3-bedroom homes with parking spots for each unit. They will be built in the high-opportunity neighborhood of Highland Park with access to nearby parks, bus routes, and schools.	
<b>YARROW COTTAGES &amp; YARROW TOWNHOMES</b> South Seattle	Located in South Seattle, these two projects will consist of 56 two-bedroom units. The new construction units will enjoy high-efficiency heat and A/C, LVP flooring, and functional floorplans. This area is quickly transforming into a vibrant hub, all within a 10-minute commute to downtown Seattle. It is located near the Community Center, library, and schools.	
<b>MLK JR S WAY</b> South Seattle	This new condominium building, located on the light rail, is a four-minute walk to the Columbia City station. This transit-oriented development will be home to 58 permanently affordable condos. When complete, it will be the largest building constructed by Habitat in the world.	
<b>MILLER'S CROSSING</b> Southwest King County	This Burien community will be one of our largest, offering 40 families affordable homes. The project will feature both 3 and 4-bedroom, 1.5 bath homes that are approximately 1,250 square feet. The development will feature a playground and a community-center in a neighborhood that is walking distance to schools, shops, and services.	
<b>ORCHARD GARDENS</b> Bellevue	With our partners from the Holy Cross Lutheran Church, this project, located in Bellevue, will give 25 families a place to call home with incredible opportunities. The development will feature a community center within walking distance of schools, shops, and services.	







# EXHIBIT C

# Resumes







## Yi Zhao

Executive Director | Imagine Housing

Yi Zhao joined Imagine Housing as Executive Director in 2022. From the start of his career with AmeriCorps to his leadership roles with King County Housing Authority and, most recently, as Chief Asset Manager at Plymouth Housing, Zhao has pursued the advancement of meaningful social and economic justice. This includes working to close the income inequality gap by advocating for vulnerable working families and addressing the food insecurity challenges in BIPOC communities. A listener who doesn't shy away from the complexities of the affordable housing shortage, Zhao cites his resourcefulness and skillful approach to relationship building as the key to achieving organizational excellence.

### EDUCATION

Bachelor of Arts,

### MEMBERSHIP/ACTIVITIES

Former Member of the  
Downtown Seattle Association  
- Metropolitan Improvement  
District Board



## Troy A. Drawz

Director of Real Estate | Imagine Housing

For over 20 years, Troy has served as an advocate and developer of affordable housing. To date, he has created more than 900 units of affordable, mixed-income, special needs, and senior housing. Throughout the arc of his affordable housing career, he has successfully negotiated over \$600M in real estate development transactions. Troy is an engaged and transparent leader and is adept at building relationships with internal and external stakeholders in a manner that fosters a sense of ownership for everyone involved in a project.

Troy has held a leadership role at Imagine Housing for more than 5 years. Prior to his work at Imagine Housing, he served over 11 years at the Housing Authority of the City of Vancouver (WA) as an affordable housing project manager and as the Director of Development and Construction. Additionally, Troy served 3 years as the Chief Development Officer and Executive Vice President of Real Estate Development at the Charlotte Housing Authority. He is an expert in utilizing Low Income Housing Tax Credits (LIHTC) allocated under the Washington State Housing Finance Commission's (WSHFC) Qualified Allocation Plan. Troy received his Bachelor's in Science at New Mexico State University.

### EDUCATION

B.S., New Mexico State  
University



## Kristin Granstrand

Director of Resident Services | Imagine Housing

Kristin holds a Bachelor of Arts in Human Services from Western Washington University and brings with her a range of experience in the resident services space. Before joining Imagine Housing, Kristin spent the 10 years at Mercy Housing Northwest where she promoted a trauma informed care approach to come along side clients in meeting their needs.

Kristin leads collaboration with other members of the leadership and resident services team to ensure the delivery of high-quality services in community building and engagement; individualized services and referrals; and the housing stability of our residents. Since joining the Imagine Housing team in June 2021, Kristin has expanded and diversified our Resident Services team to ensure the services provided at our properties are exceptional, culturally appropriate and resident-centric.

### EDUCATION

B.A., Human Services,  
Western Washington  
University



Community Room at 30Bellevue



## Brett D'Antonio

Chief Executive Officer | Habitat for Humanity  
Seattle-King & Kittitas Counties

Brett D'Antonio is a passionate and dedicated leader serving as the Chief Executive Officer (CEO) of Habitat for Humanity SKC. With a profound belief in the transformative power of housing, Brett works tirelessly to advance Habitat for Humanity's mission and drive positive change in communities. With over 15 years of leadership experience in the non-profit sector, Brett brings a wealth of knowledge and expertise to his role. As CEO, he oversees the organization's strategic direction, vision, growth, and operations, collaborating with an extensive network of partners, volunteers, and staff members to create lasting solutions to the affordable housing crisis in Washington State.

Brett's visionary leadership has led to the successful implementation of numerous innovative programs and initiatives. He spearheads efforts to increase the organization's impact through scalable housing models, sustainable building practices, and community development projects. Under his guidance, Habitat for Humanity SKC has expanded its reach, serving thousands of needy families and creating vibrant, inclusive communities.

Brett is a dynamic and influential advocate for affordable housing and has played a pivotal role in raising awareness about the importance of safe and decent housing as a cornerstone for strong communities. He actively engages with policymakers, corporate leaders, and community influencers to promote policy changes and mobilize resources for affordable housing initiatives. Committed to continuous learning and professional development, Brett holds a Bachelor's degree in Finance and several industry certifications in Green Building. Brett has been recognized for this vision and leadership achievements for green building, receiving Smart Communities Award and the Congressional Service Award from the Governor of Washington State.

As the CEO of Habitat for Humanity SKC, Brett leads with empathy, integrity, and a deep commitment to social change. His strategic vision, combined with his extensive experience in the non-profit sector, enables him to drive the organization's mission forward, empowering homebuyers and transforming communities through safe and affordable housing solutions.

### EDUCATION

B.S., Finance, Smeal College of Business Administration, Pennsylvania State University

### CERTIFICATIONS

North Carolina State University - Institute for Nonprofits, Achieving Collaborative Capacity for Executive Success (ACCES), 2018  
Building Industry Association of Washington, Certified Erosion Control and Sediment Lead, 2016  
National Association of Homebuilders, Certified Green Professional, 2010, and Master Certified Green Professional, 2013  
Southface Energy Institute, Home Energy Rating System, 2010

### HONORS AND AWARDS

Office of the Washington Governor, Smart Communities Award  
• Island County Rural Lands Regulatory Update, 2019  
• Island County Housing Element, 2019  
Congressional Service Award, 2008

### MEMBERSHIPS AND AFFILIATIONS

Housing Development Consortium of Seattle King County  
Master Builders Association of King and Snohomish Counties



## Rebecca Wold JD, MRSE

Director of Real Estate Partnerships | Habitat for Humanity Seattle-King & Kittitas Counties

Rebecca Wold is an accomplished and highly skilled real estate development manager and lawyer, with a wealth of experience in leading multifamily affordable development projects through community partnerships, due diligence, acquisition, and pre-development entitlements. With more than 5 years of experience in affordable housing development and over 20 years of experience as an attorney, Rebecca has proven expertise in managing partnership projects from feasibility to acquisition, funding, and pre-development design.

Rebecca has exceptional knowledge and experience in the legal and financial structuring of affordable housing projects, and has led complex community engagement efforts with multiple stakeholders in communities throughout the Pacific Northwest. She is particularly passionate about increasing affordable homeownership opportunities in the region, especially in BIPOC communities.

As the Director of Real Estate Partnerships at Habitat for Humanity SKC, Rebecca plays a critical role in building and fostering strong collaborations with partner organizations. She ensures effective communication throughout the development project, and oversees the pre-development of affordable homeownership projects, from feasibility and acquisition to conceptual design. Furthermore, Rebecca is responsible for implementing the funding plan for each project, which is crucial for the project's success.

Rebecca's qualifications include a Juris Doctorate (Law Degree) from Seattle University Law School, and a Masters of Science in Real Estate from the University of Washington Runstad Real Estate Program. Her exceptional skills and experience make her a valuable asset to the real estate development industry.

### EDUCATION

MSRE, Development, University of Washington  
J.D., Seattle University School of Law  
B.A., Sociology, Whitman College





#### EDUCATION

Master of Science in  
Construction Management,  
New York University SPS, New  
York, NY

Bachelor of Arts, St. John's  
College, Annapolis, MD

## Patrick Sullivan

Chief Operating Officer I Habitat for Humanity  
Seattle-King & Kittitas Counties

As Chief Operations Officer and the Director of Real Estate Development, Patrick specializes in providing the vision for the future growth and expansion of new home construction and home repairs for the affiliate. With a growing construction pipeline approaching 300 new homes, he works to identify and acquire properties suitable for affordable housing initiatives. He navigates complex zoning regulations, secures funding through public and private partnerships, and collaborates with architects, contractors, and community stakeholders to bring affordable housing projects to fruition. Patrick oversees a robust construction department of over 20 staff members, responsible for all general contracting, project management, and construction procurement for new construction and home repairs.

Patrick's expertise extends beyond affordable development approaches. He is a champion of innovative financing models and sustainable design principles, ensuring that the affordable housing projects he oversees are not only affordable to Habitat homebuyers but also environmentally conscious and energy-efficient. His commitment to social impact drives him to create inclusive communities that provide not just housing but also essential amenities and services that enhance the homebuyer's quality of life.

Patrick is deeply committed to engaging with community organizations, government agencies, and local residents throughout the development process. He believes in the power of collaboration and actively seeks input from stakeholders to ensure that affordable housing projects address the specific needs and aspirations of the communities they serve. With a Master's degree in Construction Management, Patrick possesses a strong foundation in both the theoretical and practical aspects of affordable housing development.

Patrick's unwavering commitment to affordable housing, combined with his comprehensive expertise in real estate development, makes him a dynamic force in the industry and a leader in the non-profit sector of King County. His ability to bring together diverse stakeholders, secure funding, and execute projects with excellence has positively impacted countless individuals and communities, driving positive change and fostering social equity.



#### EDUCATION

MBA, University of Western  
Ontario, London, Canada

Bachelor of Engineering,  
McGill University, Montreal,  
Canada

#### LICENSES

Certified Management  
Accountant

Professional Engineer, Ontario,  
Canada (Inactive)

## Patrick Duff

Chief Financial Officer I Habitat for Humanity  
Seattle-King & Kittitas Counties

Patrick is an accomplished financial executive with nearly 20 years of experience leading financial management and strategy in the non-profit and private sectors. As the Chief Financial Officer at Habitat for Humanity SKC, he oversees all aspects of financial operations, ensuring efficient utilization of resources to maximize the impact of the organization's mission.

With a strong background in accounting and finance, Patrick has a proven track record of implementing robust financial systems and processes that enhance transparency, accountability, and compliance. He excels in developing and executing strategic financial plans, aligning financial objectives with the organization's long-term goals, and providing insightful analysis to support informed decision-making. Before joining Habitat for Humanity SKC, Patrick held key financial leadership positions in several renowned non-profit organizations, where he successfully managed multi-million-dollar budgets, optimized grant funding, and streamlined financial reporting processes. His expertise includes financial risk management, investment strategies, and regulatory compliance.

Patrick is a collaborative and results-oriented professional, known for his ability to build strong relationships with stakeholders and communicate complex financial information in a clear and concise manner. He is passionate about driving financial sustainability for non-profit organizations and is dedicated to fostering financial literacy and empowerment within the sector.

He holds an MBA, Bachelor's degree in Engineering, and is a Certified Public Accountant (CPA). He actively engages in professional development opportunities to stay abreast of evolving accounting standards and best practices in financial management. As the CFO of Habitat for Humanity SKC, Patrick brings a wealth of financial acumen and a deep commitment to the non-profit sector. His strategic mindset, combined with his passion for environmental conservation, makes him a valuable asset in driving financial excellence and ensuring the long-term success of the organization's impactful initiatives.



## Becca Gobeille

General Counsel and Chief Compliance Officer  
I Habitat for Humanity Seattle-King & Kittitas Counties

Becca Gobeille joined HFHSC as General Counsel/Chief Compliance Officer in January 2023 and is responsible for managing all legal, compliance, and governance functions. She has 17 years of experience as a real estate finance attorney specializing in multifamily real estate finance and development, condominium/cooperative formation and corporate governance. Becca oversees property acquisitions, loan closings, and residential home sales, including where necessary, legal due diligence, entitlements, issuance of borrower's legal opinions, with multiple funding sources and regulatory agreements. Becca reviews, drafts, and negotiates a variety of contracts and other agreements, including purchase and sale agreements, loan and grant documents, MOUs, CCRs, condominium declarations, homeowner association documentation, development agreements, and subcontracts and oversees the contract management function, including ensuring that contract processes are up-to-date, compliant, and effective. Becca also oversees the legal aspects of the organization, including board resolutions, legal filings, developing, updating, and maintaining systems for meeting nonprofit governance and compliance requirements.

### PUBLICATIONS, PRESENTATIONS, & MEMBERSHIPS

- **In-House Counsel Certified by the Association of Corporate Counsel Credentialing Institute** - March 2023
- **Home Futures Institute Training by the Northwest Community Land Trust Coalition** - A Comprehensive Community Land Trust Training - Spring 2023
- **2022 Northwest Community Land Trust Coalition Gathering - Chehalis, WA** - Presented "Deeper Dive into Legal Issues: CLT's and Multifamily Developments (Condos, Co-ops, and Rentals)" - May 2022
- **Tilth Alliance** - Soil and Water Steward - 2022 Cohort
- **Planning Commission, City of Burien** - Commissioner - March 2022 - Present
- **Homestead Community Land Trust**, Member and President, Board of Delegates - January 2018 - December 2022
- **Law Seminars International's Twenty-Second Annual Conference on Real Estate Purchase & Sales, Seattle, WA**: Presented "Due Diligence Provisions in the Purchase Agreement: Drafting Tips for Documents from the Letter of Intent through the Final Agreements" - March 2016
- **Washington Real Property Deskbook 4th Edition - Co-Author of 2015 Supplement to Chapter 11: The Washington Condominium Act**

### EDUCATION

Juris Doctor, University of Michigan Law School  
Masters Degree Coursework in Urban & Regional Planning, University of Michigan School of Architecture & Urban Planning

Bachelor of Arts in Urban Studies with Real Estate Concentration, University of Pennsylvania

### BAR ADMISSIONS

New York State - Third Apartment Appellate Division (#4380721), admitted January 2006  
Washington State - Washington Supreme Court (#46252), admitted August 2013



## Josh Lambarena

Director of Operations - New Construction | Habitat for Humanity Seattle-King & Kittitas Counties

Joshua Lambarena is a seasoned professional with a wealth of experience in the construction industry, serving as the Director of Operations for New Construction at Habitat for Humanity SKC. With over 25 years of expertise in leadership roles, he oversees all aspects of the new home construction process, ensuring exceptional quality, timely delivery, and compliance for new construction projects within the construction pipeline.

Josh has successfully managed and delivered many residential construction projects throughout his career, including single-family homes, townhouses, and multi-unit developments. His meticulous attention to detail, extensive knowledge of building codes and regulations, and commitment to excellence have earned him a reputation for consistently exceeding expectations.

As the Director of Operations for New Construction, Josh is responsible for coordinating construction Project Management teams, managing budgets, and implementing best practices to optimize efficiency and quality. He works closely with architects, engineers, subcontractors, and suppliers to ensure seamless coordination and collaboration throughout the construction process.

Before joining Habitat for Humanity SKC, Josh held various leadership roles in the construction, logistics and property management industry, where he honed his expertise in project management, cost control, and construction technology. Josh holds a Bachelor's degree in Administration and Industrial Organization and holds several certifications in leadership and management. Outside of his professional commitments, Josh actively engages in community initiatives related to affordable housing and sustainable development. He believes in the importance of giving back and supports organizations that promote access to safe and affordable housing for all.

As the Director of Operations for New Construction, Josh brings a wealth of construction knowledge, a customer-centric approach, and a passion for delivering exceptional homes. His expertise, leadership, and commitment to quality and team collaboration result in well-built affordable homeownership developments that make a powerful impact in our communities.

### EDUCATION

BBA, Business Administration, Kaplan University

B.S., Industrial and Organizational, Penn State World Campus

### TRAINING & CERTIFICATIONS

Lean Management Training, Delft, Netherlands, 2008

Management Legal Series Training, Seattle, WA, 2002

Situational Leadership Course, Seattle, WA, 2005

Get Fit for Coaching Course, Seattle, WA 2006



#### EDUCATION

University of La Verne, Music -  
Performing Arts

### Ali Sheibani

Director of Homeowner Services | Habitat for  
Humanity Seattle-King & Kittitas Counties

Ali Sheibani is an experienced professional with over 10 years of experience in homeowner services and affordable mortgage lending. Ali started at Habitat SKC in 2021 after spending six years at HomeSight as a Portfolio Manager and Loan Originator. At HomeSight, he managed lending assets, oversaw loss mitigation, secured lending grants, and originated mortgage loans. Prior to HomeSight, Ali worked at Habitat SKC from 2013 - 2015 as a Family Selection Manager and Family Services Support through the AmeriCorps program. In this role, he developed underwriting and selection policies, supervised volunteer staff, and promoted Habitat's mission.

As Director of Homeowner Services, Ali leads the Homeowner Services team who markets, qualifies homebuyers, and manages the sale of the homes by working with our financing partners. He ensures adherence to funder compliance requirements throughout the homebuyer selection, construction, and closing processes. Ali manages the intake and selection of applicant pools, guiding homebuyers through construction and facilitating smooth closings by coordinating all participants including lenders, escrow/title, construction, and buyers. He assists the Chief Program Officer of Homeowner Services as needed, playing a key role in the organization's homebuyer marketing, outreach, compliance, and customer service efforts.



#### EDUCATION

MPA in Public Administration,  
Seattle University, Seattle, WA

BA in Political Science,  
University of San Francisco,  
San Francisco, CA

### Michael Inocencio

Associate Director of Project Management | Habitat  
for Humanity Seattle-King & Kittitas Counties

As Associate Director of Project Management, Michael supervises and manages new construction project managers, civil superintendent, sub-contractor manager, and warranty technician; meets annual development goal; implements department systems, processes and standards; motivates, mentors, trains, evaluates employee work and productivity, and develops employees; engages in continuing education and training for the team; provides department and organization strategy to improve and grow ability to produce more housing units; and is responsible for ensuring public financing compliance requirements are met through all stages of project development. He joined Habitat for Humanity Seattle-King & Kittitas Counties and has previously served as Repair Site Manager and Senior Repair Operations Manager.





### EDUCATION

Master of Science, Social Work, The University of Tennessee - Memphis  
B.S., Human Development and Family Studies, The Pennsylvania State University

### ACTIVITIES & MEMBERSHIPS

City of Issaquah Planning and Policy Commission, Member, 2023 - present  
Eastside Housing Roundtable, Advisory Board Member, 2022 - present  
KidVantage (formerly Eastside Baby Corner); Board of Directors, 2013 - 2018  
Housing Development Consortium, Board of Directors, 2013 - 2018  
University of Washington - Evans School of Public Policy's Nonprofit Executive Institute, Graduate, 2014  
Leadership Eastside, Inaugural Class Graduate, 2005 - 2008

## Meghan Altimore MSSW

Vice President of Community Services | Hopelink

Meghan Altimore holds a Masters in Social Work from the University of Tennessee and a B.S. in Human Development from The Pennsylvania State University. She has over 32 years of experience in non-profit program development and leadership, particularly in leading initiatives designed to help community members experiencing poverty reach their full potential. Meghan joined Hopelink in 2004 as the Associate Director of Housing and Child Development. She currently oversees the operations and leadership of Hopelink's Community Services business unit as well as oversight of all Hopelink Facilities and the Organizational Excellence Department. She oversaw the renovation of Kenmore Place, Hopelink's shelter for families experiencing homelessness, in 2016. Meghan also led Hopelink's team in the development and construction of the Hopelink commercial condominium in the Ronald Commons Building (2017) as well as Hopelink's Redmond Center and Administrative Offices (2018). Meghan serves as a Steering Committee member of the Eastside Housing Roundtable and works to promote increased focus on housing affordability throughout King County. She became a member of the Issaquah Planning and Policy Commission in the Fall of 2022. Meghan is a graduate of the inaugural class of Leadership Eastside (2008) and a graduate of the University of Washington's Nonprofit Executive Leadership Institute (2014). Prior to moving to Washington, she worked for 9 years as a Case Manager and then Housing Director for a large non-profit in Memphis, Tennessee.



Hopelink at Ronald Commons



### EDUCATION

B.A., Communications - Public Relations, Lipscomb University

### CERTIFICATIONS

NeighborWorks NCHCE Certification (Financial Capability, Homeownership Counseling, Pre-Purchase Education, and Post-Purchase Education)

### ACTIVITIES & MEMBERSHIPS

Alliance of Eastside Agencies, Board of Directors, 2019 - 2023  
National Coalition for Asian Pacific American Community Developers, *Community in the Capital National Advocacy Fellow*, 2015 - 2016  
Young Nonprofit Professionals Network (YNPN) Houston Chapter Board of Directors Co-Chair, 2013 - 2015

### PUBLICATIONS

Co-Author, "The Critical Moments of Immigrant Integration: A Research Brief of the Impact of Financial Education, Coaching, and Traditional Lending Models in Immigrant Asian American and Pacific Islander Communities," AAPI Nexus: Special Issue on Wealth Inequality and AAPIs

## Lucy Pyeatt

Director of Energy and Financial Assistance | Hopelink

Lucy Pyeatt leads Hopelink's department of energy and financial assistance programs, serving over 6,000 households with \$11 million in assistance to clients last year. Her team includes the managers and front desk teams of Hopelink's five Integrated Service Centers in Bellevue, Redmond, Kirkland, Shoreline, and Carnation, as well as direct service staff. She began her nonprofit career in Workforce Development and HUD-approved Housing Counseling at the largest AAPI-led social services agency in Texas. She then joined Houston's Community Action Agency, Gulf Coast Community Services Association, where she found her passion for Community Action and financial assistance programs, and designed and implemented a disaster response to Hurricane Harvey, providing \$1.2 million in direct financial assistance to impacted households in a three month period. Building on her experience in the Community Action network of agencies, she moved to Seattle in 2018 to join Hopelink and lead city, county and state funded programming, including LIHEAP services.



Hopelink at Redmond



## Mike Rooney

Founder/CEO | Rooney Partners

Mike Rooney has over 25 years of multifamily real estate experience in the Puget Sound market; currently as Managing Partner of Rooney Partners, a real estate development firm (2021 - Current) and previously as Executive Director of Mt. Baker Housing (MBH), an affordable housing development company (2008 - 2021). While at MBH, Mike grew the organization from one employee to a team of 16 people. During Mike's tenure at MBH, he nearly tripled the real estate portfolio by completing multiple apartment building acquisitions and expanded the development pipeline to 1200 units of affordable housing totaling over a half a billion dollars in total development cost. This includes 6 ambitious new construction projects each having over 200 units of affordable housing.

As a leader in multifamily housing, Mike is a guest speaker, panelist and writer on various topics such as workforce and affordable housing, site selection & assemblage, and alternative finance and deal structuring. Under Mike's leadership, MBH was recognized by the Puget Sound Business Journal as one of the area's top companies to work for in western Washington and received two national awards from Affordable Housing Finance as the best preservation project, as well as a Novogradac as a Project of Distinction.

### RELEVANT PROJECTS

- Oversaw a portfolio of 8 properties totaling 405 units of affordable housing
- Acquired 7 development sites for \$34M (1322 developable units)
- Personally brokered 148 transactions throughout his career
- Entitled/permitted 6 projects, 752 units of housing (\$225.6M in TDC)
- Entitled/permitted/closed 4 projects, 360 units (\$138M in TDC)
- Completed 3 new construction projects, 156 units (\$54M in TDC)
- Closed on 8 acquisition-rehab projects, 405 units (\$41M in TDC)
- Oversaw 6 dispositions totaling \$33M
- Closed \$269M in total project financing (\$173M debt, \$41M LIHTC equity, \$54.5M public funding)



## Molly Mahan LEED® AP

Principal | W.G. Clark

Molly Mahan will serve as the principal for W.G. Clark, working closely with project stakeholders to guarantee that all project goals are met or exceeded. Her educational background combines architecture, environmental planning, and construction management, giving her an excellent understanding of all aspects of the design and construction process. She is a creative project management leader known for leading highly collaborative and successful teams that are focused on ensuring the best interests of her clients. Molly specializes in multifamily, commercial, and student housing facilities. She is currently leading teams on three local affordable housing buildings, and has built over 3,700 units of housing during her 25 years at W.G. Clark

### EMPLOYMENT

Years in Construction: 25  
Years with W.G. Clark: 25

### EDUCATION

University of Washington  
B.A. in Architectural Studies  
B.A. in Community and Env. Planning  
B.S. in Construction Management

### ACTIVITIES & MEMBERSHIPS

LEED® Accredited Professional

### HONORS AND AWARDS

AGC Build Washington Finalist for Private Building \$50-100 million; Midtown Square, 2022

AGC Build Washington Award for Private Building \$20-50 million; Parque Kirkland, 2022

AGC Build Washington Finalist for Private Building \$20-50 million; Station House Apartments, 2019

AGC Build Washington Award for Private Building \$20-50 million; The Commons, 2018

Associated Builders and Contractors, Award for Construction Excellence; Velocity Apartments, 2015

Puget Sound Regional Council, Vision 2040 Awards; Velocity Apartments, 2015

### RELEVANT PROJECTS

- Grand Street Commons, Seattle, WA: \$180,600,000, 775 units, 808,692 SF mixed-use apartments.
- Midtown Public Square, Seattle, WA: \$86,900,000, 432 units, 442,756 SF mixed-use apartments with affordable housing component.
- The Maddux, Seattle, WA: \$49,600,000, 203 units, 162,748 SF affordable housing.
- Velocity, Kirkland, WA: \$10,200,000, 58 units, 53,589 SF affordable housing in transit-oriented development.
- Andrew's Glen, Bellevue, WA: \$9,100,000, 41 units, 42,088 SF transitional housing.
- Parque Kirkland, Kirkland, WA: \$37,500,000, 70 units, 151,454 SF mixed-use apartments.
- 7000 Campus Living, Shoreline, WA: \$29,400,000, 216 units, 86,680 SF student housing.
- Station House, Redmond, WA: \$43,900,000, 196 units, 238,692 SF mixed-use apartments.
- Lucille on Roosevelt, Seattle, WA: \$30,100,000, 106 units, 93,480 SF mixed-use apartments.
- The Commons, Seattle, WA: \$35,100,000, 84 units, 186,151 SF mixed-use apartments.
- Green Lake Village, Seattle, WA: \$66,000,000, 297 units, 477,104 SF mixed-use apartments.
- UW Cedar Apartments/Elm Hall, Seattle, WA: \$76,000,000, 788 beds, 379,154 SF two-phase student housing project including program, parking, terraces, and community space.



## Daniel Coccia LEED® AP

Superintendent I W.G. Clark

As W.G. Clark's superintendent for the project, Daniel Coccia will support Molly. Over a 20+ year career in construction, Daniel has worked in many roles, including laborer, carpenter, project engineer and superintendent. His strong leadership and team building abilities, along with his commitment to quality, make him a positive presence on his projects. Daniel's projects include multifamily and commercial work. He is currently building 206 affordable units on a zero lot line project in south Seattle.

### EMPLOYMENT

Years in Construction: 23  
Years with W.G. Clark: 12

### EDUCATION

University of Washington,  
Certificate in Construction  
Management  
University of Redlands, B.A.,  
Sociology and Antropology

### ACTIVITIES & MEMBERSHIPS

LEED® Accredited Professional

### HONORS & AWARDS

AGC Build Washington Award  
for Public Building \$100  
million; UW North Campus,  
2019

### RELEVANT PROJECTS

- Bertha Pitts Campbell Place, Seattle, WA: \$19,615,000, 103 units, 59,763 SF affordable housing project.
- Summit Flats, Seattle, WA: \$11,000,000, 91 units, 36,534 SF apartments.
- UW North Campus Phase IV(a), Seattle, WA: \$195,000,000, 3 buildings, 1,977 beds, 547,195 SF student housing complex.
- Merrill Gardens, Auburn, WA: \$33,000,000, 132 units, 174,000 SF senior housing project.
- UW Maple and Terry Halls, Seattle, WA: \$82,086,000, 1,101 beds, 373,329 SF student housing complex.
- Green Lake Village, Seattle, WA: \$66,000,000, 297 units, 477,104 SF mixed-use apartments and retail.
- Citizen Apartments, Seattle, WA\*: \$11,000,000, 107-unit, five-story wood frame apartments over PT deck.
- Rose Street Apartments, Seattle, WA\*: \$9,000,000, 63-unit, four-story live-work units with one level below-grade parking.
- 507 Northgate Apartments, Seattle, WA\*: \$40,000,000, 163-unit, 300,000 SF building on four levels including 55,000 SF of retail space and 8,000 SF of small shops.

\*experience with other firms



## Scott Burkland LEED® AP

Project Manager I W.G. Clark

Scott joined W.G. Clark as a project manager with a background in a variety of commercial, biotech, healthcare, industrial, and large tenant improvement projects. In addition to his skills as a project manager, he brings experience including managing the coordination and procurement of materials and equipment, monitoring budget and cost, as well as a role as the liaison between office and field personnel. He spent several years working in California before returning to his native Northwest.

### EMPLOYMENT

Years in Construction: 16  
Years with W.G. Clark: 19

### EDUCATION

University of Washington,  
Certificate in Construction  
Management  
University of Redlands, B.A.,  
Sociology and Antropology

### ACTIVITIES & MEMBERSHIPS

LEED® Accredited Professional

### RELEVANT PROJECTS

- Grand Street Commons, Seattle, WA: \$180,600,000, 775 units, 808,692 SF mixed-use apartments.
- The Maddux, Seattle, WA: \$49,600,000, 203 units, 162,748 SF affordable housing.
- Brix Wine Bar at Woodin Creek, Woodinville, WA: \$1,200,000, 3,520 SF buildout of wine bar in commercial space at the newly built Woodin Creek Village community.
- 7000 Campus Living, Shoreline, WA: \$29,400,000, 216 beds, 86,680 SF student housing.
- Lucille on Roosevelt, Seattle, WA: \$30,100,000, 106 units, 93,480 SF mixed-use apartments.
- Ruth Court, Seattle, WA: \$12,300,000, 64 units, 59,503 SF apartments.
- Life Technologies, Pleasanton, CA\*: 11,000 SF biotech manufacturing facility including labs, offices, and Class 10,000 clean room.
- Gilead NLB-1, Foster City, CA\*: \$85,000,000, 192,000 SF ground-up lab building.
- El Camino Hospital Expansion, Mountain View, CA\*: \$295,000,000, 450,000 SF five-story expansion with 241 beds and 27-bed emergency department.
- Kaiser Redwood City Replacement Hospital, Redwood City, CA\*: \$200,000,000, 280,000 SF seven-story replacement hospital with 149 licensed beds; LEED® Silver.

\*experience with other firms





## John Woodworth AIA

Managing Principal | SMR Architects

John Woodworth, as Managing Principal of SMR, brings extensive housing expertise to this project. With a keen attention to design, he is involved in all phases of development and has an eye for well crafted and economical solutions. His main focus is on meeting his clients' needs and helping them achieve their visions and goals for a structure. John's focus on supportive and special needs housing includes multiple projects for Imagine Housing, the Downtown Emergency Service Center, Bellwether Housing, and Seattle Housing Authority. John joined SMR in 1994 and has been a principal since 2004.

### REGISTRATION

Architect: Washington, 1997; Colorado, 1993; Idaho, 2021

### EDUCATION

BA, University of Washington

### ACTIVITIES & MEMBERSHIPS

American Institute of Architects

Seattle Southeast Design Review Board, Chair, 2006 - 2010

### HONORS AND AWARDS

Puget Sound Regional Council's VISION 2040 Award; The Estelle, 2018

Affordable Housing Magazine's Readers' Choice Awards Finalist; The Estelle, 2018

Gold Nugget Award of Merit; Hoa Mai Gardens, 2018

Gold Nugget Award of Merit; The Estelle, 2018

Associated Builders and Contractors, Award for Construction Excellence; Velocity Apartments, 2015

Puget Sound Regional Council, Vision 2040 Awards; Velocity Apartments, 2015

First LEED® for Homes Platinum certification for an affordable housing development on the West Coast; Kenyon House, 2009

### RELEVANT PROJECTS

- Juniper, Seattle
- Salish Landing, Seattle
- Hoa Mai Gardens, Seattle
- Jefferson Terrace, Seattle
- Meridian, Everett
- Altera, Everett
- 30Bellevue, Bellevue
- Spurling Court, Ellensburg
- Flourish on Rainier, Seattle
- The Rise at Yancy Street, Seattle
- Hilltop House, Seattle
- Upton Flats, Seattle
- Ravello Apartments, Redmond
- The Estelle, Seattle
- Interbay Housing, Seattle
- Velocity, Kirkland
- Dekko Place Apartments, Seattle
- Angle Lake Court, SeaTac
- Andrew's Glen Apartments, Bellevue



Hoa Mai Gardens



## Kate Smith NCARB

Principal/Project Manager | SMR Architects

For the past 16 years, Kate has contributed to affordable housing and communities in Western Washington. Her open communication, breadth of project type experience, and collaboration in fully integrated design leads to highly successful developments for her clients. Kate brings experience with challenging sites, master planning/multi-building projects, integrated design, multiple funding sources, community engagement, and design-build.

Kate currently serves on the Housing Development Consortium of Seattle King County as the Board President. She pushes for policy reform, increased funding opportunities, and supporting the collective strength of the affordable housing community. Supporting emerging leadership in the affordable housing development community, specifically those individuals from BIPOC communities, is a commitment Kate and others at SMR are dedicated to.

### REGISTRATION

Architect, Washington, 2009

### EDUCATION

Bachelor of Architecture, Wentworth Institute of Technology

### ACTIVITIES & MEMBERSHIPS

National Council of Architectural Registration Boards, 2004 - present

SMR NCARB AXP Mentor, 2012 - present

Housing Development Consortium of Seattle | King County, Member of Board of Directors, 2020 - present; Board President 2022 - present

Docomomo WeWa Board Member/Treasurer, Board of Directors and Treasurer, 2012 - present

### HONORS & AWARDS

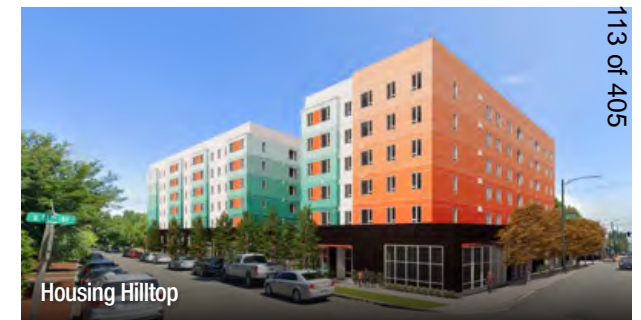
AIA WA Civic Design Awards, Honorable Mention, Bertha Pitts Campbell Place, 2022

Urban Land Institute's Jack Kemp Chairman's Award for Excellence in Affordable and Workforce Housing; Arlington Drive Youth Campus, 2021

AIA/HUD Secretary's Award; Plaza Roberto Maestas, 2017

### RELEVANT PROJECTS

- The Four Amigos - Beloved Community, Seattle
- Housing Hilltop, Tacoma
- Hillsdale Heights Master Plan, Tacoma
- Arlington Drive Youth Campus, Tacoma
- Plaza Roberto Maestas, Seattle
- YWCA Family Village, Issaquah
- Aspen Terrace, Seattle
- Bertha Pitts Campbell Place, Seattle
- Valhalla Court, Tacoma
- Plymouth on First Hill, Seattle
- Sylvia Odom's Place, Seattle
- Pat Williams Apartments, Seattle
- Rainier House, Seattle
- Canaday House, Seattle



Housing Hilltop





## Whitney Gomes

Architectural Staff | SMR Architects

Whitney joined SMR in 2023 and is passionate about providing and maintaining long term solutions for individuals and the community through vibrant and thoughtful design. She is excited to work alongside communities to create spaces that hold a positive social impact. With six years of experience, Whitney is knowledgeable of building codes and accessibility standards as well as all phases of typical architectural deliverables, including design, budgeting, scheduling, bidding, and permitting and is skilled in Revit, AutoCAD, SketchUp, parametric and rendering software, and other graphic software.

Prior to joining SMR, Whitney worked at an architecture firm on small remodels and ground up warehouses as well as a BIM modeler for a structural engineering firm. She received her bachelor of science in architectural technology from Coventry University.

### REGISTRATION

Pursuing licensure

### EDUCATION

BSc Architectural Technology,  
Coventry University

### MEMBERSHIP/ACTIVITIES

AIA Seattle Diversity  
Roundtable

### RELEVANT PROJECTS

- Salvation Army Silvercrest Senior Housing, Olympia
- TWG Permanent Supportive Housing, Olympia
- Washington-Lincoln Square, Bellingham



Silvercrest Olympia



SMR employees touring The Aries at Bitter Lake



## Karen S. Kiest ASLA

Landscape Architect | Karen Kiest Landscape Architects

Karen Kiest has over 35 years in urban planning and design, including recent and ongoing work in Seattle, Bellevue, Tacoma, Olympia, Everett within the Puget Sound region, and efforts in Oregon, Alaska, and British Columbia.

Karen Kiest is an active participant in public planning and design efforts. She served as an instructor with the Sustainable Building Advisor Program at Seattle Central Community College since the program's inception in 1999. Karen served as Chair of the Seattle Design Commission, and previously was vice-chair of the Seattle Landmark Preservation Board. She has stepped down from service on the Washington State Licensing Board for Landscape Architects.

### REGISTRATION

Landscape Architect, WA, OR, CA, AK, and BC (inactive)  
LEED® Accredited Professional

### EDUCATION

Master of Landscape Architecture, Harvard Graduate School of Design  
BA, Biology, Harvard

### ACTIVITIES & MEMBERSHIPS

Vice President, Region 5  
Director, Member, Council for Landscape Architects Regulatory Boards, 2009-2019  
Board of Registration for Landscape Architects, 2009 - 2019  
AIA Strategic Advisory Council, 2016 - 2018  
Editorial Board, AIA Seattle, 2009 - 2011  
Seattle Design Commission, Chair, 2004 - 2008  
Seattle Landmarks Board, 1999 - 2004  
Sound Transit Light Rail Design Review Group, 1998 - 2001  
Sustainable Building Professional Certificate Instructor, 2003 - 2005  
Member, ASLA, 1996 - present

### COMMUNITY HOUSING EXPERIENCE

- Lincoln Housing (LIHI)
- Willapa Center (WCDA)
- Good Shepherd Apartments (LIHI)
- MLK Apartments (LIHI)
- George Fleming Place (LIHI)
- Juniper Apartments (Seattle Housing Authority)
- Salish Landing (Seattle Housing Authority)
- Sandpoint Cottages (LIHI)
- Riverton Housing (Homestead)
- Magnuson Place (Mercy Housing Northwest)
- Mt. Angeles View Housing (Peninsula Housing Authority)
- Tony Lee Apartments (LIHI)
- Birch Creek Headstart (King County Housing Authority)
- Phyllis Gutierrez Kenney Place (Solid Ground)
- Lummi Headstart (Lummi Nation)
- Epstein Opportunity Center Headstart (Seattle Housing Authority)
- Nyer Urness House\* (Compass Housing Alliance)
- Martha and Mary Senior Housing, Kingston
- Breittler Place (Solid Ground)
- Seattle Cancer Care Alliance Housing
- Homeless Place of Remembrance (S.H.A.R.E./Wheel)
- Greenbridge Early Learning Center (Puget Sound ESD)
- Eernisse Apartments (Vashon Housing)
- Rainier Vista, Phase II (Seattle Housing Authority)



## Ivana Begley ASLA, LEED® AP

Landscape Architect | Karen Kiest Landscape Architects

Ivana Begley has professional experience in landscape architecture in a wide range of small to large-scale public and private projects throughout the United States and in particular the Puget Sound Region. Experience with land master planning, post-secondary campus planning, medical, corporate campus planning and design, multi-family housing, schools, and park and recreation planning. Responsibilities have included fee proposals, project management including budgeting and scheduling, conceptual design, design development, construction documentation including hardscape, specifications, construction administration and quality assurance/quality control.

Ivana has worked with Karen Kiest at Murase Associates and is working in a senior leadership role with KKILA. She worked with LIHI on the Sand Point Cottages and is leading the Juniper and recently completed Salish Landing project for SHA. She has served as Chair of the Northeast Design Review Board.

### REGISTRATION

Landscape Architect, WA  
LEED® Accredited Professional

### EDUCATION

University of Washington Construction Management Certificate  
University of Washington Project Management Certificate  
University of Washington, Bachelor of Landscape Architecture

### ACTIVITIES & MEMBERSHIPS

Chair, Member, Seattle Design Review, NE Board 2013-2018

### COMMUNITY HOUSING EXPERIENCE

- Goldfinch (Chief Seattle Club)
- Harvard and Denny (YMCA)
- Juniper Apartments (Seattle Housing Authority)
- Jefferson Terrace (Seattle Housing Authority)
- Salish Landing (Seattle Housing Authority)
- Sandpoint Cottages (LIHI)

### CIVIC EXPERIENCE

- Kenmore City Hall\*
- American Lake Medical Facility, Department of Veteran Affairs
- Ella Baker Elementary School, Redmond
- Google Kirkland, Kirkland, WA (with DLR Group): Building A, Building B, Building C, Central Kirkland Corridor
- Immunex Campus, Seattle, WA\*
- Jimi Hendrix Park, Seattle (with Murase Associates)\*
- Lower Columbia College, Longview, WA: Vocational Learning
- Public Realm Projects, University of British Columbia 2015 - 2017
- Redmond Ridge East Elementary School 2016
- University of Washington: Parrington Lawn to Denny Quad; 43rd Avenue Entry, William H. Gates School of Law, UW\*

\*experience with other firms





## Christopher Padin PE, SE

Principal, Structural Engineering | Atlas Design Group

Christopher Padin brings more than 10 years of structural engineering experience in technical design, construction administration, and project management. His career experience includes commercial, residential, parking, educational, and government building projects. He has designed structures using steel, post-tensioned concrete, masonry, wood, aluminum, cross-laminated timber, and light-gage steel. Since founding Atlas Design Group in 2019, Mr. Padin has worked closely with clients exceeding their expectations and creating trusting professional relationships. Through his project management leadership, he has completed a wide range of projects including multi-family residential, affordable housing, mixed-use, mass timber, office, single-family, and commercial tenant improvements. He routinely performs structural analyses, conducts site evaluations, and produces final design and calculations to inform his clients. He is extremely passionate about centering the practice of his firm on affordable housing projects as well as projects that enhance our communities.

### REGISTRATION

Structural Engineer,  
Washington  
Disadvantaged/Minority-  
Owned Business, WA

### EDUCATION

MS, Structural Engineering,  
Seattle University  
BS, Civil Engineering, Seattle  
University

### ACTIVITIES & MEMBERSHIPS

Structural Engineers  
Association of Washington,  
Member  
Design Build Institute of  
America, Member  
International Living Future  
Institute, Member

### EXPERIENCE

Company Experience: 4  
years  
Industry Experience: 11  
years

### RELEVANT PROJECTS

- Apex Master Plan (Satwant) 586-Units, Edgewood
- MorningStar (Bellwether) 91-Units, Seattle
- Evergreen Pointe (SWG) 100-Units, Seattle
- Housing Hilltop (THA) 231-Units, Tacoma
- The Aries at Bitter Lake (Bellwether) 202-Units, Seattle
- NSC Housing (Bellwether) 201-Units, Tacoma



## Samiah Rizvi SE

Structural Engineer | Atlas Design Group

Samiah has been a practicing structural engineer since 2014 and has a strong technical background working on projects in the Puget Sound. Her expertise is focused on multi-family and mixed-use podium projects, high-rise structures, and educational facilities. Her customer-service oriented approach to consulting and strong technical background, make her a welcome addition to Atlas Design Group.

### REGISTRATION

Professional Engineer,  
Washington

### EDUCATION

MS, Structural Engineering,  
Seattle University  
BS, Civil Engineering,  
University of Washington

### EXPERIENCE

Company Experience: 2  
years  
Industry Experience: 8 years

### RELEVANT PROJECTS

- Woodland (DESC) 100-Units, Seattle
- Apex Master Plan (Satwant) 586-Units, Edgewood
- The Launch 360-Units, Alameda
- Theory 171-Units, Seattle
- Intersection Apartments 105-Units, Emeryville
- Grata Totem Lake 125-Units, Kirkland





## Chris Miller PE

Civil Project Manager & Engineer of Record I  
Kimley-Horn

Chris brings 16 years of experience serving multi-family, civic, retail, healthcare, and industrial markets. In the past 12 years he has served Washington-based communities with site design for public-private partnerships, including the Spencer Square and Kenmore Village redevelopments, The Junction in Bothell, Porch & Park in Redmond, and Woodinville's Schoolhouse District. His relationships throughout the Pacific Northwest paired with his practical knowledge of local site development allows Chris to lead clients through any process—no matter how time-sensitive or complex.

### REGISTRATION

Professional Engineer in  
Washington (#49500),  
Oregon, and Montana

### EDUCATION

Bachelor of Science, Civil and  
Environmental Engineering,  
Virginia Polytechnic Institute  
and State

### RELEVANT PROJECTS

- Spencer68 Apartments, Kenmore\*
- Kenmore Village Redevelopment, Kenmore\*
- Porch & Park, Redmond\*
- Holly Ridge Apartments, Everett\*
- The Confluence Apartments, Tukwila\*
- Woodinville Schoolhouse District, Woodinville\*
- The Junction Mixed-Use Development, Bothell\*
- Lynnwood City Center Senior Living Apartments, Lynnwood\*
- The Carter on the Park Apartments, Redmond\*
- The Heron Flats + Lofts, Redmond\*
- Tukwila Village, Tukwila\*
- Rainier Court Apartments, Seattle\*
- Avalon North Creek Apartments (1730 196th St SE), Bothell\*
- Ryan Companies, Acoya at Richmond Beach Senior Living, Shoreline
- Avalon Alderwood Place, Lynnwood\*
- The Linq at Spencer Square, Kenmore\*
- Sky Apartments, Sammamish\*

*\*experience with other firms*



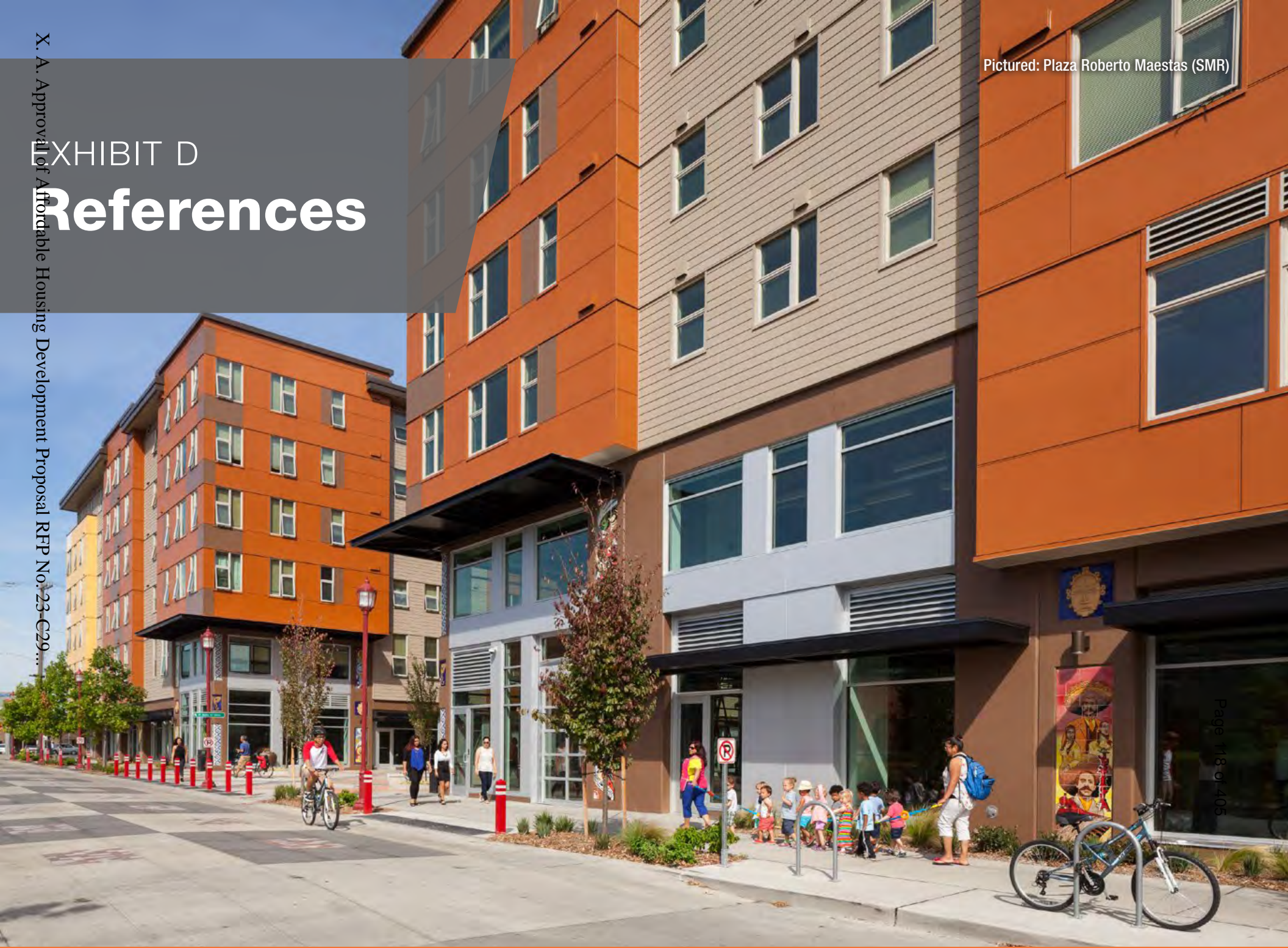
Downtown Kenmore Redevelopment



## EXHIBIT D

# References

Pictured: Plaza Roberto Maestas (SMR)





List of References

We work hard at crafting design solutions that achieve our clients' goals and exceed their expectations. Our many repeat clients are an indication of our success. We encourage you to contact these references, or any of our previous clients, for more information about our performance and collaborative team approach.



“Building affordable housing is critical to making the Eastside an equitable community that is inclusive of people at all income levels. Affordable communities like 30Bellevue are being developed on the Eastside by Imagine Housing thanks to their expertise in forming strategic partnerships to increase the supply of and access to affordable housing with on-site support services. Imagine’s on-site support services staff provide case management, resource referrals, and community engagement through shared dinners and activities.

- Claudia Balducci  
King County Councilmember  
District 6

Reference	Scope/Type of Work
IMAGINE HOUSING	
<b>Jeanne Marie Coronado</b> Vice President Debt & Structured Finance CBRE Affordable Housing <a href="mailto:JeanMarie.Coronado@cbre.com">JeanMarie.Coronado@cbre.com</a>   206.826-5796	CBRE has recently worked with Imagine Housing on a major refinance of 2 Imagine Housing properties.
<b>Bob Powers</b> Executive Director/Pacific Northwest Market Leader Community Development Banking Chase <a href="mailto:bob.powers@chase.com">bob.powers@chase.com</a>   206.500.2241	Chase has been the construction lender on multiple Imagine Housing Tax Exempt/Low Income Housing Tax Credit projects.
HABITAT FOR HUMANITY SEATTLE - KING AND KITTITAS COUNTIES	
<b>Erika Malone</b> Strategic Advisor for Homeownership City of Seattle, Office of Housing 206-684-0247 <a href="mailto:Erika.Malone@seattle.gov">Erika.Malone@seattle.gov</a>	Habitat has partnered with Seattle Office of Housing on many new construction permanently affordable homes, including South Park Homes, Capitol View, Olympic Ridge, Highland Terrace, and many others.
<b>Moussa Samb</b> Director of Lending Partnerships HomeSight 206-760-4210 <a href="mailto:moussa@HomeSightWa.org">moussa@HomeSightWa.org</a>	Habitat has been working with HomeSight to deliver affordable mortgage financing for our homebuyers for the past 5 years. Together, we have been able to provide home financing for over 50 homebuyers and counting.
HOPELINK	
<b>Wesley Bergquist, PMP</b> Senior Staff Technical Project Manager Tesla 206.300.8760 <a href="mailto:wbergquist@tesla.com">wbergquist@tesla.com</a>	Supporting Tesla in its mission to accelerate the world's transition to sustainable energy
<b>Kim Sarnecki</b> Chief Executive Officer Together Center 425.869.1174 <a href="mailto:ceo@togethercenter.org">ceo@togethercenter.org</a>	The Together Center makes lives better by helping people find the assistance they need through the co-location of a large, new non-profit campus.



“SMR Architects has been a strong partner for LISC Puget Sound, helping us further our mission of forging resilient and inclusive communities of opportunity. We value SMR’s work with our participants and their continued understanding of the complex affordable housing development process, and we look forward to continuing our association with SMR and strongly recommend the firm.”

- AJ Cari  
Senior Program Officer  
LISC Puget Sound

Reference	Scope/Type of Work
ROONEY PARTNERS	
<b>Jaebadiah Gardner</b> CEO Gardner Global, Inc. <a href="mailto:jsg@gardnerglobal.com">jsg@gardnerglobal.com</a>   206.623.1844	Development consultant for new 196-unit affordable housing building in Seattle.
<b>Conor Hansen</b> Managing Director, Affordable Housing SRM Development <a href="mailto:conor@srmdevelopment.com">conor@srmdevelopment.com</a>   206.909.2060	Rooney Partners is working with SRM on various affordable housing projects, including assisting in the acquisition of 7 buildings in Seattle that will be converted and preserved as affordable.
W.G. CLARK	
<b>Patrick Foley</b> Managing Partner Lake Union Partners <a href="mailto:pat@lakeunionpartners.com">pat@lakeunionpartners.com</a>   206.850.6637	W.G. Clark has worked with Lake Union Partners on multiple new construction and renovation projects, including Midtown Square, Grand Street Commons, and Rainier and Genesee.
<b>Jon Taylor</b> Former Project Manager (now retired) State of Washington Department of Enterprise Services, Engineering and Architectural Services 206.612.9863	W.G. Clark worked with Jon on Shoreline Community College’s 7000 Campus Living.
SMR ARCHITECTS	
<b>Sandra Miller</b> Development Manager Seattle Housing Authority <a href="mailto:sandra.miller@seattlehousing.org">sandra.miller@seattlehousing.org</a>   206.601.5026	SMR has worked with Seattle Housing Authority on various new construction and rehabilitation projects, including Northgate Apartments, Hoa Mai Gardens, Jefferson Terrace, Salish Landing, and Juniper.
<b>Miguel Maestas</b> Associate Director El Centro de la Raza <a href="mailto:mmaestas@elcentrodelaraza.org">mmaestas@elcentrodelaraza.org</a>   206.957.4650	SMR has worked with El Centro de la Raza on Plaza Roberto Maestas in Beacon Hill and The Four Amigos in Columbia City (now under construction).



# EXHIBIT E

# Budgets

Pictured: The Maddux (W.G. Clark and Rooney)





## Form 6A: Development Budgets (Imagine Housing)

Form 6A: Development Budgets													
Project Name: The Approach at Kenmore													
Date of Budget		10/3/2023		RESIDENTIAL						NON-RESIDENTIAL			
% Total Project Cost	Total Project Cost	Residential total	Source Name	Source Name	Source Name	Source Name	Source Name	Source Name	non-residential total	Source Name	Source Name		
			Construction Loan	King County	HTF	Consolidated Grants (AMZN, MSFT, CHIP)	ARCH / City of Kenmore	Fundraising / Deferred Dev Fee		Commercial Investment			
			Amount	Amount	Amount	Amount	Amount	Amount		Amount	Amount		
			\$54,671,787.00	\$4,000,000.00	\$5,000,000.00	\$6,000,000.00	\$5,812,000.00	\$7,468,894.00		\$8,166,963	Amount	Amount	
			Remaining	Remaining	Remaining	Remaining	Remaining	Remaining		Remaining	Remaining	Remaining	Remaining
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
			Source = Uses	Source = Uses	Source = Uses	Source = Uses	Source = Uses	Source = Uses	Source = Uses				
<b>Acquisition Costs:</b>													
Land	3%	\$ 2,720,000	\$ 2,720,000					\$ 2,720,000		\$ -	\$ -	\$ -	\$ -
Existing Structures	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Liens	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Closing, Title & Recording Costs	0%	\$ 12,000	\$ 12,000					\$ 12,000		\$ -	\$ -	\$ -	\$ -
Extension payment	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Other: Legal, Due Diligence, Other	0%	\$ 80,000	\$ 80,000					\$ 80,000		\$ -	\$ -	\$ -	\$ -
<b>SUBTOTAL</b>	<b>3%</b>	<b>\$ 2,812,000</b>	<b>\$ 2,812,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,812,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Construction:</b>													
Demolition	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
New Building	52%	\$ 47,809,854	\$ 43,028,869	\$ 39,523,990	\$ 1,165,000	\$ 2,339,879				\$ 4,780,985	\$ 4,780,985	\$ -	\$ -
Rehabilitation	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Contractor Profit	3%	\$ 2,595,000	\$ 2,335,500	\$ 2,335,500						\$ 259,500	\$ 259,500	\$ -	\$ -
Contractor Overhead	3%	\$ 2,394,000	\$ 2,154,600	\$ 2,154,600						\$ 239,400	\$ 239,400	\$ -	\$ -
New Construction Contingency	10%	\$ 5,379,885	\$ 4,841,897	\$ 4,841,897						\$ 537,988	\$ 537,988	\$ -	\$ -
Rehab Contingency	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Accessory Building	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Site Work / Infrastructure	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Off site Infrastructure	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Environmental Abatement - Building	0%	\$ 50,000	\$ 45,000				\$ 45,000			\$ 5,000	\$ 5,000	\$ -	\$ -
Environmental Abatement - Land	0%	\$ 50,000	\$ 45,000				\$ 45,000			\$ 5,000	\$ 5,000	\$ -	\$ -
Sales Tax	6%	\$ 5,917,874	\$ 5,326,087				\$ 5,326,087			\$ 591,787	\$ 591,787	\$ -	\$ -
Bond Premium	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Equipment and Furnishings	0%	\$ 150,000	\$ 135,000				\$ 135,000			\$ 15,000	\$ 15,000	\$ -	\$ -
Other:	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
<b>SUBTOTAL</b>	<b>71%</b>	<b>\$ 64,346,613</b>	<b>\$ 57,911,953</b>	<b>\$ 48,855,987</b>	<b>\$ 1,165,000</b>	<b>\$ 2,339,879</b>	<b>\$ 5,551,087</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 6,434,660</b>	<b>\$ 6,434,660</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Soft Costs:</b>													
Buyer's Appraisal	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Market Study	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Architect	4%	\$ 3,227,931	\$ 2,623,938				\$ 2,623,938			\$ 603,993	\$ 603,993	\$ -	\$ -
Engineering	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Environmental Assessment	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -
Geotechnical Study	0%	\$ 15,000	\$ 13,500				\$ 13,500			\$ 1,500	\$ 1,500	\$ -	\$ -
Boundary & Topographic Survey	0%	\$ 15,000	\$ 13,500				\$ 13,500			\$ 1,500	\$ 1,500	\$ -	\$ -
Legal - Real Estate	0%	\$ 30,000	\$ 27,000				\$ 27,000			\$ 3,000	\$ 3,000	\$ -	\$ -
Developer Fee	10%	\$ 9,450,000	\$ 9,450,000	\$ 2,835,000					\$ 6,615,000	\$ -	\$ -	\$ -	\$ -
Project Management / Dev. Consultant Fees	0%	\$ -	\$ -							\$ -	\$ -	\$ -	\$ -

## Form 6A: Development Budgets

Project Name: The Approach at Kenmore

Date of Budget 10/3/2023

	% Total Project Cost	Total Project Cost	Residential total	RESIDENTIAL						non-residential total	NON-RESIDENTIAL	
				Source Name	Source Name	Source Name	Source Name	Source Name	Source Name		Source Name	Source Name
				Construction Loan	King County	HTF	Consolidated Grants (AMZN, MSFT, CHIP)	ARCH / City of Kenmore	Fundraising / Deferred Dev Fee		Commercial Investment	
				Amount	Amount	Amount	Amount	Amount	Amount		Amount	Amount
				\$54,671,787.00	\$4,000,000.00	\$5,000,000.00	\$6,000,000.00	\$5,812,000.00	\$7,468,894.00		\$8,166,963	
Other Consultants	0%	\$ 120,000	\$ 108,000					\$ 108,000		\$ 12,000	\$ 12,000	\$ -
Soft Cost Contingency	0%	\$ 150,000	\$ 135,000					\$ 135,000		\$ 15,000	\$ 15,000	\$ -
Other: <input type="text"/>	0%	\$ 350,000	\$ 315,000				\$ 235,938	\$ 79,062		\$ 35,000	\$ 35,000	\$ -
<b>SUBTOTAL</b>	15%	\$ 13,357,931	\$ 12,685,938	\$ -	\$ 2,835,000	\$ -	\$ 235,938	\$ 3,000,000	\$ 6,615,000	\$ 671,993	\$ 671,993	\$ -
<b>Pre-Development / Bridge Financing</b>												
Bridge Loan Fees	0%	\$ -	\$ -							\$ -	\$ -	\$ -
Bridge Loan Interest	0%	\$ -	\$ -							\$ -	\$ -	\$ -
Other: <input type="text"/>	0%	\$ -	\$ -							\$ -	\$ -	\$ -
<b>SUBTOTAL</b>	0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Construction Financing</b>												
Construction Loan Fees	1%	\$ 754,000	\$ 678,600	\$ 678,600						\$ 75,400	\$ 75,400	\$ -
Construction Loan Expenses	0%	\$ -	\$ -							\$ -	\$ -	\$ -
Construction Loan Legal	0%	\$ 60,000	\$ 54,000	\$ 54,000						\$ 6,000	\$ 6,000	\$ -
Construction Period Interest	6%	\$ 5,648,000	\$ 5,083,200	\$ 5,083,200						\$ 564,800	\$ 564,800	\$ -
Lease-up Period Interest	0%	\$ -	\$ -							\$ -	\$ -	\$ -
Other: <input type="text"/>	0%	\$ -	\$ -							\$ -	\$ -	\$ -
<b>SUBTOTAL</b>	7%	\$ 6,462,000	\$ 5,815,800	\$ 5,815,800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 646,200	\$ 646,200	\$ -
<b>Permanent Financing</b>												
Permanent Loan Fees	0%	\$ 233,500	\$ 210,150						\$ 210,150	\$ 23,350	\$ 23,350	\$ -
Permanent Loan Expenses	0%	\$ -	\$ -							\$ -	\$ -	\$ -
Permanent Loan Legal	0%	\$ 60,000	\$ 54,000						\$ 54,000	\$ 6,000	\$ 6,000	\$ -
LIHTC Fees	0%	\$ -	\$ -							\$ -	\$ -	\$ -
LIHTC Legal	0%	\$ 60,000	\$ 54,000						\$ 54,000	\$ 6,000	\$ 6,000	\$ -
LIHTC Owners Title Policy	0%	\$ -	\$ -							\$ -	\$ -	\$ -
State HTF Fees	0%	\$ -	\$ -							\$ -	\$ -	\$ -
Other: <input type="text"/>	0%	\$ -	\$ -							\$ -	\$ -	\$ -
<b>SUBTOTAL</b>	0%	\$ 353,500	\$ 318,150	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 318,150	\$ 35,350	\$ 35,350	\$ -
<b>Capitalized Reserves</b>												
Operating Reserves	1%	\$ 959,000	\$ 863,100			\$ 650,125	\$ 212,975			\$ 95,900	\$ 95,900	\$ -
Replacement Reserves	0%	\$ 39,600	\$ 35,640			\$ 35,640				\$ 3,960	\$ 3,960	\$ -
Other: <input type="text"/>	0%	\$ -	\$ -							\$ -	\$ -	\$ -
<b>SUBTOTAL</b>	1%	\$ 998,600	\$ 898,740	\$ -	\$ -	\$ 685,765	\$ 212,975	\$ -	\$ -	\$ 99,860	\$ 99,860	\$ -
<b>Other Development Costs</b>												
Real Estate Tax	0%	\$ -	\$ -							\$ -	\$ -	\$ -
Insurance	1%	\$ 750,000	\$ 675,000			\$ 675,000				\$ 75,000	\$ 75,000	\$ -
Relocation (from Form 4)	0%	\$ -	\$ -							\$ -	\$ -	\$ -
Bidding Costs	0%	\$ -	\$ -							\$ -	\$ -	\$ -
Permits, Fees & Hookups	0%	\$ 250,000	\$ 225,000						\$ 225,000	\$ 25,000	\$ 25,000	\$ -
Impact/Mitigation Fees	1%	\$ 1,000,000	\$ 900,000			\$ 683,756			\$ 216,244	\$ 100,000	\$ 100,000	\$ -

Complete Form 6E

Complete Form 6E

Form 6A: Development Budgets

Project Name: The Approach at Kenmore

Date of Budget	10/3/2023	% Total Project Cost	Total Project Cost	Residential total	RESIDENTIAL						non-residential total	NON-RESIDENTIAL	
					Source Name	Source Name	Source Name	Source Name	Source Name	Source Name		Source Name	Source Name
					Construction Loan	King County	HTF	Consolidated Grants (AMZN, MSFT, CHIP)	ARCH / City of Kenmore	Fundraising / Deferred Dev Fee		Commercial Investment	
					Amount	Amount	Amount	Amount	Amount	Amount		Amount	Amount
					\$54,671,787.00	\$4,000,000.00	\$5,000,000.00	\$6,000,000.00	\$5,812,000.00	\$7,468,894.00		\$8,166,963	
Development Period Utilities		0%		\$ -							\$ -	\$ -	\$ -
Nonprofit Donation		0%		\$ -							\$ -	\$ -	\$ -
Accounting/Audit		0%		\$ -							\$ -	\$ -	\$ -
3 <sup>rd</sup> Party Certification of final development cost		0%		\$ -							\$ -	\$ -	\$ -
Marketing/Leasing Expenses		0%		\$ -							\$ -	\$ -	\$ -
Carrying Costs at Rent up/Lease Up Reserve		0%	\$ 100,000	\$ 90,000						\$ 90,000	\$ 10,000	\$ 10,000	\$ -
Other:		0%	\$ 5,000	\$ 4,500						\$ 4,500	\$ 500	\$ 500	\$ -
SUBTOTAL		2%	\$ 2,105,000	\$ 1,894,500	\$ -	\$ -	\$ 1,358,756	\$ -	\$ -	\$ 535,744	\$ 210,500	\$ 210,500	\$ -

Eligible Basis Community Facilities

Community Facility Eligible Basis			\$ -								\$ -	\$ -	\$ -
SUBTOTAL			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Bond Related Costs of Issuance (4% Tax Credit/Bond Projects Only)

Issuer Fees & Related Expenses	0%	\$ 167,000	\$ 150,300			\$ 150,300					\$ 16,700	\$ 16,700	\$ -
Bond Counsel	0%	\$ 85,000	\$ 76,500			\$ 76,500					\$ 8,500	\$ 8,500	\$ -
Trustee Fees & Expenses	0%	\$ 50,000	\$ 45,000			\$ 45,000					\$ 5,000	\$ 5,000	\$ -
Underwriter Fees & Counsel	0%		\$ -								\$ -	\$ -	\$ -
Placement Agent Fees & Counsel	0%	\$ 352,000	\$ 316,800			\$ 316,800					\$ 35,200	\$ 35,200	\$ -
Borrower's Counsel - Bond Related	0%		\$ -								\$ -	\$ -	\$ -
Rating Agency	0%		\$ -								\$ -	\$ -	\$ -
Other: Finance Consultants	0%	\$ 30,000	\$ 27,000			\$ 27,000					\$ 3,000	\$ 3,000	\$ -
SUBTOTAL		1%	\$ 684,000	\$ 615,600	\$ -	\$ -	\$ 615,600	\$ -	\$ -	\$ -	\$ 68,400	\$ 68,400	\$ -

Total Development Cost:			\$ 91,119,644	\$ 82,952,681	\$ 54,671,787	\$ 4,000,000	\$ 5,000,000	\$ 6,000,000	\$ 5,812,000	\$ 7,468,894	\$ 8,166,963.0	\$ 8,166,963	\$ -
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## Form 8D: Operating Pro Forma (Imagine Housing)

## Form 8D: Operating Pro Forma

Project Name: The Approach at Kenmore

Pro Forma Date 

REVENUES																
		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
<b>Residential Income</b>																
Escalator																
Gross Tenant Paid Rental Income (Form 8A)	3.0%	\$ 2,358,108	\$ 2,428,851	\$ 2,501,717	\$ 2,576,768	\$ 2,654,071	\$ 2,733,693	\$ 2,815,704	\$ 2,900,175	\$ 2,987,181	\$ 3,076,796	\$ 3,169,100	\$ 3,264,173	\$ 3,362,098	\$ 3,462,961	\$ 3,566,850
Gross Rental PHA/HUD/USDA Subsidy (Form 8B)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Gross Rental Subsidy Income (Form 8B)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Gross Annual Operating Subsidy Sources (Form 8B)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Other Sources:</b>																
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Residential Income	=	\$ 2,358,108	\$ 2,428,851	\$ 2,501,717	\$ 2,576,768	\$ 2,654,071	\$ 2,733,693	\$ 2,815,704	\$ 2,900,175	\$ 2,987,181	\$ 3,076,796	\$ 3,169,100	\$ 3,264,173	\$ 3,362,098	\$ 3,462,961	\$ 3,566,850
Total Non-Residential Income		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL PROJECT INCOME	=	\$ 2,358,108	\$ 2,428,851	\$ 2,501,717	\$ 2,576,768	\$ 2,654,071	\$ 2,733,693	\$ 2,815,704	\$ 2,900,175	\$ 2,987,181	\$ 3,076,796	\$ 3,169,100	\$ 3,264,173	\$ 3,362,098	\$ 3,462,961	\$ 3,566,850
<b>Annual %</b>																
Less Annual Residential Vacancy		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Less Annual Non-Residential Vacancy		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
EFFECTIVE GROSS INCOME (EGI)	=	\$ 2,358,108	\$ 2,428,851	\$ 2,501,717	\$ 2,576,768	\$ 2,654,071	\$ 2,733,693	\$ 2,815,704	\$ 2,900,175	\$ 2,987,181	\$ 3,076,796	\$ 3,169,100	\$ 3,264,173	\$ 3,362,098	\$ 3,462,961	\$ 3,566,850

## OPERATING EXPENSES

Operating Expenses-	Escalator	Expenses	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
		Per Unit (Y1)															
Management - On-site (Form 8C)	2.0%	\$ 1,450	\$ 191,400	\$ 195,228	\$ 199,133	\$ 203,115	\$ 207,178	\$ 211,321	\$ 215,547	\$ 219,858	\$ 224,256	\$ 228,741	\$ 233,316	\$ 237,982	\$ 242,741	\$ 247,596	\$ 252,548
Management - Off-site (Form 8C)	2.0%	\$ 893	\$ 117,900	\$ 120,258	\$ 122,663	\$ 125,116	\$ 127,619	\$ 130,171	\$ 132,775	\$ 135,430	\$ 138,139	\$ 140,901	\$ 143,719	\$ 146,594	\$ 149,526	\$ 152,516	\$ 155,567
Accounting	2.0%	\$ 105	\$ 13,895	\$ 14,173	\$ 14,456	\$ 14,745	\$ 15,040	\$ 15,341	\$ 15,648	\$ 15,961	\$ 16,280	\$ 16,605	\$ 16,938	\$ 17,276	\$ 17,622	\$ 17,974	\$ 18,334
Legal Services	2.0%	\$ 105	\$ 13,895	\$ 14,173	\$ 14,456	\$ 14,745	\$ 15,040	\$ 15,341	\$ 15,648	\$ 15,961	\$ 16,280	\$ 16,605	\$ 16,938	\$ 17,276	\$ 17,622	\$ 17,974	\$ 18,334
Insurance	2.0%	\$ 400	\$ 52,800	\$ 53,856	\$ 54,933	\$ 56,032	\$ 57,152	\$ 58,295	\$ 59,461	\$ 60,651	\$ 61,864	\$ 63,101	\$ 64,363	\$ 65,650	\$ 66,963	\$ 68,302	\$ 69,668
Real Estate Taxes	2.0%	\$ 15	\$ 2,000	\$ 2,040	\$ 2,081	\$ 2,122	\$ 2,165	\$ 2,208	\$ 2,252	\$ 2,297	\$ 2,343	\$ 2,390	\$ 2,438	\$ 2,487	\$ 2,536	\$ 2,587	\$ 2,639
Marketing	2.0%	\$ 26	\$ 3,474	\$ 3,543	\$ 3,614	\$ 3,686	\$ 3,760	\$ 3,835	\$ 3,912	\$ 3,990	\$ 4,070	\$ 4,151	\$ 4,234	\$ 4,319	\$ 4,405	\$ 4,494	\$ 4,583
Security	2.0%	\$ 53	\$ 6,947	\$ 7,086	\$ 7,228	\$ 7,373	\$ 7,520	\$ 7,670	\$ 7,824	\$ 7,980	\$ 8,140	\$ 8,303	\$ 8,469	\$ 8,638	\$ 8,811	\$ 8,987	\$ 9,167
Maintenance and janitorial	2.0%	\$ 160	\$ 21,074	\$ 21,495	\$ 21,925	\$ 22,364	\$ 22,811	\$ 23,267	\$ 23,732	\$ 24,207	\$ 24,691	\$ 25,185	\$ 25,689	\$ 26,202	\$ 26,727	\$ 27,261	\$ 27,806
Decorating/Turnover	2.0%	\$ 240	\$ 31,680	\$ 32,314	\$ 32,960	\$ 33,619	\$ 34,291	\$ 34,977	\$ 35,677	\$ 36,390	\$ 37,118	\$ 37,861	\$ 38,618	\$ 39,390	\$ 40,178	\$ 40,981	\$ 41,801
Contract Repairs	2.0%	\$ 1,020	\$ 134,640	\$ 137,333	\$ 140,079	\$ 142,881	\$ 145,739	\$ 148,653	\$ 151,627	\$ 154,659	\$ 157,752	\$ 160,907	\$ 164,125	\$ 167,408	\$ 170,756	\$ 174,171	\$ 177,655
Landscaping	2.0%	\$ 57	\$ 7,526	\$ 7,677	\$ 7,830	\$ 7,987	\$ 8,147	\$ 8,310	\$ 8,476	\$ 8,645	\$ 8,818	\$ 8,995	\$ 9,175	\$ 9,358	\$ 9,545	\$ 9,736	\$ 9,931
Pest Control	2.0%	\$ 63	\$ 8,337	\$ 8,504	\$ 8,674	\$ 8,847	\$ 9,024	\$ 9,205	\$ 9,389	\$ 9,576	\$ 9,768	\$ 9,963	\$ 10,163	\$ 10,366	\$ 10,573	\$ 10,785	\$ 11,000
Fire Safety	2.0%	\$ 94	\$ 12,343	\$ 12,590	\$ 12,842	\$ 13,099	\$ 13,361	\$ 13,628	\$ 13,900	\$ 14,178	\$ 14,462	\$ 14,751	\$ 15,046	\$ 15,347	\$ 15,654	\$ 15,967	\$ 16,287
Elevator	2.0%	\$ 88	\$ 11,579	\$ 11,811	\$ 12,047	\$ 12,288	\$ 12,533	\$ 12,784	\$ 13,040	\$ 13,301	\$ 13,567	\$ 13,838	\$ 14,115	\$ 14,397	\$ 14,685	\$ 14,979	\$ 15,278
Water & Sewer	2.0%	\$ 1,528	\$ 201,705	\$ 205,739	\$ 209,854	\$ 214,051	\$ 218,332	\$ 222,699	\$ 227,153	\$ 231,696	\$ 236,330	\$ 241,056	\$ 245,878	\$ 250,795	\$ 255,811	\$ 260,927	\$ 266,146
Garbage Removal	2.0%	\$ 333	\$ 44,000	\$ 44,880	\$ 45,778	\$ 46,693	\$ 47,627	\$ 48,580	\$ 49,551	\$ 50,542	\$ 51,553	\$ 52,584	\$ 53,636	\$ 54,708	\$ 55,803	\$ 56,919	\$ 58,057
Electric	2.0%	\$ 158	\$ 20,842	\$ 21,259	\$ 21,684	\$ 22,118	\$ 22,560	\$ 23,011	\$ 23,472	\$ 23,941	\$ 24,420	\$ 24,908	\$ 25,406	\$ 25,915	\$ 26,433	\$ 26,961	\$ 27,501
Oil/Gas/Other	2.0%	\$ 53	\$ 6,947	\$ 7,086	\$ 7,228	\$ 7,373	\$ 7,520	\$ 7,670	\$ 7,824	\$ 7,980	\$ 8,140	\$ 8,303	\$ 8,469	\$ 8,638	\$ 8,811	\$ 8,987	\$ 9,167
Telephone	2.0%	\$ 105	\$ 13,895	\$ 14,173	\$ 14,456	\$ 14,745	\$ 15,040	\$ 15,341	\$ 15,648	\$ 15,961	\$ 16,280	\$ 16,605	\$ 16,938	\$ 17,276	\$ 17,622	\$ 17,974	\$ 18,334
Other	2.0%	\$ 44	\$ 5,836	\$ 5,953	\$ 6,072	\$ 6,193	\$ 6,317	\$ 6,443	\$ 6,572	\$ 6,703	\$ 6,838	\$ 6,974	\$ 7,114	\$ 7,256	\$ 7,401	\$ 7,549	\$ 7,700
Total Residential Operating Expenses		\$ 6,990	\$ 922,715	\$ 941,169	\$ 959,992	\$ 979,192	\$ 998,776	\$ 1,018,752	\$ 1,039,127	\$ 1,059,909	\$ 1,081,107	\$ 1,102,730	\$ 1,124,784	\$ 1,147,280	\$ 1,170,225	\$ 1,193,630	\$ 1,217,502

## Form 8D: Operating Pro Forma, Page 2

OTHER EXPENSES

Partnership and Asset Management Costs-	Escalator	Expenses Per Unit (Y1)	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
	3.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	3.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Partnership and Management Costs			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Replacement Reserve	3.0%	\$ 250	\$ 33,000.00	\$ 33,990	\$ 35,010	\$ 36,060	\$ 37,142	\$ 38,256	\$ 39,404	\$ 40,586	\$ 41,803	\$ 43,058	\$ 44,349	\$ 45,680	\$ 47,050	\$ 48,462	\$ 49,915
Operating Reserve	3.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Reserves			\$ 33,000	\$ 33,990	\$ 35,010	\$ 36,060	\$ 37,142	\$ 38,256	\$ 39,404	\$ 40,586	\$ 41,803	\$ 43,058	\$ 44,349	\$ 45,680	\$ 47,050	\$ 48,462	\$ 49,915
Non-Residential Expenses	0.0%		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL PROJECT EXPENSES	=		\$ 955,715	\$ 975,159	\$ 995,002	\$ 1,015,252	\$ 1,035,918	\$ 1,057,008	\$ 1,078,530	\$ 1,100,495	\$ 1,122,911	\$ 1,145,787	\$ 1,169,133	\$ 1,192,960	\$ 1,217,276	\$ 1,242,092	\$ 1,267,418
NET OPERATING INCOME (EGI - Total Expenses)	=		\$ 1,402,393	\$ 1,453,692	\$ 1,506,715	\$ 1,561,516	\$ 1,618,153	\$ 1,676,686	\$ 1,737,174	\$ 1,799,680	\$ 1,864,270	\$ 1,931,009	\$ 1,999,967	\$ 2,071,213	\$ 2,144,823	\$ 2,220,870	\$ 2,299,432

RESIDENT SERVICES

Services Funding Subsidy (Form 8B)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Service Expenses (Form 8C)	3.0%	\$ 437.50	\$ 57,750	\$ 59,483	\$ 61,267	\$ 63,105	\$ 64,998	\$ 66,948	\$ 68,957	\$ 71,025	\$ 73,156	\$ 75,351	\$ 77,611	\$ 79,940	\$ 82,338	\$ 84,808	\$ 87,352
Subsidy Shortfall			\$ (57,750)	\$ (59,483)	\$ (61,267)	\$ (63,105)	\$ (64,998)	\$ (66,948)	\$ (68,957)	\$ (71,025)	\$ (73,156)	\$ (75,351)	\$ (77,611)	\$ (79,940)	\$ (82,338)	\$ (84,808)	\$ (87,352)
Services Funding - from Cash Flow (Form 8C)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

DEBT SERVICE

Funds Available for Debt Service		\$ 1,402,393	\$ 1,453,692	\$ 1,506,715	\$ 1,561,516	\$ 1,618,153	\$ 1,676,686	\$ 1,737,174	\$ 1,799,680	\$ 1,864,270	\$ 1,931,009	\$ 1,999,967	\$ 2,071,213	\$ 2,144,823	\$ 2,220,870	\$ 2,299,432
Hard Debt	Loan Amount	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Senior Lender	\$ 15,572,521	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762	\$ 1,105,762
Sub-Debt Lender	\$ 4,979,236	\$ 169,830	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110	\$ 207,110
Lender 3	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Hard Debt Service		\$ 1,275,592	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872
Hard Debt Coverage Ratio		1.10	1.11	1.15	1.19	1.23	1.28	1.32	1.37	1.42	1.47	1.52	1.58	1.63	1.69	1.75
Cash Flow		\$ 126,801	\$ 140,820	\$ 193,843	\$ 248,644	\$ 305,281	\$ 363,814	\$ 424,302	\$ 486,808	\$ 551,398	\$ 618,137	\$ 687,095	\$ 758,341	\$ 831,951	\$ 907,998	\$ 986,560
Soft Debt	Loan Amount	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
City of Kenmore	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
King County	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
WA State Commerce	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ARCH	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Soft Debt Service		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL DEBT SERVICE		\$ 1,275,592	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872	\$ 1,312,872
Overall Debt Coverage Ratio		1.10	1.11	1.15	1.19	1.23	1.28	1.32	1.37	1.42	1.47	1.52	1.58	1.63	1.69	1.75
Overall Cash Flow		\$ 126,801	\$ 140,820	\$ 193,843	\$ 248,644	\$ 305,281	\$ 363,814	\$ 424,302	\$ 486,808	\$ 551,398	\$ 618,137	\$ 687,095	\$ 758,341	\$ 831,951	\$ 907,998	\$ 986,560

Additional Comments:

Tab 4A: Financing Sources (Habitat for Humanity)

Tab 4A: Financing Sources

A. Production Funding (see instructions above)

Source Name	Residential Source Type	Proposed Amount	Committed Amount	Public / Private	Application Date	(Projected) Award Date	Grant/ Loan	Funding Type	Interest Rate	Loan Term	Amortization Period	Repayment Structure
Department of Commerce	State - Housing Trust Fund	\$ 3,000,000.00	\$ -									
King County	County	\$ 928,059.00	\$ -									
ARCH	Public Housing Authority	\$ 250,000.00	\$ -									
Private Foundation	Private	\$ 250,000.00	\$ -									
Habitat Mortgage Financing	Bank	\$ 5,633,200.00	\$ -									
		\$ -	\$ -									
Subtotal		\$ 10,061,259.00	\$ -									
Total Production Sources			\$ 10,061,259.00									

B. Homeowners' Financing (see instructions above)

Residential Source Name	Residential Source Type	Proposed Amount	Committed Amount	Public / Private	Application Date	(Projected) Award Date	Grant/ Loan	Funding Type	Interest Rate	Loan Term	Amortization Period	Repayment Structure
Department of Commerce	Mortgage	\$ 3,000,000.00	\$ -									
King county HOME	Mortgage	\$ 928,059.00	\$ -									
ARCH	Mortgage	\$ 250,000.00										
Private Foundation	Other	\$ 250,000.00										
Habitat for Humanity	Mortgage	\$ 5,633,200.00	\$ -									
Subtotal		\$ 10,061,259.00	\$ -									
Total Long Term Financing			\$ 10,061,259.00									

Financing Notes:  
(see instruction above)



## EXHIBIT F

# Other Samples of Development

Pictured: Ronald Commons (Hopelink and SMR)





# Rooftop Terraces

A Approach of Affordable Housing Development Project



Velocity (Imagine, W.G. Clark, SMR)



Dorothy Height Apartments (SMR)



Lucille on Roosevelt (W.G. Clark)

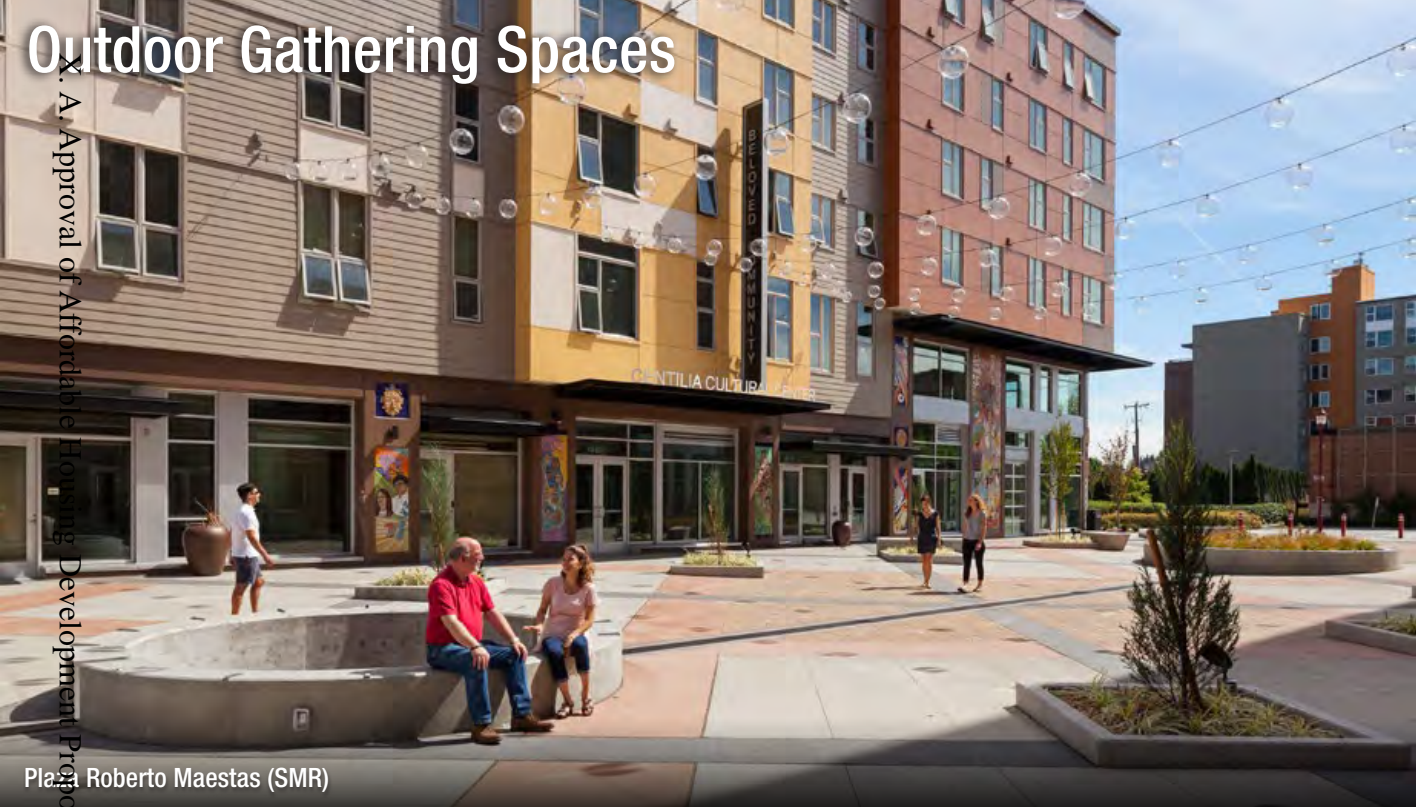


Orion (W.G. Clark)



# Outdoor Gathering Spaces

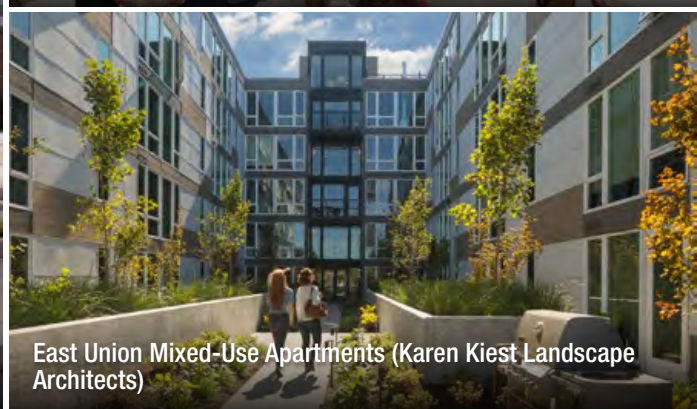
A. Approval of Affordable Housing Development Proposal RFP No. 23-C29...



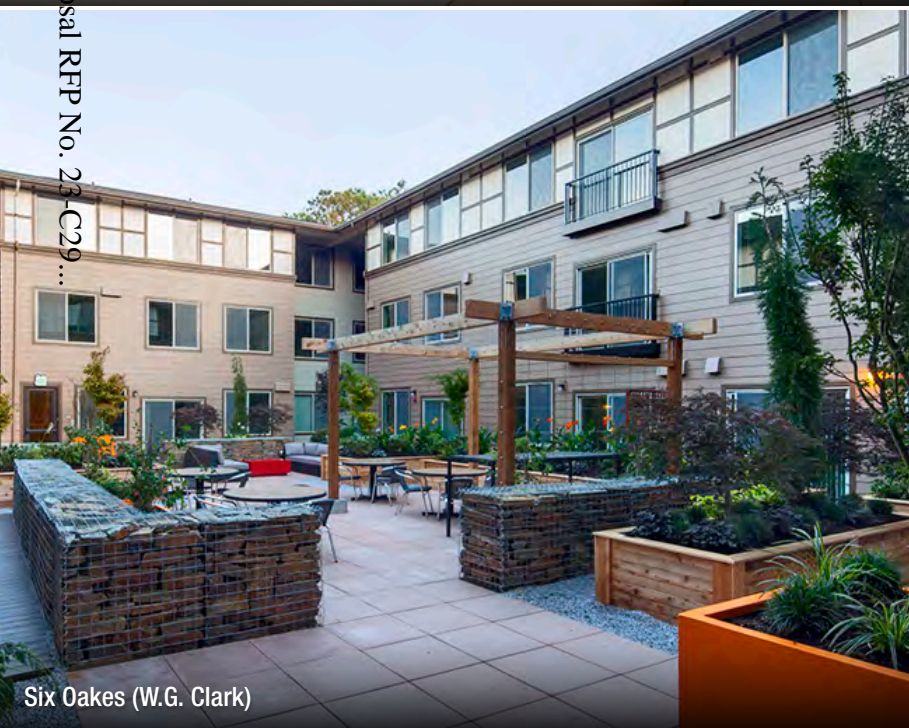
Plaza Roberto Maestas (SMR)



Hoa Mai Gardens (SMR)



East Union Mixed-Use Apartments (Karen Kiest Landscape Architects)



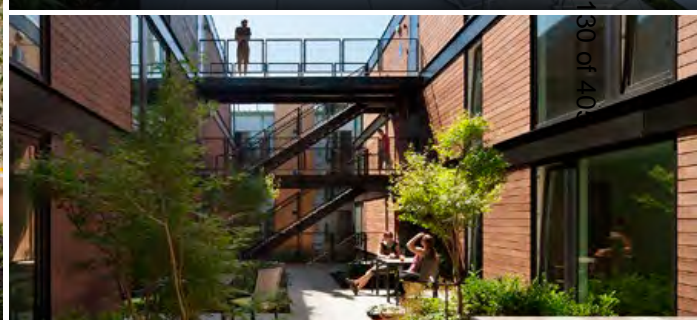
Six Oaks (W.G. Clark)



Odin Apartments (Karen Kiest Landscape Architects)



The Station at Othello Park (Karen Kiest Landscape Architects)



19th & Mercer (Karen Kiest Landscape Architects)



# Commercial Spaces within Residential Buildings



Lucille on Roosevelt (W.G. Clark)



Upton Flats (SMR)



Woodinville Creek Village (W.G. Clark)



Hopelink at Ronald Commons (Hopelink and SMR)



12th Ave Arts (SMR)



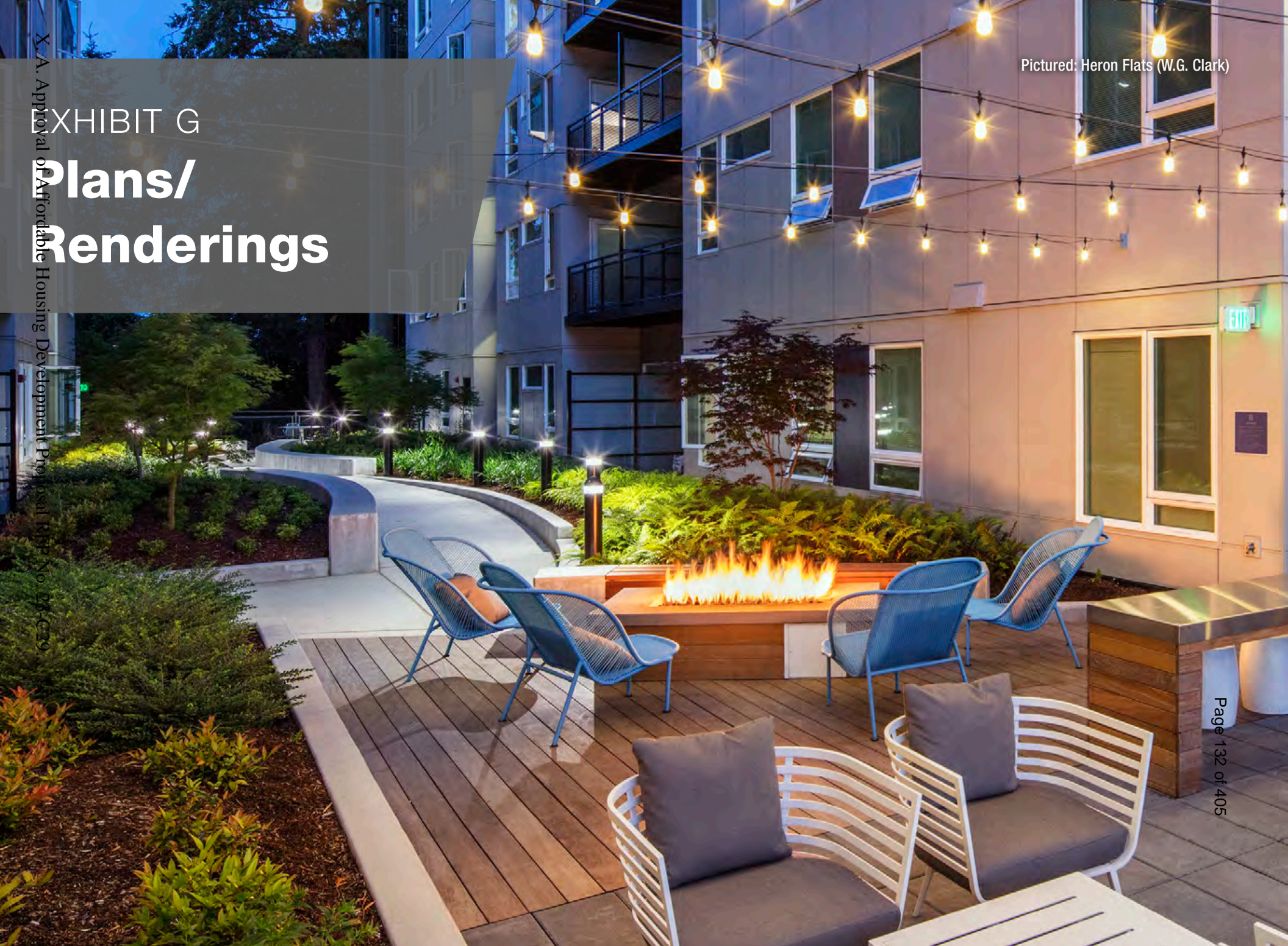
Plaza Roberto Maestas (SMR)



## EXHIBIT G

# Plans/ Renderings

Pictured: Heron Flats (W.G. Clark)





## Schematic Site Plan and Floor Plan Level One



### STORM DRAINAGE

- 1 8" or 12" storm water connection to be pumped up to grade from level 1 parking
- 2 8" pump is required to discharge to public drainage main.
- 3 Storm detention system below driveway

### DOMESTIC WATER AND FIRE SPRINKLER

- 4 New service connection: 8" fire & 4" domestic
- 5 Standpipe or FDC at grade in NE corner
- 6 Fire Department connection (at grade)

### SANITARY SEWER

- 7 8" or 10" sewer connection to gravity drain to public sewer main

### POWER

- 8 Connect to below grade vault.



**The Approach**  
AT KENMORE

SCALE 1:20



**ImagineHousing**  
building eastside communities





Floor Plan: Parking Level One



PARKING COUNT - P1			
	COUNT	WIDTH	DEPTH
REGULAR STALL	12	8' - 8"	18' - 6"

P1 AREA	
IMAGINE HOUSING (75.7%)	26,188 SF
HABITAT FOR HUMANITY (24.3%)	8,441 SF
TOTAL GARAGE AREA	34,610 SF



The Approach  
AT KENMORE



Floor Plan: Levels Two - Five



SCALE 1:20

**HABITAT FOR HUMANITY**  
**UNIT TYPE**

- 1 BDRM
- 2 BDRM
- 3 BDRM
- CIRCULATION
- MEP/STORAGE
- STUDIO

**IMAGINE HOUSING**  
**UNIT TYPE**

- 1 BDRM
- 2 BDRM
- 3 BDRM
- CIRCULATION
- MEP/STORAGE
- STUDIO

HABITAT FOR HUMANITY UNIT MIX				
	STUDIO	1 BED	2 BED	3 BED
LEVELS 2-5	-	-	4	1
TOTAL	-	-	16	4

20 UNITS

IMAGINE HOUSING UNIT MIX				
	STUDIO	1 BED	2 BED	3 BED
LEVELS 2-6	3	11	3	5
LEVEL 7	5	11	3	3
TOTAL	20	66	18	28

132 UNITS

PROJECT TOTAL				
	STUDIO	1 BED	2 BED	3 BED
	20	66	34	32

152 UNITS

LEVEL 2-5 AREA (PER FLOOR)	
IMAGINE HOUSING RESIDENTIAL	15,496 SF
COMMON AREA	414 SF
CIRCULATION	3,140 SF
TOTAL	19,050 SF
HABITAT RESIDENTIAL	5,164 SF
CIRCULATION	1,270 SF
TOTAL	6,440 SF
TOTAL PER FLOOR	25,490 SF



**The Approach**  
AT KENMORE



Floor Plan: Level Six



SCALE 1:20

IMAGINE HOUSING

UNIT TYPE

- 1-BED
- 2-BED
- 3-BED
- CIRCULATION
- MEP/STORAGE
- STUDIO

IMAGINE HOUSING UNIT MIX				
	STUDIO	1 BED	2 BED	3 BED
LEVELS 2-6	3	11	3	5
LEVEL 7	5	11	3	3
TOTAL	20	66	18	28

132 UNITS

PROJECT TOTAL				
	STUDIO	1 BED	2 BED	3 BED
	20	66	34	32

152 UNITS

LEVEL 6 AREA	
IMAGINE HOUSING RESIDENTIAL	15,456 SF
COMMON AREA	414 SF
CIRCULATION	3,148 SF
TOTAL	19,006 SF



The Approach  
AT KENMORE





Floor Plan: Level Seven



SCALE 1:20

IMAGINE HOUSING

UNIT TYPE

- 1-BDRM
- 2-BDRM
- 3-BDRM
- CIRCULATION
- MEP/STORAGE
- STUDIO

IMAGINE HOUSING UNIT MIX				
	STUDIO	1 BED	2 BED	3 BED
LEVELS 2-6	3	11	3	5
LEVEL 7	5	11	3	2
TOTAL	20	66	18	28

132 UNITS

PROJECT TOTAL				
	STUDIO	1 BED	2 BED	3 BED
	20	66	34	32

152 UNITS

LEVEL 7 AREA	
IMAGINE HOUSING RESIDENTIAL	14,249 SF
COMMON AREA	614 SF
CIRCULATION	3,911 SF
ROOF DECK	1,466 SF
TOTAL	17,674 SF



The Approach  
AT KENMORE



X. A. Approval of Affordable Housing Development Proposal RFP No. 23-C29... Front Facade - South View









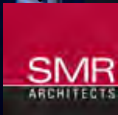




X. A. Approval of Affordable Housing Development at Kenmore RFP No. 23-C29...











**Thank you for considering our proposal.**

Submitted by:



**ImagineHousing**  
building eastside communities

1722 138th Place NE | Bellevue, WA 98005 | 425.576.5190

[troyd@imaginehousing.org](mailto:troyd@imaginehousing.org) | [www.imaginehousing.org](http://www.imaginehousing.org)

# Introducing: The Approach at Kenmore



**Kenmore City Council Meeting**

**December 4, 2023**



**ImagineHousing**  
building eastside communities



**Habitat**  
for Humanity®  
Seattle-King & Kittitas Counties

**hope**link





# The Approach at Kenmore



The Proposal: A 152-unit affordable housing community and unique partnership between Imagine Housing, Habitat for Humanity, and Hopelink

- 20 affordable ownership units (Habitat for Humanity)
- 132 affordable rental units (Imagine Housing)
- 7,000 square feet of commercial space for community services (Hopelink)
- Family-focused housing with a mix of studios, one-bedroom, two-bedroom and three-bedroom units
- Over 20% of units will be 3-bedroom units to serve the needs of larger families
- Walkable site; access to downtown and transit
- \$103 million estimated total cost; financing partner and property payment of \$1.5 million to the City



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**Habitat**  
for Humanity®  
Seattle-King & Kittitas Counties

**hopelink**

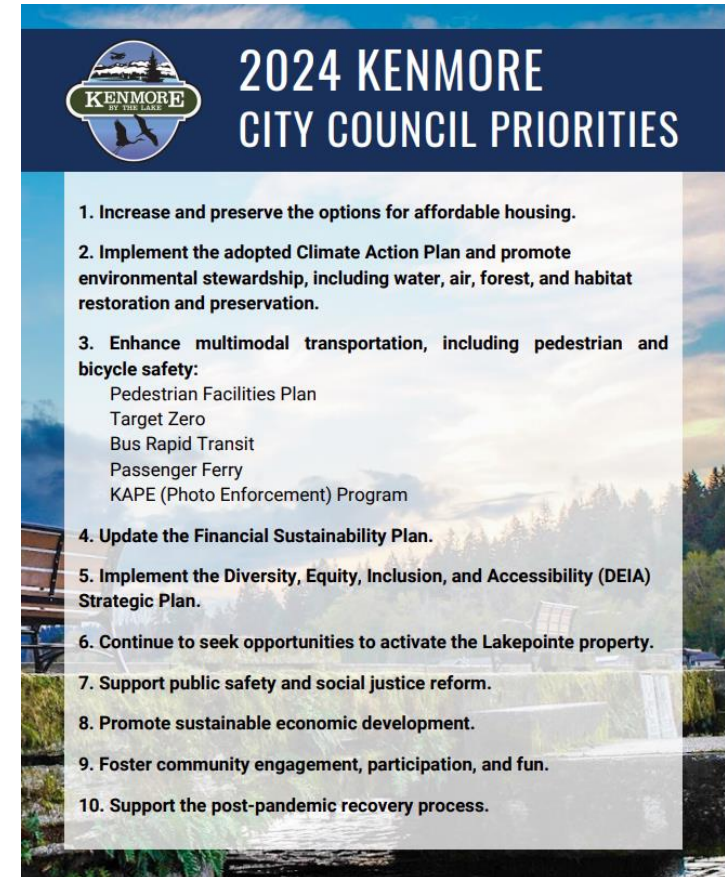




# City of Kenmore's #2 Priority for 2023 and #1 Priority for 2024

## Recognizing the affordable housing crisis

- Affordable housing is the Kenmore City Council's number two priority for 2023
- It was the City Council's number one priority for 2021-2022
- It will return to the City Council's number one priority for 2024



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hopelink



# Holt Property History

The City purchased the Holt property in 2022 for \$3.2 million by drawing down reserves in the City's General Fund and Strategic Opportunities Fund, with the understanding that the City's reserves would be replenished upon sale of the property to a future developer.

## Funding Sources of the Property Purchase:

General Fund Reserve (Fund Balance): \$2.2 million

Strategic Opportunities Fund Reserve (Fund Balance): \$1 million

Projected Ending Fund Balance in the Strategic Opportunities Fund: \$32,041

Strategic Opportunities Fund Balance Goal: \$2.5 million



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for Humanity®  
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# RFP #23-C2969 Timeline

- City purchased the property, located at 7010 NE 181<sup>st</sup> Street, in September 2022 for \$3.2 million
- Property is three doors down from Kenmore City Hall in the heart of Kenmore's downtown
- Issued RFP #23-C2969 seeking responses to develop the property in August 2023
- Responses were due on October 6, 2023
- The City received two responses to the RFP
- The selection committee of City of Kenmore and A Regional Coalition for Housing (ARCH) staff reviewed the responses and interviewed both respondents
- The committee selected the Imagine Housing/Habitat for Humanity/Hopelink proposal





# Roles and Responsibilities

- Imagine Housing is the lead agency
  - Partnership with Habitat for Humanity, Hopelink, Rooney Partners, W.G Clark Construction Co., SMR Architects and subconsultants Atlas Design Group, Kimley-Horn Engineering and Karen Kiest Landscape Architects
- Troy Drawz is our main contact at Imagine
- Rebecca Wold is our main contact at Habitat for Humanity
- Meghan Altimore is our main contact at Hopelink
- Tambi Cork is the main point of contact at the City of Kenmore, with support from Samantha Loyuk and Stephanie Lucash





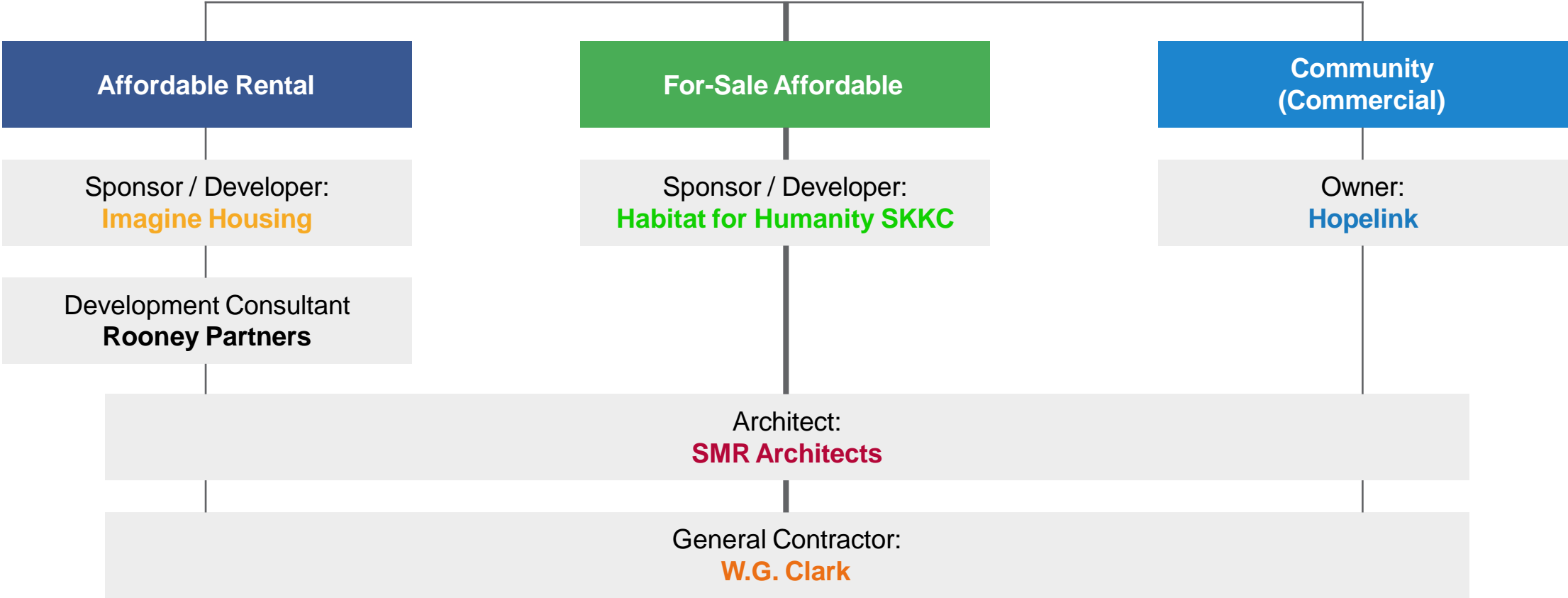
# The Approach

## AT KENMORE



**ImagineHousing**  
building eastside communities

**Site Developer / Project Sponsor**





ImagineHousing  
building eastside communities

- Leading, award-winning affordable housing developer based in East King County
- Committed to developing affordable housing, building welcoming communities, and fostering vibrant futures

35

years of  
operation

1,527

individuals  
served in 2022

16

communities  
across  
the Eastside





# hopelink

- Since 1971, Hopelink has served homeless and low-income families, children, seniors, and people with disabilities in King and Snohomish Counties.
- Hopelink's mission is to promote self-sufficiency for all members of our community to help people make a lasting change.

52

years of  
operation

93%

of families maintained  
or established stable  
housing in 2022

390

staff  
members



**Habitat  
for Humanity®**

**Seattle–King & Kittitas Counties**

- Creates permanently affordable homes for families and individuals with incomes between 30% and 80% AMI
- Our vision is a region – and a world – where everyone has a decent place to live.

**35**

years of  
operation in  
Seattle – King  
and Kittitas  
Counties

**340+**

homes built and sold  
across  
King County

**252**

housing units  
in our  
five-year pipeline  
development





# ROONEY PARTNERS

Expertise in affordable housing development utilizing LIHTC and other affordable housing finance structures.

Real Estate Development Services:

- Development & Project Management
- Real Estate Advisory
- Project Financing
- Entitlement





# W.G.CLARK CONSTRUCTION CO.

- Focuses on collaborative innovation
- Excels in working in high density areas and meeting the challenges of zero lot line construction while keeping construction workers and the communities they work in safe
- Provides expert construction teams that maximize the greatest potential for each project

113

years of  
operation

21,000

units constructed  
since 2000

270

projects built  
since 2000





- Designing affordable housing is an integral part of SMR's culture and one that we embrace fully.
- We believe in a collaborative and creative approach that puts the interest of others first and serves the most vulnerable in our community.

46

years of  
operation

13,100

units of housing designed

160

affordable  
developments  
designed







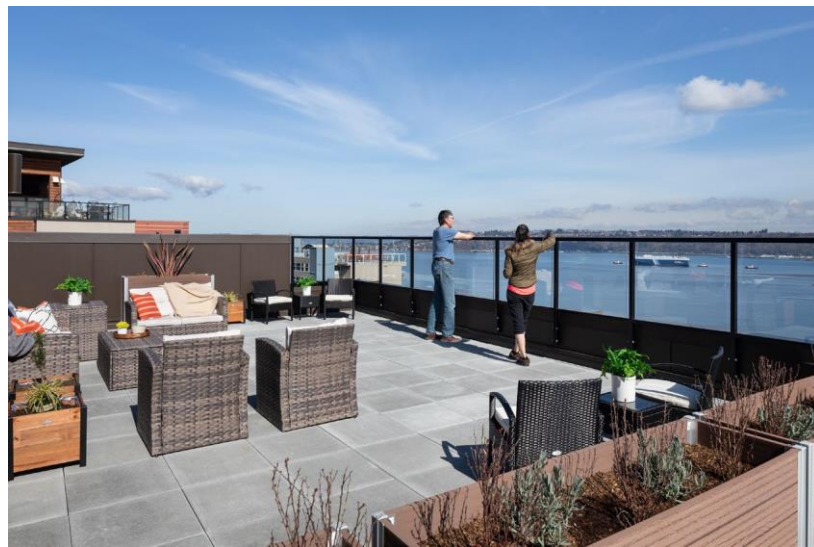








# Rooftop Terraces













# Housing

X.A. Approval of Affordable Housing Development Proposal RFP No. 23-C29 ...







SCALE 1:20



## The Approach AT KENMORE



hopelink



# Project Design



**The Approach**  
AT KENMORE

SCALE 1:20



**The Approach**  
AT KENMORE

SCALE 1:20



**Imagine Housing**  
building eastside communities



**Habitat**  
for Humanity®  
Seattle-King & Kittitas Counties

**hopelink**





# Motions for Consideration

- 1) Approve the selection of the Proposal submitted by Imagine Housing, Habitat for Humanity and Hopelink in response to RFP #23-C2969 and authorize the City to move forward with creating a partnership to develop affordable housing consistent with the Proposal
- 2) Provide staff direction to initiate negotiations with Imagine Housing, Habitat for Humanity, and/or Hopelink for the property sale price, property transfer agreement, threshold determination, development agreement, and any other necessary agreements



# Thank you and Questions







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

**Subject/Topic:**

Public Hearing and Adoption of Ordinance No. 23-0587 Amending the 2023-2024 Biennial Budget and approving a 4.5% wage increase and Salary Plan for 2024

**Proposed Council Action/Motion:**

Adopt Ordinance No. 23-0587

1. Amending the 2023-2024 Biennial Budget
2. Approving a 4.5% Wage Increase and Salary Plan for 2024

**For Council Meeting Agenda of:** December 4, 2023

**Department:** Finance & Administration

**Prepared by:** Melinda Merrell, Finance Director

**Initial & Date**

**Approved by Department Head:**

MM

**Approved by City Attorney:**

N/A

**Approved by Finance Director:**

MM

**Approved by City Manager:**

RK

**Exhibits/Attachments:**

1. Ordinance No. 23-0587 with Exhibit A: 2024 Salary Plan
2. Mid-Biennium Budget Amendment Worksheet
3. Projected Ending Fund Balance Worksheet

**Summary:**

Per RCW 35A.34.130, cities that budget on a biennial basis must adopt an ordinance providing for a mid-biennial review and any modifications of the biennial budget. This must occur no sooner than eight months after the start (September 1, 2023) and no later than the end of the first year of the biennium (December 31, 2023). Another requirement of the mid biennial review process is a public hearing at a City Council meeting, which shall be held on December 4, 2023.

**Information/Background:**

On November 21, 2022 the City of Kenmore adopted the 2023-2024 biennial budget by Ordinance No. 22-0562. The city-wide budget includes revenue (\$79,889,537) and expenditure (\$87,284,869) estimates for both years which support the City Council priorities, departmental work programs, various municipal obligations, as well as Federal and State mandates.

A mid-biennial review of the biennial budget as prescribed by State Law is complete. Another requirement of the mid-biennial review process is a public hearing at a City Council meeting, which shall be held on December 4, 2023.

Amendments to the General Fund, Street Fund, KAPE Fund, Transportation Benefit District Fund, Transportation Capital Fund, Real Estate Excise Tax Fund, Park Capital Fund, Park Impact Fee Fund, Public Works Shop Fund, Surface Water Management Fund, Surface Water Management Capital Fund are being recommended to Council as detailed in Attachment 2.

Also included for Council consideration is an update to the Salary Plan pay ranges. The Seattle-Tacoma-Bellevue CPI-W (Consumer Price Index for Urban Wage Earners and Clerical Workers) as of June 2023 was 4.5%. This is the index typically used by the city for wage adjustments. The pay ranges in the attached Salary Plan have been updated and increased by 4.5% which would allow for a 4.5% wage adjustment for all employees on January 1, 2024. The budget for 2024 included a 4.0% increase for salaries and the difference is not material to the overall budget.

The 2024 budget amendments also include the three positions and associated funds that were approved by Council on February 13, 2023 which occurred after the 2023-2024 budget was adopted. Those positions were a Climate Action Plan Manager, a Housing & Human Services Manager and an Administrative/Financial Services Manager. The amendments also include a new full-time Engineer (Transportation) and a new Project Manager (Surface Water Management) which were part of the funding request in the updates to the CIP over the past few months.

After conclusion of the public hearing, if there are no modifications to the recommended budget adjustments or salary plan, Ordinance 23-0587 will be presented for adoption to amend the 2023-2024 budget and approve the new 2024 Salary Plan which includes a 4.5% wage increase effective January 1, 2024.

**Fiscal Consideration:**

See attached Mid-Biennium Budget Worksheet and November 20, 2023 presentation for details of the proposed revenue and expenditure adjustments.

**City Council Priority or Budget Objective Being Addressed:**

Per RCW 35A, the budget is the legal authority to expend public funds and controls those expenditures by setting the amount of the appropriation at the fund level by ordinance.



**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 23-0587**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, RELATING TO THE 2023-2024 BUDGET; AMENDING THE 2023-2024 BUDGET, TO ADJUST REVENUES AND APPROPRIATIONS FOR THE GENERAL FUND, THE STREET FUND, THE KAPE FUND, THE TRANSPORTATION BENEFIT DISTRICT FUND, THE TRANSPORTATION CAPITAL FUND, THE REAL ESTATE EXCISE TAX FUND, THE PARK CAPITAL FUND, THE PARK IMPACT FEE FUND, THE PUBLIC WORKS SHOP FUND, THE SURFACE WATER MANAGEMENT FUND AND THE SURFACE WATER MANAGEMENT CAPITAL FUND; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

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WHEREAS, the City Council of the City of Kenmore, Washington, (the "City"), is required by applicable State law to finalize its biennial budget prior to the commencement of the first fiscal year of the biennium; and

WHEREAS, the amount of revenue and expenditures can only be estimated at the time of finalization of the budget; and

WHEREAS, by Ordinance No. 22-0562, the City Council adopted the 2023-2024 Biennial Budget on November 21, 2022; and

WHEREAS, the City Council scheduled and held a Public Hearing on the mid-biennial proposed amendments to the 2023-2024 biennial budget on December 4, 2023; and

WHEREAS, the City Council finds it in the best interest of the City to adjust revenues and expenditures in the General Fund, the Street Fund, the KAPE Fund, the Transportation Benefit District Fund, the Transportation Capital Fund, the Real Estate Excise Tax Fund, The Park Capital Fund, the Park Impact Fee Fund, The Public Works Shop Fund, the Surface Water Management Fund and the Surface Water Management Capital Fund;

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

Section 1. Funds Appropriated. The 2023-2024 Biennial Budget is amended by fund to reflect the adjustments to revenues and appropriations as shown below:

REVENUE				
FUND NO.	FUND	2023-2024 Adopted Revenue Budget	2023 Mid-Biennium Amendments	2023-2024 Amended Revenue Budget
001	General Fund	31,305,131	1,662,127	32,967,258
045	Strategic Reserve Fund	27,356	-	27,356
046	Strategic Opportunities Fund	135,018	-	135,018
101	Street Fund	3,850,380	-	3,850,380
105	KAPE Fund	800,000	(250,000)	550,000
110	Public Art Fund	1,400	-	1,400
115	Transportation Benefit District	726,305	480,000	1,206,305
130	ARPA Fiscal Recovery Fund	-	-	-
200	2016 & 2021 UTGO DS Fund	2,116,750	-	2,116,750
300	Transportation Capital Fund	5,636,383	5,129,028	10,765,411
301	Real Estate Excise Tax Fund (REET)	4,896,168	-	4,896,168
302	W&W Bond Project Fund	22,700	-	22,700
303	Park Capital Fund	749,300	1,123,900	1,873,200
304	Park Impact Fee Fund	505,670		505,670
305	Transportation Impact Fee Fund	1,043,334		1,043,334
306	Sammamish Bridge Replacement	1,381,785		1,381,785
307	Public Works Shop Fund	15,951,006	2,924,598	18,875,604
401	Surface Water Management Fund	6,318,615	837,050	7,155,665
402	SWM Capital Fund	4,215,496	2,790,192	7,005,688
403	Swamp Creek Basin	10,000		10,000
501	Equipment Replacement Fund	196,740		196,740
	TOTAL	\$ 79,889,537	\$ 14,696,895	\$ 94,586,432



<b>EXPENDITURES</b>				
<b>FUND NO.</b>	<b>FUND</b>	<b>2023-2024 Adopted Expenditure Budget</b>	<b>2023 Mid-Biennium Amendments</b>	<b>2023-2024 Amended Expenditure Budget</b>
001	General Fund	31,252,425	1,483,876	32,736,301
045	Strategic Reserve Fund	-	-	-
046	Strategic Opportunities Fund	576,000	-	576,000
101	Street Fund	3,804,980	(21,198)	3,783,782
105	KAPE Fund	641,200	(100,000)	541,200
110	Public Art Fund	-	-	-
115	Transportation Benefit District	700,000	480,000	1,180,000
130	ARPA Fiscal Recovery Fund	4,932,411		4,932,411
200	2016 & 2021 UTGO DS Fund	2,116,750		2,116,750
300	Transportation Capital Fund	5,636,383	5,409,028	11,045,411
301	Real Estate Excise Tax Fund (REET)	5,848,900	806,301	6,655,201
302	W&W Bond Project Fund	-		-
303	Park Capital Fund	775,700	1,297,500	2,073,200
304	Park Impact Fee Fund	-	157,500	157,500
305	Transportation Impact Fee Fund	700,000		700,000
306	Sammamish Bridge Replacement	1,381,785		1,381,785
307	Public Works Shop Fund	15,951,006	2,924,598	18,875,604
401	Surface Water Management Fund	8,467,779	1,203,778	9,671,557
402	SWM Capital Fund	3,949,550	3,492,600	7,442,150
403	Swamp Creek Basin	80,000		80,000
501	Equipment Replacement Fund	470,000		470,000
	<b>TOTAL</b>	<b>\$ 87,284,869</b>	<b>\$ 17,133,983</b>	<b>\$ 104,418,852</b>

Section 2. Wage Adjustment. The amended 2023-2024 Biennial Budget includes a 4.5% wage adjustment for City employees, effective January 1, 2024.

Section 3. Positions and Salary Schedules. The various positions and salary ranges for City employees for 2024 are attached to this Ordinance as Exhibit A.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise, invalid for any reason, or should any portion of this Ordinance be preempted by State or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to

other persons or circumstances.

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

ADOPTED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE 4th DAY OF DECEMBER 2023.

CITY OF KENMORE

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Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

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Anastasiya Warhol, City Clerk

APPROVED AS TO FORM:

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Dawn Reitan, City Attorney

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



**City of Kenmore**

**2023 Adopted Salary Plan / 2024 Proposed Salary Plan**

Position	2023 Monthly Pay Ranges		Proposed 2024 Monthly Pay Ranges with 4.5% increase	
	Low	High	Low	High
Deputy City Manager	12,746	16,187	13,320	16,916
Finance & Administration Director	11,853	15,053	12,386	15,730
Public Works Director	11,853	15,053	12,386	15,730
Community Development Director	11,693	14,851	12,219	15,519
Development Services Director	11,693	14,851	12,219	15,519
City Engineer	11,375	14,447	11,887	15,097
Public Works Operations Director	9,736	12,365	10,174	12,921
Environmental Services Director	9,736	12,365	10,174	12,921
HHS Mgr./CAP Mgr./Admin. & Fin. Mgr.	8,882	11,281	9,282	11,789
Project Manager (Transportation, Parks, etc.)	8,540	10,846	8,924	11,334
Principal Planner	8,540	10,846	8,924	11,334
Senior Engineer	8,540	10,846	8,924	11,334
Traffic Engineer	8,540	10,846	8,924	11,334
Senior Development Review Engineer	8,540	10,846	8,924	11,334
Civil Engineer	7,971	10,123	8,330	10,579
Development Review Engineer	7,971	10,123	8,330	10,579
Building Official	7,971	10,123	8,330	10,579
City Clerk	7,803	9,910	8,154	10,356
Senior Planner	7,709	9,790	8,056	10,231
Maint. Supervisor (Parks & Streetscape, Streets & SWM, Facilities & Fleet, etc.)	7,484	9,505	7,821	9,933
Communications Specialist	7,365	9,353	7,696	9,774
Assist. to the City Mgr./DEIA Coordinator	7,365	9,353	7,696	9,774
Building Inspector/Plans Examiner	7,273	9,237	7,600	9,653
Senior Environmental Services Technician	7,273	9,237	7,600	9,653
Planner	6,970	8,852	7,284	9,250
Management Analyst/ARPA	6,970	8,852	7,284	9,250
GIS Analyst	6,970	8,852	7,284	9,250
Accountant	6,628	8,417	6,926	8,796
Building Inspector/Code Compliance Officer	6,628	8,417	6,926	8,796
Executive Assistant	6,469	8,215	6,760	8,585
Deputy City Clerk	6,469	8,215	6,760	8,585
ROW Inspector	6,355	8,071	6,641	8,434
Senior Maintenance Worker	6,194	7,866	6,473	8,220
Environmental Services Technician	5,972	7,584	6,241	7,926
Senior Permit Coordinator	5,972	7,584	6,241	7,926
Assistant Planner	5,868	7,453	6,132	7,788
Recreation Program Supervisor	5,868	7,453	6,132	7,788
Volunteer & Events Supervisor	5,868	7,453	6,132	7,788
Payroll & Accounting Coordinator	5,618	7,135	5,871	7,456
Permit Coordinator	5,618	7,135	5,871	7,456
Senior Facility Maintenance Technician	5,618	7,135	5,871	7,456
Specialist (Administrative, Permit, Events, Records)	5,318	6,753	5,557	7,057
Maintenance Worker	5,275	6,699	5,512	7,000
Administrative Assistant	5,027	6,384	5,253	6,672
Facility Maintenance Technician	4,728	6,005	4,941	6,275
Receptionist	4,419	5,611	4,618	5,864
Intern or Temp Office Aide	20.00	31.00	20.90	32.40
Seasonal Maintenance Worker	20.00	31.00	20.90	32.40

Account No.	Account Name	Current 2023-2024 Budget	Recommended Budget Amendment Increase (decrease)	2023-2024 Amended Budget
<b>Fund 001 General Fund</b>				
<b>REVENUES</b>				
001.000.31110000	Real Property Tax	11,403,392	90,449	11,493,841
001.000.31311000	Local Sales & Use Tax	7,543,271	(311,477)	7,231,794
001.000.31371000	Criminal Justice 1/10 sales tax	1,631,308	(24,108)	1,607,200
001.000.31641000	Electric Utility Tax	1,098,732	430,000	1,528,732
001.000.31643000	Gas Utility Tax	497,375	245,200	742,575
001.000.31647000	Telephone Utility Tax	157,706	(11,456)	146,250
001.000.31649050	Cable Utility Tax	766,000	(166,000)	600,000
001.000.31649070	Solid Waste Utility Tax	-	781,000	781,000
001.000.31649060	Surface Water Utility Tax	253,750	165,422	419,172
001.000.31811000	Admissions Tax	200,000	(135,000)	65,000
001.000.31681000	Gambling Tax	132,092	50,000	182,092
001.000.32191002	Water/Sewer Franchise	1,118,585	100,000	1,218,585
001.000.33606410	Cannibas Excise Tax	78,000	20,000	98,000
001.059.34581000	Land Use	355,434	(100,000)	255,434
001.059.34583001	Plan Review and Other	835,269	275,000	1,110,269
001.059.34800001	Credit Card Processing Fees	33,207	20,000	53,207
001.014.36110000	Investment Earnings	66,903	233,097	300,000
	All changes above to adjust revenue projections			
<b>EXPENDITURES</b>				
New Dept in 2023	054 - Environmental Services	-	572,820	572,820
	Salaries & Benefits - \$316,750			
	Goods & Services - \$256,070			
New Dept in 2023	057 - Housing & Human Services	-	550,700	550,700
	Salaries & Benefits - \$316,750			
	Goods & Services - \$233,950			
001.014.XXXXX.XXXX	014 - Finance & Administration	2,527,861	613,776	3,141,637
	Salaries & Benefits, new F&A Mgr - \$316,750			
	Goods & Services - \$137,026			
	Increase in WCIA premiums - \$160,000			
001.019.59700.9001	Transfers	1,950,513	(480,000)	1,470,513
	Reduce transfer to street fund in relation to increase			
	in Vehicle Fee from \$20 to \$40			
001.XXX.XXXXXXXX	Transfer to Public Works Ops Center	92,200	(63,420)	28,780
	To reduce transfer from GF to PWOC			
001.021.52120.5302	Public Safety	9,666,950	290,000	9,956,950
	Increase to cover Police Services contract			



<b>Fund 101 Street Fund</b>				
<b>REVENUES</b>				
101.000.39700001	Transfer from General Fund	1,858,313	-	1,858,313
	Reduce transfer from GF due to Increase in Vehicle Tab Fee			
101.000.39700115	Transfer from TBD Fund	700,000	480,000	1,180,000
	Increase transfer from TBD Fund due to Increase in Vehicle Tab Fee			
<b>EXPENDITURES</b>				
101.000.XXXXXXXX	Salary and Benefits	1,575,300	100,000	1,675,300
	Moving from KAPE to Street			
101.000.XXXXXXXX	Transfer to Public Works Operations Center	175,880	(121,198)	54,682
	reduce transfer to PWOC			
<b>Fund 105- Kenmore Automated Photo Enforcement Fund</b>				
<b>REVENUES</b>				
105.000.35310002	Photo enforcement revenue	800,000	(250,000)	550,000
	Adjust revenue forecast based on YTD actuals			
<b>EXPENDITURES</b>				
105.000.XXXXXXXX	Salary and Benefits	361,200	(100,000)	261,200
	Adjust expenses to account for lower revenues			
<b>Fund 115 - Transportation Benefit District</b>				
<b>REVENUES</b>				
115.000.31760000	Vehicle Fees	723,600	480,000	1,203,600
	Add in 2023 increase in Vehicle tab fees from \$20 to \$40			
<b>EXPENDITURES</b>				
115.000.59700.0101	Transfer to Street Fund	700,000	480,000	1,180,000
	Increase transfer to Street Fund due to Increase in Vehicle Tab Fee			
<b>Fund 300 Transportation Capital Fund</b>				
<b>REVENUES</b>				
300.000.XXXXXXXX	Connecting WA	200,000	389,045	589,045
300.000.XXXXXXXX	Real Estate Excise Taxes	3,616,379	(491,230)	3,125,149
300.000.XXXXXXXX	Real Estate Excise Taxes-Sammamish Bridge	280,000	975,043	1,255,043
300.000.XXXXXXXX	Connecting WA	500,000	514,458	1,014,458
300.000.XXXXXXXX	Move Ahead WA	187,500	(187,500)	-
300.000.XXXXXXXX	WSDOT ped/bike	322,500	259,042	581,542
300.000.XXXXXXXX	Sound Transit (pending)	-	339,514	339,514
300.000.XXXXXXXX	BRAC Grant (pending)	-	526,553	526,553
300.000.XXXXXXXX	Juanita Funding Carryover	-	606,025	606,025
300.000.XXXXXXXX	68th Ave Ped/Bike Funding Carryover	-	230,773	230,773
300.000.XXXXXXXX	WSDOT Safe Routes to Schools	-	486,832	486,832
300.000.XXXXXXXX	WSDOT Ped/Bike Funds	250,004	84,996	335,000
300.000.XXXXXXXX	Department of Ecology	-	121,388	121,388
300.000.XXXXXXXX	Puget Sound Energy	-	154,089	154,089
300.000.XXXXXXXX	TIB (overlay)	-	920,000	920,000
300.000.XXXXXXXX	T-xx NE 170th Sidewalk Project	-	200,000	200,000
	To update budget amounts to approved CIP			

<b>EXPENDITURES</b>				
300.000.XXXXXXXX	T 8 SR 522 West B 57th to 61st	500,000	(50,581)	449,419
300.000.XXXXXXXX	T 27 Pedestrian Facilities Program	630,000	(630,000)	-
300.000.XXXXXXXX	T 35 Pavement Preservation	1,960,000	89,901	2,049,901
300.000.XXXXXXXX	T 37 West Sammamish River Bridge Replacement		2,320,082	2,320,082
300.000.XXXXXXXX	T 41 Juanita Pedestrian & Bicycle Safety	687,925	1,527,800	2,215,725
300.000.XXXXXXXX	T 42 68th Ave Pedestrian & Bicycle Safety	205,745	230,773	436,518
300.000.XXXXXXXX	T 44 61st Ave Sidewalk Replacement (Phase 1)	525,000	(122,982)	402,018
300.000.XXXXXXXX	T 207 SR 522 Mid block crossing	42,500	(42,500)	-
300.000.XXXXXXXX	T 244 Burke-Gilman Trail/NE 175th St. Wayfinding	255,213	96,189	351,402
300.000.XXXXXXXX	T 252 ADA Transition Program	500,000	15,000	515,000
300.000.XXXXXXXX	T 253 NE 181st St Sidewalk Project	-	380,514	380,514
300.000.XXXXXXXX	T 255 68th/Simonds Restriping Project	-	450,000	450,000
300.000.XXXXXXXX	T 260 80th Ave NE Sidewalk Project	-	376,000	376,000
300.000.XXXXXXXX	T 261 NE 192nd St Sidewalk Project	-	241,000	241,000
300.000.XXXXXXXX	T 262 Arrowhead Project	-	327,832	327,832
300.000.XXXXXXXX	T-xx NE 170th Sidewalk Project	-	200,000	200,000
	To update budget amounts to approved CIP			
<b>Fund 301 REET</b>				
<b>REVENUES</b>				
				-
<b>EXPENDITURES</b>				
				-
301.000.59700.0307	Transfer to Public Works Shop Fund	809,051	342,488	1,151,539
	to record transfer for debt service			
301.000.59700.XXXX	Transfer to Transportation Capital Fund	3,896,379	483,813	4,380,192
	Increase transfer from REET to Transportation			
301.000.59700.XXXX	Transfer to Parks Capital Fund	258,000	(20,000)	238,000
	Reduce transfer from REET to Parks			
<b>Fund 303 Park Capital Fund</b>				
<b>REVENUES</b>				
303.000.XXXXXXXX	2022 Carryover Funds	-	1,160,000	1,160,000
	To utilize P27 funds that moved to reserves at YE 2022			-
303.000.XXXXXXXX	King County Park Levy	300,000	(173,600)	126,400
303.000.XXXXXXXX	RE Excise Tax (parks)	258,000	(20,000)	238,000
	To reduce revenue sources to align with needs			
303.000.39700304	Transfer from Park Impact Fund	-	157,500	157,500
	To cover misc park project expenditures			
<b>EXPENDITURES</b>				
303.000.59476.XXXX	P1 Twin Springs Park Phase I	111,300	137,500	248,800
	To reflect increase in expenditure from budget amount			-
303.000.59476.XXXX	P 27 'a' & 'b' Park Waterfront	290,000	1,160,000	1,450,000
	To utilize carryover balance			



Fund 304 Park Impact Fee Fund				
<b>REVENUES</b>				
<b>EXPENDITURES</b>				
304.000.59700.0303	Transfer to Park Capital Fund	-	157,500	157,500
	To cover misc park projects			
Fund 307 Public Works Shop Fund				
<b>REVENUES</b>				
307.000.39700XXX	F1 Bond proceeds for PWOC	14,100,000	2,400,000	16,500,000
307.000.39700301	Transfer from REET Fund	809,051	342,488	1,151,539
307.000.39700101	Transfer from Street Fund	175,880	(121,198)	54,682
307.000.39700XXX	Transfer from Surface Water Utility Funds	773,875	366,728	1,140,603
307.000.39700001	Transfer from General Fund	92,200	(63,420)	28,780
	To reflect transfer for debt service			
<b>EXPENDITURES</b>				
307.000.XXXXX.XXXX	F1 Bond issuance for PWOC	14,100,000	2,400,000	16,500,000
307.000.XXXXX.XXXX	Debt service	1,851,006	524,598	2,375,604
	to reflect new debt and debt service payments			
Fund 401 Surface Water Management Fund (SWM fund)				
<b>REVENUES</b>				
401.000.XXXXXXXX	Surface Water Charges	6,270,040	837,050	7,107,090
	To adjust for new SWM rates			
<b>EXPENDITURES</b>				
401.000.XXXXX.XXXX	Transfer to SWM Capital	2,128,550	837,050	2,965,600
	To adjust budget to match approved CIP			
401.000.59700.0307	Transfer to Public Works Shop Fund	773,875	366,728	1,140,603
	to increase transfer for debt service public works shop debt			
Fund 402 Surface Water Management Capital Fund				
<b>REVENUES</b>				
402.000.XXXXXXXX	Surface Water Utility Funds	2,128,550	837,050	2,965,600
402.000.XXXXXXXX	Surface Water General Utility Charges	535,946	(103,946)	432,000
402.000.XXXXXXXX	Public Works Trust Fund Loan: 190th Culvert	890,000	(26,362)	863,638
402.000.XXXXXXXX	Bond proceeds for Fish Passage Culvert projects	-	858,600	858,600
402.000.XXXXXXXX	Conservation Grant	365,000	181,750	546,750
402.000.XXXXXXXX	Other grants - unsecured	-	1,043,100	1,043,100
402.000.XXXXXXXX	To adjust budget to match approved CIP			
<b>EXPENDITURES</b>				
402.000.XXXXXXXX	SW 36 Restoration Projects (Land Acq, Demo, Restore)	-	49,000	49,000
402.000.XXXXXXXX	SW 37 192ND SC Trib Fish Passage Culvert Repl	-	1,735,000	1,735,000
402.000.XXXXXXXX	SW 38 163RD Trib 0057 Fish Passage Culvert Rep	-	197,500	197,500
402.000.XXXXXXXX	SW 39 76TH Trib 0057 Fish Passage Culvert Repl	-	178,500	178,500
402.000.XXXXXXXX	SW 40 74TH Trib 0057 Fish Passage Culvert Repl	-	170,300	170,300
402.000.XXXXXXXX	SW 41 74TH Trib 0057 Fish Passage Culvert Repl	-	105,800	105,800
402.000.XXXXXXXX	SW 42 169TH Samm Trib Fish Passage Culvert Repl	-	206,500	206,500
402.000.XXXXXXXX	Fish Passage Culvert Projects Debt Payments	-	850,000	850,000
	To adjust budget to match approved CIP			

PROJECTED ENDING FUND BALANCE				Page 179 of 405			
FUND NO.	FUND	2022 Actual Ending Fund Balance	Budget Revenues	Budget Expenditures	Amendments Revenues	Amendments Expenditures	2024 Projected Ending Fund Balance
001	General Fund	3,533,762	31,305,131	31,252,425	1,662,127	1,483,876	3,764,719
045	Strategic Reserve fund	1,365,196	27,356	-	-	-	1,392,552
046	Strategic Opportunities Fund	799,756	135,018	576,000	-	-	358,774
101	Street fund	2,270,571	3,850,380	3,804,980	-	(21,198)	2,337,169
105	KAPE Fund	-	800,000	641,200	(250,000)	(100,000)	8,800
110	Public Art Fund	119,725	1,400	-	-	-	121,125
115	Transportation Benefit District	151,522	726,305	700,000	480,000	480,000	177,827
130	ARPA Fiscal Recovery Fund	5,135,514	-	4,932,411	-	-	203,103
200	2016 UTGO Debt Service Fund	176,713	2,116,750	2,116,750	-	-	176,713
300	Transportation Capital Fund	2,443,877	5,636,383	5,636,383	5,129,028	5,409,028	2,163,877
301	Real Estate Excise Tax Fund (REET)	2,951,067	4,896,168	5,848,900	-	806,301	1,192,034
302	W&W Bond Project fund	59,961	22,700	-	-	-	82,661
303	Park Capital Fund	1,604,872	749,300	775,700	1,123,900	1,297,500	1,404,872
304	Park Impact Fee Fund	94,931	505,670	-	-	157,500	443,101
305	Transportation Impact fee Fund	360,027	1,043,334	700,000	-	-	703,361
306	Sammamish Bridge Replacement	617,654	1,381,785	1,381,785	-	-	617,654
307	Public Works Shop fund	429,799	15,951,006	15,951,006	2,924,598	2,924,598	429,799
401	Surface Water Management Fund	4,323,250	6,318,615	8,467,779	837,050	1,203,778	1,807,358
402	SWM Capital Fund	1,768,341	4,215,496	3,949,550	2,790,192	3,492,600	1,331,879
403	Swamp Creek Basin	450,390	10,000	80,000	-	-	380,390
501	Equipment Replacement Fund	690,533	196,740	470,000	-	-	417,273
	TOTAL	\$ 29,347,461	\$ 79,889,537	\$ 87,284,869	\$ 14,696,895	\$ 17,133,983	\$ 19,515,041



**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 23-0587**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, RELATING TO THE 2023-2024 BUDGET; AMENDING THE 2023-2024 BUDGET, TO ADJUST REVENUES AND APPROPRIATIONS FOR THE GENERAL FUND, THE STREET FUND, THE KAPE FUND, THE TRANSPORTATION BENEFIT DISTRICT FUND, THE TRANSPORTATION CAPITAL FUND, THE REAL ESTATE EXCISE TAX FUND, THE PARK CAPITAL FUND, THE PARK IMPACT FEE FUND, THE PUBLIC WORKS SHOP FUND, THE SURFACE WATER MANAGEMENT FUND AND THE SURFACE WATER MANAGEMENT CAPITAL FUND; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

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WHEREAS, the City Council of the City of Kenmore, Washington, (the "City"), is required by applicable State law to finalize its biennial budget prior to the commencement of the first fiscal year of the biennium; and

WHEREAS, the amount of revenue and expenditures can only be estimated at the time of finalization of the budget; and

WHEREAS, by Ordinance No. 22-0562, the City Council adopted the 2023-2024 Biennial Budget on November 21, 2022; and

WHEREAS, the City Council scheduled and held a Public Hearing on the mid-biennial proposed amendments to the 2023-2024 biennial budget on December 4, 2023; and

WHEREAS, the City Council finds it in the best interest of the City to adjust revenues and expenditures in the General Fund, the Street Fund, the KAPE Fund, the Transportation Benefit District Fund, the Transportation Capital Fund, the Real Estate Excise Tax Fund, The Park Capital Fund, the Park Impact Fee Fund, The Public Works Shop Fund, the Surface Water Management Fund and the Surface Water Management Capital Fund;

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

Section 1. Funds Appropriated. The 2023-2024 Biennial Budget is amended by fund to reflect the adjustments to revenues and appropriations as shown below:

REVENUE				
FUND NO.	FUND	2023-2024 Adopted Revenue Budget	2023 Mid-Biennium Amendments	2023-2024 Amended Revenue Budget
001	General Fund	31,305,131	1,662,127	32,967,258
045	Strategic Reserve Fund	27,356	-	27,356
046	Strategic Opportunities Fund	135,018	-	135,018
101	Street Fund	3,850,380	-	3,850,380
105	KAPE Fund	800,000	(250,000)	550,000
110	Public Art Fund	1,400	-	1,400
115	Transportation Benefit District	726,305	480,000	1,206,305
130	ARPA Fiscal Recovery Fund	-	-	-
200	2016 & 2021 UTGO DS Fund	2,116,750	-	2,116,750
300	Transportation Capital Fund	5,636,383	5,129,028	10,765,411
301	Real Estate Excise Tax Fund (REET)	4,896,168	-	4,896,168
302	W&W Bond Project Fund	22,700	-	22,700
303	Park Capital Fund	749,300	1,123,900	1,873,200
304	Park Impact Fee Fund	505,670		505,670
305	Transportation Impact Fee Fund	1,043,334		1,043,334
306	Sammamish Bridge Replacement	1,381,785		1,381,785
307	Public Works Shop Fund	15,951,006	2,924,598	18,875,604
401	Surface Water Management Fund	6,318,615	837,050	7,155,665
402	SWM Capital Fund	4,215,496	2,790,192	7,005,688
403	Swamp Creek Basin	10,000		10,000
501	Equipment Replacement Fund	196,740		196,740
	TOTAL	\$ 79,889,537	\$ 14,696,895	\$ 94,586,432



EXPENDITURES				
FUND NO.	FUND	2023-2024 Adopted Expenditure Budget	2023 Mid-Biennium Amendments	2023-2024 Amended Expenditure Budget
001	General Fund	31,252,425	1,483,876	32,736,301
045	Strategic Reserve Fund	-	-	-
046	Strategic Opportunities Fund	576,000	-	576,000
101	Street Fund	3,804,980	(21,198)	3,783,782
105	KAPE Fund	641,200	(100,000)	541,200
110	Public Art Fund	-	-	-
115	Transportation Benefit District	700,000	480,000	1,180,000
130	ARPA Fiscal Recovery Fund	4,932,411		4,932,411
200	2016 & 2021 UTGO DS Fund	2,116,750		2,116,750
300	Transportation Capital Fund	5,636,383	5,409,028	11,045,411
301	Real Estate Excise Tax Fund (REET)	5,848,900	806,301	6,655,201
302	W&W Bond Project Fund	-		-
303	Park Capital Fund	775,700	1,297,500	2,073,200
304	Park Impact Fee Fund	-	157,500	157,500
305	Transportation Impact Fee Fund	700,000		700,000
306	Sammamish Bridge Replacement	1,381,785		1,381,785
307	Public Works Shop Fund	15,951,006	2,924,598	18,875,604
401	Surface Water Management Fund	8,467,779	1,203,778	9,671,557
402	SWM Capital Fund	3,949,550	3,492,600	7,442,150
403	Swamp Creek Basin	80,000		80,000
501	Equipment Replacement Fund	470,000		470,000
	<b>TOTAL</b>	<b>\$ 87,284,869</b>	<b>\$ 17,133,983</b>	<b>\$ 104,418,852</b>

Section 2. Wage Adjustment. The amended 2023-2024 Biennial Budget includes a 4.5% wage adjustment for City employees, effective January 1, 2024.

Section 3. Positions and Salary Schedules. The various positions and salary ranges for City employees for 2024 are attached to this Ordinance as Exhibit A.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise, invalid for any reason, or should any portion of this Ordinance be preempted by State or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to

other persons or circumstances.

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

ADOPTED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE 4th DAY OF DECEMBER 2023.

CITY OF KENMORE

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Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

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Anastasiya Warhol, City Clerk

APPROVED AS TO FORM:

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Dawn Reitan, City Attorney

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



**City of Kenmore**

**2023 Adopted Salary Plan / 2024 Proposed Salary Plan**

Position	2023 Monthly Pay Ranges		Proposed 2024 Monthly Pay Ranges with 4.5% increase	
	Low	High	Low	High
Deputy City Manager	12,746	16,187	13,320	16,916
Finance & Administration Director	11,853	15,053	12,386	15,730
Public Works Director	11,853	15,053	12,386	15,730
Community Development Director	11,693	14,851	12,219	15,519
Development Services Director	11,693	14,851	12,219	15,519
City Engineer	11,375	14,447	11,887	15,097
Public Works Operations Director	9,736	12,365	10,174	12,921
Environmental Services Director	9,736	12,365	10,174	12,921
HHS Mgr./CAP Mgr./Admin. & Fin. Mgr.	8,882	11,281	9,282	11,789
Project Manager (Transportation, Parks, etc.)	8,540	10,846	8,924	11,334
Principal Planner	8,540	10,846	8,924	11,334
Senior Engineer	8,540	10,846	8,924	11,334
Traffic Engineer	8,540	10,846	8,924	11,334
Senior Development Review Engineer	8,540	10,846	8,924	11,334
Civil Engineer	7,971	10,123	8,330	10,579
Development Review Engineer	7,971	10,123	8,330	10,579
Building Official	7,971	10,123	8,330	10,579
City Clerk	7,803	9,910	8,154	10,356
Senior Planner	7,709	9,790	8,056	10,231
Maint. Supervisor (Parks & Streetscape, Streets & SWM, Facilities & Fleet, etc.)	7,484	9,505	7,821	9,933
Communications Specialist	7,365	9,353	7,696	9,774
Assist. to the City Mgr./DEIA Coordinator	7,365	9,353	7,696	9,774
Building Inspector/Plans Examiner	7,273	9,237	7,600	9,653
Senior Environmental Services Technician	7,273	9,237	7,600	9,653
Planner	6,970	8,852	7,284	9,250
Management Analyst/ARPA	6,970	8,852	7,284	9,250
GIS Analyst	6,970	8,852	7,284	9,250
Accountant	6,628	8,417	6,926	8,796
Building Inspector/Code Compliance Officer	6,628	8,417	6,926	8,796
Executive Assistant	6,469	8,215	6,760	8,585
Deputy City Clerk	6,469	8,215	6,760	8,585
ROW Inspector	6,355	8,071	6,641	8,434
Senior Maintenance Worker	6,194	7,866	6,473	8,220
Environmental Services Technician	5,972	7,584	6,241	7,926
Senior Permit Coordinator	5,972	7,584	6,241	7,926
Assistant Planner	5,868	7,453	6,132	7,788
Recreation Program Supervisor	5,868	7,453	6,132	7,788
Volunteer & Events Supervisor	5,868	7,453	6,132	7,788
Payroll & Accounting Coordinator	5,618	7,135	5,871	7,456
Permit Coordinator	5,618	7,135	5,871	7,456
Senior Facility Maintenance Technician	5,618	7,135	5,871	7,456
Specialist (Administrative, Permit, Events, Records)	5,318	6,753	5,557	7,057
Maintenance Worker	5,275	6,699	5,512	7,000
Administrative Assistant	5,027	6,384	5,253	6,672
Facility Maintenance Technician	4,728	6,005	4,941	6,275
Receptionist	4,419	5,611	4,618	5,864
Intern or Temp Office Aide	20.00	31.00	20.90	32.40
Seasonal Maintenance Worker	20.00	31.00	20.90	32.40

**CITY OF KENMORE**  
Finance Department

# **Public Hearing**

# **2023-2024 Mid-Biennium Budget**

# **Amendments**

**December 4, 2023**





# Why Mid Biennium Review and Adjustment

- Mid Biennium Review required for a biennial budget, RCW 35A.34.130
  - Amend due to changing economic conditions
  - Amend due to changes in work programs and priorities
- Adjust for previously approved Council actions and/or direction during year
  - CIP Update, September 11, 2023
  - CAP and HHS funding package, February 13, 2023
- Ensure legally adopted expenditures for various funds not exceeded



# General Fund Adjustments, 2023-2024

## Revenues

### General Fund overall

- All adjustments based on 6 year financial forecast for both years of biennium
- Net impact to General Fund, \$118K increase

### Recommended revenue increases, \$1.7M net

Large increases include:

- \$781K Solid Waste Utility Tax
- \$430K Electric Utility Tax
- \$245K Natural Gas Utility Tax
- \$165K Surface Water Utility Tax
- \$275K Plan Review Fees
- \$233K Investment Earnings

# General Fund Adjustments, 2023-2024

## Revenues, continued

**Recommended revenue  
decreases, \$1.7M net**

Large decreases include:

- \$311K Sales Tax
- \$166K Cable Utility Tax
- \$135K Admission Tax
- \$100K Land Use Permit Appl Fees





# General Fund Adjustments, 2023-2024

## Expenditures

**Recommended expenditure adjustments\*, \$1.5M net**

Large increases (decreases) include:

- \$573K new Climate Action Plan Program
- \$550K new Housing & Human Svcs Prgm
- \$454K new Finance Mgr & Admin Costs
- \$160K WCIA Premiums
- \$(480K) Street Fund Transfer
- \$290K Police Services

\*Expenditure increases and decreases cover both years of the biennium



# General Fund Adjustments, 2023-2024

## Summary

### Summary 2023-2024 Amended General Fund Budget

Total Amended Revenues	\$33.0M
Total Amended Expenditures	\$32.8M

### Net Impact to Ending Fund Balance

GF Ending Fund Balance	\$3,586,468
Add: Revenue Adjustments	\$1,662,127
Less: Expenditure Adjustments	<u>\$(1,543,876)</u>
Amended GF Ending Fund Balance	\$3,704,719



# Other Fund Adjustments:

## Street Fund

- **\$21K net reduction in Expenses**
- Revenues:
  - \$(480,000) Reduce transfer from GF
  - \$480,000 Incr transfer from TBD fund due to increase in Vehicle Tab Fee
- Expenses:
  - \$100,000 from KAPE to cover Salaries & Benefits
  - \$(121,198) reduce transfer to PWOC

## KAPE Fund

- **\$150K net reduction in revenue**
- Revenues:
  - \$(250,000) Reduction due to delayed start to program
- Expenses:
  - \$(100,000) Partial Salaries and benefits moved to Street Fund due to lower revenues

## Transportation Benefit District Fund

- **\$0 net impact to Fund**
- Revenues:
  - \$480,000 Increase in Vehicle Tab Fees
- Expenses:
  - \$480,000 Increase transfer to Street Fund for increase in Vehicle Tab Fees



# Other Fund Adjustments:

## Transportation Capital Fund

- **\$0.3M net increase expense**
- Revenues:
  - \$5.1M Increase per adopted CIP, multiple funding changes
- Expenses:
  - \$5.4M Increase per adopted CIP, multiple project changes

## REET Fund

- **\$806K net increase expense**
- Expenses:
  - \$342,488 Transfer to PW Shop Fund for debt service
  - \$483,813 Increase transfer to Transportation
  - \$(20,000) Reduce transfer from REET to Parks

## Park Capital Fund

- **\$0.2M net increase exp**
- Revenues:
  - \$1.1M Increase per adopted CIP, multiple funding changes
- Expenses:
  - \$1.3M Increase to complete P1 and P2 as per adopted CIP (\$1.2M from carryover)

# Other Fund Adjustments:

## Park Impact Fee Fund

- **\$157K net increase in expenses**
- Expenses:
  - \$157,500 Transfer to Park Capital Fund

## Public Works Shop Fund

- **\$0 net impact to Fund**
- Revenues:
  - \$2.4M Bond proceeds
  - \$524,598 Net increase in Transfers from REET, Street, Surface Water Utility and General Fund
- Expenses:
  - \$2.4M Bond issuance
  - \$524,598 Debt service payment

# Other Fund Adjustments:

## Surface Water Management Fund

- **\$367K net increase in expenses**
- Revenues:
  - \$837,050 To adjust for new SWM rates
- Expenses:
  - \$837,050 Transfer to SWM Capital Fund per approved CIP
  - \$366,728 Transfer to PW Shop for debt service

## Surface Water Management Capital Fund

- **\$0.7M net increase in expenses**
- Revenues:
  - \$2.8M Increase per adopted CIP, multiple funding changes
- Expenses:
  - \$3.5M Increase per adopted CIP, multiple project changes



# Update to 2024 Salary Plan

- June CPI–W Seattle-Tacoma-Bellevue Index
  - (Consumer Price Index Urban Wage Earners & Clerical Workers)
  - Index typically used by City for wage adjustments
- Increased 4.5%
- Recommend 4.5% adjustment to salary ranges
  - Adjustment effective as of January 1, 2024



# New Positions added to budget

- General Fund
  - Climate Action Plan Manager
  - Housing and Human Services Manager
  - Finance Manager
- Surface Water Management Fund
  - FT Project Manager to assist with increased work plan (per 11/13/23 adopted SWM CIP)
- Transportation Capital
  - FT Engineer to assist with increased work plan (per 9/11/23 adopted CIP)



- **Conclusion of Presentation Portion of Public Hearing**
- **Open for Public Comments and Questions**





# For comments and questions:

Melinda Merrell

Finance & Administration Director, Finance Department

[mmerrell@kenmorewa.gov](mailto:mmerrell@kenmorewa.gov)

425 398 8900 (x6190)





The following items are included in Tier 2:

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve existing trees along the perimeter of a development.
5. Establish a tree fund for instances where replacement is infeasible (“fee in lieu”).
6. Establish an Exceptional Tree program (adopted 10/16/2023).

**Increase the tree density requirement for new development.** The amendments to KMC 18.57.060 increase the tree density requirements for new development from 30 tree units per acre to 40, a 33% increase in the tree units that must be present on newly developed land.

**Decrease yearly allowances for single-family tree removal.** KMC 15.25.070(B)(2)(d) currently allows for the removal of 2 trees annually from a lot up to 10,000 square feet, 4 trees annually for lots between 10,000 and 20,000 square feet, 6 trees annually for lots between 20,000 and 30,000 square feet, and 8 trees annually for lots larger than 30,000 square feet. These amendments would eliminate all of those allowances and permit the removal of only a single significant tree per year from any property and requiring replacement at a one to one ratio.

**Always require replacement.** The amendments add a new provision to KMC 15.25.070(B)(1) stating that a permit is required for removing any significant tree and a standard condition of the permit is that the removed tree must be replaced with a native tree.

**Preserve existing trees along the perimeter of a development.** In order to preserve all significant trees on a property’s perimeter, the amendments add a definition for the term “perimeter landscape” in KMC 15.25 and 18.20 as the area along the boundaries of a development site. A new footnote is added to KMC 18.35.045 requiring the retention of significant trees in residential development setbacks and KMC 18.57.080(D) is revised to require retention of all significant trees within the perimeter landscaping.

**Establish a tree fund for instances where replacement is infeasible (“fee in lieu”).** In order to establish a tree fund, KMC 18.57.080(D)(2), which dealt with off-site planting of replacement trees, would be replaced by a new section that details a fee-in-lieu system, whereby the city manager has authority to approve payments by property owners into a fund to plant trees on City-owned property where it would be infeasible to plant replacement trees on the subject property.

SEPA review and notice to the Washington State Department of Commerce have been completed, as required before adoption.

The City has received public comments about the difficulty of reconciling housing obligations and tree protections, implying that the protection of trees will prevent the City from meeting its housing obligations under the Growth Management Act. However, the two goals are not mutually exclusive, as shown by the substantial amount of work on housing the City Council has performed over the years (and will continue to do in the future):

- [Housing Strategy Plan](#)
- [Missing Middle Housing](#)
- [Plymouth Affordable Housing Development](#)
- [RFP Issued for Affordable Housing Development at the City-owned Holt property](#)



- [Comprehensive Plan Update](#)

The City Council has also considered tree protections at the following public meetings:

- November 20, 2023: Public hearing on proposed Tier 2 regulations  
Agenda link: [Kenmore – Document Center \(civicweb.net\)](#)
- October 16, 2023: Adoption of exceptional tree ordinance  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- October 9, 2023: Public hearing on proposed exceptional tree ordinance  
Agenda link: [Kenmore – Document Center \(civicweb.net\)](#)
- September 25, 2023: Public hearing on proposed exceptional tree ordinance  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- September 11, 2023: Staff presentation on proposed exceptional tree ordinance  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- October 24, 2022: Study session on amendments to the tree regulations, including a proposed exceptional tree ordinance  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- July 18, 2022: Continued tree regulations discussion  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- May 16, 2022: Tree regulations discussion  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- March 21, 2022: Adoption of tree regulation ordinance, including definition of significant trees, nuisance species, and permitting process for tree removal  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- December 6, 2021: Tree regulations discussion  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- September 20, 2021: Report and discussion on exceptional trees and residential tree subsidy programs  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)

The City Council has prioritized both the need for housing and tree preservation, which is consistent with its top two priorities adopted in the 2023-2024 Kenmore City Council Priorities:

# 1: Implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.

# 2: Increase and preserve the options for affordable housing stock.

**Fiscal Consideration:**

The proposed tree regulations will result in increased staff workloads, including fielding more questions and concerns from property owners, permit processing, plan review, and code enforcement. The code may result in the need for a new position, City Arborist.

**City Council Priority or Budget Objective Being Addressed:**

1. Implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.



**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 23-0597**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,  
AMENDING CHAPTERS 15.25, 18.20, 18.21, 18.35, AND 18.57 OF  
THE KENMORE MUNICIPAL CODE TO INCREASE THE TREE  
DENSITY REQUIREMENT FOR NEW DEVELOPMENT; DECREASE  
YEARLY ALLOWANCES FOR SINGLE-FAMILY TREE REMOVAL;  
ALWAYS REQUIRE REPLACEMENT FOR THE REMOVAL OF  
SIGNIFICANT TREES; ESTABLISH REQUIREMENTS TO PRESERVE  
ALL TREES WHOSE REMOVAL IS NOT REQUIRED FOR  
CONSTRUCTION; ESTABLISH A TREE FUND; PROVIDING FOR  
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

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WHEREAS, the City of Kenmore Comprehensive Plan (“Comprehensive Plan”) Policy LU-2.2.3 states that Kenmore’s regulation of land use should: a) protect public health, safety, and general welfare; b) protect environmentally sensitive areas, including wetlands, groundwater, streams, Lake Washington, the Sammamish River, and Puget Sound; and c) support tree preservation, whenever possible; and

WHEREAS, Comprehensive Plan Policy LU-1.5.2 identifies that development regulations should provide and address, among other things, tree retention standards; and

WHEREAS, consistent with the Comprehensive Plan, the City Council adopted Chapter 18.57 of the Kenmore Municipal Code (“KMC”), the “Tree Management and Protection Code” and declared that the purpose of the chapter was to establish a process and standards to:

1. Increase the livability of an area by helping to screen people and *buildings* from wind and inclement weather;
2. Create a special sense of identity, a sense of community and civic pride, and a memorable place to live and work;
3. Preserve and enhance the *City’s* physical and aesthetic character by preventing untimely and indiscriminate removal or destruction of *trees*;
4. Promote *site* planning, construction practices, and horticultural practices that are consistent with the *reasonable* use of property;
5. Implement the goals and objectives of the *City’s* comprehensive plan; and



6. Implement the goals and objectives of the *City's* parks and recreation master plan.

WHEREAS, the City Council finds that the purposes for tree protection regulations as articulated above remain valid today, and that protecting trees provides substantial value to the City and its residents by:

A. Reducing soil erosion and water pollution in the City's streams and creeks by providing wind breaks, slowing the surface movement of water, reducing the amount of stormwater runoff, and stabilizing soil with their roots and fallen leaves;

B. Improving air quality by removing pollutant gases and airborne particles;

C. Positively affecting energy and water conservation by providing shade, lowering temperatures, and reducing net evaporation rates;

D. Reducing noise pollution by absorbing and deadening excessive and/or unwanted noise and by screening the source of the noise from view; and

E. Providing a wide variety of habitats and ecosystems for birds, mammals, and other wildlife [KMC 18.57.015.A-E];

WHEREAS, in May of 2022, the City Council adopted the City of Kenmore Climate Action Plan ("CAP"), which acknowledges that cities like Kenmore have a critical role to play in addressing climate change impacts, including, but not limited to protecting, preserving, and restoring environmental and natural resources; and

WHEREAS, CAP priorities, goals, and strategies include the expansion of tree canopy and sequestration opportunities, protecting critical and natural areas, and protecting local water bodies; and

WHEREAS, the City Council and members of the public have voiced concerns with the scope of tree removal within the City, and the Council directed staff to bring forward proposed regulations to further preserve and protect Kenmore's urban forest canopy; and

WHEREAS, the City Council has considered tree protection regulations at its April 19, 2021, June 14, 2021, September 20, 2021, December 6, 2021, March 21, 2022, May 16, 2022, July 18, 2022, October 24, 2022, September 11, 2023, September 25, 2023, and October 9, 2023 meetings; and

WHEREAS, the adoption of land use and zoning regulations is a valid exercise of the City's police powers and is specifically authorized by RCW 35A.63.100, RCW 36.70A.040, and the Washington Constitution, Article XI, Section 11; and

WHEREAS the Proposed Amendments support Council priorities to implement the adopted Kenmore CAP and promote environmental stewardship, including water, air, forest, and habitat restoration; and

WHEREAS, the City sent notice of the Proposed Amendments to the Washington State Department of Commerce pursuant to RCW 36.70A.106; and

WHEREAS, on September 1, 2023, the City's Responsible Official issued a Determination of Non-Significance pursuant to the State Environmental Policy Act in relation to the Proposed Amendments; and

WHEREAS, the City Council held a public hearing on November 20, 2023, and December 11, 2023, and considered the comments and record relating to the Proposed Amendments; and

WHEREAS, the City Council desires to adopt the Proposed Amendments and finds that such amendments are consistent with the 2023-2024 Council Priorities, the goals, objectives, and policies of the Comprehensive Plan; and

WHEREAS, the City Council has been guided by the goals of the Growth Management Act (RCW 36.70A.020) when considering adoption of the Proposed Amendments; and

WHEREAS, the City Council finds that adoption of the Proposed Amendments is in the best interests of the residents of Kenmore and will promote the public health, safety, and welfare of the City;

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

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

Section 2. Amendment. The City Council amends Chapter 15.25 of the Kenmore Municipal Code as set forth in Exhibit A, attached hereto and incorporated by reference as if set forth in full.

Section 3. Amendment. The City Council amends Chapter 18.20 of the Kenmore Municipal Code as set forth in Exhibit B, attached hereto and incorporated by reference as if set forth in full.

Section 4. Amendment. The City Council amends Chapter 18.21 of the Kenmore Municipal Code as set forth in Exhibit B, attached hereto and incorporated by reference as if set forth in full.

Section 5. Amendment. The City Council amends Chapter 18.35 of the Kenmore Municipal Code as set forth in Exhibit B, attached hereto and incorporated by reference

as if set forth in full.

Section 6. Amendment. The City Council amends Chapter 18.57 of the Kenmore Municipal Code as set forth in Exhibit C, attached hereto and incorporated by reference as if set forth in full.

Section 6. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, shall not be affected or affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 7. 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.

PASSED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2023.

CITY OF KENMORE

\_\_\_\_\_  
Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Anastasiya Warhol, City Clerk

Approved as to form:

\_\_\_\_\_  
Dawn Reitan, City Attorney

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



**EXHIBIT A TO ORD. 23-0597**

**I. Chapter 15.25 of the Kenmore Municipal Code (KMC) is amended to read as follows:**

**A. KMC 15.25.030 is amended to read as follows:**

**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" means 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. "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" means any rock, natural soil or any combination thereof.

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

J. "Excavation" means the *removal of earth material*.

K. "Exceptional tree" means a tree which because of its unique combination of size, species, and age is worthy of long-term retention for the purposes and values set forth in KMC 18.57.015, and that has been determined to constitute an important community resource and may not be *removed* or damaged.

1. All healthy specimens of *tree* species in Table 1 are *exceptional trees* if they have a diameter at breast height (d.b.h.) equal to or greater than that listed for the respective species. For *trees* with multiple with multiple leaders at four and one-half feet above the ground, the d.b.h. shall be the combined cumulative total of branches greater than six inches diameter at four and one-half feet above the ground. For *trees* that have been removed and whereas only the stump remains, the size of the *tree* shall be measured from the diameter of the top of the stump.
2. Any healthy *tree* with a d.b.h. of 48 inches or greater is an *exceptional tree* except those in Table 2 that are never considered exceptional.

Table 1. Exceptional Tree Species and Required Diameters at Breast Height

Tree Species (Common Name)	Scientific Name	Threshold DBH (in inches)
Bigleaf Maple	<i>Acer macrophyllum</i>	42"
Douglas Fir	<i>Pseudotsuga menziesii</i>	30"
Grand Fir	<i>Abies grandis</i>	24"
Madrona	<i>Arbutus menziesii</i>	12"
Oregon Ash	<i>Fraxinus latifolia</i>	24"
Oregon White Oak	<i>Quercus garryana</i>	24"
Pacific Dogwood	<i>Cornus nuttallii</i>	24"
Pine (any species)	<i>Pinus</i> family	30"
Sitka Spruce	<i>Picea sitchensis</i>	24"
Western Hemlock	<i>Tsuga heterophylla</i>	24"
Western Red Cedar	<i>Thuja plicata</i>	30"
Willow (any species)	<i>Salix</i> family	24"

Table 2. Tree Species That Are Not Exceptional Trees

Tree Species (Common Name)	Scientific Name
Alder (any species)	<i>Alnus</i> family
Black Cottonwood	<i>Populus trichocarpa</i>
English Holly	<i>Ilex aquifolium</i>
Leyland Cypress	<i>Cupressus</i> × <i>leylandii</i>

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

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

1. "Existing grade" means the *grade* prior to *grading*.
2. "Rough grade" means the stage at which the *grade* approximately conforms to the approved plan.
3. "Finish grade" means the final *grade* of the *site* which conforms to the approved plan.

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

O. "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*.

P. "Impervious surface" means a nonvegetated surface which either prevents or retards the entry of water into the soil mantle under natural conditions prior to development, and/or 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* for the purposes of determining whether thresholds for the application of minimum requirements are exceeded, but shall be considered *impervious surfaces* for the purposes of runoff modeling.

Q. "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.

R. "*Landscaping, perimeter*" or "*perimeter landscaping*" means the area along the boundaries of a *development site in the setback areas identified in the table KMC 18.35.045*. *Perimeter landscaping* includes retention of existing *significant trees*.

S. "Native tree" means a *tree species native to the Puget Sound lowlands*.

RT. "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.

SU. "Shorelines" means those lands defined as shorelines in the State Shorelines Management Act of 1971.

TV. "Significant tree" means an existing healthy *tree* that is not a *hazard tree* and that is at least six inches in *diameter at breast height* (d.b.h.) as measured at four and one-half feet (54 inches) above the ground. For *trees* with multiple leaders at four and one-half feet above the ground, the d.b.h. shall be the combined cumulative total of branches greater than six inches diameter at four and one-half feet above the ground. For *trees* that have been removed and whereas only the stump remains, the size of the *tree* shall be measured from the diameter of the top of the



stump. Replacement trees required as mitigation for removed exceptional trees are considered significant trees, regardless of size.

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

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

**WY.** "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.

**XZ.** "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."

**YAA.** "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*.

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

**AACC.** "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*.

**BBDD.** "Vegetation" means any and all organic plant life growing at, below, or above the soil surface. [Ord. 22-0547 § 2 (Exh. A); Ord. 16-0428 § 11 (Att. G); Ord. 12-0345 § 3 (Exh. A).]

## B. KMC 15.25 is amended as follows:

### **15.25.070 Permit required — Exception.**

No *land alteration* shall be performed without first having obtained a permit therefor 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 buffer;

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* requires a permit filed by the owner of real property within the City on forms provided by the department for review and approval prior to removing the *tree*. The city manager may approve, deny, or approve with conditions an application for *tree removal*. The decision shall be based on the following approval criteria:

a. The *tree(s)* proposed for *removal* is on a lot containing an existing single-family detached dwelling unit;

b. The *tree(s)* proposed for *removal* is not located within critical areas or associated buffers, shorelines or associated buffers, native growth protection areas, or wildlife protection zones;

c. The *tree(s)* proposed for *removal* has not been previously designated for protection (e.g., as part of a plat); and

d. The *tree(s)* proposed for *removal* complies with the yearly *tree removal* maximum allowances table shown below:

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

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 Title 16 and Chapter 18.55 KMC;

#### C. Engineering.

1. Less than 2,000 square feet of replaced *impervious surface* or new plus replaced *impervious surface* that is not within critical areas or associated buffers; 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*. [Ord. 22-0547 § 2 (Exh. A); Ord. 16-0428 § 11 (Att. G); Ord. 12-0345 § 3 (Exh. A).]

### 15.25.070 Permit required – Tree Removal.

A. *Exceptional trees* may be removed only as described in KMC 18.57.065.B.

B. *Removal of significant trees* requires a permit filed by the owner of real property within the City on forms provided by the department for review and approval prior to removing the *tree*. The *city manager* may approve, deny, or approve with conditions an application for *tree removal*. As a standard condition of the permit, a minimum of one (1) *native tree* is required to replace each tree removed unless the *tree* is hazardous or the fee-in-lieu option described in KMC 18.57.080(D)(2) is approved by the *city manager*. Replacement trees shall not be Alder (any species), Black Cottonwood, English Holly, or Leyland Cypress.

1. The decision shall be based on the following approval criteria:

a. The *tree(s)* proposed for *removal* is on a lot containing an existing single-family detached dwelling unit;



b. The *tree(s)* proposed for *removal* is not located within critical areas or associated buffers, shorelines or associated buffers, native growth protection areas, or wildlife protection zones;

c. The *tree(s)* proposed for *removal* has not been previously designated for protection (e.g., as part of a plat);

d. The *tree(s)* proposed for *removal* complies with the yearly *tree removal* maximum: One (1) *significant tree* per year (applies to all lot sizes). Limited exceptions may be considered by the *city manager*. For example, if trees grow together (e.g., shared root system and/or canopy) and whereas the removal of one *tree* would cause the death of another, as determined by a *qualified tree protection professional*, an exception may be granted by the *city manager* to allow removal of more than one tree. In such a case, replacement would be required at a ratio of one-to-one (1:1). For example, if two trees are removed, two *native* replacement trees would be required.

## 15.25.075 Permit required – Exception.

No *land alteration* shall be performed without first having obtained a permit therefor 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.

### A. *Clearing and 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;

5. ~~*Clearing*~~ *Tree removal* by a public agency, franchise utility or public or private golf course for routine maintenance activities;

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

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

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

9. *Removal of tree(s) necessary for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated properties but which because of the presence of significant tree(s) is denied to the subject property. Exceptions under this subsection shall be construed narrowly. The applicant must apply for and meet the variance criteria of KMC 18.115.030 to qualify for this exemption. Exemptions under this subsection shall be processed as a Type 1 land use decision.*

#### C. Engineering.

1. Less than 2,000 square feet of replaced *impervious surface* or new plus replaced *impervious surface* that is not within critical areas or associated buffers; 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*. [Ord. 22-0547 § 2 (Exh. A); Ord. 16-0428 § 11 (Att. G); Ord. 12-0345 § 3 (Exh. A).]

EXHIBIT B TO ORD. 23-0597

**I. Chapter 18.20 of the Kenmore Municipal Code is amended to read as follows:**

**A. Chapter 18.20 KMC is amended by adding a new KMC 18.20.3086, "Tree, native" to read as follows:**

**18.20.1550 Landscaping**

"Landscaping" means live vegetative materials required for a *development*. Said materials provided along the boundaries of a *development site* are referred to as perimeter landscaping.

**18.20.1551 Landscaping, perimeter**

"Landscaping, perimeter" or "perimeter landscaping" means the area along the boundaries of a development site in the setback areas identified in the table KMC 18.35.045. Perimeter landscaping includes retention of existing significant trees.

**18.20.3086 Tree, native.**

"Tree, native" means a tree species native to the Puget Sound lowlands.

**II. Chapter 18.21 of the Kenmore Municipal Code is amended to read as follows:**

**Chapter 18.21  
RESIDENTIAL ZONES**

Sections:

- 18.21.020 Residential zones R-1, R-4 and R-6 – Use allowances.
- 18.21.030 Residential zones R-1, R-4 and R-6 – Development standards.
- 18.21.040 Residential zones R-12, R-18 and R-24 – Use allowances.
- 18.21.045 Residential zone MHC – Use allowances.
- 18.21.050 Residential zones R-12, R-18, R-24, R-48, and MHC – Development standards.
- 18.21.055 MHC zoning exception.
- 18.21.060 Nonresidential land uses in residential zones.
- 18.21.070 Personal service, eating and drinking place and retail sales uses in R-4 through R-24 zones.
- 18.21.073 Accessory uses.
- 18.21.075 Drive-through service.
- 18.21.078 Outdoor storage.
- 18.21.080 Wireless communication facilities.

**18.21.030 Residential zones R-1, R-4 and R-6 – Development standards.**



The following zone-specific development standards in Table B apply in the R-1, R-4 and R-6 residential zones:

**Table B. R-1, R-4 and R-6 Residential Zones Development Standards**

STANDARDS	Z O N E S			
		R-1 <sup>1</sup>	R-4	R-6
Base Density: <i>Dwelling Unit/Acre</i> <sup>2</sup>		1 du/ac	4 du/ac <sup>3</sup>	6 du/ac
Maximum Density: <i>Dwelling Unit/Acre</i> <sup>4</sup>			6 du/ac	9 du/ac
Minimum Density				
Minimum Lot Width <sup>6</sup>		35 ft. <sup>7</sup>	30 ft.	30 ft.
Minimum <i>Street Setback</i>		20 ft. <sup>7</sup>	15 ft. <sup>8,9</sup>	15 ft. <sup>8,9</sup>
Minimum Side <i>Setback</i> <sup>5,10</sup>		5 ft. <sup>7</sup>	15 ft. total <sup>11</sup>	15 ft. total <sup>11</sup>
Minimum Rear <i>Setback</i> <sup>5,10</sup>		5 ft. <sup>7</sup>	20 ft.	20 ft.
Maximum Height <sup>12</sup>		35 ft.	35 ft.	35 ft. 45 ft. <sup>13</sup>
Base <i>Impervious Surface</i> : Percentage		30%	45%	60%
Maximum <i>Impervious Surface</i> : Percentage <sup>14</sup>		30% <sup>15</sup>	55%	70%
Minimum Lot Size		2,500 sq. ft.	7,200 sq. ft. <sup>16,17</sup>	5,400 sq. ft. <sup>16,17</sup>

<sup>1</sup> a. All subdivisions and short subdivisions in the R-1 zone shall be required to be *clustered* when the property is located within or contains:

(1) A *floodplain*;

(2) A regionally or locally significant resource area;

(3) Existing or planned public *parks* or *trails*, or connections to such facilities;

(4) A Category I or II *wetland* or Type S or F *stream*;

(5) A “greenbelt/urban separator” or “wildlife corridor” area designated by the comprehensive plan.

b. The *development* shall be *clustered* away from *critical areas* or corridors such as urban separators or the wildlife habitat network to the extent possible and the *open space* shall be placed in a separate tract that includes at least 50 percent of the *site*. *Open space* tracts shall be permanent and meet the provisions of KMC [17.20.130](#).

<sup>2</sup> Density applies only to *dwelling units* and not to sleeping units.

<sup>3</sup> *Manufactured housing communities* shall be allowed a base density of six *dwelling units* per acre.

<sup>4</sup> This maximum density may be achieved only through the application of residential density incentives pursuant to Chapter [18.80](#) KMC or *transfers of density credits*, or any combination of density incentive or density transfer. Maximum density may only be exceeded pursuant to KMC [18.80.040](#)(E)(1)(f).

<sup>5</sup> These standards may be modified under the provisions for *zero-lot-line developments*.

<sup>6</sup> The *building envelope* is determined through meeting minimum lot size and minimum lot width measurement requirements (KMC [18.30.110](#)).

<sup>7</sup> The standards of the R-4 zone shall apply if a *lot* is less than 15,000 square feet in area.

<sup>8</sup> If *development* provides *alleys* or consists of *townhouses*, then the *street setback* may equal 10 feet.

<sup>9</sup> At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced parking area and the *street* property line. The linear distance shall be measured along the centerline of the driveway from the access point to such garage, carport or fenced area to the *street* property line.

<sup>10</sup> Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a *joint use driveway* is located to provide a straight line length of at least 26 feet as measured from the centerline of the garage, carport or fenced parking area, from the access point to the opposite side of the *joint use driveway*.

<sup>11</sup> Any side yard shall equal a minimum of five feet but the two side yards combined must equal a minimum of 15 feet.

<sup>12</sup> Reserved.

<sup>13</sup> The maximum height of 45 feet to be used only for projects as follows:

- a. In R-6 zones, a *building* with a footprint built on slopes exceeding a 15 percent finished grade.

<sup>14</sup> Applies to each individual *lot*. *Impervious surface* area standards for:

- a. Regional *uses* shall be established at the time of permit review;
- b. Nonresidential *uses* in residential zones shall comply with KMC [18.21.060](#) and [18.30.170](#);
- c. Individual *lots* in the R-4 through R-6 zones which are less than 9,076 square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 zone;
- d. *Lots* may be increased beyond the total amount permitted in this chapter subject to approval of a *conditional use permit*;
- e. The base *impervious surface* percentage may be exceeded, up to the maximum *impervious surface* percentage, provided low impact development strategies are implemented subject to approval by the *city manager*.

<sup>15</sup> *Lots* smaller than one-half acre in area shall comply with standards of the nearest comparable R-4 through R-6 zone. For *lots* that are one-half acre in area or larger, the maximum *impervious surface* area allowed shall be at least 10,000 square feet. On any *lot* over one acre in area, an additional five percent of the lot area may be used for *buildings* related to agricultural or forestry practices. For *lots* smaller than two acres but larger than one-half acre, an additional 10 percent of the lot area may be used for *structures* which are determined to be medically necessary, provided the *applicant* submits with the permit application a notarized affidavit, conforming with the requirements of KMC [18.100.170\(A\)\(2\)](#).

<sup>16</sup> For properties with *critical areas* or topographic constraints, **or where exceptional trees are retained**, up to 20 percent of the number of *lots* in a subdivision or a short subdivision of more than four *lots*, and one of the *lots* in a short plat of four *lots* or less, may contain an area less than the prescribed minimum for this zoning district. In no case shall any *lots* be created which contain an area more than 10 percent less than the prescribed minimum for this zoning district. These smaller *lots* shall be located so as to have the least impact on surrounding properties in terms of consistency of *street frontages* and privacy of abutting properties.

<sup>17</sup> This excludes any area required for public or *private streets*, access easements, access tracts, and access panhandles.



### III. Chapter 18.35 of the Kenmore Municipal Code is amended to read as follows:

#### Chapter 18.35 DEVELOPMENT STANDARDS - LANDSCAPING

Sections:

[18.35.010 Purpose.](#)

[18.35.020 Application.](#)

[18.35.030 Land use grouping.](#)

[18.35.040 Landscaping – Screen types and description.](#)

[18.35.045 Landscaping – General requirements.](#)

[18.35.050 Landscaping – Street trees for single-family subdivisions.](#)

[18.35.060 Repealed.](#)

[18.35.070 Landscaping – Surface parking areas.](#)

[18.35.080 Landscaping – General standards for all landscape areas.](#)

[18.35.090 Landscaping – Additional standards for required landscape areas.](#)

[18.35.100 Landscaping – Alternative options.](#)

[18.35.110 Landscaping – Plan design, design review, and installation.](#)

[18.35.120 Maintenance.](#)

[18.35.130 Financial guarantees.](#)

#### **18.35.010 Purpose.**

The purpose of this chapter is to preserve the aesthetic character of communities; to improve the aesthetic quality of the built environment; to promote retention and protection of existing *vegetation and trees*; to promote water efficiency; to promote native wildlife; to reduce the impacts of *development* on drainage systems and natural habitats; and to increase privacy for residential zones by:

- A. Providing visual relief from large expanses of parking areas and reduction of perceived *building* scale;
- B. Providing physical separation between residential and nonresidential areas;
- C. Providing visual screens and barriers as a transition between differing land *uses*;
- D. Retaining existing *vegetation* and *significant trees* by incorporating them into the site design;
- E. Providing increased areas of permeable surfaces to allow for:

1. Infiltration of surface water into groundwater resources;
2. Reduction in the quantity of stormwater discharge; and
3. Improvement in the quality of stormwater discharge;

F. Encouraging the use of native plant species by their retention or use in the landscape design;

G. Encouraging the use of a diversity of plant species which promote native wildlife habitat.  
[Ord. 11-0329 § 3 (Exh. 1).]

## **18.35.020 Application.**

Except for *wireless communication facilities* regulated pursuant to Chapter [18.60](#) KMC, all new *development* shall be subject to the *landscaping* provisions of this chapter; provided, that specific *landscaping* and *tree* retention provisions for *uses* established through a *conditional use permit* or *special use permit* shall be determined during the applicable review process. [Ord. 16-0426 § 7 (Att. E); Ord. 11-0329 § 3 (Exh. 1).]

## **18.35.030 Land use grouping.**

To facilitate the application of this chapter, land *uses* have been grouped in the following manner:

A. "Residential *development*" refers to *residential land uses*.

B. "Attached/group residences" refers to:

1. ~~Multiple family dwellings, except as provided in subsection (C)(1) of this section;~~
2. ~~Single detached dwelling units developed on common property at a density of 12 or more units per acre;~~
3. ~~Supportive living facilities;~~
4. ~~Temporary lodging;~~
5. ~~Adult family homes; and~~
6. ~~Manufactured housing communities.~~

C. "Single-family *development*" refers to:

1. Residential subdivisions and short subdivisions, including attached and detached dwelling units on individually platted or short platted lots;

2. Any detached dwelling units located on a lot;

3. Family child-care homes; and

4. Type I community residential facilities.

**B.** "Commercial development" refers to:

1. Recreational/cultural land uses, except library, museum, park and trail;
2. General services land uses, except recycling centers, health care and social assistance, hospital, laboratory, educational service, day care I, and religious institution; and
3. Retail land uses.

4. Regional land uses.

**C.** "Industrial development" refers to:

1. Government/business services land uses, except public agency or utility office; public agency or utility yard; public agency archive; court; fire or police facility; utility facility; commuter parking lot; private stormwater management facility; and vector waste receiving facility;
2. Manufacturing land uses; and
3. Mineral extraction and processing.

**D.** "Institutional development" refers to:

1. Library, museum and conference center;
2. Religious institution, hospital, health care and social assistance, ambulatory surgery center, laboratory, and educational service; and
3. Public agency or utility office; public agency or utility yard; public agency archive; court; fire or police facility; commuter parking lot; private stormwater management facility; and vector waste receiving facility.

**E.** "Utility development" refers to utility facility, except private stormwater management facility and vector waste receiving facility.



**E.** Uses that are not listed in this section shall not be subject to *landscaping* requirements except as specified in any applicable review of a *conditional use*, *site plan review*, or *special use permit*. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2 (Att. A); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

## **18.35.040 Landscaping – Screen types and description.**

The three types of *landscaping* screens are described and applied as follows: below. For each of these types, retention of existing *significant trees* is required unless otherwise approved pursuant to KMC 18.35.040(C)(3).

### **A. Type I *Landscaping* Screen.**

1. Type I *landscaping* is a “full screen” that functions as a visual barrier.
2. Type I *landscaping* shall minimally consist of:
  - a. A mix of primarily *evergreen trees* and shrubs generally interspersed throughout the landscape strip and spaced to form a continuous screen;
  - b. Between 70 and 90 percent *evergreen trees*;
  - c. *Trees* provided at the rate of one per 10 linear feet of landscape strip and spaced no more than 30 feet apart on center;
  - d. *Evergreen* shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and
  - e. Ground cover pursuant to KMC [18.35.090](#);

#### **f. Existing *Significant Trees*.**

3. Landscape-based stormwater management facilities are permitted within Type I *landscaping* screen areas; provided, that the screening objectives in subsections (A)(1) and (2) of this section are achieved.

### **B. Type II *Landscaping* Screen.**

1. Type II *landscaping* is a “filtered screen” that functions as a visual separator.
2. Type II *landscaping* shall minimally consist of:
  - a. A mix of *evergreen* and *deciduous trees* and shrubs generally interspersed throughout the landscape strip spaced to create a filtered screen;

- b. At least 50 percent *deciduous trees* and at least 30 percent *evergreen trees*;
- c. *Trees* provided at the rate of one per 20 linear feet of landscape strip and spaced no more than 30 feet apart on center;
- d. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and
- e. Ground cover pursuant to KMC [18.35.090](#);

**f. Existing Significant Trees.**

3. Landscape-based stormwater management facilities are permitted within Type II *landscaping* screen areas; provided, that the screening objectives in subsections (B)(1) and (2) of this section are achieved.

C. Type III *Landscaping* Screen.

- 1. Type III *landscaping* is a “see-through screen” that functions as a partial visual separator to soften the appearance of parking areas and building elevations.
- 2. Type III *landscaping* shall minimally consist of:
  - a. A mix of *evergreen* and *deciduous trees* generally interspersed throughout the landscape strip and spaced to create a continuous canopy;
  - b. At least 70 percent *deciduous trees*;
  - c. *Trees* provided at the rate of one per 25 linear feet of landscape strip and spaced no more than 30 feet apart on center;
  - d. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and
  - e. Ground cover pursuant to KMC [18.35.090](#).

**f. Existing Significant Trees.**

3. Removal of tree(s) may be permitted for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated properties but which because of the presence of significant tree(s) is denied to the subject property. Exceptions under this subsection shall be construed narrowly. The applicant must apply for and meet the variance criteria of KMC 18.115.030 to qualify under this subsection. Exceptions under this subsection shall be processed as a Type 1 land use decision.

34. Landscape-based stormwater management facilities are permitted within Type III landscaping screen areas; provided, that the screening objectives in subsections (C)(1) and (2) of this section are achieved. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

## 18.35.045 Landscaping – General requirements.

Use as described in KMC 18.35.030	Street frontage perimeter landscaping (average width) <sup>30</sup>	Interior lot line perimeter landscaping (average width) <sup>714</sup>	Surface parking lots of 10 or more stalls
Residential development <sup>1</sup>	10' Type III <sup>8</sup>	5' Type II <sup>8</sup> 10' Type II within the rear setback <sup>8,11</sup>	20 sq. ft. per stall in common parking areas.
Commercial development <sup>2</sup>	10' Type III	20' Type I <sup>440</sup>	20 sq. ft. per stall if 10 – 30 stalls provided; 25 sq. ft. per stall if 31 or more stalls provided.
Industrial development <sup>3</sup>	10' Type II	10' Type II <sup>512</sup> 20' Type I <sup>440</sup>	20 sq. ft. per stall if 10 – 30 stalls provided; 25 sq. ft. per stall if 31 or more stalls provided.
Institutional development <sup>4</sup>	20' Type II <sup>16</sup>	10' Type II	20 sq. ft. per stall if 10 – 30 stalls provided; 25 sq. ft. per stall if 31 or more stalls provided.
Utility development <sup>5</sup>	10' Type II <sup>22</sup>	10' Type II <sup>613</sup>	20 sq. ft. per stall if 10 – 30 stalls provided; 25 sq. ft. per stall if 31 or more stalls provided.

<sup>1</sup>. As described in KMC 18.35.030(A).

<sup>2</sup>. As described in KMC 18.35.030(D).

<sup>3</sup>. As described in KMC 18.35.030(E).

<sup>4</sup>. As described in KMC 18.35.030(F).

<sup>5</sup>. As described in KMC 18.35.030(G).

<sup>16</sup> Excluding playgrounds and playfields.



27 For an above-ground *utility facilities development* only, excluding distribution and transmission corridors.

8 ~~Only for attached/group residence development as described in KMC 18.35.030(B).~~

39 For all zones except the DC and DR zones. In the CB zone, where *street frontage setbacks* are required, the area within the *setback* must contain Type II *landscaping*.

440 Along any portion adjacent to a single-family residential *development*. ~~as described in KMC 18.35.030(A).~~

441 ~~Along portions of an attached/group residence development as described in KMC 18.35.030(B) adjacent to property developed with single detached residences or vacant property that is zoned R-1 through R-6.~~

542 Along any portion adjacent to a commercial or institutional *development*. ~~as described in KMC 18.35.030(D) and (F).~~

643 Excluding distribution or transmission corridors.

744 In the DC zone, where interior *setbacks* are required and/or provided, *setbacks* shall be landscaped with Type II *landscaping*. In the CB zone, where interior *setbacks* are required and/or provided, *setbacks* shall be landscaped with Type II *landscaping*.

8 Existing *significant trees* shall be retained within all setbacks required pursuant to KMC 18.21.030.

[Ord. 11-0329 § 3 (Exh. 1).]

## 18.35.050 Landscaping – Street trees for single-family subdivisions.

For short subdivisions and subdivisions Kenmore Road Standards (KRS) Section 8.12 shall apply to landscaping street trees.

A. ~~Trees shall be planted at the rate of one tree for every 40 feet of frontage along a neighborhood collector street or arterial street. Native vegetation cultivars are preferred;~~

B. The trees shall be:

1. Located within the street right-of-way if permitted by the City;

2. No more than 20 feet from the street right-of-way line if located within a lot;

3. Maintained by the adjacent landowner unless part of a City maintenance program; and

4. A species approved by the City if located within the street right-of-way and compatible with overhead utility lines;

C. The trees may be spaced at irregular intervals to accommodate sight distance requirements for driveways and intersections. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

### **18.35.060 Landscaping along the Burke-Gilman public trail.**

*Repealed by Ord. 14-0391. [Ord. 11-0329 § 3 (Exh. 1).]*

### **18.35.070 Landscaping – Surface parking areas.**

A. *Trees* shall be provided and distributed throughout the parking area at a rate of:

1. One *tree* for every three parking stalls for a commercial or industrial *development*; and
2. One *tree* for every five parking stalls for residential or institutional *development*;

B. The maximum distance between any parking stall and *landscaping* shall be no more than 100 feet;

C. Permanent curbs or structural barriers shall be provided to protect the plantings from vehicle overhang;

D. Landscaping around the perimeter of a *site* that is in addition to the perimeter *landscaping* required by KMC [18.35.045](#) may count toward 10 percent of the required surface parking area *landscaping* in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street (see subsection F of this section), if it is adjacent to the parking area;

E. Parking area *landscaping* shall consist of:

1. Canopy-type *deciduous trees, evergreen trees, evergreen shrubs* and ground covers planted in islands or strips. Native vegetation cultivars are preferred;
2. Internal parking lot *landscaping* shall be configured as landscape-based stormwater management feature unless infeasible;

3. Shrubs that do not exceed a maintained height of 42 inches;
4. Plantings contained in planting islands or strips having an area of at least 100 square feet and with a minimum dimension of not less than five feet;
5. Ground cover in accordance with KMC [18.35.090](#); and
6. At least 70 percent of *trees* are deciduous;

F. Standards for perimeter *landscaping* and screening of surface parking lots for the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street, are defined in Chapter [18.52](#) KMC, Downtown Design Standards. All other landscape requirements for surface parking lot landscaping in this section apply to the DC and DR zones, and RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street. [Ord. 16-0428 § 13 (Att. I); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

### **18.35.080 Landscaping – General standards for all landscape areas.**

All new landscape areas proposed for a *development* shall be subject to the following provisions:

- A. *Berms* shall not exceed a slope of two horizontal feet to one vertical foot (2:1).
- B. All new turf areas, except all-weather, sand-based athletic fields, shall:
  1. Be augmented with a two-inch layer of organic material cultivated a minimum of six inches deep; or
  2. Have an organic content of five percent or more to a depth of six inches.
- C. Except as specifically outlined for turf areas in subsection B of this section, the organic content of soils in any landscape area shall be as necessary to provide adequate nutrient and moisture-retention levels for the establishment of plantings.
- D. Landscape areas, except turf or areas of established *ground cover*, shall be covered with at least two inches of *mulch* to minimize evaporation.
- E. Plants having similar water use characteristics shall be grouped together in distinct hydrozones.
- F. Plant selection shall consider adaptability to climatic, geologic, and topographical conditions of the *site*. **Native trees and** preservation of existing *vegetation* is encouraged.



G. Landscape areas proposed as stormwater management facilities shall be designed in accordance with the Kenmore stormwater management standards. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

### **18.35.090 Landscaping – Additional standards for required landscape areas.**

In addition to the general standards of KMC [18.35.080](#), landscape areas required pursuant to KMC [18.35.045](#) through [18.35.070](#) shall conform to the following standards:

A. All plants shall conform to American Association of Nurserymen (AAN) grades and standards as published in the “American Standard for Nursery Stock” manual; provided, that existing healthy *vegetation* used to augment new plantings shall not be required to meet the standards of this manual;

B. Single-stemmed *trees* required pursuant to this chapter shall at the time of planting conform to the following standards:

1. In parking area *landscaping* and in *street rights-of-way*:

a. *Deciduous trees* shall have a minimum *caliper* of one and three-quarters inches and a height of 10 feet in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street between 65th Avenue NE extended and 73rd Avenue NE, which shall have a minimum *caliper* of three inches, and

b. Coniferous and *broadleaf evergreen trees* shall be at least five feet in height;

2. In all other required landscape areas:

a. *Deciduous trees* shall have a minimum *caliper* of one and one-half inches and a height of 10 feet in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th

Street between 65th Avenue NE extended and 73rd Avenue NE, which shall have a minimum *caliper* of three inches, and

b. Coniferous and *broadleaf evergreen trees* shall be at least five feet in height except in the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street between 65th Avenue NE extended and 73rd Avenue NE, where they shall be at least 10 feet in height;

C. Multiple-stemmed *trees* shall be permitted as an option to single-stemmed *trees* in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition

NS-P4, and which lie north of NE 175th Street between 65th Avenue NE extended and 73rd Avenue NE; provided, that such multiple-stemmed *trees* are:

1. At least six feet in height, ~~and~~

~~2. Not allowed within *street* rights-of-way;~~

~~D. When the width of any landscape strip is 20 feet or greater, the required *trees* shall be staggered in two or more rows;~~

~~ED.~~ Shrubs shall be:

1. At least an AAN container class No. 2 (two-gallon) size at time of planting in Types II, III and parking area *landscaping*,

2. At least 24 inches in height at the time of planting for Type I *landscaping*, and

3. Maintained at a height not exceeding 42 inches when located in Type III or parking area *landscaping* except in the DC and DR zones where they shall not exceed a maximum height of 48 inches;

~~EE.~~ Ground covers shall be planted and spaced to result in total coverage of the majority of the required landscape area within three years;

~~G. All *fences* shall be placed on the inward side of any required perimeter *landscaping* along the *street* frontage;~~

~~H. Required *street landscaping* may be placed within *City street* rights-of-way subject to the *City street* design standards, provided adequate space is maintained along the *street* line to replant the required *landscaping* should subsequent *street* improvements require the removal of *landscaping* within the rights-of-way;~~

~~I. Required *street landscaping* may be placed within Washington State rights-of-way subject to permission of the Washington State Department of Transportation; and~~

~~JE.~~ New landscape material provided within areas of undisturbed *vegetation* or within the protected area of *significant trees* shall give preference to utilizing ~~indigenous~~ *native* plant species. [Ord. 11-0329 § 3 (Exh. 1).]

## **18.35.100 Landscaping – Alternative options.**

The following alternative landscape options may be allowed, subject to *City* approval, only if they accomplish equal or better levels of screening, or when existing conditions on or adjacent

to the *site*, such as significant topographic differences, *vegetation*, *structures* or utilities would render application of this chapter ineffective or result in scenic view obstruction:

A. The amount of required landscape area may be reduced to ensure that the total area for required *landscaping*, and/or the area remaining undisturbed for the purpose of wildlife habitat or corridors does not exceed 15 percent of the net developable area of the *site*. ~~For the purpose of this subsection, the net developable area of the site shall not include areas deemed unbuildable due to their location within critical areas and any associated buffers;~~

B. The average width of the perimeter landscape strip may be reduced up to 25 percent along any portion where:

1. *Berms* at least three feet in height or architectural barriers at least six feet in height are incorporated into the landscape design; or

2. The landscape materials are incorporated elsewhere on-site;

C. Where a local or subarea plan with design guidelines has been adopted, the *city manager* shall base the *landscaping* modifications on the policies and guidelines of such plan;

D. When an existing *structure* precludes installation of the total amount of required *site* perimeter *landscaping*, such *landscaping* material shall be incorporated on another portion of the *site*;

E. Single-stemmed *deciduous tree* species that cannot generally be planted and established in larger sizes may have a *caliper* of less than one and one-half inches;

F. The number of *trees* and shrubs to be provided in required perimeter and parking area *landscaping* may be reduced up to 25 percent when a *development* uses landscaping ~~native to the Puget Sound lowlands materials consisting of species typically associated with the Puget Sound Basin~~ in the following proportions:

1. Seventy-five percent of ~~native~~ *ground cover* and shrubs, and

2. Fifty percent of ~~native~~ *trees*;

G. In the DC and DR zones, alternative landscape requirements may be proposed in order to retain ~~significant or exceptional trees (over 12 inches DBH if deciduous or eight inches DBH if evergreen, measured as average trunk diameter at chest height; measured four and one-half feet above grade).~~ This alternative requirement applies only to *trees* which are beyond what is already required in Chapter 18.57 KMC. ~~the City's significant tree ordinance. Interior parking lot landscape requirements may be reduced at a 1:1 ratio equal to the land area within the drip line of the tree being retained.~~ [Ord. 11-0329 § 3 (Exh. 1).]



## 18.35.110 Landscaping – Plan design, design review, and installation.

A. The landscape plan submitted to the *department* shall be drawn on the same base map as the development plans and shall identify the following:

1. Total landscape area, and separate hydrozones;
2. Landscape materials botanical/common name and applicable size;
3. Property lines;
4. *Impervious surfaces*;
5. Natural or manmade water features or bodies;
6. Existing or proposed *structures, fences, and retaining walls*;
7. Natural features or *vegetation* left in natural state; and
8. Designated recreational open space areas.

### 9. Existing trees.

B. The proposed landscape plan shall be certified by a Washington State registered landscape architect, Washington State certified nurseryman, or Washington State certified landscaper.

C. An affidavit signed by an individual specified in subsection B of this section, certifying that the *landscaping* has been installed consistent with the approved landscaping plan, shall be submitted to the *department* within 30 days of installation completion, unless the installed *landscaping* has been inspected and accepted by the *department*.

D. The required *landscaping* shall be installed prior to certificate of occupancy. However, the time limit for compliance may be extended to allow installation of such required *landscaping* during the next appropriate planting season. A financial guarantee shall be required prior to issuance of the certificate of occupancy, if *landscaping* is not installed and inspected prior to occupancy. [Ord. 11-0329 § 3 (Exh. 1).]

## 18.35.120 Maintenance.

A. All *landscaping* shall be maintained for the life of the project;

B. All landscape materials shall be pruned and trimmed as necessary to maintain a healthy growing condition or to prevent primary limb failure;

C. With the exception of dead, diseased or damaged *trees* specifically retained to provide wildlife habitat, other dead, diseased, damaged or stolen plantings shall be replaced within three months or during the next planting season if the loss does not occur in a planting season; and

D. Landscape areas shall be kept free of trash. [Ord. 11-0329 § 3 (Exh. 1).]

### **18.35.130 Financial guarantees.**



*Financial guarantees* shall be required consistent with the provisions of KMC Title [21](#). This time period may be extended **to one year** by the *city manager*, if necessary to cover a planting and growing season. [Ord. 11-0329 § 3 (Exh. 1).]

## EXHIBIT C TO ORD. 23-0597

**I. Chapter 18.57 of the Kenmore Municipal Code is amended to read as follows:**

### Chapter 18.57 TREE MANAGEMENT AND PROTECTION

Sections:

- [18.57.010 Title.](#)
- [18.57.015 Findings and purpose.](#)
- [18.57.030 Applicability.](#)
- [18.57.035 Exemptions.](#)
- [18.57.050 Tree protection plan required.](#)
- [18.57.060 Tree density requirement.](#)
- [18.57.065 Exceptional tree protections.](#)
- [18.57.070 Tree protection plan review procedure.](#)
- [18.57.080 Tree protection plan review standards.](#)
- [18.57.085 Tree windthrow evaluation and prevention.](#)
- [18.57.090 Tree protection during construction.](#)
- [18.57.100 Post-construction replacement, financial guarantee and maintenance requirements.](#)
- [18.57.110 Penalties, enforcement.](#)

#### 18.57.010 Title. SHARE

This chapter shall be known and may be cited as the Kenmore tree management and protection code. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

#### 18.57.015 Findings and purpose. SHARE

- A. Reducing soil *erosion* and water pollution in the *City's streams* and creeks by providing wind breaks, slowing the surface movement of water, reducing the amount of stormwater runoff, and stabilizing soil with their roots and fallen leaves;
- B. Improving air quality by removing pollutant gases and airborne particles;
- C. Positively affecting energy and water conservation by providing shade, lowering temperatures, and reducing net evaporation rates;
- D. Reducing noise pollution by absorbing and deadening excessive and/or unwanted noise and by screening the source of the noise from view;



E. Providing a wide variety of habitats and ecosystems for birds, mammals, and other wildlife; and

F. Accordingly, the purpose of this chapter is to establish a process and standards to:

1. Increase the livability of an area by helping to screen people and *buildings* from wind and inclement weather;
2. Create a special sense of identity, a sense of community and civic pride, and a memorable place to live and work;
3. Preserve and enhance the *City's* physical and aesthetic character by preventing untimely and indiscriminate removal or destruction of *trees*;
4. Promote *site* planning, construction practices, and horticultural practices that are consistent with the *reasonable use* of property;
5. Implement the goals and objectives of the *City's* comprehensive plan; and
6. Implement the goals and objectives of the *City's* parks and recreation master plan. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

### 18.57.030 Applicability. SHARE

A. No individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, shall directly or indirectly remove or destroy any *tree* as defined in this title within the *City*, without first obtaining a clearing permit as provided in KMC Title [15](#).

B. Unless otherwise exempted in KMC [18.57.035](#), any *site* subject to *development*, including the division of a parcel of land into two or more parcels, within the *City* shall comply with the requirements of this chapter.

C. Approval of a tree protection plan pursuant to the provisions of this chapter shall not discharge the obligation of the *applicant* to otherwise comply with the applicable provisions of this chapter.

D. When any provision of any other chapter of the Kenmore Municipal Code conflicts with this chapter or when the provisions of this chapter are in conflict, that provision which provides more protection for individual *trees* and *groves* of *trees* shall apply unless specifically provided otherwise in this chapter or unless such provision conflicts with federal or State laws or regulations. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

### 18.57.035 Exemptions. SHARE

A. The following land *uses* are exempt from the provisions of this chapter. However, compliance with other applicable provisions of the Kenmore Municipal Code including but not limited to then-current *critical area* regulations per Chapter [18.55](#) KMC and then-current clearing regulations per Chapter [15.25](#) KMC is still required:

1. Agriculture, meaning the use of the land for the primary purpose of deriving income from growing plants or *trees* on land including, but not limited to, land used principally for fruit or timber production, but not including land used principally for another *use* and only incidentally for growing *trees* or plants for income.
2. *Commercial nursery or tree farm*, but only those *trees* which are planted and growing on the premises of a licensed retailer or wholesaler for sale to the general public. Other *trees* on such premises shall remain subject to this chapter.

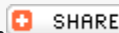
### **3. Residential Development.**

a. All existing *lots* on which are to be situated new *single detached dwelling units* in residential zones based on tree removal limits established by clearing requirements.

b. 3. All existing *lots* on which are situated existing detached *dwelling units* in residential zones based on tree removal limits established by clearing requirements. by KMC 15.25.070.B.1.d. This exemption applies to *significant tree removal only*; the provisions described in KMC 18.57.065 for *exceptional trees* still apply.

4. Downtown Commercial and Downtown Residential Zones. All *development* occurring within core areas designated as downtown commercial and downtown residential zones. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

## **18.57.050 Tree protection plan required.**



A. Requirement Established. Except for the exemptions enumerated in this chapter, no individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, shall remove, transplant, or destroy, or cause to be removed, transplanted, or destroyed, on any land in the *City*, any *tree* as defined in this chapter, without first obtaining the *city manager's* approval of a tree protection plan and receiving a clearing permit from the *City*. For *sites* proposed for land *development*, including the division of a parcel of land into two or more parcels, having *trees* below the minimum tree density, even though no *trees* are proposed to be removed, a tree protection plan is required to bring the *site* up to the minimum tree density standard herein established.

B. Submittal of Tree Protection Plan. Where the *site* proposed for *development* requires site or plat or short plat review, the tree protection plan shall be submitted concurrent with a site plan or plat or short plat application.

C. Tree Protection Plan Requirements. Attached to the *applicant* information and site plan information required for the clearing permit application, the *applicant* shall include the following tree protection plan information:

1. *Tree Survey*. For all *development proposals*, a *tree survey*, drawn to scale by a land surveyor licensed in Washington State, identifying the exact location and conditions of existing *trees* as defined in this title and containing the following information:

- a. Common and botanical name of each *tree*.
- b. *Trees* proposed to remain and to be removed.
- c. *Groves* with indication of predominant species, number of *trees* and size of *diameter at breast height* (d.b.h.).
- d. Any off-site *tree* with a root protection zone which could be adversely affected by the proposed activity.
- e. The location and dimensions of established and proposed perimeter landscaping, natural *vegetation* easements, and open space areas for public, *private*, or community use.
- f. *Net buildable areas*.
- g. *Critical areas* and their *buffers*.
- h. Stormwater tracts.
- i. Limits of construction line.
- j. North arrow, scale, and date of survey.

2. An assessment of *tree windthrow* potential as described in KMC [18.57.085](#), along with any proposed mitigation measures to minimize windthrow. These measures shall be incorporated into the proposed tree protection plan described in subsection (C)(5) of this section.

3. A statement describing how *trees* intended to remain will be identified, marked, and protected before the start of and during *development* as further described in KMC [18.57.090](#).

4. A statement that describes replacement tree quality as conforming to the American Standards for Nursery Stock (ANSI).



5. Proposed Tree Protection Plan. The permit *applicant* shall have a *qualified tree protection professional* prepare recommendations for the tree protection plan. The tree protection plan shall be drawn to scale using the *tree* survey as a base and containing the following information:

- a. The exact location, common name, botanical name, and condition of protected *trees*.
- b. The exact location, common name, botanical name, and *caliper* of each *tree* species to be planted.
- c. The *site* minimum tree density calculation indicating the total number, size, and species of existing *trees* to be preserved and the replacement *trees* to be planted as described in KMC [18.57.060](#).
- d. The *site* replacement tree calculation as described in KMC [18.57.060](#) with an explanation including the number, *caliper*, and species.
- e. The location, materials, dimensions, and layout of the protective barriers.

6. Submit a bond quantity worksheet on forms provided by the department.

7. Additional Information. Any additional or more detailed information required by the *city manager* to ensure compliance with the provisions of this chapter (i.e., aerial photograph). The *city manager* may waive the requirements for the scaled drawing and other submission data if he finds that the information presented is sufficient to determine the project's compliance with the provisions of this chapter. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 15-0409 § 1 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

## 18.57.060 Tree density requirement.

A. Minimum Tree Density Requirement Established. A minimum tree density is required on each *site*. The tree density may consist of existing *trees* (provided they are not cottonwood, alder, or holly trees), replacement *trees*, or a combination of existing and replacement *trees*. The *site* density of *trees* to be protected on each *site* shall be determined prior to approval of a tree protection plan or clearing permit, by the *city manager*.

B. Tree Density Calculation. The minimum tree density required for each *site* is **40** ~~30~~ tree units per acre of *net buildable area*

1. To calculate the density of *trees* to be protected:

- a. Obtain the d.b.h. measurement in inches for each protected *tree* within the *net buildable area*.

b. Go to Table 18.57.060A and select the tree unit value that corresponds to the d.b.h. for each protected *tree*.

c. Add up the tree unit values for all protected *trees* and divide by the total acreage of the *net buildable area*. This value must equal or exceed ~~40~~ 30-tree units per acre of *net buildable area*. If the total is less than ~~40~~ 30-tree units per acre, more *trees* must be protected.

d. ~~If replacement trees are planted as groves within designated tracts, then applicant may reduce total tree units required by 10 percent. If trees are retained within designated tracts, protective easements, or groves, then the applicant may reduce total tree units required by 20 percent.~~

**Table 18.57.060A**  
**Existing Trees to Remain.**

(Conversion from diameter (d.b.h.) in inches  
to tree units for  
*trees protected on-site.*)

d.b.h.	Tree Units	d.b.h.	Tree Units
1 – 5	1.0	30	8.2
6 – 10	1.2	31	8.6
11	1.4	32	9.0
12	1.8	33	9.5
13	2.0	34	10.0
14	2.3	35	10.5
15	2.6	36	11.0
16	2.9	37	11.5
17	3.2	38	12.0
18	3.5	39	12.5
19	3.8	40	13.0
20	4.2	41	13.5
21	4.6	42	14.0
22	5.0	43	14.5
23	5.4	44	15.0
24	5.8	45	15.5
25	6.2	46	16.0

**Table 18.57.060A**  
**Existing Trees to Remain.**

(Conversion from diameter (d.b.h.) in inches  
to tree units for  
*trees protected on-site.*)

d.b.h.	Tree Units	d.b.h.	Tree Units
26	6.6	47	17.0
27	7.0	48	18.0
28	7.4	49	19.0
29	7.8	50	20.0
For every one inch greater than 50 d.b.h., add an additional 2 tree units (i.e., 62 d.b.h. = 44 tree units).			

C. Replacement *Tree* Requirement. If the number of existing *trees* is not enough to meet the minimum of ~~40~~ 30 tree units per *net buildable acre*, a sufficient number of replacement *trees* shall be planted to meet the minimum requirement. Replacement *trees* shall not be allowed until the *applicant* shows that it is infeasible to retain existing *trees*. To determine the total number of replacement *trees* required:

1. Obtain the *caliper* measurement for each replacement *tree*. Replacement *trees* are measured differently than protected *trees*. Instead of measuring d.b.h. as in protected *trees*, replacement *trees* are measured by *caliper* in inches according to industry standards (ANSI). *Caliper* on replacement *trees* is measured six inches above the ground line for four-inch and smaller *trees*, and 12 inches above ground for larger replacement *trees*.
2. Go to Table 18.57.060B and select the tree unit value that corresponds to the *caliper* for each replacement *tree*.
3. Add the replacement tree unit values together to determine how many of that size *tree* will be required to achieve the minimum *site* density. See Table 18.57.060C for an example.
4. If replacement *trees* are planted within designated tracts, protective easements, or groves, then *applicant* may reduce total tree units required by 20 percent.



Table 18.57.060B Replacement Trees.

(Conversion from  
caliper inches to tree units for replacement trees.)

Deciduous Tree Caliper in Inches	Tree Units for Deciduous Trees	Coniferous Tree Height in Feet	Tree Units for Conifers	Tree Units for Native Conifers
1.5"	0.4	4' – 6'	0.5	0.8
2"	0.5	6' – 8'	0.7	1.0
3"	0.6	8' – 10'	1.0	1.5
4"	0.7	11' – 12'	1.5	2.0
5"	0.8			
6"	1.0			
7"	1.2			
8" +	1.5			

Table 18.57.060C Sample Tree Density Calculation.

The required density factor is calculated below as follows for five net buildable acres: five acres x 40 30 units = 200 150 tree units required.

Existing Retained Trees: density (ED):

Size	Quantity	Total <u>Tree</u> Units
24"	3	17.4
18"	3	10.5
10"	4	4.8
30"	7	57.4
12"	5	9.0
8"	6	7.2
15"	8	20.8
4"	10	10.0
<u>50"</u>	<u>1</u>	<u>20.0</u>
<u>44"</u>	<u>2</u>	<u>30.0</u>
Total <u>ED</u>		187.1

Proposed Replacement Trees: density (RD):

Size	Units	Quantity	Total Units
2" <i>Deciduous</i>	0.5	12	6.0
4" <i>Deciduous</i>	0.7	6	4.2
4' – 6' Native Conifer	0.8	5	4.0
		Total <b>RD</b>	14.2

<b>Existing Density + Replaced Density =</b>	<b>Site Total Tree Density</b>	<b>&gt;</b>	<b>or</b>	<b>=</b>	<b>Minimum Density Required</b>	
<b>137.1-187.1 + 14.2 =</b>	<b>151.3-201.3</b>	<b>&gt;</b>			<b>150 200</b>	Density Satisfied

The sum of the **retained existing trees and replacement trees ED and RD** must be greater than or equal to the minimum density required. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

## **18.57.065 Exceptional Tree Protections.**

### **A. Prohibited Activities.**

The following activities are prohibited with regard to *exceptional trees*.

1. Removal, in whole or in part.
2. Harming, injuring, or damaging the tree, including cutting its bark or branches with a knife, axe, hatchet, saw, or any other similar device or object.
3. Pouring toxic material on the tree or on the ground near enough to the tree to affect its health.
4. Burning the tree or causing a fire near enough to the tree to affect its health.
5. Topping.
6. Pruning beyond the standards provided by the Tree Care Industry Association at ANSI300 Part 1.
7. Attaching any sign, poster, notice, or other object to the tree, or fastening any guy wire, cable, rope, nails, screws, or other device to the tree, with the following exceptions:
  - a. To support young or broken trees;
  - b. For residential uses, (e.g., treehouses, tire swings, etc.);
  - c. The City may tie temporary signs or banners associated with street improvement, parades, seasonal lighting, or other city activities.

### **B. Variance.**

Exceptional trees may be removed only as allowed in this section.

1. Variances from the *exceptional tree* standards of this chapter may be authorized by the *city manager* in accordance with the approval criteria described in this section. A variance for removal of *exceptional trees* is a Type 2 land use decision, pursuant to KMC 19.25.020, except as described in Section 18.57.063(B)(2)(a)(3).
  - a. Prior to commencing with the *removal* the owner shall obtain a permit from the *City*.
  - b. No *variance* is allowed in order to create additional *lots*.
  - c. Decision Criteria.
    - i. Necessary for Rights or Use. Private *Development Proposals*: Such *variance* is necessary for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated properties but which because of the presence of *exceptional tree(s)* is denied to the property in question. For a variance to be granted under this section, the applicant must demonstrate compliance with the reasonable use exception approval criteria established in KMC 18.55.180.A.1.a through 18.55.180.A.1.g. The phrase *exceptional tree* shall replace the phrase *critical area* when utilizing said criteria for a variance under this section;
    - ii. The granting of such *variance* will not be materially detrimental to the public welfare or injurious to the property or improvement;
    - iii. The granting of the *variance* is consistent with the general purpose and intent of the *City's* comprehensive plan and adopted development regulations.
  - d. *City Manager* Review. The *city manager* shall review the application. The *city manager* shall approve, approve with conditions, or deny the request based on the proposal's ability to comply with all of the *variance* criteria in this section.
  - e. Burden of Proof. The burden of proof shall be on the *applicant* to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application.
  - f. Time Limit.
    - i. Establishment of any activity authorized pursuant to an *exceptional tree variance* shall occur within four years of the effective date of the decision for such *variance*. This period may be extended for one additional year by the *city manager* if the *applicant* has submitted the applications necessary to authorize the development activity and has provided written justification for the extension.
    - ii. For the purpose of this subsection, "establishment" shall occur upon the issuance of all local permit(s) needed to begin the development activity; provided, that the improvements authorized by such permits are completed within the time frames of said permits.
  - g. Mitigation Requirements.



- i. To the extent feasible, *exceptional trees removed* under a *variance* shall be replaced at a ratio of three (3) replacement trees for each *exceptional tree removed* (3:1).
- ii. If on-site replacement is not feasible, off-site replanting on public property with the *City's* written permission.
- iii. Whether planted on-site or off-site, replacement *trees* shall be of a species listed in Table 1 at KMC 18.20.3083 and must remain viable for a minimum of five (5) years after planting or themselves be replaced at a 1:1 ratio.
- iv. Notice on title.
  1. In order to inform subsequent purchasers of real property of the existence of replacement *trees* and their required viability period, the owner of any property containing replacement *trees* planted as mitigation for the removal of *exceptional trees* shall file a notice with county records and elections division according to the direction of the *City*. The notice shall state the presence of the replacement *trees* on the property and the date until which they must remain viable, of the application of this chapter to the property, and the fact that limitations on actions affecting the *trees* may exist. The notice shall run with the land.
  2. This notice on title shall not be required for:
    - a. A *development proposal* by a *public agency* or utility;
    - b. Within a recorded easement or right-of-way;
    - c. Where the agency or *utility* has been adjudicated the right to an easement or right-of-way; or
    - d. On the site of a public facility.
  3. The applicant shall submit proof that the notice has been filed with the county records and elections division (i.e., copy of document recorded on title).

2. Hazardous Trees.

- a. The *removal* of *hazard exceptional trees* shall comply with the following:
  - i. Prior to commencing with the *removal* the owner shall obtain a permit from the *City*.
  - ii. The burden of proving the hazardous nature of the *tree* lies with the property owner. The property owner shall provide the *City* with a report, prepared by an International Society of Arboriculture (ISA) certified arborist with a current Tree Risk Assessment Qualification (TRAQ), documenting that the *tree(s)* has a "high" or "extreme" risk and no other mitigation measure will reduce the risk below "high."
  - iii. Emergency tree removal. Where tree removal is necessary to prevent or correct an immediate threat to public health, safety, property, or welfare

is performed in an emergency situation, the permit application, evidence of the threat, and a tree risk rating of “high” or “extreme” prepared by a qualified tree protection professional shall be submitted within the next business working day to the City. Emergency tree removal, as described here within, is exempt from the Type 2 decision process.

b. Mitigation Requirements.

- i. The removal of hazardous, dying, or dead exceptional trees shall be mitigated by planting one (1) replacement tree, unless otherwise provided in KMC 18.55.150(E)(2).
- ii. Replacement trees must be of a species listed in Table 1 at KMC 18.20.3083 and must remain viable for a minimum of five (5) years after planting or themselves be replaced at a 1:1 ratio.

3. Private Access.

- a. Prior to commencing with the removal the owner shall obtain a permit from the City.
- b. Exceptional trees may be removed where necessary to provide for access to development sites, provided there are no feasible alternative alignments. Alternative access must be pursued to the maximum extent feasible.

4. Public Facilities.

- a. The City reserves the right to remove exceptional trees where necessary for roads, bridges, utilities, and facilities.
- b. Exceptional tree removal by private utilities require a tree removal permit and right-of-way use permit.
- c. Exceptional trees removed under this section are subject to the mitigation requirements described in KMC 18.57.063.B.1.g.i – 18.57.063.B.1.g.iv.

C. Modification to Standards to Protect Exceptional Trees

1. For single-family residential subdivisions and short subdivisions on sites in the R-4 zone that contain exceptional trees, the minimum lot size may be reduced to 5,400 square feet with no limitation on the percentage of smaller lots, regardless of KMC 18.21.030, Footnote 16. The lot area shall exclude access easements and access panhandles.
2. Unless it would be unreasonable to do so based on the use of neighboring properties, the city manager may reduce setbacks in residential zones regulated by Chapter 18.21 KMC to 10 feet, and setbacks in other zones to five feet, in order to maximize the protection of an exceptional tree and avoid exceptions or variances.

D. Penalties.

1. Civil Penalty. The penalty for *removal* of an *exceptional tree* or any other activity prohibited under subsection A shall be a civil penalty of up to \$2,500 per inch in d.b.h. of the *tree removed* with a maximum fine of \$150,000. For example, the monetary penalty for a 30-inch d.b.h. Douglas fir *removed* results in a maximum penalty of \$75,000. If the violation is found to have been willful or malicious, as determined by the *city manager*, the amount of the penalty may be doubled as punitive damages and the violator may be subject to criminal penalties under KMC 18.57.110.B.
2. In addition, any person found to be in violation of this Section shall plant three (3) replacement *trees* for each *exceptional tree* removed. Replacement *trees* shall be a species listed in Table 1 at KMC 18.20.3083 and must remain viable for a minimum of five (5) years after planting or themselves be replaced by the offender at a 1:1 ratio. In order to inform subsequent purchasers of real property of the existence of replacement *trees* and their required viability period, a notice will be filed on the title by the same procedure outlined under (B)(1)(g)(iv) of this Chapter.

### 18.57.070 Tree protection plan review procedure. SHARE

A. *Departmental Review.* The *city manager* shall review the tree protection plan and clearing permit application to determine whether the *applicant* has provided all required information. Completed applications shall be referred to appropriate *City departments* for review. Upon request of either the *applicant* or the *City*, the *City* may conduct field inspections or review meetings. *City departments* involved in the review and/or inspections shall submit their report(s) and recommendation(s) to the *city manager*.

B. *Evaluation for Compliance.* The *city manager* may require an evaluation by a *qualified tree protection professional*, a qualified engineer, landscape architect, soils engineer, testing lab, or other specialist at any time during the tree protection plan review process or tree removal inspection as necessary to ensure compliance with the provisions of this chapter and/or the terms of the clearing permit. Individual *applicants* will be responsible for payment to the *City* of the actual cost to the *City* of this evaluation. The actual costs of any such evaluation shall be paid to the *City* within 30 days of receipt of the *City's* invoice.

C. *Financial Guarantees.* For all projects required to have a tree protection plan, *financial guarantees* shall be required consistent with the provisions of KMC [21.20.070](#); provided, however, that to the extent that the *financial guarantee* requirements of KMC [18.57.100](#) are more protective of tree preservation, performance and maintenance, then the more protective requirements shall prevail. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

### 18.57.080 Tree protection plan review standards. SHARE



The following standards shall govern the approval of a tree protection plan and the granting or denial of an application for clearing permit:

A. Design. *Development* shall be designed, located, and conducted so as to minimize the loss of healthy *groves* and protected *trees* as identified by a *qualified tree protection professional*, degradation of wildlife habitat as identified through environmental review, and the potential for *erosion* and slope failure.

B. *Tree Protection Priority*. In designing a development project and in meeting the required minimum tree density, the *applicant* shall protect *trees* within the *net buildable area* as described in KMC [18.57.060](#)(B)(1), in the following order of priority. *Trees* to be preserved and protected must be healthy and vigorous, *wind-firm*, and not in conflict with utilities.

1. *Exceptional trees*.
2. *Groves*.
3. Individual *trees* which provide wildlife habitat as identified through environmental review.
4. Individual *trees* and *groves* which occur within required *setbacks*.
5. *Trees* that protect against windthrow, including *trees* sheltering interior *trees* or *trees* on adjacent property from strong winds that could otherwise cause them to blow down.
6. *Trees* which provide a buffer and separate incompatible *uses* or reduce sound and wind levels.

C. Replacement *Tree Planting Conditions*. Replacement *trees* should be planted in areas with soil, climate, exposure, and moisture conditions appropriate to the replacement *tree species'* growing requirements as determined by a *qualified tree protection professional*, licensed landscape architect, or certified nurseryman.

D. Replacement *Tree Planting Location Priority*. On *sites* where the number of existing *trees* falls below the minimum density requirements, then replacement *tree* planting shall be required. The *applicant's* proposed location of transplanted or replacement *trees* shall be subject to review by a *qualified tree protection professional*, licensed landscape architect, or certified nurseryman, and *City* approval as part of the tree protection plan. Replacement *trees* should be planted according to the following priority:

1. On-Site.

a. Designated Tracts. *Trees* located in separate deeded *tree* tracts specifically set aside for the preservation and planting of *trees* and/or the required recreation open space area if *trees* do not interfere with recreation activities.

b. Perimeter Landscaping. Significant trees located in the perimeter landscaping shall be retained. In which case, replacement trees shall not count toward and shall be in addition to perimeter landscape requirements.

c. Landscaping. This may include entrance landscaping, traffic islands, and other common open space areas. *Trees* located in a public right-of-way may be credited as replacement *trees* only if *street trees* are not a requirement.

2. Off-Site. In cases where an applicant believes that lot size prevents installation of the required number of trees, the applicant may propose to the City payment of a fee in lieu for installation of trees in a public park or other public space. The city manager shall review and make the final decision on the applicant's proposal, based on a recommendation from a qualified tree protection professional.

2. It is the City's intent to preserve and plant replacement trees on site. Only in rare cases and as a last resort, when planting replacement trees on site is infeasible, shall a fee-in-lieu be approved by the city manager

3. The tree fee-in-lieu for replacement tree shall be required for all tree units required that are not planted on the application site.

a. The base fee shall be equivalent to the cost of purchasing one 8' to 10' coniferous tree, 1.0 tree unit on Table 18.57.060B, installation (labor and equipment), and maintenance (including watering, warranty, and monitoring) for three years, as adopted by resolution.

b. The amount of the fee shall be the base fee times the number of replacement tree units necessary to satisfy the tree replacement requirements of this section, less existing trees and replacement trees.

c. The fee shall be paid to the City prior to final site plan approval, final plat approval, or the issuance of a tree removal permit, whichever applies as determined by the department.

d. A separate account shall be established by the City for fees collected. Tree replacement fees shall be earmarked specifically for this account. Funds withdrawn from this account shall be expended only for the planting of new trees in City-owned parks, open spaces, or rights-of-way, and shall be expended within five years of collection consistent with RCW 82.02.020.

~~EF.~~ Replacement ~~Conifer~~ Tree Types. Replacement *trees* shall be a species native to the Puget Sound lowlands. Replacement trees shall not be Alder (any species), Black Cottonwood, English Holly, or Leyland Cypress. ~~of a similar type of genus to the conifer trees that are removed; i.e., a western red cedar (*Thuja plicata*) may be replaced with a tree in the genus *Thuja*, such as an American arborvitae (*Thuja occidentalis*).~~ [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 15-0409 § 1 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

## 18.57.085 Tree windthrow evaluation and prevention. SHARE

A. Increased *tree windthrow* potential as a result of impacts to *trees* on a site shall be evaluated based on the following risk factors:

1. Root system disruption that will extend within an area one to two and one-half times the radius of the canopy;
2. Topography of the site;
3. Whether the *tree* is deciduous or evergreen;
4. Height of the *tree* relative to the neighboring *trees*;
5. Whether the tree is part of a *grove*.

B. The windthrow evaluation shall be conducted as part of the preparation of the tree protection plan (see KMC [18.57.050](#)) based on the aforementioned risk factors. The assessment shall be conducted by a *qualified tree protection professional*. This assessment also shall evaluate increased windthrow potential for *trees* on neighboring lots that are within 50 feet of the closest *trees* being removed on the site, including *trees* that share a root system with *tree(s)* on the site.

C. Tree Protection Plan.

1. When significant windthrow potential is identified for *trees* that could impact neighboring properties or are on neighboring properties, the *applicant* shall identify measures to minimize windthrow as part of the tree protection plan. Measures could include but are not limited to demonstrating that the *critical root zone (CRZ)* fencing is adequate to prevent root disruption or that the *CRZ* is expanded to provide root protection; saving *groves* when applicable; taking steps to preserve existing grades around *trees*; and/or tunneling rather than trenching for utilities. The City may deny a request to remove a *tree(s)* if mitigation measures are inadequate to minimize windthrow.



2. If potential windthrow damage is for the *site* itself, the *applicant* shall identify measures to reduce impacts to future *structures* on the *site*. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 15-0409 § 2 (Att. B).]

## 18.57.090 Tree protection during construction. SHARE

Prior to initiating tree removal and any *clearing* and *grading* on the *site*, *trees* to be protected and preserved shall be protected from potentially damaging activities as follows unless otherwise approved by the *City*.

A. *Critical Root Zone (CRZ)*. The *CRZ* of individual *trees*, *groves*, or otherwise designated protected tree areas shall include no less than the area of a circle with a radius that extends one foot out from the *tree* for every inch of trunk d.b.h., or the area of a circle with radius extending from a *tree's* trunk to a point no less than the end of a *tree's* longest branch, whichever is greater (see Figure 18.57.090A).

B. Tree Protection Fence (TPF). Before *development*, the *applicant*:

1. Shall place three inches of composted woodchips over the *CRZ* of all retained *trees* to retain moisture, increase organic matter, and visually establish the *CRZ*.
2. Shall erect and maintain readily visible protective tree fencing a minimum of three feet beyond the outer edge of the *CRZ* for all individual *trees*, *groves*, or other designated protected tree areas.
  - a. Fencing shall completely surround the required tree protection area. The *city manager* may allow adjustments to placement of the TPF based on an evaluation of the *tree*, soils, and proposed disturbance.
  - b. Fencing shall be a minimum of four feet high and may be higher if needed to ensure clear visual delineation. Chain-link *fence* or orange plastic *fence* fastened to steel stakes/posts driven securely into the ground shall be required in order to discourage easy movement.
  - c. Any deviation from the tree fencing methods listed above must be authorized in writing by the *city manager* in advance.
3. Shall keep the protective fencing in place until the *City* authorizes the removal or issues a final certificate of occupancy, whichever occurs first.
4. Shall ensure that any landscaping done within the root protection zone subsequent to the removal of the *fence* shall not disturb existing *trees* including roots within the *CRZ*.

C. Placing Materials Near *Tree*. During *development*, no individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, may conduct any activity within the TPF of any *tree* designated to remain, except as specified in this section.

D. Attachments to *Trees*. During *development*, no individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, shall attach any object to any *tree* designated for protection.

E. Grade.

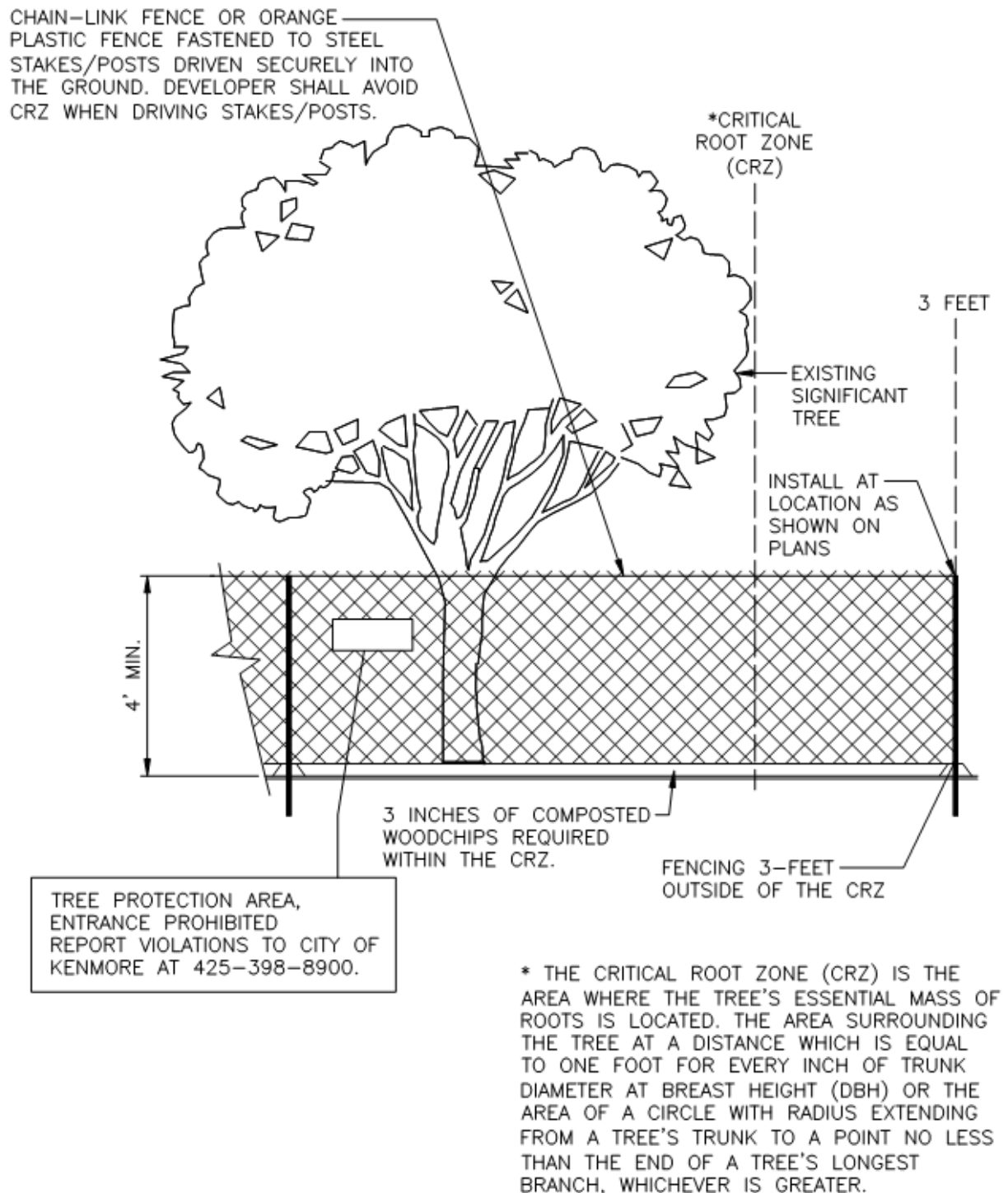
1. The grade shall not be filled or cut within the *CRZ* of any *tree* designated to remain without prior review by a *qualified tree protection professional* and advance, written approval from the *city manager*.

2. The *applicant* shall not install an *impervious surface* within the protective barrier of any *tree* designated to remain without the advance, written authorization of the *city manager*.

3. To the greatest extent practical, utility trenches shall be located outside of the root protection zone of *trees* to be retained. Boring or tunneling under the *CRZ* may be considered an alternative, but shall require the advance, written approval of the *city manager*.

4. *Trees* and other *vegetation* to be retained shall be protected from *erosion* and sedimentation.

F. Additional Requirements. The *city manager* may require additional tree protection measures which are consistent with accepted urban forestry practices.

**Figure 18.57.090B Tree Protection Fencing**

## 18.57.100 Post-construction replacement, financial guarantee and maintenance requirements. [SHARE](#)



A. Replace Damaged, Dead, or Dying *Trees*. Replacement *trees* or *groves* that are damaged or die within a period of three years after planting or transplanting must be replaced in kind at a ratio of one-to-one (1:1) within six months of the *tree's* death or the date of discovery of the damage. Existing *trees* that are damaged or die within a period of three years after completion of construction activities and as a cause of construction activities as determined by a *qualified tree protection professional* shall be replaced in kind at a ratio of ~~three two~~-to-one (3:1) or to restore the number of tree units lost, whichever is greater, within six months of the *tree's* death or date of discovery of the damage.

B. Replacement *Tree* Quality. Replacement *trees* shall conform to the American Standards for Nursery Stock, ANSI.

C. *Tree* Maintenance. All *trees* shall be maintained in accordance with International Society of Arboriculture guidelines and standards.

D. *Financial Guarantee* Required. A *financial guarantee* as defined and regulated under KMC Title 21 shall be required as a mechanism to cover any potential cost associated with replacing dead or dying replacement or existing *trees* required to satisfy tree unit requirements per this section.

1. A *financial guarantee* shall be required for all plans requiring 15 or more tree units.
2. Calculation of the amount of the *financial guarantee* shall be computed based upon equivalent tree replacement value for all replacement and existing *trees* on the property as determined by a *qualified tree protection professional* and approved by the *city manager*, using the most recent edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, in collaboration with the Council of Tree and Landscape Appraisers. Fair market value shall be posted. Fair market value includes the value of the *tree(s)*, installation, and maintenance until establishment that would be required to compensate for the *trees* that could be lost.
3. The *financial guarantee* period for maintenance shall be three years, plus an additional 60 days.
4. *Financial guarantees* shall be required consistent with the provisions of KMC Title 21. This time period may be extended to one year by the *city manager*, if necessary to cover a planting and growing season.

#### 4. Release of *Financial Guarantee*.

- a. Upon successful tree replacement and establishment as determined by the written approval of the *City* and consistent with Chapter 21.15 KMC, the *financial guarantee* required by this section shall be released.

b. The City, in its discretion, may release a *financial guarantee* under this section when fee simple title is transferred. The City may condition the release of the existing *financial guarantee* upon establishment of a new *financial guarantee* by the new owner in fee simple. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

## 18.57.110 Penalties, enforcement. SHARE

A. Civil Penalty. Any violation of any provision of this chapter constitutes a civil violation under Chapter 1.15 KMC, and is subject to the enforcement procedures of Chapter 1.20 KMC; provided, however, that an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, who removes any *tree* in violation of this chapter shall be assessed the following civil penalty:

An individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, removing a *tree* in violation of this chapter shall be assessed a monetary penalty of up to \$2,000 per inch in *diameter at breast height* (d.b.h.) of the *tree* removed. For example, the monetary penalty for a 20-inch d.b.h. *tree* removed results in a maximum penalty of \$40,000. In no case shall the penalty be reduced to an amount less than \$500.00 for each violation found committed. The extent of the penalty shall be determined by the *city manager* in consideration of reasonable factors. Monetary penalties shall increase with each violation. The *city manager* is authorized to adopt *policies* setting forth the reasonable factors for consideration under this subsection. This section shall not apply to the removal of exceptional trees, which penalties are set forth in KMC 18.57.063.

B. Criminal Penalty. In addition to or as an alternative to incurring civil liability under this section, an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, who violates any provisions of this chapter shall be guilty of a misdemeanor and subject to the criminal penalties set forth in Chapter 1.15 KMC, and shall be subject to the procedures of the City's criminal code, KMC Title 9.

C. Separate Offense. Every individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, violating any provision of this chapter is guilty of a separate offense for each and every day during any portion of which the violation is committed, continued or permitted by any such individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

# **TIER 2 TREE REGULATIONS**

## **ORDINANCE NO. 23-0597**

Garrett Oppenheim, Assistant to the City Manager  
Samantha Loyuk, Development Services Director



# RECAP

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- On May 16, 2022, potential Tier 2 tree code amendments were presented to City Council.
- There was a clear commitment to the environment and preservation of Kenmore's urban forest.
- October 16, 2023: City Council adopted the Exceptional Tree Ordinance, a Tier 2 item.
- November 20, 2023: Public Hearing.



## TIER 2 REGULATIONS PROPOSED

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve all trees along the perimeter. (similar to Gig Harbor)
5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").
- ~~6. Establish an Exceptional Tree program.~~

Adopted October 16, 2023







# TIER 2 REGULATIONS PROPOSED

1. Increase the tree density requirement for new development.

2. Decrease yearly allowances for single-family tree removal.

3. Always require replacement.

4. Preserve all trees along the perimeter. (similar to Gig Harbor)

5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").

- The minimum tree density is increased from 30 tree units per net buildable acres to 40 tree units per NBA (an increase of 33.3%)
- Replacement trees are considered only after exhausting all options for retention of existing trees



## TIER 2 REGULATIONS PROPOSED

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve all trees along the perimeter. (similar to Gig Harbor)
5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").

- The yearly tree removal allowance, regardless of lot size, is 1 tree per year.





## TIER 2 REGULATIONS PROPOSED

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve all trees along the perimeter. (similar to Gig Harbor)
5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").

- When trees are removed, they're replaced with native trees
- Exceptions: 1) Hazardous trees do not require replacement, and 2) When necessary, a fee-in-lieu option may be approved by the city manager



A child with long brown hair is peeking out from behind a dense thicket of green bushes and vines. They are holding binoculars to their eyes. In the background, a white picket fence is visible, and a tree trunk is partially obscured by the foliage. The scene is set in a garden or yard.

## TIER 2 REGULATIONS PROPOSED

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve all trees along the perimeter. (similar to Gig Harbor)
5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").

- Retain existing trees within the perimeter landscaping



A photograph of three children riding bicycles on a dirt trail in a forest. The child in the foreground is a young girl with curly hair, wearing a blue helmet, a green vest over a plaid shirt, and blue pants. She is smiling and looking towards the camera. Behind her to the left is another child, also on a bicycle, wearing a blue helmet and a light-colored jacket. To the right, further back, is a third child wearing a red plaid shirt, a red scarf, and a white beanie. The background is filled with tall trees and sunlight filtering through the leaves.

## TIER 2 REGULATIONS PROPOSED

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve all trees along the perimeter. (similar to Gig Harbor)
5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").

- When replacement is infeasible (e.g., small lots), a "fee in lieu" option is available, subject to approval
- Replacement is preferred over fee in lieu
- The fee is established by resolution
- The fee is based on the cost to plant (labor and equipment), maintain for 5 years, and administer the program



# **PUBLIC HEARING**

## **ORDINANCE NO. 23-0597**



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

<p><b>Subject/Topic:</b></p> <p>Public Hearing and Adoption of Ordinance No. 23-0587 Amending the 2023-2024 Biennial Budget and approving a 4.5% wage increase and Salary Plan for 2024</p> <p><b>Proposed Council Action/Motion:</b>          Adopt Ordinance No. 23-0587</p> <ol style="list-style-type: none"> <li>1. Amending the 2023-2024 Biennial Budget</li> <li>2. Approving a 4.5% Wage Increase and Salary Plan for 2024</li> </ol>	<p><b>For Council Meeting Agenda of:</b> December 4, 2023</p> <p><b>Department:</b> Finance &amp; Administration</p> <p><b>Prepared by:</b> Melinda Merrell, Finance Director</p> <table style="width: 100%;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: right;"><u>Initial &amp; Date</u></th> </tr> </thead> <tbody> <tr> <td><b>Approved by Department Head:</b></td> <td style="text-align: right;">MM</td> </tr> <tr> <td><b>Approved by City Attorney:</b></td> <td style="text-align: right;">N/A</td> </tr> <tr> <td><b>Approved by Finance Director:</b></td> <td style="text-align: right;">MM</td> </tr> <tr> <td><b>Approved by City Manager:</b></td> <td style="text-align: right;">RK</td> </tr> </tbody> </table> <p><b>Exhibits/Attachments:</b></p> <ol style="list-style-type: none"> <li>1. Ordinance No. 23-0587 with Exhibit A: 2024 Salary Plan</li> <li>2. Mid-Biennium Budget Amendment Worksheet</li> <li>3. Projected Ending Fund Balance Worksheet</li> </ol>		<u>Initial &amp; Date</u>	<b>Approved by Department Head:</b>	MM	<b>Approved by City Attorney:</b>	N/A	<b>Approved by Finance Director:</b>	MM	<b>Approved by City Manager:</b>	RK
	<u>Initial &amp; Date</u>										
<b>Approved by Department Head:</b>	MM										
<b>Approved by City Attorney:</b>	N/A										
<b>Approved by Finance Director:</b>	MM										
<b>Approved by City Manager:</b>	RK										
<p><b>Summary:</b></p> <p>Per RCW 35A.34.130, cities that budget on a biennial basis must adopt an ordinance providing for a mid-biennial review and any modifications of the biennial budget. This must occur no sooner than eight months after the start (September 1, 2023) and no later than the end of the first year of the biennium (December 31, 2023). Another requirement of the mid biennial review process is a public hearing at a City Council meeting, which shall be held on December 4, 2023.</p>											
<p><b>Information/Background:</b></p> <p>On November 21, 2022 the City of Kenmore adopted the 2023-2024 biennial budget by Ordinance No. 22-0562. The city-wide budget includes revenue (\$79,889,537) and expenditure (\$87,284,869) estimates for both years which support the City Council priorities, departmental work programs, various municipal obligations, as well as Federal and State mandates.</p> <p>A mid-biennial review of the biennial budget as prescribed by State Law is complete. Another requirement of the mid-biennial review process is a public hearing at a City Council meeting, which shall be held on December 4, 2023.</p>											



Amendments to the General Fund, Street Fund, KAPE Fund, Transportation Benefit District Fund, Transportation Capital Fund, Real Estate Excise Tax Fund, Park Capital Fund, Park Impact Fee Fund, Public Works Shop Fund, Surface Water Management Fund, Surface Water Management Capital Fund are being recommended to Council as detailed in Attachment 2.

Also included for Council consideration is an update to the Salary Plan pay ranges. The Seattle-Tacoma-Bellevue CPI-W (Consumer Price Index for Urban Wage Earners and Clerical Workers) as of June 2023 was 4.5%. This is the index typically used by the city for wage adjustments. The pay ranges in the attached Salary Plan have been updated and increased by 4.5% which would allow for a 4.5% wage adjustment for all employees on January 1, 2024. The budget for 2024 included a 4.0% increase for salaries and the difference is not material to the overall budget.

The 2024 budget amendments also include the three positions and associated funds that were approved by Council on February 13, 2023 which occurred after the 2023-2024 budget was adopted. Those positions were a Climate Action Plan Manager, a Housing & Human Services Manager and an Administrative/Financial Services Manager. The amendments also include a new full-time Engineer (Transportation) and a new Project Manager (Surface Water Management) which were part of the funding request in the updates to the CIP over the past few months.

After conclusion of the public hearing, if there are no modifications to the recommended budget adjustments or salary plan, Ordinance 23-0587 will be presented for adoption to amend the 2023-2024 budget and approve the new 2024 Salary Plan which includes a 4.5% wage increase effective January 1, 2024.

**Fiscal Consideration:**

See attached Mid-Biennium Budget Worksheet and November 20, 2023 presentation for details of the proposed revenue and expenditure adjustments.

**City Council Priority or Budget Objective Being Addressed:**

Per RCW 35A, the budget is the legal authority to expend public funds and controls those expenditures by setting the amount of the appropriation at the fund level by ordinance.

**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 23-0587**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, RELATING TO THE 2023-2024 BUDGET; AMENDING THE 2023-2024 BUDGET, TO ADJUST REVENUES AND APPROPRIATIONS FOR THE GENERAL FUND, THE STREET FUND, THE KAPE FUND, THE TRANSPORTATION BENEFIT DISTRICT FUND, THE TRANSPORTATION CAPITAL FUND, THE REAL ESTATE EXCISE TAX FUND, THE PARK CAPITAL FUND, THE PARK IMPACT FEE FUND, THE PUBLIC WORKS SHOP FUND, THE SURFACE WATER MANAGEMENT FUND AND THE SURFACE WATER MANAGEMENT CAPITAL FUND; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

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WHEREAS, the City Council of the City of Kenmore, Washington, (the "City"), is required by applicable State law to finalize its biennial budget prior to the commencement of the first fiscal year of the biennium; and

WHEREAS, the amount of revenue and expenditures can only be estimated at the time of finalization of the budget; and

WHEREAS, by Ordinance No. 22-0562, the City Council adopted the 2023-2024 Biennial Budget on November 21, 2022; and

WHEREAS, the City Council scheduled and held a Public Hearing on the mid-biennial proposed amendments to the 2023-2024 biennial budget on December 4, 2023; and

WHEREAS, the City Council finds it in the best interest of the City to adjust revenues and expenditures in the General Fund, the Street Fund, the KAPE Fund, the Transportation Benefit District Fund, the Transportation Capital Fund, the Real Estate Excise Tax Fund, The Park Capital Fund, the Park Impact Fee Fund, The Public Works Shop Fund, the Surface Water Management Fund and the Surface Water Management Capital Fund;

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

Section 1. Funds Appropriated. The 2023-2024 Biennial Budget is amended by fund to reflect the adjustments to revenues and appropriations as shown below:

REVENUE				
FUND NO.	FUND	2023-2024 Adopted Revenue Budget	2023 Mid-Biennium Amendments	2023-2024 Amended Revenue Budget
001	General Fund	31,305,131	1,662,127	32,967,258
045	Strategic Reserve Fund	27,356	-	27,356
046	Strategic Opportunities Fund	135,018	-	135,018
101	Street Fund	3,850,380	-	3,850,380
105	KAPE Fund	800,000	(250,000)	550,000
110	Public Art Fund	1,400	-	1,400
115	Transportation Benefit District	726,305	480,000	1,206,305
130	ARPA Fiscal Recovery Fund	-	-	-
200	2016 & 2021 UTGO DS Fund	2,116,750	-	2,116,750
300	Transportation Capital Fund	5,636,383	5,129,028	10,765,411
301	Real Estate Excise Tax Fund (REET)	4,896,168	-	4,896,168
302	W&W Bond Project Fund	22,700	-	22,700
303	Park Capital Fund	749,300	1,123,900	1,873,200
304	Park Impact Fee Fund	505,670		505,670
305	Transportation Impact Fee Fund	1,043,334		1,043,334
306	Sammamish Bridge Replacement	1,381,785		1,381,785
307	Public Works Shop Fund	15,951,006	2,924,598	18,875,604
401	Surface Water Management Fund	6,318,615	837,050	7,155,665
402	SWM Capital Fund	4,215,496	2,790,192	7,005,688
403	Swamp Creek Basin	10,000		10,000
501	Equipment Replacement Fund	196,740		196,740
	TOTAL	\$ 79,889,537	\$ 14,696,895	\$ 94,586,432



EXPENDITURES				
FUND NO.	FUND	2023-2024 Adopted Expenditure Budget	2023 Mid-Biennium Amendments	2023-2024 Amended Expenditure Budget
001	General Fund	31,252,425	1,483,876	32,736,301
045	Strategic Reserve Fund	-	-	-
046	Strategic Opportunities Fund	576,000	-	576,000
101	Street Fund	3,804,980	(21,198)	3,783,782
105	KAPE Fund	641,200	(100,000)	541,200
110	Public Art Fund	-	-	-
115	Transportation Benefit District	700,000	480,000	1,180,000
130	ARPA Fiscal Recovery Fund	4,932,411		4,932,411
200	2016 & 2021 UTGO DS Fund	2,116,750		2,116,750
300	Transportation Capital Fund	5,636,383	5,409,028	11,045,411
301	Real Estate Excise Tax Fund (REET)	5,848,900	806,301	6,655,201
302	W&W Bond Project Fund	-		-
303	Park Capital Fund	775,700	1,297,500	2,073,200
304	Park Impact Fee Fund	-	157,500	157,500
305	Transportation Impact Fee Fund	700,000		700,000
306	Sammamish Bridge Replacement	1,381,785		1,381,785
307	Public Works Shop Fund	15,951,006	2,924,598	18,875,604
401	Surface Water Management Fund	8,467,779	1,203,778	9,671,557
402	SWM Capital Fund	3,949,550	3,492,600	7,442,150
403	Swamp Creek Basin	80,000		80,000
501	Equipment Replacement Fund	470,000		470,000
	<b>TOTAL</b>	<b>\$ 87,284,869</b>	<b>\$ 17,133,983</b>	<b>\$ 104,418,852</b>

Section 2. Wage Adjustment. The amended 2023-2024 Biennial Budget includes a 4.5% wage adjustment for City employees, effective January 1, 2024.

Section 3. Positions and Salary Schedules. The various positions and salary ranges for City employees for 2024 are attached to this Ordinance as Exhibit A.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise, invalid for any reason, or should any portion of this Ordinance be preempted by State or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to

other persons or circumstances.

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

ADOPTED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE 4th DAY OF DECEMBER 2023.

CITY OF KENMORE

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Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

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Anastasiya Warhol, City Clerk

APPROVED AS TO FORM:

---

Dawn Reitan, City Attorney

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

**City of Kenmore**

**2023 Adopted Salary Plan / 2024 Proposed Salary Plan**

Position	2023 Monthly Pay Ranges		Proposed 2024 Monthly Pay Ranges with 4.5% increase	
	Low	High	Low	High
Deputy City Manager	12,746	16,187	13,320	16,916
Finance & Administration Director	11,853	15,053	12,386	15,730
Public Works Director	11,853	15,053	12,386	15,730
Community Development Director	11,693	14,851	12,219	15,519
Development Services Director	11,693	14,851	12,219	15,519
City Engineer	11,375	14,447	11,887	15,097
Public Works Operations Director	9,736	12,365	10,174	12,921
Environmental Services Director	9,736	12,365	10,174	12,921
HHS Mgr./CAP Mgr./Admin. & Fin. Mgr.	8,882	11,281	9,282	11,789
Project Manager (Transportation, Parks, etc.)	8,540	10,846	8,924	11,334
Principal Planner	8,540	10,846	8,924	11,334
Senior Engineer	8,540	10,846	8,924	11,334
Traffic Engineer	8,540	10,846	8,924	11,334
Senior Development Review Engineer	8,540	10,846	8,924	11,334
Civil Engineer	7,971	10,123	8,330	10,579
Development Review Engineer	7,971	10,123	8,330	10,579
Building Official	7,971	10,123	8,330	10,579
City Clerk	7,803	9,910	8,154	10,356
Senior Planner	7,709	9,790	8,056	10,231
Maint. Supervisor (Parks & Streetscape, Streets & SWM, Facilities & Fleet, etc.)	7,484	9,505	7,821	9,933
Communications Specialist	7,365	9,353	7,696	9,774
Assist. to the City Mgr./DEIA Coordinator	7,365	9,353	7,696	9,774
Building Inspector/Plans Examiner	7,273	9,237	7,600	9,653
Senior Environmental Services Technician	7,273	9,237	7,600	9,653
Planner	6,970	8,852	7,284	9,250
Management Analyst/ARPA	6,970	8,852	7,284	9,250
GIS Analyst	6,970	8,852	7,284	9,250
Accountant	6,628	8,417	6,926	8,796
Building Inspector/Code Compliance Officer	6,628	8,417	6,926	8,796
Executive Assistant	6,469	8,215	6,760	8,585
Deputy City Clerk	6,469	8,215	6,760	8,585
ROW Inspector	6,355	8,071	6,641	8,434
Senior Maintenance Worker	6,194	7,866	6,473	8,220
Environmental Services Technician	5,972	7,584	6,241	7,926
Senior Permit Coordinator	5,972	7,584	6,241	7,926
Assistant Planner	5,868	7,453	6,132	7,788
Recreation Program Supervisor	5,868	7,453	6,132	7,788
Volunteer & Events Supervisor	5,868	7,453	6,132	7,788
Payroll & Accounting Coordinator	5,618	7,135	5,871	7,456
Permit Coordinator	5,618	7,135	5,871	7,456
Senior Facility Maintenance Technician	5,618	7,135	5,871	7,456
Specialist (Administrative, Permit, Events, Records)	5,318	6,753	5,557	7,057
Maintenance Worker	5,275	6,699	5,512	7,000
Administrative Assistant	5,027	6,384	5,253	6,672
Facility Maintenance Technician	4,728	6,005	4,941	6,275
Receptionist	4,419	5,611	4,618	5,864
Intern or Temp Office Aide	20.00	31.00	20.90	32.40
Seasonal Maintenance Worker	20.00	31.00	20.90	32.40



Account No.	Account Name	Current 2023-2024 Budget	Recommended Budget Amendment Increase (decrease)	2023-2024 Amended Budget
<b>Fund 001 General Fund</b>				
<b>REVENUES</b>				
001.000.31110000	Real Property Tax	11,403,392	90,449	11,493,841
001.000.31311000	Local Sales & Use Tax	7,543,271	(311,477)	7,231,794
001.000.31371000	Criminal Justice 1/10 sales tax	1,631,308	(24,108)	1,607,200
001.000.31641000	Electric Utility Tax	1,098,732	430,000	1,528,732
001.000.31643000	Gas Utility Tax	497,375	245,200	742,575
001.000.31647000	Telephone Utility Tax	157,706	(11,456)	146,250
001.000.31649050	Cable Utility Tax	766,000	(166,000)	600,000
001.000.31649070	Solid Waste Utility Tax	-	781,000	781,000
001.000.31649060	Surface Water Utility Tax	253,750	165,422	419,172
001.000.31811000	Admissions Tax	200,000	(135,000)	65,000
001.000.31681000	Gambling Tax	132,092	50,000	182,092
001.000.32191002	Water/Sewer Franchise	1,118,585	100,000	1,218,585
001.000.33606410	Cannibas Excise Tax	78,000	20,000	98,000
001.059.34581000	Land Use	355,434	(100,000)	255,434
001.059.34583001	Plan Review and Other	835,269	275,000	1,110,269
001.059.34800001	Credit Card Processing Fees	33,207	20,000	53,207
001.014.36110000	Investment Earnings	66,903	233,097	300,000
	All changes above to adjust revenue projections			
<b>EXPENDITURES</b>				
New Dept in 2023	054 - Environmental Services	-	572,820	572,820
	Salaries & Benefits - \$316,750			
	Goods & Services - \$256,070			
New Dept in 2023	057 - Housing & Human Services	-	550,700	550,700
	Salaries & Benefits - \$316,750			
	Goods & Services - \$233,950			
001.014.XXXXX.XXXX	014 - Finance & Administration	2,527,861	613,776	3,141,637
	Salaries & Benefits, new F&A Mgr - \$316,750			
	Goods & Services - \$137,026			
	Increase in WCIA premiums - \$160,000			
001.019.59700.9001	Transfers	1,950,513	(480,000)	1,470,513
	Reduce transfer to street fund in relation to increase			
	in Vehicle Fee from \$20 to \$40			
001.XXX.XXXXXXXX	Transfer to Public Works Ops Center	92,200	(63,420)	28,780
	To reduce transfer from GF to PWOC			
001.021.52120.5302	Public Safety	9,666,950	290,000	9,956,950
	Increase to cover Police Services contract			

<b>Fund 101 Street Fund</b>				
<b>REVENUES</b>				
101.000.39700001	Transfer from General Fund	1,858,313	-	1,858,313
	Reduce transfer from GF due to Increase in Vehicle Tab Fee			
101.000.39700115	Transfer from TBD Fund	700,000	480,000	1,180,000
	Increase transfer from TBD Fund due to Increase in Vehicle Tab Fee			
<b>EXPENDITURES</b>				
101.000.XXXXXXXX	Salary and Benefits	1,575,300	100,000	1,675,300
	Moving from KAPE to Street			
101.000.XXXXXXXX	Transfer to Public Works Operations Center	175,880	(121,198)	54,682
	reduce transfer to PWOC			
<b>Fund 105- Kenmore Automated Photo Enforcement Fund</b>				
<b>REVENUES</b>				
105.000.35310002	Photo enforcement revenue	800,000	(250,000)	550,000
	Adjust revenue forecast based on YTD actuals			
<b>EXPENDITURES</b>				
105.000.XXXXXXXX	Salary and Benefits	361,200	(100,000)	261,200
	Adjust expenses to account for lower revenues			
<b>Fund 115 - Transportation Benefit District</b>				
<b>REVENUES</b>				
115.000.31760000	Vehicle Fees	723,600	480,000	1,203,600
	Add in 2023 increase in Vehicle tab fees from \$20 to \$40			
<b>EXPENDITURES</b>				
115.000.59700.0101	Transfer to Street Fund	700,000	480,000	1,180,000
	Increase transfer to Street Fund due to Increase in Vehicle Tab Fee			
<b>Fund 300 Transportation Capital Fund</b>				
<b>REVENUES</b>				
300.000.XXXXXXXX	Connecting WA	200,000	389,045	589,045
300.000.XXXXXXXX	Real Estate Excise Taxes	3,616,379	(491,230)	3,125,149
300.000.XXXXXXXX	Real Estate Excise Taxes-Sammamish Bridge	280,000	975,043	1,255,043
300.000.XXXXXXXX	Connecting WA	500,000	514,458	1,014,458
300.000.XXXXXXXX	Move Ahead WA	187,500	(187,500)	-
300.000.XXXXXXXX	WSDOT ped/bike	322,500	259,042	581,542
300.000.XXXXXXXX	Sound Transit (pending)	-	339,514	339,514
300.000.XXXXXXXX	BRAC Grant (pending)	-	526,553	526,553
300.000.XXXXXXXX	Juanita Funding Carryover	-	606,025	606,025
300.000.XXXXXXXX	68th Ave Ped/Bike Funding Carryover	-	230,773	230,773
300.000.XXXXXXXX	WSDOT Safe Routes to Schools	-	486,832	486,832
300.000.XXXXXXXX	WSDOT Ped/Bike Funds	250,004	84,996	335,000
300.000.XXXXXXXX	Department of Ecology	-	121,388	121,388
300.000.XXXXXXXX	Puget Sound Energy	-	154,089	154,089
300.000.XXXXXXXX	TIB (overlay)	-	920,000	920,000
300.000.XXXXXXXX	T-xx NE 170th Sidewalk Project	-	200,000	200,000
	To update budget amounts to approved CIP			

<b>EXPENDITURES</b>				
300.000.XXXXXXXX	T 8 SR 522 West B 57th to 61st	500,000	(50,581)	449,419
300.000.XXXXXXXX	T 27 Pedestrian Facilities Program	630,000	(630,000)	-
300.000.XXXXXXXX	T 35 Pavement Preservation	1,960,000	89,901	2,049,901
300.000.XXXXXXXX	T 37 West Sammamish River Bridge Replacement		2,320,082	2,320,082
300.000.XXXXXXXX	T 41 Juanita Pedestrian & Bicycle Safety	687,925	1,527,800	2,215,725
300.000.XXXXXXXX	T 42 68th Ave Pedestrian & Bicycle Safety	205,745	230,773	436,518
300.000.XXXXXXXX	T 44 61st Ave Sidewalk Replacement (Phase 1)	525,000	(122,982)	402,018
300.000.XXXXXXXX	T 207 SR 522 Mid block crossing	42,500	(42,500)	-
300.000.XXXXXXXX	T 244 Burke-Gilman Trail/NE 175th St. Wayfinding	255,213	96,189	351,402
300.000.XXXXXXXX	T 252 ADA Transition Program	500,000	15,000	515,000
300.000.XXXXXXXX	T 253 NE 181st St Sidewalk Project	-	380,514	380,514
300.000.XXXXXXXX	T 255 68th/Simonds Restriping Project	-	450,000	450,000
300.000.XXXXXXXX	T 260 80th Ave NE Sidewalk Project	-	376,000	376,000
300.000.XXXXXXXX	T 261 NE 192nd St Sidewalk Project	-	241,000	241,000
300.000.XXXXXXXX	T 262 Arrowhead Project	-	327,832	327,832
300.000.XXXXXXXX	T-xx NE 170th Sidewalk Project	-	200,000	200,000
	To update budget amounts to approved CIP			
<b>Fund 301 REET</b>				
<b>REVENUES</b>				
				-
<b>EXPENDITURES</b>				
				-
301.000.59700.0307	Transfer to Public Works Shop Fund	809,051	342,488	1,151,539
	to record transfer for debt service			
301.000.59700.XXXX	Transfer to Transportation Capital Fund	3,896,379	483,813	4,380,192
	Increase transfer from REET to Transportation			
301.000.59700.XXXX	Transfer to Parks Capital Fund	258,000	(20,000)	238,000
	Reduce transfer from REET to Parks			
<b>Fund 303 Park Capital Fund</b>				
<b>REVENUES</b>				
303.000.XXXXXXXX	2022 Carryover Funds	-	1,160,000	1,160,000
	To utilize P27 funds that moved to reserves at YE 2022			-
303.000.XXXXXXXX	King County Park Levy	300,000	(173,600)	126,400
303.000.XXXXXXXX	RE Excise Tax (parks)	258,000	(20,000)	238,000
	To reduce revenue sources to align with needs			
303.000.39700304	Transfer from Park Impact Fund	-	157,500	157,500
	To cover misc park project expenditures			
<b>EXPENDITURES</b>				
303.000.59476.XXXX	P1 Twin Springs Park Phase I	111,300	137,500	248,800
	To reflect increase in expenditure from budget amount			-
303.000.59476.XXXX	P 27 'a' & 'b' Park Waterfront	290,000	1,160,000	1,450,000
	To utilize carryover balance			



<b>Fund 304 Park Impact Fee Fund</b>				
<b>REVENUES</b>				
<b>EXPENDITURES</b>				
304.000.59700.0303	Transfer to Park Capital Fund	-	157,500	157,500
	To cover misc park projects			
<b>Fund 307 Public Works Shop Fund</b>				
<b>REVENUES</b>				
307.000.39700XXX	F1 Bond proceeds for PWOC	14,100,000	2,400,000	16,500,000
307.000.39700301	Transfer from REET Fund	809,051	342,488	1,151,539
307.000.39700101	Transfer from Street Fund	175,880	(121,198)	54,682
307.000.39700XXX	Transfer from Surface Water Utility Funds	773,875	366,728	1,140,603
307.000.39700001	Transfer from General Fund	92,200	(63,420)	28,780
	To reflect transfer for debt service			
<b>EXPENDITURES</b>				
307.000.XXXXX.XXXX	F1 Bond issuance for PWOC	14,100,000	2,400,000	16,500,000
307.000.XXXXX.XXXX	Debt service	1,851,006	524,598	2,375,604
	to reflect new debt and debt service payments			
<b>Fund 401 Surface Water Management Fund (SWM fund)</b>				
<b>REVENUES</b>				
401.000.XXXXXXXX	Surface Water Charges	6,270,040	837,050	7,107,090
	To adjust for new SWM rates			
<b>EXPENDITURES</b>				
401.000.XXXXX.XXXX	Transfer to SWM Capital	2,128,550	837,050	2,965,600
	To adjust budget to match approved CIP			
401.000.59700.0307	Transfer to Public Works Shop Fund	773,875	366,728	1,140,603
	to increase transfer for debt service public works shop debt			
<b>Fund 402 Surface Water Management Capital Fund</b>				
<b>REVENUES</b>				
402.000.XXXXXXXX	Surface Water Utility Funds	2,128,550	837,050	2,965,600
402.000.XXXXXXXX	Surface Water General Utility Charges	535,946	(103,946)	432,000
402.000.XXXXXXXX	Public Works Trust Fund Loan: 190th Culvert	890,000	(26,362)	863,638
402.000.XXXXXXXX	Bond proceeds for Fish Passage Culvert projects	-	858,600	858,600
402.000.XXXXXXXX	Conservation Grant	365,000	181,750	546,750
402.000.XXXXXXXX	Other grants - unsecured	-	1,043,100	1,043,100
402.000.XXXXXXXX	To adjust budget to match approved CIP			
<b>EXPENDITURES</b>				
402.000.XXXXXXXX	SW 36 Restoration Projects (Land Acq, Demo, Restore)	-	49,000	49,000
402.000.XXXXXXXX	SW 37 192ND SC Trib Fish Passage Culvert Repl	-	1,735,000	1,735,000
402.000.XXXXXXXX	SW 38 163RD Trib 0057 Fish Passage Culvert Rep	-	197,500	197,500
402.000.XXXXXXXX	SW 39 76TH Trib 0057 Fish Passage Culvert Repl	-	178,500	178,500
402.000.XXXXXXXX	SW 40 74TH Trib 0057 Fish Passage Culvert Repl	-	170,300	170,300
402.000.XXXXXXXX	SW 41 74TH Trib 0057 Fish Passage Culvert Repl	-	105,800	105,800
402.000.XXXXXXXX	SW 42 169TH Samm Trib Fish Passage Culvert Repl	-	206,500	206,500
402.000.XXXXXXXX	Fish Passage Culvert Projects Debt Payments	-	850,000	850,000
	To adjust budget to match approved CIP			

FUND NO.	FUND	2022 Actual Ending Fund Balance	Budget Revenues	Budget Expenditures	Amendments Revenues	Amendments Expenditures	2024 Projected Ending Fund Balance
001	General Fund	3,533,762	31,305,131	31,252,425	1,662,127	1,483,876	3,764,719
045	Strategic Reserve fund	1,365,196	27,356	-	-	-	1,392,552
046	Strategic Opportunities Fund	799,756	135,018	576,000	-	-	358,774
101	Street fund	2,270,571	3,850,380	3,804,980	-	(21,198)	2,337,169
105	KAPE Fund	-	800,000	641,200	(250,000)	(100,000)	8,800
110	Public Art Fund	119,725	1,400	-	-	-	121,125
115	Transportation Benefit District	151,522	726,305	700,000	480,000	480,000	177,827
130	ARPA Fiscal Recovery Fund	5,135,514	-	4,932,411	-	-	203,103
200	2016 UTGO Debt Service Fund	176,713	2,116,750	2,116,750	-	-	176,713
300	Transportation Capital Fund	2,443,877	5,636,383	5,636,383	5,129,028	5,409,028	2,163,877
301	Real Estate Excise Tax Fund (REET)	2,951,067	4,896,168	5,848,900	-	806,301	1,192,034
302	W&W Bond Project fund	59,961	22,700	-	-	-	82,661
303	Park Capital Fund	1,604,872	749,300	775,700	1,123,900	1,297,500	1,404,872
304	Park Impact Fee Fund	94,931	505,670	-	-	157,500	443,101
305	Transportation Impact fee Fund	360,027	1,043,334	700,000	-	-	703,361
306	Sammamish Bridge Replacement	617,654	1,381,785	1,381,785	-	-	617,654
307	Public Works Shop fund	429,799	15,951,006	15,951,006	2,924,598	2,924,598	429,799
401	Surface Water Management Fund	4,323,250	6,318,615	8,467,779	837,050	1,203,778	1,807,358
402	SWM Capital Fund	1,768,341	4,215,496	3,949,550	2,790,192	3,492,600	1,331,879
403	Swamp Creek Basin	450,390	10,000	80,000	-	-	380,390
501	Equipment Replacement Fund	690,533	196,740	470,000	-	-	417,273
	TOTAL	\$ 29,347,461	\$ 79,889,537	\$ 87,284,869	\$ 14,696,895	\$ 17,133,983	\$ 19,515,041



## City Council Agenda Bill City of Kenmore, WA

<p><b>Subject/Topic:</b> Adoption of Ordinance no. 23-0597 (Tier 2 Tree Regulations).</p> <p><b>Proposed Council Action/Motion:</b> Public Hearing and adoption of Ordinance No. 23-0597.</p>	<p><b>For Council Meeting Agenda of:</b> December 4, 2023</p> <p><b>Department:</b> Development Services</p> <p><b>Prepared by:</b> Garrett Oppenheim, Assistant to the City Manager, Samantha Loyuk, Development Services Director</p> <table border="0"><tr><td></td><td><b><u>Initial &amp; Date</u></b></td></tr><tr><td><b>Approved by Department Head:</b></td><td><u>SL 11/27/23</u></td></tr><tr><td><b>Approved by City Attorney:</b></td><td><u>DR 11/27/23</u></td></tr><tr><td><b>Approved by Finance Director:</b></td><td><u>MM 11/27/23</u></td></tr><tr><td><b>Approved by City Manager:</b></td><td><u>RK 11/27/23</u></td></tr></table> <p><b>Exhibits/Attachments:</b></p> <ol style="list-style-type: none"><li>1. Ordinance No. 23-0597</li><li>2. Ord. 23-0597 Exhibit A</li><li>3. Ord. 23-0597 Exhibit B</li><li>4. Ord. 23-0597 Exhibit C</li><li>5. PowerPoint presentation</li></ol>		<b><u>Initial &amp; Date</u></b>	<b>Approved by Department Head:</b>	<u>SL 11/27/23</u>	<b>Approved by City Attorney:</b>	<u>DR 11/27/23</u>	<b>Approved by Finance Director:</b>	<u>MM 11/27/23</u>	<b>Approved by City Manager:</b>	<u>RK 11/27/23</u>
	<b><u>Initial &amp; Date</u></b>										
<b>Approved by Department Head:</b>	<u>SL 11/27/23</u>										
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<b>Approved by Finance Director:</b>	<u>MM 11/27/23</u>										
<b>Approved by City Manager:</b>	<u>RK 11/27/23</u>										
<p><b>Summary:</b></p> <p>The proposed tree regulations provide added protections to Kenmore's urban tree canopy by increasing the requirements for tree density on new developments, decreasing the number of trees property owners can remove each year, requiring replacement whenever significant trees are removed, requiring retention of trees within perimeter landscaping, and establishing a tree fund for instances when replacement is infeasible. City Council reviewed an earlier version of this ordinance on November 20; this is the second reading for proposed adoption. This version differs from that presented on November 20 by the addition of language requiring retention of significant trees in perimeter landscaping in KMC 18.35.045 and 18.57.080.</p> <p><b>Information/Background:</b></p> <p>In April 2021, Development Services staff provided an informational presentation to summarize tree regulations in Kenmore, as requested by the City Council at the January 2021 retreat. During the presentation, there was discussion about potential code amendments to further preserve, protect, and enhance Kenmore's tree canopy. These recommendations included short-term and long-term action items, referred to as List 1 and List 2 (later referred to as "Tier 1 and Tier 2"). The Tier 1 action items were adopted on March 21, 2022.</p>											



The following items are included in Tier 2:

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve existing trees along the perimeter of a development.
5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").
6. Establish an Exceptional Tree program (adopted 10/16/2023).

**Increase the tree density requirement for new development.** The amendments to KMC 18.57.060 increase the tree density requirements for new development from 30 tree units per acre to 40, a 33% increase in the tree units that must be present on newly developed land.

**Decrease yearly allowances for single-family tree removal.** KMC 15.25.070(B)(2)(d) currently allows for the removal of 2 trees annually from a lot up to 10,000 square feet, 4 trees annually for lots between 10,000 and 20,000 square feet, 6 trees annually for lots between 20,000 and 30,000 square feet, and 8 trees annually for lots larger than 30,000 square feet. These amendments would eliminate all of those allowances and permit the removal of only a single significant tree per year from any property and requiring replacement at a one to one ratio.

**Always require replacement.** The amendments add a new provision to KMC 15.25.070(B)(1) stating that a permit is required for removing any significant tree and a standard condition of the permit is that the removed tree must be replaced with a native tree.

**Preserve existing trees along the perimeter of a development.** In order to preserve all significant trees on a property's perimeter, the amendments add a definition for the term "perimeter landscape" in KMC 15.25 and 18.20 as the area along the boundaries of a development site. A new footnote is added to KMC 18.35.045 requiring the retention of significant trees in residential development setbacks and KMC 18.57.080(D) is revised to require retention of all significant trees within the perimeter landscaping.

**Establish a tree fund for instances where replacement is infeasible ("fee in lieu").** In order to establish a tree fund, KMC 18.57.080(D)(2), which dealt with off-site planting of replacement trees, would be replaced by a new section that details a fee-in-lieu system, whereby the city manager has authority to approve payments by property owners into a fund to plant trees on City-owned property where it would be infeasible to plant replacement trees on the subject property.

SEPA review and notice to the Washington State Department of Commerce have been completed, as required before adoption.

The City has received public comments about the difficulty of reconciling housing obligations and tree protections, implying that the protection of trees will prevent the City from meeting its housing obligations under the Growth Management Act. However, the two goals are not mutually exclusive, as shown by the substantial amount of work on housing the City Council has performed over the years (and will continue to do in the future):

- [Housing Strategy Plan](#)
- [Missing Middle Housing](#)
- [Plymouth Affordable Housing Development](#)
- [RFP Issued for Affordable Housing Development at the City-owned Holt property](#)

- [Comprehensive Plan Update](#)

The City Council has also considered tree protections at the following public meetings:

- November 20, 2023: Public hearing on proposed Tier 2 regulations  
Agenda link: [Kenmore – Document Center \(civicweb.net\)](#)
- October 16, 2023: Adoption of exceptional tree ordinance  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- October 9, 2023: Public hearing on proposed exceptional tree ordinance  
Agenda link: [Kenmore – Document Center \(civicweb.net\)](#)
- September 25, 2023: Public hearing on proposed exceptional tree ordinance  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- September 11, 2023: Staff presentation on proposed exceptional tree ordinance  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- October 24, 2022: Study session on amendments to the tree regulations, including a proposed exceptional tree ordinance  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- July 18, 2022: Continued tree regulations discussion  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- May 16, 2022: Tree regulations discussion  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- March 21, 2022: Adoption of tree regulation ordinance, including definition of significant trees, nuisance species, and permitting process for tree removal  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- December 6, 2021: Tree regulations discussion  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)
- September 20, 2021: Report and discussion on exceptional trees and residential tree subsidy programs  
Agenda link: [Kenmore - Document Center \(civicweb.net\)](#)

The City Council has prioritized both the need for housing and tree preservation, which is consistent with its top two priorities adopted in the 2023-2024 Kenmore City Council Priorities:

# 1: Implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.

# 2: Increase and preserve the options for affordable housing stock.

**Fiscal Consideration:**

The proposed tree regulations will result in increased staff workloads, including fielding more questions and concerns from property owners, permit processing, plan review, and code enforcement. The code may result in the need for a new position, City Arborist.

**City Council Priority or Budget Objective Being Addressed:**

1. Implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.





**CITY OF KENMORE  
WASHINGTON  
ORDINANCE NO. 23-0597**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,  
AMENDING CHAPTERS 15.25, 18.20, 18.21, 18.35, AND 18.57 OF  
THE KENMORE MUNICIPAL CODE TO INCREASE THE TREE  
DENSITY REQUIREMENT FOR NEW DEVELOPMENT; DECREASE  
YEARLY ALLOWANCES FOR SINGLE-FAMILY TREE REMOVAL;  
ALWAYS REQUIRE REPLACEMENT FOR THE REMOVAL OF  
SIGNIFICANT TREES; ESTABLISH REQUIREMENTS TO PRESERVE  
ALL TREES WHOSE REMOVAL IS NOT REQUIRED FOR  
CONSTRUCTION; ESTABLISH A TREE FUND; PROVIDING FOR  
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

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WHEREAS, the City of Kenmore Comprehensive Plan (“Comprehensive Plan”) Policy LU-2.2.3 states that Kenmore’s regulation of land use should: a) protect public health, safety, and general welfare; b) protect environmentally sensitive areas, including wetlands, groundwater, streams, Lake Washington, the Sammamish River, and Puget Sound; and c) support tree preservation, whenever possible; and

WHEREAS, Comprehensive Plan Policy LU-1.5.2 identifies that development regulations should provide and address, among other things, tree retention standards; and

WHEREAS, consistent with the Comprehensive Plan, the City Council adopted Chapter 18.57 of the Kenmore Municipal Code (“KMC”), the “Tree Management and Protection Code” and declared that the purpose of the chapter was to establish a process and standards to:

1. Increase the livability of an area by helping to screen people and *buildings* from wind and inclement weather;
2. Create a special sense of identity, a sense of community and civic pride, and a memorable place to live and work;
3. Preserve and enhance the *City’s* physical and aesthetic character by preventing untimely and indiscriminate removal or destruction of *trees*;
4. Promote *site* planning, construction practices, and horticultural practices that are consistent with the *reasonable* use of property;
5. Implement the goals and objectives of the *City’s* comprehensive plan; and

6. Implement the goals and objectives of the *City's* parks and recreation master plan.

WHEREAS, the City Council finds that the purposes for tree protection regulations as articulated above remain valid today, and that protecting trees provides substantial value to the City and its residents by:

A. Reducing soil erosion and water pollution in the City's streams and creeks by providing wind breaks, slowing the surface movement of water, reducing the amount of stormwater runoff, and stabilizing soil with their roots and fallen leaves;

B. Improving air quality by removing pollutant gases and airborne particles;

C. Positively affecting energy and water conservation by providing shade, lowering temperatures, and reducing net evaporation rates;

D. Reducing noise pollution by absorbing and deadening excessive and/or unwanted noise and by screening the source of the noise from view; and

E. Providing a wide variety of habitats and ecosystems for birds, mammals, and other wildlife [KMC 18.57.015.A-E];

WHEREAS, in May of 2022, the City Council adopted the City of Kenmore Climate Action Plan ("CAP"), which acknowledges that cities like Kenmore have a critical role to play in addressing climate change impacts, including, but not limited to protecting, preserving, and restoring environmental and natural resources; and

WHEREAS, CAP priorities, goals, and strategies include the expansion of tree canopy and sequestration opportunities, protecting critical and natural areas, and protecting local water bodies; and

WHEREAS, the City Council and members of the public have voiced concerns with the scope of tree removal within the City, and the Council directed staff to bring forward proposed regulations to further preserve and protect Kenmore's urban forest canopy; and

WHEREAS, the City Council has considered tree protection regulations at its April 19, 2021, June 14, 2021, September 20, 2021, December 6, 2021, March 21, 2022, May 16, 2022, July 18, 2022, October 24, 2022, September 11, 2023, September 25, 2023, and October 9, 2023 meetings; and

WHEREAS, the adoption of land use and zoning regulations is a valid exercise of the City's police powers and is specifically authorized by RCW 35A.63.100, RCW 36.70A.040, and the Washington Constitution, Article XI, Section 11; and

WHEREAS the Proposed Amendments support Council priorities to implement the adopted Kenmore CAP and promote environmental stewardship, including water, air, forest, and habitat restoration; and

WHEREAS, the City sent notice of the Proposed Amendments to the Washington State Department of Commerce pursuant to RCW 36.70A.106; and

WHEREAS, on September 1, 2023, the City's Responsible Official issued a Determination of Non-Significance pursuant to the State Environmental Policy Act in relation to the Proposed Amendments; and

WHEREAS, the City Council held a public hearing on November 20, 2023, and December 11, 2023, and considered the comments and record relating to the Proposed Amendments; and

WHEREAS, the City Council desires to adopt the Proposed Amendments and finds that such amendments are consistent with the 2023-2024 Council Priorities, the goals, objectives, and policies of the Comprehensive Plan; and

WHEREAS, the City Council has been guided by the goals of the Growth Management Act (RCW 36.70A.020) when considering adoption of the Proposed Amendments; and

WHEREAS, the City Council finds that adoption of the Proposed Amendments is in the best interests of the residents of Kenmore and will promote the public health, safety, and welfare of the City;

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

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

Section 2. Amendment. The City Council amends Chapter 15.25 of the Kenmore Municipal Code as set forth in Exhibit A, attached hereto and incorporated by reference as if set forth in full.

Section 3. Amendment. The City Council amends Chapter 18.20 of the Kenmore Municipal Code as set forth in Exhibit B, attached hereto and incorporated by reference as if set forth in full.

Section 4. Amendment. The City Council amends Chapter 18.21 of the Kenmore Municipal Code as set forth in Exhibit B, attached hereto and incorporated by reference as if set forth in full.

Section 5. Amendment. The City Council amends Chapter 18.35 of the Kenmore Municipal Code as set forth in Exhibit B, attached hereto and incorporated by reference



as if set forth in full.

Section 6. Amendment. The City Council amends Chapter 18.57 of the Kenmore Municipal Code as set forth in Exhibit C, attached hereto and incorporated by reference as if set forth in full.

Section 6. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, shall not be affected or affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 7. 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.

PASSED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2023.

CITY OF KENMORE

\_\_\_\_\_  
Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Anastasiya Warhol, City Clerk

Approved as to form:

\_\_\_\_\_  
Dawn Reitan, City Attorney

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

**EXHIBIT A TO ORD. 23-0597**

**I. Chapter 15.25 of the Kenmore Municipal Code (KMC) is amended to read as follows:**

**A. KMC 15.25.030 is amended to read as follows:**

**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" means 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. "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" means any rock, natural soil or any combination thereof.

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

J. "Excavation" means the *removal of earth material*.

K. "Exceptional tree" means a tree which because of its unique combination of size, species, and age is worthy of long-term retention for the purposes and values set forth in KMC 18.57.015, and that has been determined to constitute an important community resource and may not be *removed* or damaged.

1. All healthy specimens of *tree* species in Table 1 are *exceptional trees* if they have a diameter at breast height (d.b.h.) equal to or greater than that listed for the respective species. For *trees* with multiple with multiple leaders at four and one-half feet above the ground, the d.b.h. shall be the combined cumulative total of branches greater than six inches diameter at four and one-half feet above the ground. For *trees* that have been removed and whereas only the stump remains, the size of the *tree* shall be measured from the diameter of the top of the stump.
2. Any healthy *tree* with a d.b.h. of 48 inches or greater is an *exceptional tree* except those in Table 2 that are never considered exceptional.

Table 1. Exceptional Tree Species and Required Diameters at Breast Height

Tree Species (Common Name)	Scientific Name	Threshold DBH (in inches)
Bigleaf Maple	<i>Acer macrophyllum</i>	42"
Douglas Fir	<i>Pseudotsuga menziesii</i>	30"
Grand Fir	<i>Abies grandis</i>	24"
Madrona	<i>Arbutus menziesii</i>	12"
Oregon Ash	<i>Fraxinus latifolia</i>	24"
Oregon White Oak	<i>Quercus garryana</i>	24"
Pacific Dogwood	<i>Cornus nuttallii</i>	24"
Pine (any species)	<i>Pinus</i> family	30"
Sitka Spruce	<i>Picea sitchensis</i>	24"
Western Hemlock	<i>Tsuga heterophylla</i>	24"
Western Red Cedar	<i>Thuja plicata</i>	30"
Willow (any species)	<i>Salix</i> family	24"

Table 2. Tree Species That Are Not Exceptional Trees

Tree Species (Common Name)	Scientific Name
Alder (any species)	<i>Alnus</i> family
Black Cottonwood	<i>Populus trichocarpa</i>
English Holly	<i>Ilex aquifolium</i>
Leyland Cypress	<i>Cupressus</i> × <i>leylandii</i>

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

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

1. "Existing grade" means the *grade* prior to *grading*.
2. "Rough grade" means the stage at which the *grade* approximately conforms to the approved plan.
3. "Finish grade" means the final *grade* of the *site* which conforms to the approved plan.



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

O. "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*.

P. "Impervious surface" means a nonvegetated surface which either prevents or retards the entry of water into the soil mantle under natural conditions prior to development, and/or 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* for the purposes of determining whether thresholds for the application of minimum requirements are exceeded, but shall be considered *impervious surfaces* for the purposes of runoff modeling.

Q. "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.

R. "*Landscaping, perimeter*" or "*perimeter landscaping*" means the area along the boundaries of a *development site in the setback areas identified in the table KMC 18.35.045*. *Perimeter landscaping* includes retention of existing *significant trees*.

S. "Native tree" means a *tree species native to the Puget Sound lowlands*.

RT. "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.

SU. "Shorelines" means those lands defined as shorelines in the State Shorelines Management Act of 1971.

TV. "Significant tree" means an existing healthy *tree* that is not a *hazard tree* and that is at least six inches in *diameter at breast height* (d.b.h.) as measured at four and one-half feet (54 inches) above the ground. For *trees* with multiple leaders at four and one-half feet above the ground, the d.b.h. shall be the combined cumulative total of branches greater than six inches diameter at four and one-half feet above the ground. For *trees* that have been removed and whereas only the stump remains, the size of the *tree* shall be measured from the diameter of the top of the

stump. Replacement trees required as mitigation for removed exceptional trees are considered significant trees, regardless of size.

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

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

**WY.** "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.

**XZ.** "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."

**YAA.** "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*.

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

**AACC.** "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*.

**BBDD.** "Vegetation" means any and all organic plant life growing at, below, or above the soil surface. [Ord. 22-0547 § 2 (Exh. A); Ord. 16-0428 § 11 (Att. G); Ord. 12-0345 § 3 (Exh. A).]

## B. KMC 15.25 is amended as follows:

### **15.25.070 Permit required — Exception.**

No *land alteration* shall be performed without first having obtained a permit therefor 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 buffer;

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* requires a permit filed by the owner of real property within the City on forms provided by the department for review and approval prior to removing the *tree*. The city manager may approve, deny, or approve with conditions an application for *tree removal*. The decision shall be based on the following approval criteria:

a. The *tree(s)* proposed for *removal* is on a lot containing an existing single-family detached dwelling unit;

b. The *tree(s)* proposed for *removal* is not located within critical areas or associated buffers, shorelines or associated buffers, native growth protection areas, or wildlife protection zones;

c. The *tree(s)* proposed for *removal* has not been previously designated for protection (e.g., as part of a plat); and

d. The *tree(s)* proposed for *removal* complies with the yearly *tree removal* maximum allowances table shown below:

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

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 Title 16 and Chapter 18.55 KMC;

#### C. Engineering.

1. Less than 2,000 square feet of replaced *impervious surface* or new plus replaced *impervious surface* that is not within critical areas or associated buffers; 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*. [Ord. 22-0547 § 2 (Exh. A); Ord. 16-0428 § 11 (Att. G); Ord. 12-0345 § 3 (Exh. A).]

### 15.25.070 Permit required – Tree Removal.

A. *Exceptional trees* may be *removed* only as described in KMC 18.57.065.B.

B. *Removal* of *significant trees* requires a permit filed by the owner of real property within the City on forms provided by the department for review and approval prior to removing the *tree*. The *city manager* may approve, deny, or approve with conditions an application for *tree removal*. As a standard condition of the permit, a minimum of one (1) *native tree* is required to replace each tree removed unless the *tree* is hazardous or the fee-in-lieu option described in KMC 18.57.080(D)(2) is approved by the *city manager*. Replacement trees shall not be Alder (any species), Black Cottonwood, English Holly, or Leyland Cypress.

1. The decision shall be based on the following approval criteria:

a. The *tree(s)* proposed for *removal* is on a lot containing an existing single-family detached dwelling unit;

b. The *tree(s)* proposed for *removal* is not located within critical areas or associated buffers, shorelines or associated buffers, native growth protection areas, or wildlife protection zones;

c. The *tree(s)* proposed for *removal* has not been previously designated for protection (e.g., as part of a plat);

d. The *tree(s)* proposed for *removal* complies with the yearly *tree removal* maximum: One (1) *significant tree* per year (applies to all lot sizes). Limited exceptions may be considered by the *city manager*. For example, if trees grow together (e.g., shared root system and/or canopy) and whereas the removal of one *tree* would cause the death of another, as determined by a *qualified tree protection professional*, an exception may be granted by the *city manager* to allow removal of more than one tree. In such a case, replacement would be required at a ratio of one-to-one (1:1). For example, if two trees are removed, two *native* replacement trees would be required.

## 15.25.075 Permit required – Exception.

No *land alteration* shall be performed without first having obtained a permit therefor 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.

### A. *Clearing and 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;

5. ~~*Clearing*~~ *Tree removal* by a public agency, franchise utility or public or private golf course for routine maintenance activities;

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

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

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

9. *Removal of tree(s) necessary for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated properties but which because of the presence of significant tree(s) is denied to the subject property. Exceptions under this subsection shall be construed narrowly. The applicant must apply for and meet the variance criteria of KMC 18.115.030 to qualify for this exemption. Exemptions under this subsection shall be processed as a Type 1 land use decision.*

#### C. Engineering.

1. Less than 2,000 square feet of replaced *impervious surface* or new plus replaced *impervious surface* that is not within critical areas or associated buffers; 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*. [Ord. 22-0547 § 2 (Exh. A); Ord. 16-0428 § 11 (Att. G); Ord. 12-0345 § 3 (Exh. A).]



EXHIBIT B TO ORD. 23-0597

**I. Chapter 18.20 of the Kenmore Municipal Code is amended to read as follows:**

**A. Chapter 18.20 KMC is amended by adding a new KMC 18.20.3086, "Tree, native" to read as follows:**

**18.20.1550 Landscaping**

"Landscaping" means live vegetative materials required for a *development*. Said materials provided along the boundaries of a *development site* are referred to as perimeter landscaping.

**18.20.1551 Landscaping, perimeter**

"Landscaping, perimeter" or "perimeter landscaping" means the area along the boundaries of a development site in the setback areas identified in the table KMC 18.35.045. Perimeter landscaping includes retention of existing significant trees.

**18.20.3086 Tree, native.**

"Tree, native" means a tree species native to the Puget Sound lowlands.

**II. Chapter 18.21 of the Kenmore Municipal Code is amended to read as follows:**

**Chapter 18.21  
RESIDENTIAL ZONES**

Sections:

[18.21.020 Residential zones R-1, R-4 and R-6 – Use allowances.](#)

[18.21.030 Residential zones R-1, R-4 and R-6 – Development standards.](#)

[18.21.040 Residential zones R-12, R-18 and R-24 – Use allowances.](#)

[18.21.045 Residential zone MHC – Use allowances.](#)

[18.21.050 Residential zones R-12, R-18, R-24, R-48, and MHC – Development standards.](#)

[18.21.055 MHC zoning exception.](#)

[18.21.060 Nonresidential land uses in residential zones.](#)

[18.21.070 Personal service, eating and drinking place and retail sales uses in R-4 through R-24 zones.](#)

[18.21.073 Accessory uses.](#)

[18.21.075 Drive-through service.](#)

[18.21.078 Outdoor storage.](#)

[18.21.080 Wireless communication facilities.](#)

**18.21.030 Residential zones R-1, R-4 and R-6 – Development standards.**

The following zone-specific development standards in Table B apply in the R-1, R-4 and R-6 residential zones:

**Table B. R-1, R-4 and R-6 Residential Zones Development Standards**

STANDARDS	Z O N E S	R-1 <sup>1</sup>	R-4	R-6
Base Density: <i>Dwelling Unit/Acre</i> <sup>2</sup>		1 du/ac	4 du/ac <sup>3</sup>	6 du/ac
Maximum Density: <i>Dwelling Unit/Acre</i> <sup>4</sup>			6 du/ac	9 du/ac
Minimum Density				
Minimum Lot Width <sup>6</sup>		35 ft. <sup>7</sup>	30 ft.	30 ft.
Minimum <i>Street Setback</i>		20 ft. <sup>7</sup>	15 ft. <sup>8,9</sup>	15 ft. <sup>8,9</sup>
Minimum Side <i>Setback</i> <sup>5,10</sup>		5 ft. <sup>7</sup>	15 ft. total <sup>11</sup>	15 ft. total <sup>11</sup>
Minimum Rear <i>Setback</i> <sup>5,10</sup>		5 ft. <sup>7</sup>	20 ft.	20 ft.
Maximum Height <sup>12</sup>		35 ft.	35 ft.	35 ft. 45 ft. <sup>13</sup>
Base <i>Impervious Surface</i> : Percentage		30%	45%	60%
Maximum <i>Impervious Surface</i> : Percentage <sup>14</sup>		30% <sup>15</sup>	55%	70%
Minimum Lot Size		2,500 sq. ft.	7,200 sq. ft. <sup>16,17</sup>	5,400 sq. ft. <sup>16,17</sup>

<sup>1</sup> a. All subdivisions and short subdivisions in the R-1 zone shall be required to be *clustered* when the property is located within or contains:

(1) A *floodplain*;

(2) A regionally or locally significant resource area;

(3) Existing or planned public *parks* or *trails*, or connections to such facilities;

(4) A Category I or II *wetland* or Type S or F *stream*;

(5) A “greenbelt/urban separator” or “wildlife corridor” area designated by the comprehensive plan.

b. The *development* shall be *clustered* away from *critical areas* or corridors such as urban separators or the wildlife habitat network to the extent possible and the *open space* shall be placed in a separate tract that includes at least 50 percent of the *site*. *Open space* tracts shall be permanent and meet the provisions of KMC [17.20.130](#).

<sup>2</sup> Density applies only to *dwelling units* and not to sleeping units.

<sup>3</sup> *Manufactured housing communities* shall be allowed a base density of six *dwelling units* per acre.

<sup>4</sup> This maximum density may be achieved only through the application of residential density incentives pursuant to Chapter [18.80](#) KMC or *transfers of density credits*, or any combination of density incentive or density transfer. Maximum density may only be exceeded pursuant to KMC [18.80.040](#)(E)(1)(f).

<sup>5</sup> These standards may be modified under the provisions for *zero-lot-line developments*.

<sup>6</sup> The *building envelope* is determined through meeting minimum lot size and minimum lot width measurement requirements (KMC [18.30.110](#)).

<sup>7</sup> The standards of the R-4 zone shall apply if a *lot* is less than 15,000 square feet in area.

<sup>8</sup> If *development* provides *alleys* or consists of *townhouses*, then the *street setback* may equal 10 feet.

<sup>9</sup> At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced parking area and the *street* property line. The linear distance shall be measured along the centerline of the driveway from the access point to such garage, carport or fenced area to the *street* property line.

<sup>10</sup> Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a *joint use driveway* is located to provide a straight line length of at least 26 feet as measured from the centerline of the garage, carport or fenced parking area, from the access point to the opposite side of the *joint use driveway*.

<sup>11</sup> Any side yard shall equal a minimum of five feet but the two side yards combined must equal a minimum of 15 feet.

<sup>12</sup> Reserved.

<sup>13</sup> The maximum height of 45 feet to be used only for projects as follows:



a. In R-6 zones, a *building* with a footprint built on slopes exceeding a 15 percent finished grade.

<sup>14</sup> Applies to each individual *lot*. *Impervious surface* area standards for:

a. Regional *uses* shall be established at the time of permit review;

b. Nonresidential *uses* in residential zones shall comply with KMC [18.21.060](#) and [18.30.170](#);

c. Individual *lots* in the R-4 through R-6 zones which are less than 9,076 square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 zone;

d. *Lots* may be increased beyond the total amount permitted in this chapter subject to approval of a *conditional use permit*;

e. The base *impervious surface* percentage may be exceeded, up to the maximum *impervious surface* percentage, provided low impact development strategies are implemented subject to approval by the *city manager*.

<sup>15</sup> *Lots* smaller than one-half acre in area shall comply with standards of the nearest comparable R-4 through R-6 zone. For *lots* that are one-half acre in area or larger, the maximum *impervious surface* area allowed shall be at least 10,000 square feet. On any *lot* over one acre in area, an additional five percent of the lot area may be used for *buildings* related to agricultural or forestry practices. For *lots* smaller than two acres but larger than one-half acre, an additional 10 percent of the lot area may be used for *structures* which are determined to be medically necessary, provided the *applicant* submits with the permit application a notarized affidavit, conforming with the requirements of KMC [18.100.170\(A\)\(2\)](#).

<sup>16</sup> For properties with *critical areas* or topographic constraints, **or where exceptional trees are retained**, up to 20 percent of the number of *lots* in a subdivision or a short subdivision of more than four *lots*, and one of the *lots* in a short plat of four *lots* or less, may contain an area less than the prescribed minimum for this zoning district. In no case shall any *lots* be created which contain an area more than 10 percent less than the prescribed minimum for this zoning district. These smaller *lots* shall be located so as to have the least impact on surrounding properties in terms of consistency of *street frontages* and privacy of abutting properties.

<sup>17</sup> This excludes any area required for public or *private streets*, access easements, access tracts, and access panhandles.

### III. Chapter 18.35 of the Kenmore Municipal Code is amended to read as follows:

#### Chapter 18.35 DEVELOPMENT STANDARDS - LANDSCAPING

Sections:

- [18.35.010 Purpose.](#)
- [18.35.020 Application.](#)
- [18.35.030 Land use grouping.](#)
- [18.35.040 Landscaping – Screen types and description.](#)
- [18.35.045 Landscaping – General requirements.](#)
- [18.35.050 Landscaping – Street trees for single-family subdivisions.](#)
- [18.35.060 Repealed.](#)
- [18.35.070 Landscaping – Surface parking areas.](#)
- [18.35.080 Landscaping – General standards for all landscape areas.](#)
- [18.35.090 Landscaping – Additional standards for required landscape areas.](#)
- [18.35.100 Landscaping – Alternative options.](#)
- [18.35.110 Landscaping – Plan design, design review, and installation.](#)
- [18.35.120 Maintenance.](#)
- [18.35.130 Financial guarantees.](#)

#### **18.35.010 Purpose.**

The purpose of this chapter is to preserve the aesthetic character of communities; to improve the aesthetic quality of the built environment; to promote retention and protection of existing *vegetation and trees*; to promote water efficiency; to promote native wildlife; to reduce the impacts of *development* on drainage systems and natural habitats; and to increase privacy for residential zones by:

- A. Providing visual relief from large expanses of parking areas and reduction of perceived *building* scale;
- B. Providing physical separation between residential and nonresidential areas;
- C. Providing visual screens and barriers as a transition between differing land *uses*;
- D. Retaining existing *vegetation* and *significant trees* by incorporating them into the site design;
- E. Providing increased areas of permeable surfaces to allow for:

1. Infiltration of surface water into groundwater resources;
2. Reduction in the quantity of stormwater discharge; and
3. Improvement in the quality of stormwater discharge;

F. Encouraging the use of native plant species by their retention or use in the landscape design;

G. Encouraging the use of a diversity of plant species which promote native wildlife habitat.  
[Ord. 11-0329 § 3 (Exh. 1).]

### **18.35.020 Application.**

Except for *wireless communication facilities* regulated pursuant to Chapter [18.60](#) KMC, all new *development* shall be subject to the *landscaping* provisions of this chapter; provided, that specific *landscaping* and *tree* retention provisions for *uses* established through a *conditional use permit* or *special use permit* shall be determined during the applicable review process. [Ord. 16-0426 § 7 (Att. E); Ord. 11-0329 § 3 (Exh. 1).]

### **18.35.030 Land use grouping.**

To facilitate the application of this chapter, land *uses* have been grouped in the following manner:

A. "Residential *development*" refers to *residential land uses*.

B. "Attached/group residences" refers to:

1. Multiple family dwellings, except as provided in subsection (C)(1) of this section;
2. Single detached dwelling units developed on common property at a density of 12 or more units per acre;
3. Supportive living facilities;
4. Temporary lodging;
5. Adult family homes; and
6. Manufactured housing communities.

C. "Single-family development" refers to:



1. Residential subdivisions and short subdivisions, including attached and detached dwelling units on individually platted or short platted lots;

2. Any detached dwelling units located on a lot;

3. Family child-care homes; and

4. Type I community residential facilities.

**B.** "Commercial development" refers to:

1. Recreational/cultural land uses, except library, museum, park and trail;
2. General services land uses, except recycling centers, health care and social assistance, hospital, laboratory, educational service, day care I, and religious institution; and
3. Retail land uses.

4. Regional land uses.

**C.** "Industrial development" refers to:

1. Government/business services land uses, except public agency or utility office; public agency or utility yard; public agency archive; court; fire or police facility; utility facility; commuter parking lot; private stormwater management facility; and vector waste receiving facility;
2. Manufacturing land uses; and
3. Mineral extraction and processing.

**D.** "Institutional development" refers to:

1. Library, museum and conference center;
2. Religious institution, hospital, health care and social assistance, ambulatory surgery center, laboratory, and educational service; and
3. Public agency or utility office; public agency or utility yard; public agency archive; court; fire or police facility; commuter parking lot; private stormwater management facility; and vector waste receiving facility.

**E.** "Utility development" refers to utility facility, except private stormwater management facility and vector waste receiving facility.

**E.** Uses that are not listed in this section shall not be subject to *landscaping* requirements except as specified in any applicable review of a *conditional use*, *site plan review*, or *special use permit*. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2 (Att. A); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

## **18.35.040 Landscaping – Screen types and description.**

The three types of *landscaping* screens are described and applied as follows: below. For each of these types, retention of existing *significant trees* is required unless otherwise approved pursuant to KMC 18.35.040(C)(3).

### **A. Type I *Landscaping* Screen.**

1. Type I *landscaping* is a “full screen” that functions as a visual barrier.
2. Type I *landscaping* shall minimally consist of:
  - a. A mix of primarily *evergreen trees* and shrubs generally interspersed throughout the landscape strip and spaced to form a continuous screen;
  - b. Between 70 and 90 percent *evergreen trees*;
  - c. *Trees* provided at the rate of one per 10 linear feet of landscape strip and spaced no more than 30 feet apart on center;
  - d. *Evergreen* shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and
  - e. Ground cover pursuant to KMC [18.35.090](#);

#### **f. Existing *Significant Trees*.**

3. Landscape-based stormwater management facilities are permitted within Type I *landscaping* screen areas; provided, that the screening objectives in subsections (A)(1) and (2) of this section are achieved.

### **B. Type II *Landscaping* Screen.**

1. Type II *landscaping* is a “filtered screen” that functions as a visual separator.
2. Type II *landscaping* shall minimally consist of:
  - a. A mix of *evergreen* and *deciduous trees* and shrubs generally interspersed throughout the landscape strip spaced to create a filtered screen;

- b. At least 50 percent *deciduous trees* and at least 30 percent *evergreen trees*;
- c. *Trees* provided at the rate of one per 20 linear feet of landscape strip and spaced no more than 30 feet apart on center;
- d. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and
- e. Ground cover pursuant to KMC [18.35.090](#);

**f. Existing Significant Trees.**

3. Landscape-based stormwater management facilities are permitted within Type II *landscaping* screen areas; provided, that the screening objectives in subsections (B)(1) and (2) of this section are achieved.

C. Type III *Landscaping* Screen.

1. Type III *landscaping* is a “see-through screen” that functions as a partial visual separator to soften the appearance of parking areas and building elevations.

2. Type III *landscaping* shall minimally consist of:

- a. A mix of *evergreen* and *deciduous trees* generally interspersed throughout the landscape strip and spaced to create a continuous canopy;
- b. At least 70 percent *deciduous trees*;
- c. *Trees* provided at the rate of one per 25 linear feet of landscape strip and spaced no more than 30 feet apart on center;
- d. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and
- e. Ground cover pursuant to KMC [18.35.090](#).

**f. Existing Significant Trees.**

3. Removal of tree(s) may be permitted for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated properties but which because of the presence of significant tree(s) is denied to the subject property. Exceptions under this subsection shall be construed narrowly. The applicant must apply for and meet the variance criteria of KMC 18.115.030 to qualify under this subsection. Exceptions under this subsection shall be processed as a Type 1 land use decision.



34. Landscape-based stormwater management facilities are permitted within Type III landscaping screen areas; provided, that the screening objectives in subsections (C)(1) and (2) of this section are achieved. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

## 18.35.045 Landscaping – General requirements.

Use as described in KMC 18.35.030	Street frontage perimeter landscaping (average width) <sup>30</sup>	Interior lot line perimeter landscaping (average width) <sup>714</sup>	Surface parking lots of 10 or more stalls
Residential development <sup>1</sup>	10' Type III <sup>8</sup>	5' Type II <sup>8</sup> 10' Type II within the rear setback <sup>8,11</sup>	20 sq. ft. per stall in common parking areas.
Commercial development <sup>2</sup>	10' Type III	20' Type I <sup>440</sup>	20 sq. ft. per stall if 10 – 30 stalls provided; 25 sq. ft. per stall if 31 or more stalls provided.
Industrial development <sup>3</sup>	10' Type II	10' Type II <sup>512</sup> 20' Type I <sup>440</sup>	20 sq. ft. per stall if 10 – 30 stalls provided; 25 sq. ft. per stall if 31 or more stalls provided.
Institutional development <sup>4</sup>	20' Type II <sup>16</sup>	10' Type II	20 sq. ft. per stall if 10 – 30 stalls provided; 25 sq. ft. per stall if 31 or more stalls provided.
Utility development <sup>5</sup>	10' Type II <sup>22</sup>	10' Type II <sup>613</sup>	20 sq. ft. per stall if 10 – 30 stalls provided; 25 sq. ft. per stall if 31 or more stalls provided.

<sup>1</sup>. As described in KMC 18.35.030(A).

<sup>2</sup>. As described in KMC 18.35.030(D).

<sup>3</sup>. As described in KMC 18.35.030(E).

<sup>4</sup>. As described in KMC 18.35.030(F).

<sup>5</sup>. As described in KMC 18.35.030(G).

<sup>16</sup> Excluding playgrounds and playfields.

27 For an above-ground *utility facilities development* only, excluding distribution and transmission corridors.

8 ~~Only for attached/group residence development as described in KMC 18.35.030(B).~~

39 For all zones except the DC and DR zones. In the CB zone, where *street frontage setbacks* are required, the area within the *setback* must contain Type II *landscaping*.

440 Along any portion adjacent to a single-family residential *development*. ~~as described in KMC 18.35.030(A).~~

441 ~~Along portions of an attached/group residence development as described in KMC 18.35.030(B) adjacent to property developed with single detached residences or vacant property that is zoned R-1 through R-6.~~

542 Along any portion adjacent to a commercial or institutional *development*. ~~as described in KMC 18.35.030(D) and (F).~~

643 Excluding distribution or transmission corridors.

744 In the DC zone, where interior *setbacks* are required and/or provided, *setbacks* shall be landscaped with Type II *landscaping*. In the CB zone, where interior *setbacks* are required and/or provided, *setbacks* shall be landscaped with Type II *landscaping*.

8 Existing *significant trees* shall be retained within all setbacks required pursuant to KMC 18.21.030.

[Ord. 11-0329 § 3 (Exh. 1).]

## 18.35.050 Landscaping – Street trees for single-family subdivisions.

For short subdivisions and subdivisions Kenmore Road Standards (KRS) Section 8.12 shall apply to landscaping street trees.

A. ~~Trees shall be planted at the rate of one tree for every 40 feet of frontage along a neighborhood collector street or arterial street. Native vegetation cultivars are preferred;~~

B. The trees shall be:

1. Located within the street right-of-way if permitted by the City;

2. No more than 20 feet from the street right-of-way line if located within a lot;

3. Maintained by the adjacent landowner unless part of a City maintenance program; and

4. A species approved by the City if located within the street right-of-way and compatible with overhead utility lines;

C. The trees may be spaced at irregular intervals to accommodate sight distance requirements for driveways and intersections. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

### **18.35.060 Landscaping along the Burke-Gilman public trail.**

*Repealed by Ord. 14-0391. [Ord. 11-0329 § 3 (Exh. 1).]*

### **18.35.070 Landscaping – Surface parking areas.**

A. *Trees* shall be provided and distributed throughout the parking area at a rate of:

1. One *tree* for every three parking stalls for a commercial or industrial *development*; and
2. One *tree* for every five parking stalls for residential or institutional *development*;

B. The maximum distance between any parking stall and *landscaping* shall be no more than 100 feet;

C. Permanent curbs or structural barriers shall be provided to protect the plantings from vehicle overhang;

D. Landscaping around the perimeter of a *site* that is in addition to the perimeter *landscaping* required by KMC [18.35.045](#) may count toward 10 percent of the required surface parking area *landscaping* in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street (see subsection F of this section), if it is adjacent to the parking area;

E. Parking area *landscaping* shall consist of:

1. Canopy-type *deciduous trees, evergreen trees, evergreen shrubs* and ground covers planted in islands or strips. Native vegetation cultivars are preferred;
2. Internal parking lot *landscaping* shall be configured as landscape-based stormwater management feature unless infeasible;



3. Shrubs that do not exceed a maintained height of 42 inches;
4. Plantings contained in planting islands or strips having an area of at least 100 square feet and with a minimum dimension of not less than five feet;
5. Ground cover in accordance with KMC [18.35.090](#); and
6. At least 70 percent of *trees* are deciduous;

F. Standards for perimeter *landscaping* and screening of surface parking lots for the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street, are defined in Chapter [18.52](#) KMC, Downtown Design Standards. All other landscape requirements for surface parking lot landscaping in this section apply to the DC and DR zones, and RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street. [Ord. 16-0428 § 13 (Att. I); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

### **18.35.080 Landscaping – General standards for all landscape areas.**

All new landscape areas proposed for a *development* shall be subject to the following provisions:

- A. *Berms* shall not exceed a slope of two horizontal feet to one vertical foot (2:1).
- B. All new turf areas, except all-weather, sand-based athletic fields, shall:
  1. Be augmented with a two-inch layer of organic material cultivated a minimum of six inches deep; or
  2. Have an organic content of five percent or more to a depth of six inches.
- C. Except as specifically outlined for turf areas in subsection B of this section, the organic content of soils in any landscape area shall be as necessary to provide adequate nutrient and moisture-retention levels for the establishment of plantings.
- D. Landscape areas, except turf or areas of established *ground cover*, shall be covered with at least two inches of *mulch* to minimize evaporation.
- E. Plants having similar water use characteristics shall be grouped together in distinct hydrozones.
- F. Plant selection shall consider adaptability to climatic, geologic, and topographical conditions of the *site*. **Native trees and** preservation of existing *vegetation* is encouraged.

G. Landscape areas proposed as stormwater management facilities shall be designed in accordance with the Kenmore stormwater management standards. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

### **18.35.090 Landscaping – Additional standards for required landscape areas.**

In addition to the general standards of KMC [18.35.080](#), landscape areas required pursuant to KMC [18.35.045](#) through [18.35.070](#) shall conform to the following standards:

A. All plants shall conform to American Association of Nurserymen (AAN) grades and standards as published in the “American Standard for Nursery Stock” manual; provided, that existing healthy *vegetation* used to augment new plantings shall not be required to meet the standards of this manual;

B. Single-stemmed *trees* required pursuant to this chapter shall at the time of planting conform to the following standards:

1. In parking area *landscaping* and in *street rights-of-way*:

a. *Deciduous trees* shall have a minimum *caliper* of one and three-quarters inches and a height of 10 feet in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street between 65th Avenue NE extended and 73rd Avenue NE, which shall have a minimum *caliper* of three inches, and

b. Coniferous and *broadleaf evergreen trees* shall be at least five feet in height;

2. In all other required landscape areas:

a. *Deciduous trees* shall have a minimum *caliper* of one and one-half inches and a height of 10 feet in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th

Street between 65th Avenue NE extended and 73rd Avenue NE, which shall have a minimum *caliper* of three inches, and

b. Coniferous and *broadleaf evergreen trees* shall be at least five feet in height except in the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition NS-P4, and which lie north of NE 175th Street between 65th Avenue NE extended and 73rd Avenue NE, where they shall be at least 10 feet in height;

C. Multiple-stemmed *trees* shall be permitted as an option to single-stemmed *trees* in all zones except the DC and DR zones, or RB-zoned properties that are not subject to P-suffix condition

NS-P4, and which lie north of NE 175th Street between 65th Avenue NE extended and 73rd Avenue NE; provided, that such multiple-stemmed *trees* are:

1. At least six feet in height, ~~and~~

~~2. Not allowed within street rights-of-way;~~

~~D. When the width of any landscape strip is 20 feet or greater, the required trees shall be staggered in two or more rows;~~

~~ED.~~ Shrubs shall be:

1. At least an AAN container class No. 2 (two-gallon) size at time of planting in Types II, III and parking area *landscaping*,

2. At least 24 inches in height at the time of planting for Type I *landscaping*, and

3. Maintained at a height not exceeding 42 inches when located in Type III or parking area *landscaping* except in the DC and DR zones where they shall not exceed a maximum height of 48 inches;

~~EE.~~ Ground covers shall be planted and spaced to result in total coverage of the majority of the required landscape area within three years;

~~G. All fences shall be placed on the inward side of any required perimeter landscaping along the street frontage;~~

~~H. Required street landscaping may be placed within City street rights-of-way subject to the City street design standards, provided adequate space is maintained along the street line to replant the required landscaping should subsequent street improvements require the removal of landscaping within the rights-of-way;~~

~~I. Required street landscaping may be placed within Washington State rights-of-way subject to permission of the Washington State Department of Transportation; and~~

~~JE.~~ New landscape material provided within areas of undisturbed *vegetation* or within the protected area of *significant trees* shall give preference to utilizing ~~indigenous~~ *native* plant species. [Ord. 11-0329 § 3 (Exh. 1).]

## **18.35.100 Landscaping – Alternative options.**

The following alternative landscape options may be allowed, subject to *City* approval, only if they accomplish equal or better levels of screening, or when existing conditions on or adjacent



to the *site*, such as significant topographic differences, *vegetation*, *structures* or utilities would render application of this chapter ineffective or result in scenic view obstruction:

A. The amount of required landscape area may be reduced to ensure that the total area for required *landscaping*, and/or the area remaining undisturbed for the purpose of wildlife habitat or corridors does not exceed 15 percent of the net developable area of the *site*. ~~For the purpose of this subsection, the net developable area of the site shall not include areas deemed unbuildable due to their location within critical areas and any associated buffers;~~

B. The average width of the perimeter landscape strip may be reduced up to 25 percent along any portion where:

1. *Berms* at least three feet in height or architectural barriers at least six feet in height are incorporated into the landscape design; or
2. The landscape materials are incorporated elsewhere on-site;

C. Where a local or subarea plan with design guidelines has been adopted, the *city manager* shall base the *landscaping* modifications on the policies and guidelines of such plan;

D. When an existing *structure* precludes installation of the total amount of required *site* perimeter *landscaping*, such *landscaping* material shall be incorporated on another portion of the *site*;

E. Single-stemmed *deciduous tree* species that cannot generally be planted and established in larger sizes may have a *caliper* of less than one and one-half inches;

F. The number of *trees* and shrubs to be provided in required perimeter and parking area *landscaping* may be reduced up to 25 percent when a *development* uses landscaping ~~native to the Puget Sound lowlands materials consisting of species typically associated with the Puget Sound Basin~~ in the following proportions:

1. Seventy-five percent of ~~native~~ *ground cover* and shrubs, and
2. Fifty percent of ~~native~~ *trees*;

G. In the DC and DR zones, alternative landscape requirements may be proposed in order to retain ~~significant or exceptional trees (over 12 inches DBH if deciduous or eight inches DBH if evergreen, measured as average trunk diameter at chest height; measured four and one-half feet above grade).~~ This alternative requirement applies only to *trees* which are beyond what is already required in Chapter 18.57 KMC. ~~the City's significant tree ordinance. Interior parking lot landscape requirements may be reduced at a 1:1 ratio equal to the land area within the drip line of the tree being retained.~~ [Ord. 11-0329 § 3 (Exh. 1).]

## 18.35.110 Landscaping – Plan design, design review, and installation.

A. The landscape plan submitted to the *department* shall be drawn on the same base map as the development plans and shall identify the following:

1. Total landscape area, and separate hydrozones;
2. Landscape materials botanical/common name and applicable size;
3. Property lines;
4. *Impervious surfaces*;
5. Natural or manmade water features or bodies;
6. Existing or proposed *structures, fences, and retaining walls*;
7. Natural features or *vegetation* left in natural state; and
8. Designated recreational open space areas.

### 9. Existing trees.

B. The proposed landscape plan shall be certified by a Washington State registered landscape architect, Washington State certified nurseryman, or Washington State certified landscaper.

C. An affidavit signed by an individual specified in subsection B of this section, certifying that the *landscaping* has been installed consistent with the approved landscaping plan, shall be submitted to the *department* within 30 days of installation completion, unless the installed *landscaping* has been inspected and accepted by the *department*.

D. The required *landscaping* shall be installed prior to certificate of occupancy. However, the time limit for compliance may be extended to allow installation of such required *landscaping* during the next appropriate planting season. A financial guarantee shall be required prior to issuance of the certificate of occupancy, if *landscaping* is not installed and inspected prior to occupancy. [Ord. 11-0329 § 3 (Exh. 1).]

## 18.35.120 Maintenance.

A. All *landscaping* shall be maintained for the life of the project;

B. All landscape materials shall be pruned and trimmed as necessary to maintain a healthy growing condition or to prevent primary limb failure;

C. With the exception of dead, diseased or damaged *trees* specifically retained to provide wildlife habitat, other dead, diseased, damaged or stolen plantings shall be replaced within three months or during the next planting season if the loss does not occur in a planting season; and

D. Landscape areas shall be kept free of trash. [Ord. 11-0329 § 3 (Exh. 1).]

### **18.35.130 Financial guarantees.**

 SHARE

*Financial guarantees* shall be required consistent with the provisions of KMC Title [21](#). This time period may be extended **to one year** by the *city manager*, if necessary to cover a planting and growing season. [Ord. 11-0329 § 3 (Exh. 1).]



## EXHIBIT C TO ORD. 23-0597

**I. Chapter 18.57 of the Kenmore Municipal Code is amended to read as follows:**

### **Chapter 18.57 TREE MANAGEMENT AND PROTECTION**

Sections:

- [18.57.010 Title.](#)
- [18.57.015 Findings and purpose.](#)
- [18.57.030 Applicability.](#)
- [18.57.035 Exemptions.](#)
- [18.57.050 Tree protection plan required.](#)
- [18.57.060 Tree density requirement.](#)
- [18.57.065 Exceptional tree protections.](#)
- [18.57.070 Tree protection plan review procedure.](#)
- [18.57.080 Tree protection plan review standards.](#)
- [18.57.085 Tree windthrow evaluation and prevention.](#)
- [18.57.090 Tree protection during construction.](#)
- [18.57.100 Post-construction replacement, financial guarantee and maintenance requirements.](#)
- [18.57.110 Penalties, enforcement.](#)

#### **18.57.010 Title.** SHARE

This chapter shall be known and may be cited as the Kenmore tree management and protection code. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

#### **18.57.015 Findings and purpose.** SHARE

- A. Reducing soil *erosion* and water pollution in the *City's streams* and creeks by providing wind breaks, slowing the surface movement of water, reducing the amount of stormwater runoff, and stabilizing soil with their roots and fallen leaves;
- B. Improving air quality by removing pollutant gases and airborne particles;
- C. Positively affecting energy and water conservation by providing shade, lowering temperatures, and reducing net evaporation rates;
- D. Reducing noise pollution by absorbing and deadening excessive and/or unwanted noise and by screening the source of the noise from view;

E. Providing a wide variety of habitats and ecosystems for birds, mammals, and other wildlife; and

F. Accordingly, the purpose of this chapter is to establish a process and standards to:

1. Increase the livability of an area by helping to screen people and *buildings* from wind and inclement weather;
2. Create a special sense of identity, a sense of community and civic pride, and a memorable place to live and work;
3. Preserve and enhance the *City's* physical and aesthetic character by preventing untimely and indiscriminate removal or destruction of *trees*;
4. Promote *site* planning, construction practices, and horticultural practices that are consistent with the *reasonable use* of property;
5. Implement the goals and objectives of the *City's* comprehensive plan; and
6. Implement the goals and objectives of the *City's* parks and recreation master plan. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

### 18.57.030 Applicability. SHARE

A. No individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, shall directly or indirectly remove or destroy any *tree* as defined in this title within the *City*, without first obtaining a clearing permit as provided in KMC Title [15](#).

B. Unless otherwise exempted in KMC [18.57.035](#), any *site* subject to *development*, including the division of a parcel of land into two or more parcels, within the *City* shall comply with the requirements of this chapter.

C. Approval of a tree protection plan pursuant to the provisions of this chapter shall not discharge the obligation of the *applicant* to otherwise comply with the applicable provisions of this chapter.

D. When any provision of any other chapter of the Kenmore Municipal Code conflicts with this chapter or when the provisions of this chapter are in conflict, that provision which provides more protection for individual *trees* and *groves* of *trees* shall apply unless specifically provided otherwise in this chapter or unless such provision conflicts with federal or State laws or regulations. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

### 18.57.035 Exemptions. SHARE

A. The following land *uses* are exempt from the provisions of this chapter. However, compliance with other applicable provisions of the Kenmore Municipal Code including but not limited to then-current *critical area* regulations per Chapter [18.55](#) KMC and then-current clearing regulations per Chapter [15.25](#) KMC is still required:

1. Agriculture, meaning the use of the land for the primary purpose of deriving income from growing plants or *trees* on land including, but not limited to, land used principally for fruit or timber production, but not including land used principally for another *use* and only incidentally for growing *trees* or plants for income.
2. *Commercial nursery or tree farm*, but only those *trees* which are planted and growing on the premises of a licensed retailer or wholesaler for sale to the general public. Other *trees* on such premises shall remain subject to this chapter.

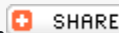
### **3. Residential Development.**

a. All existing *lots* on which are to be situated new *single detached dwelling units* in residential zones based on tree removal limits established by clearing requirements.

b. 3. All existing *lots* on which are situated existing detached *dwelling units* in residential zones based on tree removal limits established by clearing requirements. by KMC 15.25.070.B.1.d. This exemption applies to *significant tree removal only*; the provisions described in KMC 18.57.065 for *exceptional trees* still apply.

4. Downtown Commercial and Downtown Residential Zones. All *development* occurring within core areas designated as downtown commercial and downtown residential zones. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

## **18.57.050 Tree protection plan required.**



A. Requirement Established. Except for the exemptions enumerated in this chapter, no individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, shall remove, transplant, or destroy, or cause to be removed, transplanted, or destroyed, on any land in the *City*, any *tree* as defined in this chapter, without first obtaining the *city manager's* approval of a tree protection plan and receiving a clearing permit from the *City*. For *sites* proposed for land *development*, including the division of a parcel of land into two or more parcels, having *trees* below the minimum tree density, even though no *trees* are proposed to be removed, a tree protection plan is required to bring the *site* up to the minimum tree density standard herein established.

B. Submittal of Tree Protection Plan. Where the *site* proposed for *development* requires site or plat or short plat review, the tree protection plan shall be submitted concurrent with a site plan or plat or short plat application.



C. Tree Protection Plan Requirements. Attached to the *applicant* information and site plan information required for the clearing permit application, the *applicant* shall include the following tree protection plan information:

1. *Tree Survey*. For all *development proposals*, a *tree survey*, drawn to scale by a land surveyor licensed in Washington State, identifying the exact location and conditions of existing *trees* as defined in this title and containing the following information:

- a. Common and botanical name of each *tree*.
- b. *Trees* proposed to remain and to be removed.
- c. *Groves* with indication of predominant species, number of *trees* and size of *diameter at breast height* (d.b.h.).
- d. Any off-site *tree* with a root protection zone which could be adversely affected by the proposed activity.
- e. The location and dimensions of established and proposed perimeter landscaping, natural *vegetation* easements, and open space areas for public, *private*, or community use.
- f. *Net buildable areas*.
- g. *Critical areas* and their *buffers*.
- h. Stormwater tracts.
- i. Limits of construction line.
- j. North arrow, scale, and date of survey.

2. An assessment of *tree windthrow* potential as described in KMC [18.57.085](#), along with any proposed mitigation measures to minimize windthrow. These measures shall be incorporated into the proposed tree protection plan described in subsection (C)(5) of this section.

3. A statement describing how *trees* intended to remain will be identified, marked, and protected before the start of and during *development* as further described in KMC [18.57.090](#).

4. A statement that describes replacement tree quality as conforming to the American Standards for Nursery Stock (ANSI).

5. Proposed Tree Protection Plan. The permit *applicant* shall have a *qualified tree protection professional* prepare recommendations for the tree protection plan. The tree protection plan shall be drawn to scale using the *tree* survey as a base and containing the following information:

- a. The exact location, common name, botanical name, and condition of protected *trees*.
- b. The exact location, common name, botanical name, and *caliper* of each *tree* species to be planted.
- c. The *site* minimum tree density calculation indicating the total number, size, and species of existing *trees* to be preserved and the replacement *trees* to be planted as described in KMC [18.57.060](#).
- d. The *site* replacement tree calculation as described in KMC [18.57.060](#) with an explanation including the number, *caliper*, and species.
- e. The location, materials, dimensions, and layout of the protective barriers.

6. Submit a bond quantity worksheet on forms provided by the department.

7. Additional Information. Any additional or more detailed information required by the *city manager* to ensure compliance with the provisions of this chapter (i.e., aerial photograph). The *city manager* may waive the requirements for the scaled drawing and other submission data if he finds that the information presented is sufficient to determine the project's compliance with the provisions of this chapter. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 15-0409 § 1 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

## 18.57.060 Tree density requirement. SHARE

A. Minimum Tree Density Requirement Established. A minimum tree density is required on each *site*. The tree density may consist of existing *trees* (provided they are not cottonwood, alder, or holly trees), replacement *trees*, or a combination of existing and replacement *trees*. The *site* density of *trees* to be protected on each *site* shall be determined prior to approval of a tree protection plan or clearing permit, by the *city manager*.

B. Tree Density Calculation. The minimum tree density required for each *site* is ~~40~~ **30** tree units per acre of *net buildable area*

1. To calculate the density of *trees* to be protected:

- a. Obtain the d.b.h. measurement in inches for each protected *tree* within the *net buildable area*.

b. Go to Table 18.57.060A and select the tree unit value that corresponds to the d.b.h. for each protected *tree*.

c. Add up the tree unit values for all protected *trees* and divide by the total acreage of the *net buildable area*. This value must equal or exceed ~~40~~ 30-tree units per acre of *net buildable area*. If the total is less than ~~40~~ 30-tree units per acre, more *trees* must be protected.

d. ~~If replacement trees are planted as groves within designated tracts, then applicant may reduce total tree units required by 10 percent. If trees are retained within designated tracts, protective easements, or groves, then the applicant may reduce total tree units required by 20 percent.~~

**Table 18.57.060A**  
**Existing Trees to Remain.**

(Conversion from diameter (d.b.h.) in inches  
to tree units for  
*trees protected on-site.*)

d.b.h.	Tree Units	d.b.h.	Tree Units
1 – 5	1.0	30	8.2
6 – 10	1.2	31	8.6
11	1.4	32	9.0
12	1.8	33	9.5
13	2.0	34	10.0
14	2.3	35	10.5
15	2.6	36	11.0
16	2.9	37	11.5
17	3.2	38	12.0
18	3.5	39	12.5
19	3.8	40	13.0
20	4.2	41	13.5
21	4.6	42	14.0
22	5.0	43	14.5
23	5.4	44	15.0
24	5.8	45	15.5
25	6.2	46	16.0



**Table 18.57.060A**  
**Existing Trees to Remain.**

(Conversion from diameter (d.b.h.) in inches  
to tree units for  
*trees protected on-site.*)

d.b.h.	Tree Units	d.b.h.	Tree Units
26	6.6	47	17.0
27	7.0	48	18.0
28	7.4	49	19.0
29	7.8	50	20.0
For every one inch greater than 50 d.b.h., add an additional 2 tree units (i.e., 62 d.b.h. = 44 tree units).			

C. Replacement *Tree* Requirement. If the number of existing *trees* is not enough to meet the minimum of ~~40~~ 30 tree units per *net buildable acre*, a sufficient number of replacement *trees* shall be planted to meet the minimum requirement. Replacement *trees* shall not be allowed until the *applicant* shows that it is infeasible to retain existing *trees*. To determine the total number of replacement *trees* required:

1. Obtain the *caliper* measurement for each replacement *tree*. Replacement *trees* are measured differently than protected *trees*. Instead of measuring d.b.h. as in protected *trees*, replacement *trees* are measured by *caliper* in inches according to industry standards (ANSI). *Caliper* on replacement *trees* is measured six inches above the ground line for four-inch and smaller *trees*, and 12 inches above ground for larger replacement *trees*.
2. Go to Table 18.57.060B and select the tree unit value that corresponds to the *caliper* for each replacement *tree*.
3. Add the replacement tree unit values together to determine how many of that size *tree* will be required to achieve the minimum *site* density. See Table 18.57.060C for an example.

4. If replacement *trees* are planted within designated tracts, protective easements, or groves, then *applicant* may reduce total tree units required by 20 percent.

Table 18.57.060B Replacement Trees.

(Conversion from  
caliper inches to tree units for replacement trees.)

Deciduous Tree Caliper in Inches	Tree Units for Deciduous Trees	Coniferous Tree Height in Feet	Tree Units for Conifers	Tree Units for Native Conifers
1.5"	0.4	4' – 6'	0.5	0.8
2"	0.5	6' – 8'	0.7	1.0
3"	0.6	8' – 10'	1.0	1.5
4"	0.7	11' – 12'	1.5	2.0
5"	0.8			
6"	1.0			
7"	1.2			
8" +	1.5			

Table 18.57.060C Sample Tree Density Calculation.

The required density factor is calculated below as follows for five net buildable acres: five acres x 40 30 units = 200 150 tree units required.

Existing Retained Trees: density (ED):

Size	Quantity	Total <u>Tree</u> Units
24"	3	17.4
18"	3	10.5
10"	4	4.8
30"	7	57.4
12"	5	9.0
8"	6	7.2
15"	8	20.8
4"	10	10.0
<u>50"</u>	<u>1</u>	<u>20.0</u>
<u>44"</u>	<u>2</u>	<u>30.0</u>
Total <u>ED</u>		187.1

Proposed Replacement Trees: density (RD):

Size	Units	Quantity	Total Units
2" <i>Deciduous</i>	0.5	12	6.0
4" <i>Deciduous</i>	0.7	6	4.2
4' – 6' Native Conifer	0.8	5	4.0
		Total <b>RD</b>	14.2

<b>Existing Density + Replaced Density =</b>	<b>Site Total Tree Density</b>	<b>&gt;</b>	<b>or</b>	<b>=</b>	<b>Minimum Density Required</b>	
<b>137.1-187.1 + 14.2 =</b>	<b>151.3-201.3</b>	<b>&gt;</b>			<b>150 200</b>	Density Satisfied

The sum of the **retained existing trees and replacement trees ED and RD** must be greater than or equal to the minimum density required. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

## **18.57.065 Exceptional Tree Protections.**

### **A. Prohibited Activities.**

The following activities are prohibited with regard to *exceptional trees*.

1. Removal, in whole or in part.
2. Harming, injuring, or damaging the tree, including cutting its bark or branches with a knife, axe, hatchet, saw, or any other similar device or object.
3. Pouring toxic material on the tree or on the ground near enough to the tree to affect its health.
4. Burning the tree or causing a fire near enough to the tree to affect its health.
5. Topping.
6. Pruning beyond the standards provided by the Tree Care Industry Association at ANSI300 Part 1.
7. Attaching any sign, poster, notice, or other object to the tree, or fastening any guy wire, cable, rope, nails, screws, or other device to the tree, with the following exceptions:
  - a. To support young or broken trees;
  - b. For residential uses, (e.g., treehouses, tire swings, etc.);
  - c. The City may tie temporary signs or banners associated with street improvement, parades, seasonal lighting, or other city activities.

### **B. Variance.**

Exceptional trees may be removed only as allowed in this section.



1. Variances from the *exceptional tree* standards of this chapter may be authorized by the *city manager* in accordance with the approval criteria described in this section. A variance for removal of *exceptional trees* is a Type 2 land use decision, pursuant to KMC 19.25.020, except as described in Section 18.57.063(B)(2)(a)(3).
  - a. Prior to commencing with the *removal* the owner shall obtain a permit from the *City*.
  - b. No *variance* is allowed in order to create additional *lots*.
  - c. Decision Criteria.
    - i. Necessary for Rights or Use. Private *Development Proposals*: Such *variance* is necessary for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated properties but which because of the presence of *exceptional tree(s)* is denied to the property in question. For a variance to be granted under this section, the applicant must demonstrate compliance with the reasonable use exception approval criteria established in KMC 18.55.180.A.1.a through 18.55.180.A.1.g. The phrase *exceptional tree* shall replace the phrase *critical area* when utilizing said criteria for a variance under this section;
    - ii. The granting of such *variance* will not be materially detrimental to the public welfare or injurious to the property or improvement;
    - iii. The granting of the *variance* is consistent with the general purpose and intent of the *City's* comprehensive plan and adopted development regulations.
  - d. *City Manager* Review. The *city manager* shall review the application. The *city manager* shall approve, approve with conditions, or deny the request based on the proposal's ability to comply with all of the *variance* criteria in this section.
  - e. Burden of Proof. The burden of proof shall be on the *applicant* to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application.
  - f. Time Limit.
    - i. Establishment of any activity authorized pursuant to an *exceptional tree variance* shall occur within four years of the effective date of the decision for such *variance*. This period may be extended for one additional year by the *city manager* if the *applicant* has submitted the applications necessary to authorize the development activity and has provided written justification for the extension.
    - ii. For the purpose of this subsection, "establishment" shall occur upon the issuance of all local permit(s) needed to begin the development activity; provided, that the improvements authorized by such permits are completed within the time frames of said permits.
  - g. Mitigation Requirements.

- i. To the extent feasible, *exceptional trees removed* under a *variance* shall be replaced at a ratio of three (3) replacement trees for each *exceptional tree removed* (3:1).
- ii. If on-site replacement is not feasible, off-site replanting on public property with the *City's* written permission.
- iii. Whether planted on-site or off-site, replacement *trees* shall be of a species listed in Table 1 at KMC 18.20.3083 and must remain viable for a minimum of five (5) years after planting or themselves be replaced at a 1:1 ratio.
- iv. Notice on title.
  - 1. In order to inform subsequent purchasers of real property of the existence of replacement *trees* and their required viability period, the owner of any property containing replacement *trees* planted as mitigation for the removal of *exceptional trees* shall file a notice with county records and elections division according to the direction of the *City*. The notice shall state the presence of the replacement *trees* on the property and the date until which they must remain viable, of the application of this chapter to the property, and the fact that limitations on actions affecting the *trees* may exist. The notice shall run with the land.
  - 2. This notice on title shall not be required for:
    - a. A *development proposal* by a *public agency* or utility;
    - b. Within a recorded easement or right-of-way;
    - c. Where the agency or *utility* has been adjudicated the right to an easement or right-of-way; or
    - d. On the site of a public facility.
  - 3. The applicant shall submit proof that the notice has been filed with the county records and elections division (i.e., copy of document recorded on title).

2. Hazardous Trees.

- a. The *removal* of *hazard exceptional trees* shall comply with the following:
  - i. Prior to commencing with the *removal* the owner shall obtain a permit from the *City*.
  - ii. The burden of proving the hazardous nature of the *tree* lies with the property owner. The property owner shall provide the *City* with a report, prepared by an International Society of Arboriculture (ISA) certified arborist with a current Tree Risk Assessment Qualification (TRAQ), documenting that the *tree(s)* has a "high" or "extreme" risk and no other mitigation measure will reduce the risk below "high."
  - iii. Emergency tree removal. Where tree removal is necessary to prevent or correct an immediate threat to public health, safety, property, or welfare

is performed in an emergency situation, the permit application, evidence of the threat, and a tree risk rating of “high” or “extreme” prepared by a qualified tree protection professional shall be submitted within the next business working day to the City. Emergency tree removal, as described here within, is exempt from the Type 2 decision process.

b. Mitigation Requirements.

- i. The removal of hazardous, dying, or dead exceptional trees shall be mitigated by planting one (1) replacement tree, unless otherwise provided in KMC 18.55.150(E)(2).
- ii. Replacement trees must be of a species listed in Table 1 at KMC 18.20.3083 and must remain viable for a minimum of five (5) years after planting or themselves be replaced at a 1:1 ratio.

3. Private Access.

- a. Prior to commencing with the removal the owner shall obtain a permit from the City.
- b. Exceptional trees may be removed where necessary to provide for access to development sites, provided there are no feasible alternative alignments. Alternative access must be pursued to the maximum extent feasible.

4. Public Facilities.

- a. The City reserves the right to remove exceptional trees where necessary for roads, bridges, utilities, and facilities.
- b. Exceptional tree removal by private utilities require a tree removal permit and right-of-way use permit.
- c. Exceptional trees removed under this section are subject to the mitigation requirements described in KMC 18.57.063.B.1.g.i – 18.57.063.B.1.g.iv.

C. Modification to Standards to Protect Exceptional Trees

1. For single-family residential subdivisions and short subdivisions on sites in the R-4 zone that contain exceptional trees, the minimum lot size may be reduced to 5,400 square feet with no limitation on the percentage of smaller lots, regardless of KMC 18.21.030, Footnote 16. The lot area shall exclude access easements and access panhandles.
2. Unless it would be unreasonable to do so based on the use of neighboring properties, the city manager may reduce setbacks in residential zones regulated by Chapter 18.21 KMC to 10 feet, and setbacks in other zones to five feet, in order to maximize the protection of an exceptional tree and avoid exceptions or variances.

D. Penalties.

1. Civil Penalty. The penalty for *removal* of an *exceptional tree* or any other activity prohibited under subsection A shall be a civil penalty of up to \$2,500 per inch in d.b.h. of the *tree removed* with a maximum fine of \$150,000. For example, the monetary penalty for a 30-inch d.b.h. Douglas fir *removed* results in a maximum penalty of \$75,000. If the violation is found to have been willful or malicious, as determined by the *city manager*, the amount of the penalty may be doubled as punitive damages and the violator may be subject to criminal penalties under KMC 18.57.110.B.
2. In addition, any person found to be in violation of this Section shall plant three (3) replacement *trees* for each *exceptional tree* removed. Replacement *trees* shall be a species listed in Table 1 at KMC 18.20.3083 and must remain viable for a minimum of five (5) years after planting or themselves be replaced by the offender at a 1:1 ratio. In order to inform subsequent purchasers of real property of the existence of replacement *trees* and their required viability period, a notice will be filed on the title by the same procedure outlined under (B)(1)(g)(iv) of this Chapter.

### 18.57.070 Tree protection plan review procedure. SHARE

A. *Departmental Review.* The *city manager* shall review the tree protection plan and clearing permit application to determine whether the *applicant* has provided all required information. Completed applications shall be referred to appropriate *City departments* for review. Upon request of either the *applicant* or the *City*, the *City* may conduct field inspections or review meetings. *City departments* involved in the review and/or inspections shall submit their report(s) and recommendation(s) to the *city manager*.

B. *Evaluation for Compliance.* The *city manager* may require an evaluation by a *qualified tree protection professional*, a qualified engineer, landscape architect, soils engineer, testing lab, or other specialist at any time during the tree protection plan review process or tree removal inspection as necessary to ensure compliance with the provisions of this chapter and/or the terms of the clearing permit. Individual *applicants* will be responsible for payment to the *City* of the actual cost to the *City* of this evaluation. The actual costs of any such evaluation shall be paid to the *City* within 30 days of receipt of the *City's* invoice.

C. *Financial Guarantees.* For all projects required to have a tree protection plan, *financial guarantees* shall be required consistent with the provisions of KMC [21.20.070](#); provided, however, that to the extent that the *financial guarantee* requirements of KMC [18.57.100](#) are more protective of tree preservation, performance and maintenance, then the more protective requirements shall prevail. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

### 18.57.080 Tree protection plan review standards. SHARE



The following standards shall govern the approval of a tree protection plan and the granting or denial of an application for clearing permit:

A. Design. *Development* shall be designed, located, and conducted so as to minimize the loss of healthy *groves* and protected *trees* as identified by a *qualified tree protection professional*, degradation of wildlife habitat as identified through environmental review, and the potential for *erosion* and slope failure.

B. *Tree Protection Priority*. In designing a development project and in meeting the required minimum tree density, the *applicant* shall protect *trees* within the *net buildable area* as described in KMC [18.57.060](#)(B)(1), in the following order of priority. *Trees* to be preserved and protected must be healthy and vigorous, *wind-firm*, and not in conflict with utilities.

1. *Exceptional trees*.
2. *Groves*.
3. Individual *trees* which provide wildlife habitat as identified through environmental review.
4. Individual *trees* and *groves* which occur within required *setbacks*.
5. *Trees* that protect against windthrow, including *trees* sheltering interior *trees* or *trees* on adjacent property from strong winds that could otherwise cause them to blow down.
6. *Trees* which provide a buffer and separate incompatible *uses* or reduce sound and wind levels.

C. Replacement *Tree Planting Conditions*. Replacement *trees* should be planted in areas with soil, climate, exposure, and moisture conditions appropriate to the replacement *tree species'* growing requirements as determined by a *qualified tree protection professional*, licensed landscape architect, or certified nurseryman.

D. Replacement *Tree Planting Location Priority*. On *sites* where the number of existing *trees* falls below the minimum density requirements, then replacement *tree* planting shall be required. The *applicant's* proposed location of transplanted or replacement *trees* shall be subject to review by a *qualified tree protection professional*, licensed landscape architect, or certified nurseryman, and *City* approval as part of the tree protection plan. Replacement *trees* should be planted according to the following priority:

1. On-Site.

a. Designated Tracts. *Trees* located in separate deeded *tree* tracts specifically set aside for the preservation and planting of *trees* and/or the required recreation open space area if *trees* do not interfere with recreation activities.

b. Perimeter Landscaping. Significant trees located in the perimeter landscaping shall be retained. In which case, replacement trees shall not count toward and shall be in addition to perimeter landscape requirements.

c. Landscaping. This may include entrance landscaping, traffic islands, and other common open space areas. *Trees* located in a public right-of-way may be credited as replacement *trees* only if *street trees* are not a requirement.

2. Off-Site. In cases where an applicant believes that lot size prevents installation of the required number of trees, the applicant may propose to the City payment of a fee in lieu for installation of trees in a public park or other public space. The city manager shall review and make the final decision on the applicant's proposal, based on a recommendation from a qualified tree protection professional.

2. It is the City's intent to preserve and plant replacement trees on site. Only in rare cases and as a last resort, when planting replacement trees on site is infeasible, shall a fee-in-lieu be approved by the city manager

3. The tree fee-in-lieu for replacement tree shall be required for all tree units required that are not planted on the application site.

a. The base fee shall be equivalent to the cost of purchasing one 8' to 10' coniferous tree, 1.0 tree unit on Table 18.57.060B, installation (labor and equipment), and maintenance (including watering, warranty, and monitoring) for three years, as adopted by resolution.

b. The amount of the fee shall be the base fee times the number of replacement tree units necessary to satisfy the tree replacement requirements of this section, less existing trees and replacement trees.

c. The fee shall be paid to the City prior to final site plan approval, final plat approval, or the issuance of a tree removal permit, whichever applies as determined by the department.

d. A separate account shall be established by the City for fees collected. Tree replacement fees shall be earmarked specifically for this account. Funds withdrawn from this account shall be expended only for the planting of new trees in City-owned parks, open spaces, or rights-of-way, and shall be expended within five years of collection consistent with RCW 82.02.020.

**EF. Replacement Conifer Tree Types.** Replacement *trees* shall be a species native to the Puget Sound lowlands. Replacement trees shall not be Alder (any species), Black Cottonwood, English Holly, or Leyland Cypress. ~~of a similar type of genus to the conifer trees that are removed; i.e., a western red cedar (*Thuja plicata*) may be replaced with a tree in the genus *Thuja*, such as an American arborvitae (*Thuja occidentalis*).~~ [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 15-0409 § 1 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

## 18.57.085 Tree windthrow evaluation and prevention. SHARE

A. Increased *tree windthrow* potential as a result of impacts to *trees* on a site shall be evaluated based on the following risk factors:

1. Root system disruption that will extend within an area one to two and one-half times the radius of the canopy;
2. Topography of the site;
3. Whether the *tree* is deciduous or evergreen;
4. Height of the *tree* relative to the neighboring *trees*;
5. Whether the tree is part of a *grove*.

B. The windthrow evaluation shall be conducted as part of the preparation of the tree protection plan (see KMC [18.57.050](#)) based on the aforementioned risk factors. The assessment shall be conducted by a *qualified tree protection professional*. This assessment also shall evaluate increased windthrow potential for *trees* on neighboring lots that are within 50 feet of the closest *trees* being removed on the site, including *trees* that share a root system with *tree(s)* on the site.

C. Tree Protection Plan.

1. When significant windthrow potential is identified for *trees* that could impact neighboring properties or are on neighboring properties, the *applicant* shall identify measures to minimize windthrow as part of the tree protection plan. Measures could include but are not limited to demonstrating that the *critical root zone (CRZ)* fencing is adequate to prevent root disruption or that the *CRZ* is expanded to provide root protection; saving *groves* when applicable; taking steps to preserve existing grades around *trees*; and/or tunneling rather than trenching for utilities. The City may deny a request to remove a *tree(s)* if mitigation measures are inadequate to minimize windthrow.

2. If potential windthrow damage is for the *site* itself, the *applicant* shall identify measures to reduce impacts to future *structures* on the *site*. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 15-0409 § 2 (Att. B).]

## 18.57.090 Tree protection during construction. SHARE

Prior to initiating tree removal and any *clearing* and *grading* on the *site*, *trees* to be protected and preserved shall be protected from potentially damaging activities as follows unless otherwise approved by the *City*.

A. *Critical Root Zone (CRZ)*. The *CRZ* of individual *trees*, *groves*, or otherwise designated protected tree areas shall include no less than the area of a circle with a radius that extends one foot out from the *tree* for every inch of trunk d.b.h., or the area of a circle with radius extending from a *tree's* trunk to a point no less than the end of a *tree's* longest branch, whichever is greater (see Figure 18.57.090A).

B. Tree Protection Fence (TPF). Before *development*, the *applicant*:

1. Shall place three inches of composted woodchips over the *CRZ* of all retained *trees* to retain moisture, increase organic matter, and visually establish the *CRZ*.
2. Shall erect and maintain readily visible protective tree fencing a minimum of three feet beyond the outer edge of the *CRZ* for all individual *trees*, *groves*, or other designated protected tree areas.
  - a. Fencing shall completely surround the required tree protection area. The *city manager* may allow adjustments to placement of the TPF based on an evaluation of the *tree*, soils, and proposed disturbance.
  - b. Fencing shall be a minimum of four feet high and may be higher if needed to ensure clear visual delineation. Chain-link *fence* or orange plastic *fence* fastened to steel stakes/posts driven securely into the ground shall be required in order to discourage easy movement.
  - c. Any deviation from the tree fencing methods listed above must be authorized in writing by the *city manager* in advance.
3. Shall keep the protective fencing in place until the *City* authorizes the removal or issues a final certificate of occupancy, whichever occurs first.
4. Shall ensure that any landscaping done within the root protection zone subsequent to the removal of the *fence* shall not disturb existing *trees* including roots within the *CRZ*.



C. Placing Materials Near *Tree*. During *development*, no individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, may conduct any activity within the TPF of any *tree* designated to remain, except as specified in this section.

D. Attachments to *Trees*. During *development*, no individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, shall attach any object to any *tree* designated for protection.

E. Grade.

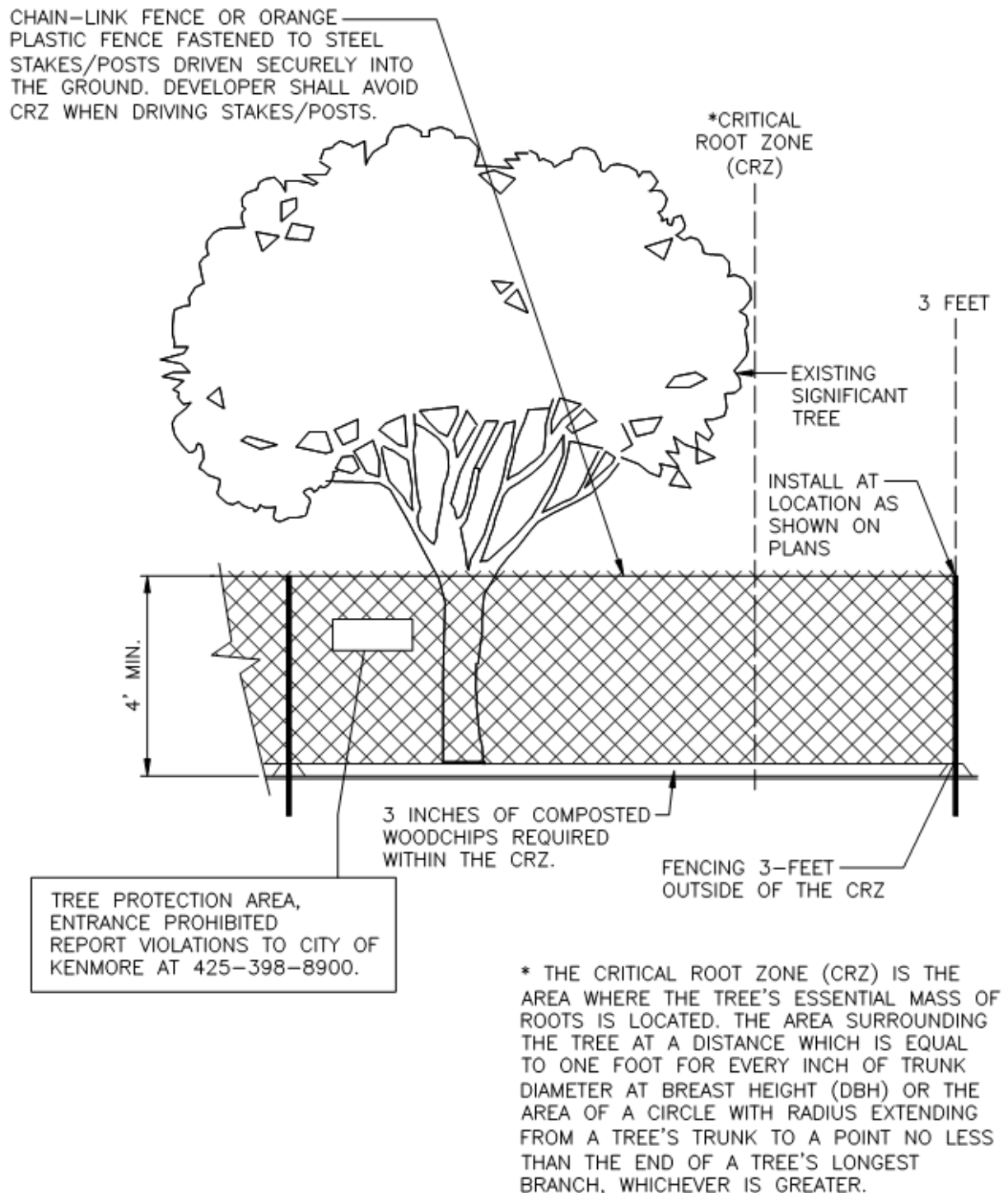
1. The grade shall not be filled or cut within the *CRZ* of any *tree* designated to remain without prior review by a *qualified tree protection professional* and advance, written approval from the *city manager*.

2. The *applicant* shall not install an *impervious surface* within the protective barrier of any *tree* designated to remain without the advance, written authorization of the *city manager*.

3. To the greatest extent practical, utility trenches shall be located outside of the root protection zone of *trees* to be retained. Boring or tunneling under the *CRZ* may be considered an alternative, but shall require the advance, written approval of the *city manager*.

4. *Trees* and other *vegetation* to be retained shall be protected from *erosion* and sedimentation.

F. Additional Requirements. The *city manager* may require additional tree protection measures which are consistent with accepted urban forestry practices.

**Figure 18.57.090B Tree Protection Fencing**

## 18.57.100 Post-construction replacement, financial guarantee and maintenance requirements. [SHARE](#)

A. Replace Damaged, Dead, or Dying *Trees*. Replacement *trees* or *groves* that are damaged or die within a period of three years after planting or transplanting must be replaced in kind at a ratio of one-to-one (1:1) within six months of the *tree's* death or the date of discovery of the damage. Existing *trees* that are damaged or die within a period of three years after completion of construction activities and as a cause of construction activities as determined by a *qualified tree protection professional* shall be replaced in kind at a ratio of ~~three two~~-to-one (3:1) or to restore the number of tree units lost, whichever is greater, within six months of the *tree's* death or date of discovery of the damage.

B. Replacement *Tree* Quality. Replacement *trees* shall conform to the American Standards for Nursery Stock, ANSI.

C. *Tree* Maintenance. All *trees* shall be maintained in accordance with International Society of Arboriculture guidelines and standards.

D. *Financial Guarantee* Required. A *financial guarantee* as defined and regulated under KMC Title 21 shall be required as a mechanism to cover any potential cost associated with replacing dead or dying replacement or existing *trees* required to satisfy tree unit requirements per this section.

1. A *financial guarantee* shall be required for all plans requiring 15 or more tree units.
2. Calculation of the amount of the *financial guarantee* shall be computed based upon equivalent tree replacement value for all replacement and existing *trees* on the property as determined by a *qualified tree protection professional* and approved by the *city manager*, using the most recent edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, in collaboration with the Council of Tree and Landscape Appraisers. Fair market value shall be posted. Fair market value includes the value of the *tree(s)*, installation, and maintenance until establishment that would be required to compensate for the *trees* that could be lost.
3. The *financial guarantee* period for maintenance shall be three years, plus an additional 60 days.
4. *Financial guarantees* shall be required consistent with the provisions of KMC Title 21. This time period may be extended to one year by the *city manager*, if necessary to cover a planting and growing season.

#### ~~4. Release of Financial Guarantee.~~

- a. Upon successful tree replacement and establishment as determined by the written approval of the *City* and consistent with Chapter 21.15 KMC, the *financial guarantee* required by this section shall be released.

b. The City, in its discretion, may release a *financial guarantee* under this section when fee simple title is transferred. The City may condition the release of the existing *financial guarantee* upon establishment of a new *financial guarantee* by the new owner in fee simple. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]

## 18.57.110 Penalties, enforcement. SHARE

A. Civil Penalty. Any violation of any provision of this chapter constitutes a civil violation under Chapter 1.15 KMC, and is subject to the enforcement procedures of Chapter 1.20 KMC; provided, however, that an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, who removes any *tree* in violation of this chapter shall be assessed the following civil penalty:

An individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, removing a *tree* in violation of this chapter shall be assessed a monetary penalty of up to \$2,000 per inch in *diameter at breast height* (d.b.h.) of the *tree* removed. For example, the monetary penalty for a 20-inch d.b.h. *tree* removed results in a maximum penalty of \$40,000. In no case shall the penalty be reduced to an amount less than \$500.00 for each violation found committed. The extent of the penalty shall be determined by the *city manager* in consideration of reasonable factors. Monetary penalties shall increase with each violation. The *city manager* is authorized to adopt *policies* setting forth the reasonable factors for consideration under this subsection. This section shall not apply to the removal of exceptional trees, which penalties are set forth in KMC 18.57.063.

B. Criminal Penalty. In addition to or as an alternative to incurring civil liability under this section, an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, who violates any provisions of this chapter shall be guilty of a misdemeanor and subject to the criminal penalties set forth in Chapter 1.15 KMC, and shall be subject to the procedures of the City's criminal code, KMC Title 9.

C. Separate Offense. Every individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated, violating any provision of this chapter is guilty of a separate offense for each and every day during any portion of which the violation is committed, continued or permitted by any such individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of any governmental unit, however designated. [Ord. 22-0547 § 4 (Exh. B(II)); Ord. 11-0329 § 3 (Exh. 1).]



# **TIER 2 TREE REGULATIONS**

## **ORDINANCE NO. 23-0597**

Garrett Oppenheim, Assistant to the City Manager  
Samantha Loyuk, Development Services Director



# RECAP

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- On May 16, 2022, potential Tier 2 tree code amendments were presented to City Council.
- There was a clear commitment to the environment and preservation of Kenmore's urban forest.
- October 16, 2023: City Council adopted the Exceptional Tree Ordinance, a Tier 2 item.
- November 20, 2023: Public Hearing.



## TIER 2 REGULATIONS PROPOSED

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve all trees along the perimeter. (similar to Gig Harbor)
5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").
- ~~6. Establish an Exceptional Tree program.~~

Adopted October 16, 2023







# TIER 2 REGULATIONS PROPOSED

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1. Increase the tree density requirement for new development.

2. Decrease yearly allowances for single-family tree removal.

3. Always require replacement.

4. Preserve all trees along the perimeter. (similar to Gig Harbor)

5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").

- The minimum tree density is increased from 30 tree units per net buildable acres to 40 tree units per NBA (an increase of 33.3%)
- Replacement trees are considered only after exhausting all options for retention of existing trees



# TIER 2 REGULATIONS PROPOSED

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve all trees along the perimeter. (similar to Gig Harbor)
5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").

- The yearly tree removal allowance, regardless of lot size, is 1 tree per year.





## TIER 2 REGULATIONS PROPOSED

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve all trees along the perimeter. (similar to Gig Harbor)
5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").

- When trees are removed, they're replaced with native trees
- Exceptions: 1) Hazardous trees do not require replacement, and 2) When necessary, a fee-in-lieu option may be approved by the city manager



A child with long brown hair is peeking through dense green foliage, holding binoculars to their eyes. In the background, a white picket fence and a tree trunk are visible. The scene is set in a garden with various plants and flowers.

## TIER 2 REGULATIONS PROPOSED

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5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").

- Retain existing trees within the perimeter landscaping



A photograph of three children riding bicycles on a dirt trail in a forest. The child in the foreground is a young girl with curly hair, wearing a blue helmet, a green vest over a plaid shirt, and blue pants. She is smiling and looking towards the camera. Behind her to the left is another child, also on a bicycle, wearing a blue helmet and a light-colored jacket. To the right, further back, is a third child wearing a red plaid shirt, a red scarf, and a white beanie. The background is filled with tall trees and sunlight filtering through the leaves.

## TIER 2 REGULATIONS PROPOSED

1. Increase the tree density requirement for new development.
2. Decrease yearly allowances for single-family tree removal.
3. Always require replacement.
4. Preserve all trees along the perimeter. (similar to Gig Harbor)
5. Establish a tree fund for instances where replacement is infeasible ("fee in lieu").

- When replacement is infeasible (e.g., small lots), a "fee in lieu" option is available, subject to approval
- Replacement is preferred over fee in lieu
- The fee is established by resolution
- The fee is based on the cost to plant (labor and equipment), maintain for 5 years, and administer the program



# **PUBLIC HEARING**

## **ORDINANCE NO. 23-0597**

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

- **The Ordinance will authorize the City Manager and/or Finance Director to proceed with finalizing the bond issuance within certain parameters set out in the Ordinance.** Finance expects to close the financing for the project in 2024. The delegation expires after one year.
- **The bonds will be “limited tax general obligation” bonds.** This means that they are issued within the City’s non-voted debt limitation and will be backed by the City’s full faith and credit. As brought to Council earlier this year, the City will use REET and Surface Water Utility revenues to repay the bonds, which will be reflected in annual budget appropriations for debt service.
- **The maximum amount that may be issued is not more than \$12,800,000.** Finance expects that the final par amount of the bonds will be less than this, but the higher amount allows for adjustments for pricing the bonds based on market conditions. It targets a deposit of money to the project fund of approximately \$12.57 million, plus an estimated cushion sufficient to pay costs of issuing the bonds, such as payment to the underwriter, bond counsel, and rating agency, as well as costs of printing and posting disclosure documents and other related administrative expenses.
- **The Ordinance limits the borrowing cost.** Interest rates will be determined on the “pricing” date, based on bond market conditions on that date. If the true interest cost available on that date exceeds 6.5%, the finance department may not proceed without seeking additional authorization from the City Council. Based on today’s market conditions, finance would expect an interest rate just under 5.0%. However, the actual rates and true interest cost will be determined based on market conditions on the pricing date.
- **The maximum term of the financing will be 20 years.** The finance team expects to reserve the City’s right to refinance at lower rates after 10 years.

The total \$21.8 million total cost of the Public Works Operations Center is being financed by three debt instruments, two of which have already been approved and issued. The \$12,575,000 LTGO being discussed this evening is the third and final debt instrument for the City Council to approve. The three loans for the Public Works Operations Center are summarized in the following table:

**Public Works Operations Center Sources and Uses of Funds are as follows:**

**PWOC Debt Sources and Uses**

	Loan Amount	Interest Rate	Initial Term	1st payment	Annual Debt Service Payment
State Low Interest Loan	2,605,000	2.42%	20 yrs	6/1/2022	210,000
Banner Bank Loan	6,600,000	3.45%	20 yrs	12/1/2022	460,000
Councilmanic LTGO*	12,575,000	5.00%	20 yrs	TBD, 2024	1,130,000
Total					\$ 1,800,000

*\*LTGO interest rate and annual payment are estimates*

**Annual Payment Funding Sources**

REET	900,000
SWM	900,000
Total	\$ 1,800,000

**City Council Priority or Budget Objective Being Addressed:**

Public Works Operations provides services and support to the entire Kenmore community and supports and advances all of the following:

- 20 Year Vision Statement
- All City Council Priorities
- City of Kenmore Service Vision



## **CITY OF KENMORE, WASHINGTON**

### **ORDINANCE NO. 23-0599**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AUTHORIZING THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF LIMITED TAX GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$12,800,000 TO FINANCE COSTS RELATED TO ACQUIRING, DESIGNING, CONSTRUCTING, DEVELOPING, IMPROVING, EQUIPPING AND FURNISHING A NEW PUBLIC WORKS OPERATIONS CENTER, AND TO PAY COSTS OF ISSUING THE BONDS; DELEGATING AUTHORITY TO APPROVE THE SALE AND FINAL TERMS OF THE BONDS; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.**

PASSED DECEMBER 4, 2023

PREPARED BY:

PACIFICA LAW GROUP LLP  
Seattle, Washington

**CITY OF KENMORE, WASHINGTON**

**ORDINANCE NO. 23-0599**

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\* This Table of Contents is provided for convenience only and is not a part of this ordinance.

**CITY OF KENMORE, WASHINGTON**

**ORDINANCE NO. 23-0599**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AUTHORIZING THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF LIMITED TAX GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$12,800,000 TO FINANCE COSTS RELATED TO ACQUIRING, DESIGNING, CONSTRUCTING, DEVELOPING, IMPROVING, EQUIPPING AND FURNISHING A NEW PUBLIC WORKS OPERATIONS CENTER, AND TO PAY COSTS OF ISSUING THE BONDS; DELEGATING AUTHORITY TO APPROVE THE SALE AND FINAL TERMS OF THE BONDS; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.**

**WHEREAS**, the City Council (the “Council”) of the City of Kenmore, Washington (the “City”) has deemed it is in the best interest of the City to acquire, design, construct, develop, improve, equip and furnish a new Public Works Operations Center (the “Project”); and

**WHEREAS**, after due consideration the Council has determined that it is in the best interest of the City to authorize the issuance and sale of one or more series of limited tax general obligation bonds (the “Bonds”) to finance and/or reimburse the City for all or a portion of the costs of the Project, and to pay certain costs of the issuance of the Bonds; and

**WHEREAS**, this Council wishes to delegate authority to the Mayor, the City Manager and the Finance & Administrative Director, or such individual’s designee (each, a “Designated Representative”), for a limited time, to approve the interest rates, maturity dates, redemption terms and principal maturities for each series of Bonds, under such terms and conditions as set forth in this ordinance; and

**WHEREAS**, the City expects to receive a proposal from D.A. Davidson & Co. (the “Underwriter”) and now desires to issue and sell the bonds to the Underwriter as set forth herein;

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

Section 1. Definitions. As used in this ordinance, the following words and terms shall have the following meanings, unless the context or use indicates another or different meaning or intent. Unless the context indicates otherwise, words importing the singular number shall include the plural number and vice versa.

**Beneficial Owner** means any person that has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries).

**Bond Counsel** means Pacifica Law Group LLP or an attorney at law or a firm of attorneys, selected by the City, of nationally recognized standing in matters pertaining to the tax exempt nature of interest on bonds issued by states and their political subdivisions.

**Bond Purchase Contract** means the contract for the purchase of any Bonds between the Underwriter and the City, authorized to be executed pursuant to Section 12 of this ordinance.

**Bond Register** means the registration books showing the name, address and tax identification number of each Registered Owner of the Bonds, maintained pursuant to Section 149(a) of the Code.

**Bond Registrar** means, initially, the fiscal agent of the State, for the purposes of registering and authenticating the Bonds, maintaining the Bond Register, effecting transfer of ownership of the Bonds and paying interest on and principal of the Bonds.

**Bonds** mean the City's limited tax general obligation bonds, authorized to be issued pursuant to the terms of this ordinance.

**City** means the City of Kenmore, a municipal corporation duly organized and existing under the laws of the State.

**City Attorney** means the duly appointed City Attorney, or the successor of such office.

**City Manager** means the duly appointed City Manager, or the successor of such office.

**City Clerk** means the duly appointed and acting City Clerk of the City or the successor to the duties of that office.

**Closing** means the date of delivery of the Bonds to the Underwriter.

**Code** means the Internal Revenue Code of 1986 as in effect on the date of issuance of the Bonds or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of issuance of the Bonds, together with applicable proposed, temporary and final regulations promulgated, and applicable official public guidance published, under the Code.

**Continuing Disclosure Certificate** means the written undertaking for the benefit of the owners and Beneficial Owners of the Bonds as required by Section (b)(5) of the Rule.

**Council** or **City Council** means the Kenmore City Council, as the general legislative body of the City as the same is duly and regularly constituted from time to time.

**Debt Service Fund** means the fund or account created pursuant to this ordinance for the purpose of paying debt service on the Bonds.



**Designated Representative** means the Mayor, the City Manager, and the Finance & Administration Director, or such individual's designee. The signature of one Designated Representative shall be sufficient to bind the City.

**DTC** means The Depository Trust Company, New York, New York, a limited purpose trust company organized under the laws of the State of New York.

**Fair Market Value** means the price at which a willing buyer would purchase an investment from a willing seller in a bona fide, arm's-length transaction, except for specified investments as described in Treasury Regulation 1.148-5(d)(6), including United States Treasury obligations, certificates of deposit, guaranteed investment contracts, and investments for yield restricted defeasance escrows. Fair Market Value is generally determined on the date on which a contract to purchase or sell an investment becomes binding, and, to the extent required by the applicable regulations under the Code, the term "investment" will include a hedge.

**Federal Tax Certificate** means one or more certificates executed by a Designated Representative setting forth the requirements of the Code for maintaining the tax exemption of interest on any series of Tax-Exempt Bonds, and attachments thereto.

**Finance & Administration Director** means the duly appointed Finance & Administration Director of the City, or the successor of such office.

**Government Obligations** means those obligations now or hereafter defined as such in chapter 39.53 RCW constituting direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, as such chapter may be hereafter amended or restated.

**Letter of Representations** means the Blanket Issuer Letter of Representations given by the City to DTC, as amended from time to time.

**Mayor** or means the duly appointed and acting Mayor of the City or the successor to the duties of that office.

**MSRB** means the Municipal Securities Rulemaking Board or any successors to its functions.

**Official Statement** means the disclosure documents prepared and delivered in connection with the issuance of the Bonds.

**Project** means the capital projects described in Section 2 of this ordinance.

**Project Fund** means the account created pursuant to Section 8 of this ordinance.

**Record Date** means the Bond Registrar's close of business on the 15th day of the month preceding an interest payment date. With respect to redemption of a Bond prior to its maturity, the Record Date shall mean the Bond Registrar's close of business on the date on which the Bond Registrar sends the notice of redemption in accordance with this ordinance.

**Registered Owner** means the person named as the registered owner of a Bond in the Bond Register. For so long as the Bonds are held in book-entry only form, DTC or its nominee shall be deemed to be the sole Registered Owner.

**Rule** means the U.S. Securities and Exchange Commission's Rule 15c2-12 under the Securities Exchange Act of 1934, as the same may be amended from time to time.

**State** means the State of Washington.

**Taxable Bonds** means any Bonds determined to be issued on a taxable basis pursuant to Section 12.

**Tax-Exempt Bonds** means any Bonds determined to be issued on a tax-exempt basis under the Code pursuant to Section 12.

**Underwriter** means D.A. Davidson & Co., or its successors.

Section 2. Findings; Authorization of the Project. The Council hereby finds as follows:

(a) The City is classified as a noncharter code city operating under the mayor-council plan of government as set forth in chapter 35A.21 RCW, endowed with all the applicable rights, powers, privileges, duties and obligations of noncharter code cities as set forth in Title 35A RCW as the same now exists and including any and all supplements, amendments or other modifications of such title hereafter at any time enacted.

(b) The current location of the City's Public Works Operations is inefficient and inadequate to serve the growing needs of the City.

(c) In 2022, the City purchased property on 202<sup>nd</sup> Street next to Kenmore Middle School upon which it plans to construct a new Public Works Operations facility that will also allow for the expansion of City facilities to support the functions of the entire City.

(d) The City now desires to acquire, design, construct, develop, improve, equip and furnish a new Public Works Operations facility on the selected site (the "Project"). The Project is to be more fully described in the plans and specifications prepared by and filed with the City. The City does not have sufficient funds available to pay all of the cost of the Project.

(e) The cost of all necessary appraisals, negotiation, closing, architectural, engineering, financial, legal and other consulting services, inspection and testing, demolition, administrative and relocation expenses and other costs incurred in connection with the foregoing capital improvements shall be deemed a part of the capital costs of the Project. Such Project shall be complete with all necessary equipment and appurtenances. The City will determine the exact specifications for the Project, and the components thereof, as well as the timing, order and manner of completing the components of the Project.

Section 3. Authorization of Bonds and Bond Details. For the purpose of paying and/or reimbursing the City for all or a portion of the costs of the Project and paying costs of issuance,

the City is hereby authorized to issue and sell one or more series of limited tax general obligation bonds in an aggregate principal amount not to exceed \$12,800,000 (the “Bonds”). Notwithstanding anything in this ordinance to the contrary, the issuance of the Bonds shall be subject to satisfaction of the conditions set forth in Section 12 of this ordinance.

The Bonds of each series shall be general obligations of the City and shall be designated “City of Kenmore, Washington, Limited Tax General Obligation Bonds,” with the year and any additional series designation or other such designation as determined to be necessary by a Designated Representative. The Bonds shall be dated as of the date of Closing; shall be fully registered as to both principal and interest; shall be in the denomination of \$5,000 each, or any integral multiple thereof, within a maturity; shall be numbered separately in such manner and with any additional designation as the Bond Registrar deems necessary for purposes of identification; shall bear interest from their date payable on the dates and commencing as provided in the Bond Purchase Contract; and shall mature on the dates and in the principal amounts set forth in the Bond Purchase Contract, as approved and executed by a Designated Representative pursuant to Section 12 of this ordinance.

#### Section 4. Registration, Exchange and Payments.

(a) *Bond Registrar/Bond Register.* The City hereby specifies and adopts the system of registration approved by the Washington State Finance Committee from time to time through the appointment of State fiscal agencies. The City shall cause the Bond Register to be maintained by the Bond Registrar. So long as any Bonds of a series remain outstanding, the Bond Registrar shall make all necessary provisions to permit the exchange or registration or transfer of such Bonds at its designated office. The Bond Registrar may be removed at any time at the option of a Designated Representative upon prior notice to the Bond Registrar and a successor Bond Registrar appointed by a Designated Representative. No resignation or removal of the Bond Registrar shall be effective until a successor shall have been appointed and until the successor Bond Registrar shall have accepted the duties of the Bond Registrar hereunder. The Bond Registrar is authorized, on behalf of the City, to authenticate and deliver Bonds transferred or exchanged in accordance with the provisions of such Bonds and this ordinance and to carry out all of the Bond Registrar’s powers and duties under this ordinance. The Bond Registrar shall be responsible for its representations contained in the certificate of authentication on the Bonds.

(b) *Registered Ownership.* The City and the Bond Registrar, each in its discretion, may deem and treat the Registered Owner of each Bond of a series as the absolute owner thereof for all purposes (except as provided in a Continuing Disclosure Certificate), and neither the City nor the Bond Registrar shall be affected by any notice to the contrary. Payment of any such Bond shall be made only as described in Section 4(g), but such Bond may be transferred as herein provided. All such payments made as described in Section 4(g) shall be valid and shall satisfy and discharge the liability of the City upon such Bond to the extent of the amount or amounts so paid.

(c) *DTC Acceptance/Letters of Representations.* The Bonds initially shall be held in fully immobilized form by DTC acting as depository. The City has executed and delivered to DTC the Letter of Representations. Neither the City nor the Bond Registrar shall have any responsibility or obligation to DTC participants or the persons for whom they act as nominees (or any successor depository) with respect to the Bonds in respect of the accuracy of any records maintained by DTC

(or any successor depository) or any DTC participant, the payment by DTC (or any successor depository) or any DTC participant of any amount in respect of the principal of or interest on Bonds, any notice which is permitted or required to be given to Registered Owners under this ordinance (except such notices as shall be required to be given by the City to the Bond Registrar or to DTC (or any successor depository)), or any consent given or other action taken by DTC (or any successor depository) as the Registered Owner. For so long as any Bonds are held by a depository, DTC or its successor depository or its nominee shall be deemed to be the Registered Owner for all purposes hereunder, and all references herein to the Registered Owners shall mean DTC (or any successor depository) or its nominee and shall not mean the owners of any beneficial interest in such Bonds.

(d) *Use of Depository.*

(1) The Bonds shall be registered initially in the name of “Cede & Co.”, as nominee of DTC, with one Bond of each series maturing on each of the maturity dates for the Bonds in a denomination corresponding to the total principal therein designated to mature on such date. Registered ownership of such Bonds, or any portions thereof, may not thereafter be transferred except (a) to any successor of DTC or its nominee, provided that any such successor shall be qualified under any applicable laws to provide the service proposed to be provided by it; (b) to any substitute depository appointed by a Designated Representative pursuant to subsection (2) below or such substitute depository’s successor; or (c) to any person as provided in subsection (4) below.

(2) Upon the resignation of DTC or its successor (or any substitute depository or its successor) from its functions as depository or a determination by a Designated Representative to discontinue the system of book entry transfers through DTC or its successor (or any substitute depository or its successor), a Designated Representative may hereafter appoint a substitute depository. Any such substitute depository shall be qualified under any applicable laws to provide the services proposed to be provided by it.

(3) In the case of any transfer pursuant to clause (a) or (b) of subsection (1) above, the Bond Registrar shall, upon receipt of all outstanding Bonds together with a written request on behalf of a Designated Representative, issue a single new Bond for each maturity of that series then outstanding, registered in the name of such successor or such substitute depository, or their nominees, as the case may be, all as specified in such written request of a Designated Representative.

(4) In the event that (a) DTC or its successor (or substitute depository or its successor) resigns from its functions as depository, and no substitute depository can be obtained, or (b) a Designated Representative determines that it is in the best interest of the Beneficial Owners of the Bonds that such owners be able to obtain physical bond certificates, the ownership of such Bonds may then be transferred to any person or entity as herein provided, and shall no longer be held by a depository. A Designated Representative shall deliver a written request to the Bond Registrar, together with a supply of physical bonds, to issue Bonds as herein provided in any authorized denomination. Upon receipt by the Bond Registrar of all then outstanding Bonds of a series together with a written request on behalf of a Designated Representative to the Bond



Registrar, new Bonds of such series shall be issued in the appropriate denominations and registered in the names of such persons as are requested in such written request.

(e) *Registration of Transfer of Ownership or Exchange; Change in Denominations.* The transfer of any Bond may be registered and Bonds may be exchanged, but no transfer of any such Bond shall be valid unless it is surrendered to the Bond Registrar with the assignment form appearing on such Bond duly executed by the Registered Owner or such Registered Owner's duly authorized agent in a manner satisfactory to the Bond Registrar. Upon such surrender, the Bond Registrar shall cancel the surrendered Bond and shall authenticate and deliver, without charge to the Registered Owner or transferee therefor, a new Bond (or Bonds at the option of the new Registered Owner) of the same date, series, maturity, and interest rate and for the same aggregate principal amount in any authorized denomination, naming as Registered Owner the person or persons listed as the assignee on the assignment form appearing on the surrendered Bond, in exchange for such surrendered and cancelled Bond. Any Bond may be surrendered to the Bond Registrar and exchanged, without charge, for an equal aggregate principal amount of Bonds of the same date, series, maturity, and interest rate, in any authorized denomination. The Bond Registrar shall not be obligated to register the transfer of or to exchange any Bond during the 15 days preceding any interest payment, principal payment or redemption date.

(f) *Bond Registrar's Ownership of Bonds.* The Bond Registrar may become the Registered Owner of any Bond with the same rights it would have if it were not the Bond Registrar, and to the extent permitted by law, may act as depository for and permit any of its officers or directors to act as a member of, or in any other capacity with respect to, any committee formed to protect the right of the Registered Owners or Beneficial Owners of Bonds.

(g) *Place and Medium of Payment.* Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America. Interest on the Bonds shall be calculated on the basis of a year of 360 days and twelve 30-day months. For so long as all Bonds are held by a depository, payments of principal thereof and interest thereon shall be made as provided in accordance with the operational arrangements of DTC referred to in the Letter of Representations. In the event that the Bonds are no longer held by a depository, interest on the Bonds shall be paid by check or draft mailed to the Registered Owners at the addresses for such Registered Owners appearing on the Bond Register on the Record Date, or upon the written request of a Registered Owner of more than \$1,000,000 of Bonds (received by the Bond Registrar at least by the Record Date), such payment shall be made by the Bond Registrar by wire transfer to the account within the United States designated by the Registered Owner. Principal of the Bonds shall be payable upon presentation and surrender of such Bonds by the Registered Owners at the designated office of the Bond Registrar.

If any Bond is duly presented for payment and funds have not been provided by the City on the applicable payment date, then interest will continue to accrue thereafter on the unpaid principal thereof at the rate stated on the Bond until the Bond is paid.

#### Section 5. Redemption or Prepayment Prior to Maturity; Purchase of Bonds.

(a) *Redemption or Prepayment of Bonds.* The Bonds of each series shall be subject to mandatory redemption to the extent, if any, as set forth in the Bond Purchase Contract and as

approved by a Designated Representative pursuant to Section 13. The Bonds of each series shall be subject to optional redemption and/or prepayment on the dates, at the prices and under the terms set forth in the Bond Purchase Contract approved by a Designated Representative pursuant to Section 13.

(b) *Purchase of Bonds.* The City reserves the right to purchase any of the Bonds offered to it at any time at a price deemed reasonable by a Designated Representative.

(c) *Selection of Bonds for Redemption.* If the Bonds of a series are held in book-entry only form, the selection of particular Bonds within a series and maturity to be redeemed shall be made in accordance with the operational arrangements then in effect at DTC. If the Bonds are no longer held by a depository, the selection of such Bonds to be redeemed and the surrender and reissuance thereof, as applicable, shall be made as provided in the following provisions of this subsection (c).

Except as otherwise set forth in the Bond Purchase Contract, if the City redeems at any one time fewer than all of the Tax-Exempt Bonds of a series having the same maturity date, the particular Tax-Exempt Bonds or portions of Tax-Exempt Bonds of such maturity to be redeemed shall be selected by lot (or in such manner determined by the Bond Registrar) in increments of \$5,000, and if the City redeems at any one time fewer than all of the Taxable Bonds of a series having the same maturity date, the particular Taxable Bonds or portions of Taxable Bonds of such maturity to be redeemed shall be selected on a pro rata pass through distribution of principal basis (or in such manner determined by the Bond Registrar or DTC, as applicable) in increments of \$5,000. In the case of a Bond of a denomination greater than \$5,000, the City and the Bond Registrar shall treat each Bond as representing such number of separate Bonds each of the denomination of \$5,000 as is obtained by dividing the actual principal amount of such Bond by \$5,000. In the event that only a portion of the principal sum of a Bond is redeemed, upon surrender of such Bond at the designated office of the Bond Registrar there shall be issued to the Registered Owner, without charge therefor, for the then unredeemed balance of the principal sum thereof, at the option of the Registered Owner, a Bond or Bonds of like series, maturity and interest rate in any of the denominations herein authorized.

(d) *Notice of Redemption of Bonds.* For so long as the Bonds of a series are held by a depository, notice of redemption (which notice may be conditional) shall be given in accordance with the operational arrangements of DTC as then in effect, and neither the City nor the Bond Registrar will provide any notice of redemption to any Beneficial Owners. Unless waived by any Registered Owner of Bonds to be redeemed, official notice of any such redemption shall be given by the Bond Registrar on behalf of the City by mailing a copy of an official redemption notice by first class mail at least 20 days and not more than 60 days prior to the date fixed for redemption to the Registered Owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such Registered Owner to the Bond Registrar.

All official notices of redemption shall be dated and shall state: (1) the redemption date; (2) the redemption price; (3) if fewer than all outstanding Bonds of such series are to be redeemed, the identification by maturity (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed; (4) any conditions to redemption; (5) that (unless such

notice is conditional) on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date; and (6) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the designated office of the Bond Registrar.

On or prior to any redemption date, unless any condition to such redemption has not been satisfied or waived or notice of such redemption has been rescinded, the City shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date. The City retains the right to rescind any redemption notice and the related optional redemption of Bonds by giving notice of rescission to the affected Registered Owners at any time on or prior to the scheduled redemption date. Any notice of optional redemption that is so rescinded shall be of no effect, and the Bonds for which the notice of optional redemption has been rescinded shall remain outstanding.

If notice of redemption has been given and not rescinded or revoked, or if the conditions set forth in a conditional notice of redemption have been satisfied or waived, the Bonds or portions of Bonds to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and, if the Bond Registrar then holds sufficient funds to pay such Bonds at the redemption price, then from and after such date such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Bond Registrar at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. All Bonds which have been redeemed shall be canceled by the Bond Registrar and shall not be reissued.

In addition to the foregoing notice, further notice shall be given by the City as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed. Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (1) the CUSIP numbers of all Bonds being redeemed; (2) the date of issue of the Bonds as originally issued; (3) the rate of interest borne by each Bond being redeemed; (4) the maturity date of each Bond being redeemed; and (5) any other descriptive information needed to identify accurately the Bonds being redeemed. Each further notice of redemption may be sent at least 20 days before the redemption date to each party entitled to receive notice pursuant to the Continuing Disclosure Certificate and with such additional information as the City shall deem appropriate, but such mailings shall not be a condition precedent to the redemption of such Bonds.

The foregoing notice provisions of this Section 5(d), including but not limited to the information to be included in redemption notices and the persons designated to receive notices, may be amended by additions, deletions and changes in order to maintain compliance with duly promulgated regulations and recommendations regarding notices of redemption of municipal securities.

**Section 6. Form of Bonds.** The Bonds of each series shall be in substantially the form set forth in Exhibit A, which is incorporated herein by this reference.

Section 7. Execution of Bonds. The Bonds of each series shall be executed on behalf of the City by the facsimile or manual signature of the Mayor and shall be attested to by the facsimile or manual signature of the City Clerk, and shall have the seal of the City impressed or a facsimile thereof imprinted, or otherwise reproduced thereon.

In the event any officer who shall have signed or whose facsimile signatures appear on any of the Bonds shall cease to be such officer of the City before said Bonds shall have been authenticated or delivered by the Bond Registrar or issued by the City, such Bonds may nevertheless be authenticated, delivered and issued and, upon such authentication, delivery and issuance, shall be as binding upon the City as though said person had not ceased to be such officer. Any Bond may be signed and attested on behalf of the City by such persons who, at the actual date of execution of such Bond shall be the proper officer of the City, although at the original date of such Bond such persons were not such officers of the City.

Only such Bonds as shall bear thereon a certificate of authentication manually executed by an authorized representative of the Bond Registrar shall be valid or obligatory for any purpose or entitled to the benefits of this ordinance. Such certificate of authentication shall be conclusive evidence that the Bonds so authenticated have been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this ordinance.

Section 8. Application of Bond Proceeds; Project Fund. The Finance & Administration Director is hereby authorized to create a fund or account (the "Project Fund"), and subaccounts therein as necessary, for the purposes set forth in this section. Proceeds of the Bonds, net of any Underwriter's discount and fees, shall be deposited in the Project Fund in the amounts specified in the closing memorandum prepared in connection with the issuance of the Bonds. Such proceeds shall be used to pay and/or reimburse the City for the costs of the Project and, unless otherwise provided by the City, to pay costs of issuance of the Bonds.

The Finance & Administration Director shall invest money in the Project Fund and the subaccounts contained therein in such obligations as may now or hereafter be permitted by law to cities of the State and which will mature prior to the date on which such money shall be needed, but only to the extent that the same are acquired and disposed of at Fair Market Value. Any remaining Bond proceeds (including interest earnings thereon) may be used for other capital projects of the City or shall be transferred to the Debt Service Fund for the applicable series of Bonds.

Section 9. Tax Covenants. The City will take all actions necessary to assure the exclusion of interest on any Tax-Exempt Bonds from the gross income of the owners of such Tax-Exempt Bonds to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the date of issuance of such Tax-Exempt Bonds, including but not limited to the following:

(a) *Private Activity Bond Limitation.* The City will assure that the proceeds of the Tax-Exempt Bonds are not so used as to cause the Tax-Exempt Bonds to satisfy the private business tests of Section 141(b) of the Code or the private loan financing test of Section 141(c) of the Code.



(b) *Limitations on Disposition of Project.* The City will not sell or otherwise transfer or dispose of (i) any personal property components of the Project other than in the ordinary course of an established government program under Treasury Regulation 1.141-2(d)(4) or (ii) any real property components of the Project, unless it has received an opinion of Bond Counsel to the effect that such disposition will not adversely affect the treatment of interest on the Tax-Exempt Bonds as excludable from gross income for federal income tax purposes.

(c) *Federal Guarantee Prohibition.* The City will not take any action or permit or suffer any action to be taken if the result of such action would be to cause any of the Tax-Exempt Bonds to be “federally guaranteed” within the meaning of Section 149(b) of the Code.

(d) *Rebate Requirement.* The City will take any and all actions necessary to assure compliance with Section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government, to the extent that such section is applicable to the Tax-Exempt Bonds.

(e) *No Arbitrage.* The City will not take, or permit or suffer to be taken, any action with respect to the proceeds of the Tax-Exempt Bonds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Tax-Exempt Bonds would have caused the Tax-Exempt Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code.

(f) *Registration Covenant.* The City will maintain a system for recording the ownership of each Tax-Exempt Bond that complies with the provisions of Section 149 of the Code until all Tax-Exempt Bonds have been surrendered and canceled.

(g) *Record Retention.* The City will retain its records of all accounting and monitoring it carries out with respect to the Tax-Exempt Bonds for at least three years after the Tax-Exempt Bonds mature or are redeemed (whichever is earlier); however, if the Tax-Exempt Bonds are redeemed and refunded, the City will retain its records of accounting and monitoring at least three years after the earlier of the maturity or redemption of the obligations that refunded the Tax-Exempt Bonds.

(h) *Compliance with Federal Tax Certificate.* The City will comply with the provisions of the Federal Tax Certificate with respect to a series of Tax-Exempt Bonds, which are incorporated herein as if fully set forth herein.

(i) *Bank Qualification.* A Designated Representative may designate the Bonds as “qualified tax-exempt obligations” under Section 265(b)(3) of the Code for investment by financial institutions if the City does not reasonably expect to issue more than \$10,000,000 of qualified tax-exempt obligations in the 2024 calendar year.

The covenants of this section will survive payment in full or defeasance of the Tax-Exempt Bonds.

Section 10. Debt Service Fund and Provision for Tax Levy Payments. The City hereby authorizes the creation of one or more funds, and accounts held therein which may be one or more segregated accounts held within another fund, to be used for the payment of debt service on each

series of Bonds, designated as the “General Obligation 2024 Bond Debt Service Fund” or other such designation selected by the City (the “Debt Service Fund”). No later than the date each payment of principal of or interest on the Bonds becomes due, the City shall transmit sufficient funds, from the Debt Service Fund or from other legally available sources, to the Bond Registrar for the payment of such principal or interest. Money in the Debt Service Fund may be invested in legal investments for City funds, but only to the extent that the same are acquired and disposed of at Fair Market Value. Any interest or profit from the investment of such money shall be deposited in the Debt Service Fund.

The City hereby irrevocably covenants and agrees for as long as any of the Bonds are outstanding and unpaid that each year it will include in its budget and levy an *ad valorem* tax upon all the property within the City subject to taxation in an amount that will be sufficient, together with all other revenues and money of the City legally available for such purposes, to pay the principal of and interest on the Bonds as the same shall become due.

The City hereby irrevocably pledges that the annual tax provided for herein to be levied for the payment of such principal and interest shall be within and as a part of the regular property tax levy permitted to cities without a vote of the electorate, and that a sufficient portion of each annual levy to be levied and collected by the City prior to the full payment of the principal of and interest on the Bonds will be and is hereby irrevocably set aside, pledged and appropriated for the payment of the principal of and interest on the Bonds. The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of said taxes and for the prompt payment of the principal of and interest on the Bonds as the same shall become due.

Section 11. Defeasance. In the event that the City, in order to effect the payment, retirement or redemption of any Bond, sets aside in the Debt Service Fund or in another special account, cash or noncallable Government Obligations, or any combination of cash and/or noncallable Government Obligations, in amounts and maturities which, together with the known earned income therefrom, are sufficient to redeem or pay and retire such Bond in accordance with its terms and to pay when due the interest and redemption premium, if any, thereon, and such cash and/or noncallable Government Obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Debt Service Fund for the payment of the principal of and interest on such Bond. The owner of a Bond so provided for shall cease to be entitled to any lien, benefit or security of this ordinance except the right to receive payment of principal, premium, if any, and interest from the Debt Service Fund or such special account, and such Bond shall be deemed to be not outstanding under this ordinance. The City shall give written notice of defeasance of any Bonds of a series in accordance with the applicable Continuing Disclosure Certificate.

Section 12. Sale of Bonds.

(a) *Bond Sale.* The Bonds of each series shall be sold by negotiated public sale to the Underwriter pursuant to the terms of the Bond Purchase Contract. The City Council has determined that it would be in the best interest of the City to delegate to each Designated Representative for a limited time the authority (1) to authorize the Bonds to be issued in one or more series, (2) to approve the final interest rates, maturity dates, redemption terms and principal maturities for each series of Bonds, and (3) to designate the Bonds (or the Bonds of a series) as

Tax-Exempt or Taxable Bonds. Bonds may be issued pursuant to this ordinance at one time or from time to time as provided herein.

(b) *Sale Parameters.* Each Designated Representative is hereby authorized to approve the issuance of the Bonds in one or more series, to approve the final interest rates, maturity dates, redemption terms and principal maturities for each series of Bonds, and to designate the Bonds (or the Bonds of a series) as Tax-Exempt or Taxable Bonds in the manner provided hereafter so long as:

- (1) the aggregate principal amount (face amount) of all Bonds issued pursuant to this ordinance does not exceed \$12,800,000;
- (2) the final maturity date for each series of Bonds is no later than December 1, 2044;
- (3) the true interest cost for each series of Bonds does not exceed 6.50%;
- (4) the Bonds of each series are sold (in the aggregate) at a price not less than 98% and not more than 140%;
- (5) the coupon rate for each maturity of the Bonds of each series does not exceed 7.00%; and
- (6) the Bonds conform to all other terms of this ordinance.

Subject to the terms and conditions set forth in this section, each Designated Representative is hereby authorized to execute one or more Bond Purchase Contracts for the Bonds. Following the execution of a Bond Purchase Contract, a Designated Representative shall provide a report to the City Council describing the final terms of the Bonds approved pursuant to the authority delegated in this section.

The authority granted to each Designated Representative by this Section 12 shall expire one year after the effective date of this ordinance. If a Bond Purchase Contract for the Bonds of a series has not been executed by such date, the authorization for the issuance of such series of Bonds shall be rescinded, and such Bonds shall not be issued nor their sale approved unless such Bonds shall have been re-authorized by ordinance of the City Council. The ordinance re-authorizing the issuance and sale of such Bonds may be in the form of a new ordinance repealing this ordinance in whole or in part (only with respect to the Bonds not issued) or may be in the form of an amendatory ordinance approving a purchase contract or establishing terms and conditions for the authority delegated under this section.

(c) *Delivery of Bonds; Documentation.* The proper officials of the City, including the City Clerk and each Designated Representative, are authorized and directed to undertake all action necessary for the prompt execution and delivery of the Bonds to the purchaser thereof and further to execute all closing certificates and documents required to effect the closing and delivery of the Bonds in accordance with the terms of the Bond Purchase Contract. Such documents may include, but are not limited to, documents related to a municipal Bond insurance policy delivered by an insurer to insure the payment when due of the principal of and interest on all or a portion of the

Bonds as provided therein, if such insurance is determined by a Designated Representative to be in the best interest of the City.

Section 13. Preliminary and Final Official Statements. Each Designated Representative is hereby authorized to deem final the preliminary Official Statement(s) relating to any Bonds for the purposes of the Rule. Each Designated Representative is further authorized to approve for purposes of the Rule, on behalf of the City, the final Official Statement(s) relating to the issuance and sale of any Bonds and the distribution of the final Official Statement pursuant thereto with such changes, if any, as may be deemed to be appropriate.

Section 14. Undertaking to Provide Ongoing Disclosure. The City covenants to execute and deliver at the time of Closing of the Bonds a Continuing Disclosure Certificate. Each Designated Representative is hereby authorized to execute and deliver a Continuing Disclosure Certificate upon the issuance, delivery and sale of the Bonds with such terms and provisions as such Designated Representative deems appropriate and in the best interests of the City.

Section 15. Lost, Stolen or Destroyed Bonds. In case any Bonds are lost, stolen or destroyed, the Bond Registrar may authenticate and deliver a new Bond or Bonds of like series, amount, date and tenor to the Registered Owner thereof if the Registered Owner pays the expenses and charges of the Bond Registrar and the City in connection therewith and files with the Bond Registrar and the City evidence satisfactory to both that such Bond or Bonds were actually lost, stolen or destroyed and of such individual's ownership thereof, and furnishes the City and the Bond Registrar with indemnity satisfactory to both.

Section 16. Severability; Ratification. If any one or more of the covenants or agreements provided in this ordinance to be performed on the part of the City shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bonds. All acts taken pursuant to the authority granted in this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 17. Payments Due on Holidays. If an interest and/or principal payment date for the Bonds is not a business day, then payment shall be made on the next business day and no interest shall accrue for the intervening period.

Section 18. Corrections by Clerk. Upon approval of a Designated Representative, the City Attorney or Bond Counsel, the City Clerk is hereby authorized to make necessary corrections to this ordinance, including but not limited to the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; ordinance numbering and section/subsection numbering; and other similar necessary corrections.



Section 19. Effective Date. This ordinance shall take effect and be in force five days from and after its passage, approval, and publication, as required by law.

**PASSED BY MAJORITY VOTE BY THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, AT A MEETING THEREOF THIS 4TH DAY OF DECEMBER, 2023.**

CITY OF KENMORE:

APPROVED AS TO FORM:

\_\_\_\_\_  
Nivel Herbig, Mayor

\_\_\_\_\_  
Pacifica Law Group LLP, Bond Counsel

ATTEST/AUTHENTICATED:

Published: \_\_\_\_\_

\_\_\_\_\_  
Anastasiya Warhol, City Clerk

Effective: \_\_\_\_\_

Exhibit A

Form of Bond

[DTC LANGUAGE]

UNITED STATES OF AMERICA

NO. \_\_\_\_\_

\$ \_\_\_\_\_

STATE OF WASHINGTON

CITY OF KENMORE

LIMITED TAX GENERAL OBLIGATION BONDS, 2024 [(TAXABLE)]

INTEREST RATE: %

MATURITY DATE:

CUSIP NO.:

REGISTERED OWNER:

PRINCIPAL AMOUNT:

The City of Kenmore, Washington (the “City”), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns, on the Maturity Date identified above, the Principal Amount indicated above and to pay interest thereon from \_\_\_\_\_, 20\_\_\_\_, or the most recent date to which interest has been paid or duly provided for until payment of this bond at the Interest Rate set forth above, payable on \_\_\_\_\_ 1, 20\_\_\_\_, and semiannually thereafter on the first days of each succeeding \_\_\_\_\_ and \_\_\_\_\_. Both principal of and interest on this bond are payable in lawful money of the United States of America. The fiscal agent of the State of Washington has been appointed by the City as the authenticating agent, paying agent and registrar for the bonds of this issue (the “Bond Registrar”). For so long as the bonds of this issue are held in fully immobilized form, payments of principal and interest thereon shall be made as provided in accordance with the operational arrangements of The Depository Trust Company (“DTC”) referred to in the Blanket Issuer Letter of Representations (the “Letter of Representations”) from the City to DTC.

The bonds of this issue are issued under and in accordance with the provisions of the Constitution and applicable statutes of the State of Washington and Ordinance No. 23-0599 duly passed by the City Council on December 4, 2023 (the “Bond Ordinance”). Capitalized terms used in this bond have the meanings given such terms in the Bond Ordinance.

This bond is one of an authorized issue of bonds of like date, tenor, rate of interest and date of maturity, except as to number and amount in the aggregate principal amount of \$\_\_\_\_\_ and is issued pursuant to the Bond Ordinance to provide all or a part of the funds necessary to pay the cost of acquiring, designing, constructing, developing, improving, equipping and furnishing a Public Works Operations facility and paying costs of issuance.

The bonds of this issue [are/are not] subject to redemption prior to their stated maturities as provided in the Bond Purchase Contract.

The bonds of this issue are not “private activity bonds” as such term is defined in the Internal Revenue Code of 1986, as amended (the “Code”). The City has [not] designated the bonds of this issue as “qualified tax-exempt obligations” under Section 265(b) of the Code for investment by banks, thrift institutions and other financial institutions.

The City hereby irrevocably covenants and agrees with the owner of this bond that it will include in its annual budget and levy taxes annually, within and as a part of the tax levy permitted to the City without a vote of the electorate, upon all the property subject to taxation in amounts sufficient, together with other money legally available therefor, to pay the principal of and interest on this bond as the same shall become due. The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of such taxes and the prompt payment of such principal and interest.

The pledge of tax levies for payment of principal of and interest on the bonds may be discharged prior to maturity of the bonds by making provision for the payment thereof on the terms and conditions set forth in the Bond Ordinance.

Owners of the bonds of this issue do not have a security interest in particular revenues or assets of the City. This bond is not a debt or indebtedness of the State of Washington, or any political subdivision thereof other than the City.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication hereon shall have been manually signed by or on behalf of the Bond Registrar or its duly designated agent.

This bond is issued pursuant to the Constitution and laws of the State of Washington, and duly adopted ordinances of the City. This bond is transferable upon compliance with the conditions set forth in the Bond Ordinance.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Washington to exist and to have happened, been done and performed precedent to and in the issuance of this bond exist and have happened, been done and performed and that the issuance of this bond and the bonds of this issue does not violate any constitutional, statutory or other limitation upon the amount of bonded indebtedness that the City may incur.

IN WITNESS WHEREOF, the City of Kenmore, Washington, has caused this bond to be executed by the manual or facsimile signatures of the Mayor and the City Clerk and the seal of the City to be imprinted, impressed or otherwise reproduced hereon as of this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

[SEAL]

CITY OF KENMORE, WASHINGTON

By           /s/ manual or facsimile            
Mayor

ATTEST:

          /s/ manual or facsimile

City Clerk

The Bond Registrar's Certificate of Authentication on the Bonds shall be in substantially the following form:

CERTIFICATE OF AUTHENTICATION

Date of Authentication: \_\_\_\_\_

This bond is one of the bonds described in the within-mentioned Bond Ordinance and is one of the Limited Tax General Obligation Bonds, 2024 [(Taxable)], of the City of Kenmore, Washington, dated \_\_\_\_\_, 2024.

WASHINGTON STATE FISCAL AGENT,  
as Bond Registrar

By \_\_\_\_\_



## CERTIFICATE

I, the undersigned, City Clerk of the City Council of the City of Kenmore, Washington (the “City”), DO HEREBY CERTIFY:

1. The attached copy of Ordinance No. 23-0599 (the “Ordinance”) is a full, true and correct copy of an ordinance duly passed at a meeting of the City Council of the City on December 4, 2023 as that ordinance appears in the minute book of the City; and the Ordinance will be in full force and effect five (5) days after its passage and publication as provided by law;

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of the Ordinance; and that all other requirements and proceedings incident to the proper passage of the Ordinance have been fully fulfilled, carried out and otherwise observed; and

3. That the Ordinance has not been amended, supplemented or rescinded since its passage and is in full force and effect and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of December, 2023.

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Anastasiya Warhol, City Clerk



# Public Works Operations Center (PWOC)

Bond Issuance Presentation  
December 4, 2023

# Background

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- From incorporation through 2018: Contract with Lake Forest Park for Public Works maintenance services
- Over time, the arrangement became unworkable and untenable:
  - Cost vs Value
  - Lack of local control; lack of ability to deploy resources to best serve our residents
  - Growth in both cities resulted in inability to meet both cities' needs

# Background, continued

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- In May of 2018, the City of Lake Forest Park gave notice to terminate the interlocal agreement
- On January 1, 2019, we went “in-house”: Immediate and dramatic change—a huge jump in quality, value, and level of service
- Temporary maintenance yard: The old Shell property
- Temporary operations: The backside of the Post Office building
- The search for a permanent site



# Permanent Sight Search & Acquisition

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- Comprehensive search
- Among the search criteria: size, location, cost, and “willing seller”
- Final selection: Acreage on 202<sup>nd</sup> next to Kenmore Middle School--\$6.1 million
- Rezone and Conditional Use Permit

# Why do we need a Public Works Operations Center Now?

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- Termination of the agreement with Lake Forest Park and the need to go in-house—*inevitable and long overdue*
- Inadequacy of the temporary location
- Accumulation of new infrastructure to maintain (both from City and private development projects)
- Increases in population served and customer service requests
- New programs to operate and support
- More state-mandated stormwater permit (NPDES) requirements

# What's in a Public Works Operations Building?

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- Turnout space for the maintenance workers to receive daily work orders, coordinate work, and produce daily logs and reports
- Water quality testing lab and equipment
- Lunch room and kitchen
- Locker rooms, restrooms, and showers
- Meeting space
- Equipment Storage
- Offices for Environmental Services, Parks & Recreation, and administrative support staff

# Where are we in the process?

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- Currently in design and permitting phase
- Finalize design and obtain permits in 2024
- Project out to bid in the second half of 2024
- Begin construction in 2025
- Completion: 2026



# The Proposed Plan: A Phased Approach

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- Responsive to Council's direction last year to reduce costs
- Instead of full build out now, construct the site in phases as we can afford it
- This first phase:
  - Develop about two-thirds of the site
  - Construct the operations building only
  - Include environmental elements, including cisterns, solar/solar-ready, EV charging, and low impact development methods and materials

# The Proposed Plan: What are we Sacrificing or Delaying?

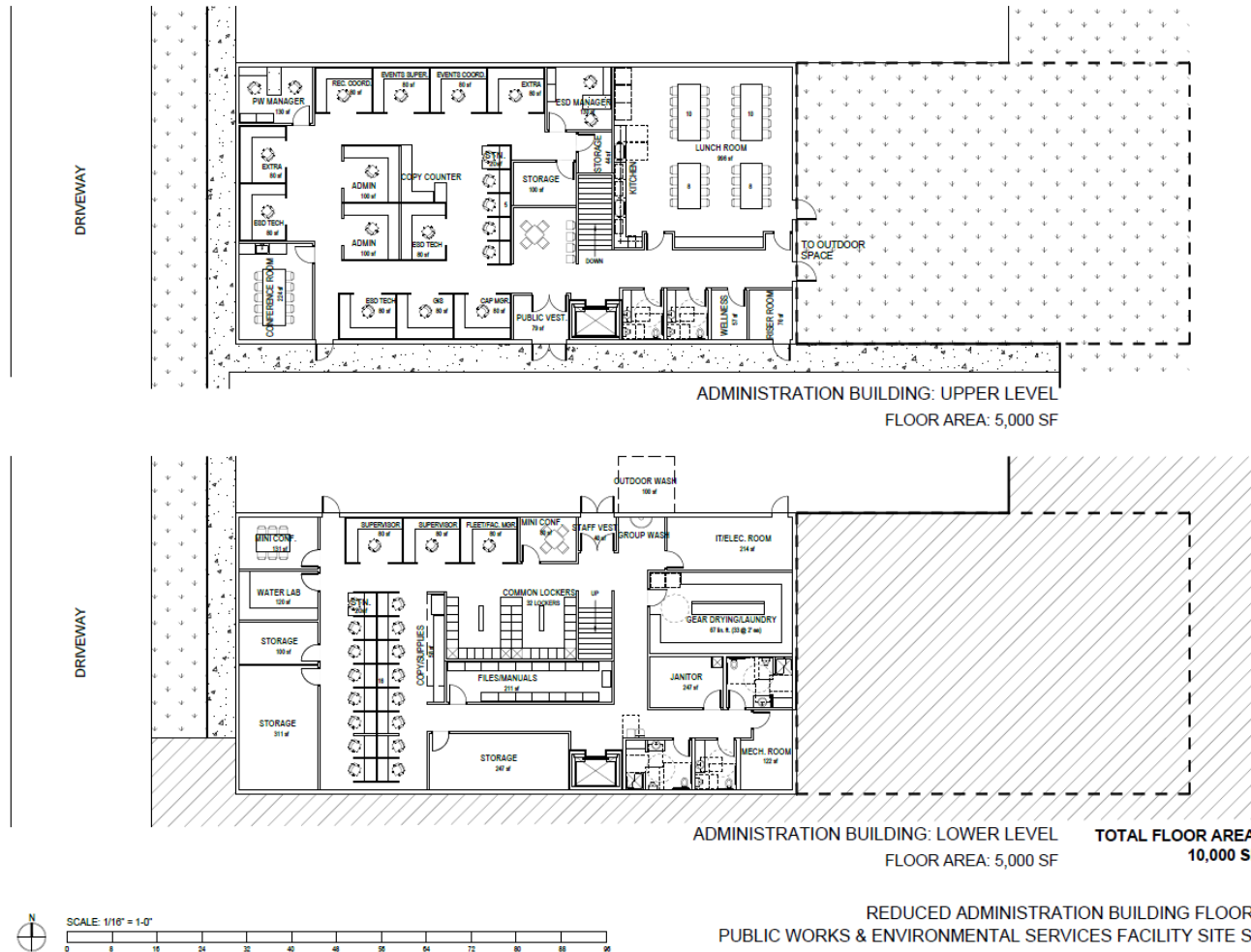
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- Shops buildings and vehicle storage bays. Will use containers and awnings for now
- Full build out of solar panels dependent on additional funding (grants)
- Covered material storage. Will use tarps instead
- Geothermal heating and cooling. Will install above-ground, energy efficient heat pumps instead
- Smaller operations building—room for future expansion
- Decant facility for filtering of street sweeping and vector waste—will continue to dispose of it in Cathcart.



# Operations Building Layout

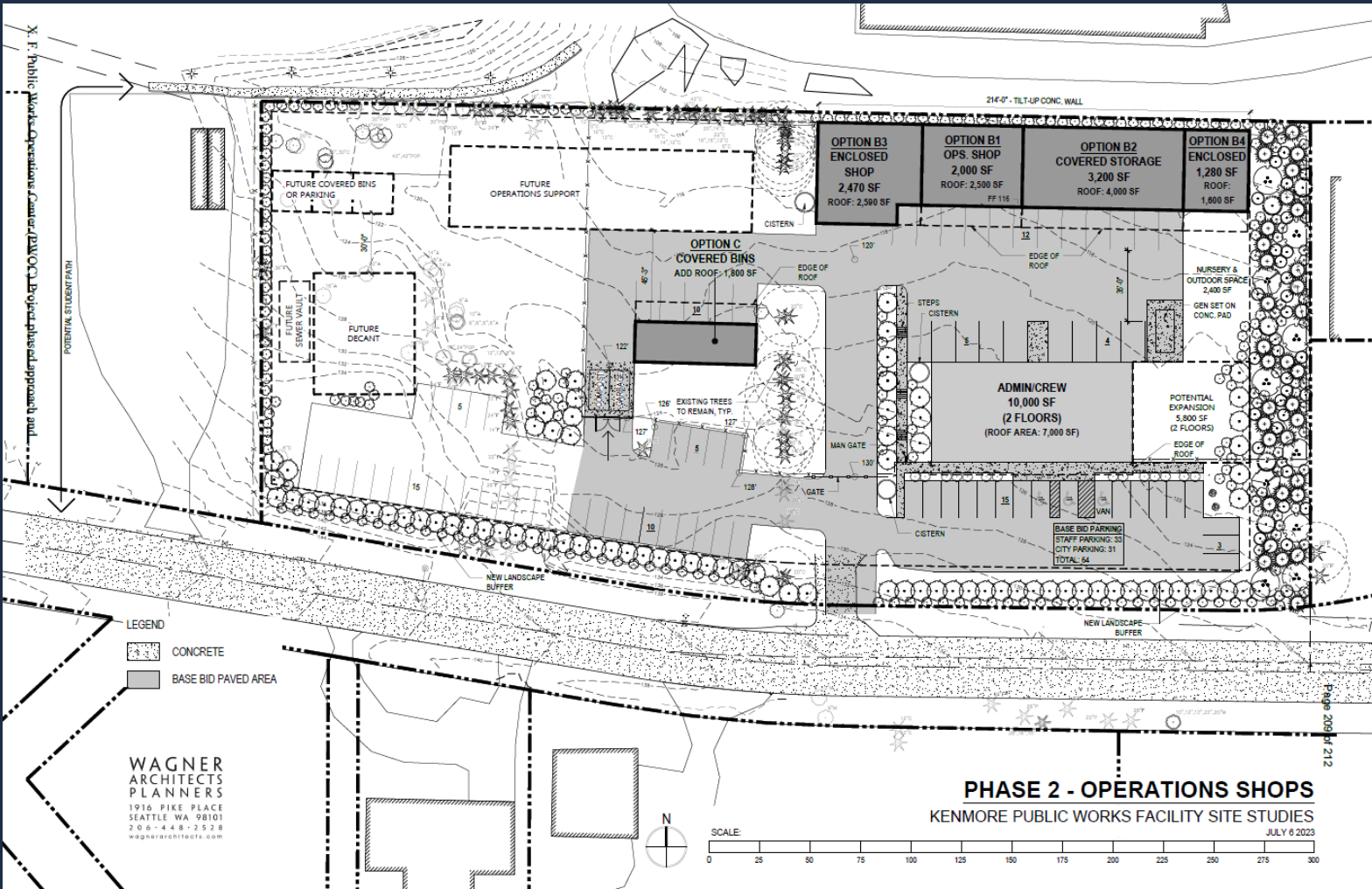
X. F. Public Works Operations Center (PWOC) Project phased approach and ...



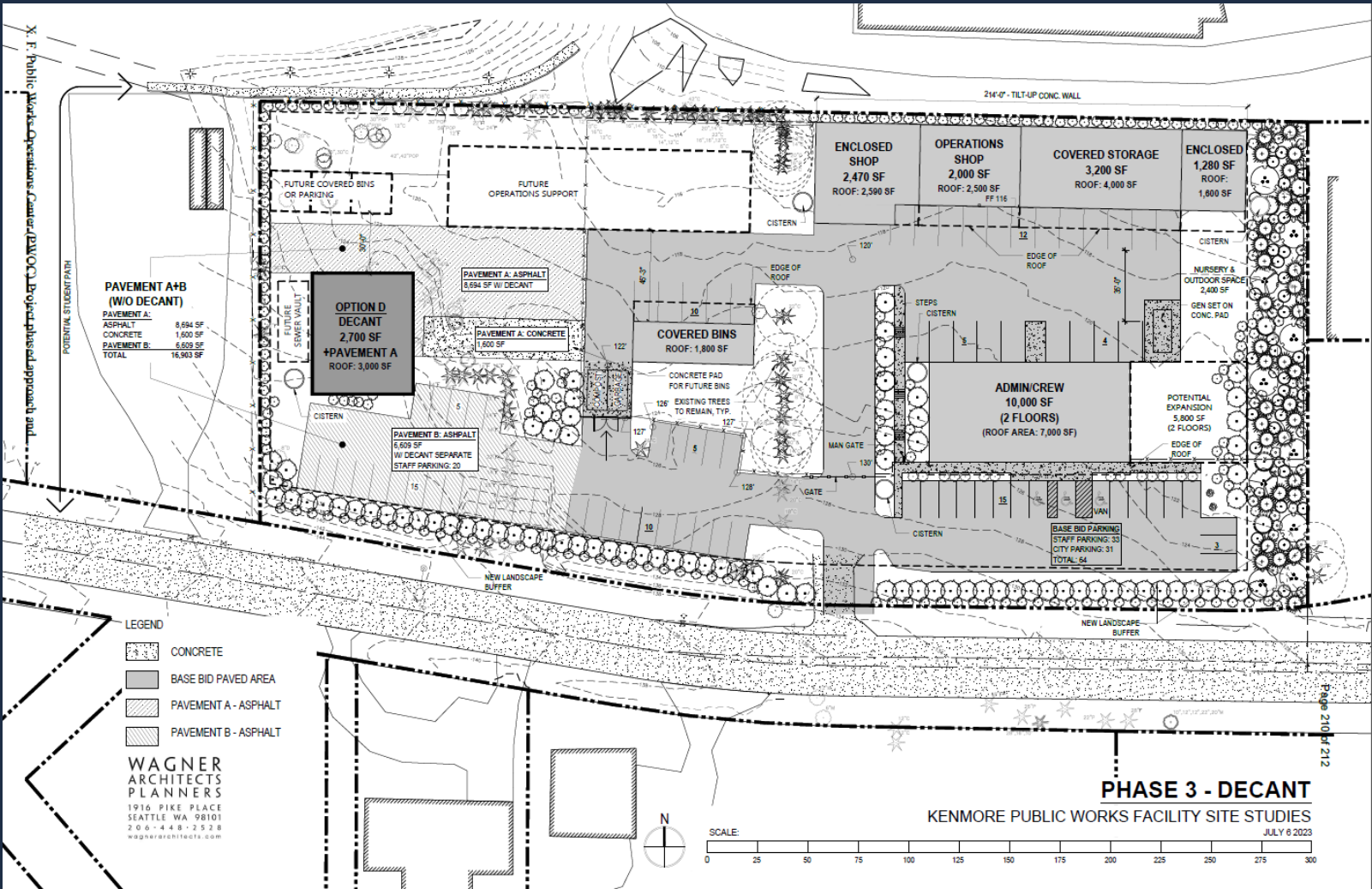
Page 211 of 212



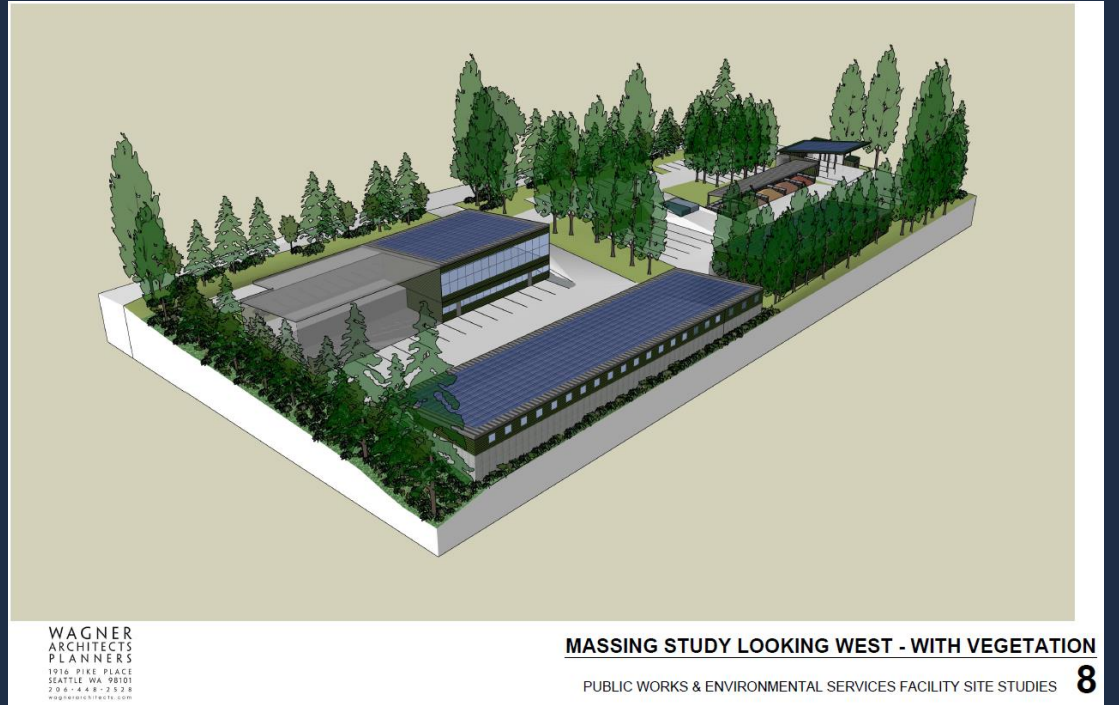
# Future Phase 2: Operations Shops



# Future Phase 3 Decant



# Conceptual Site View – Full Buildout



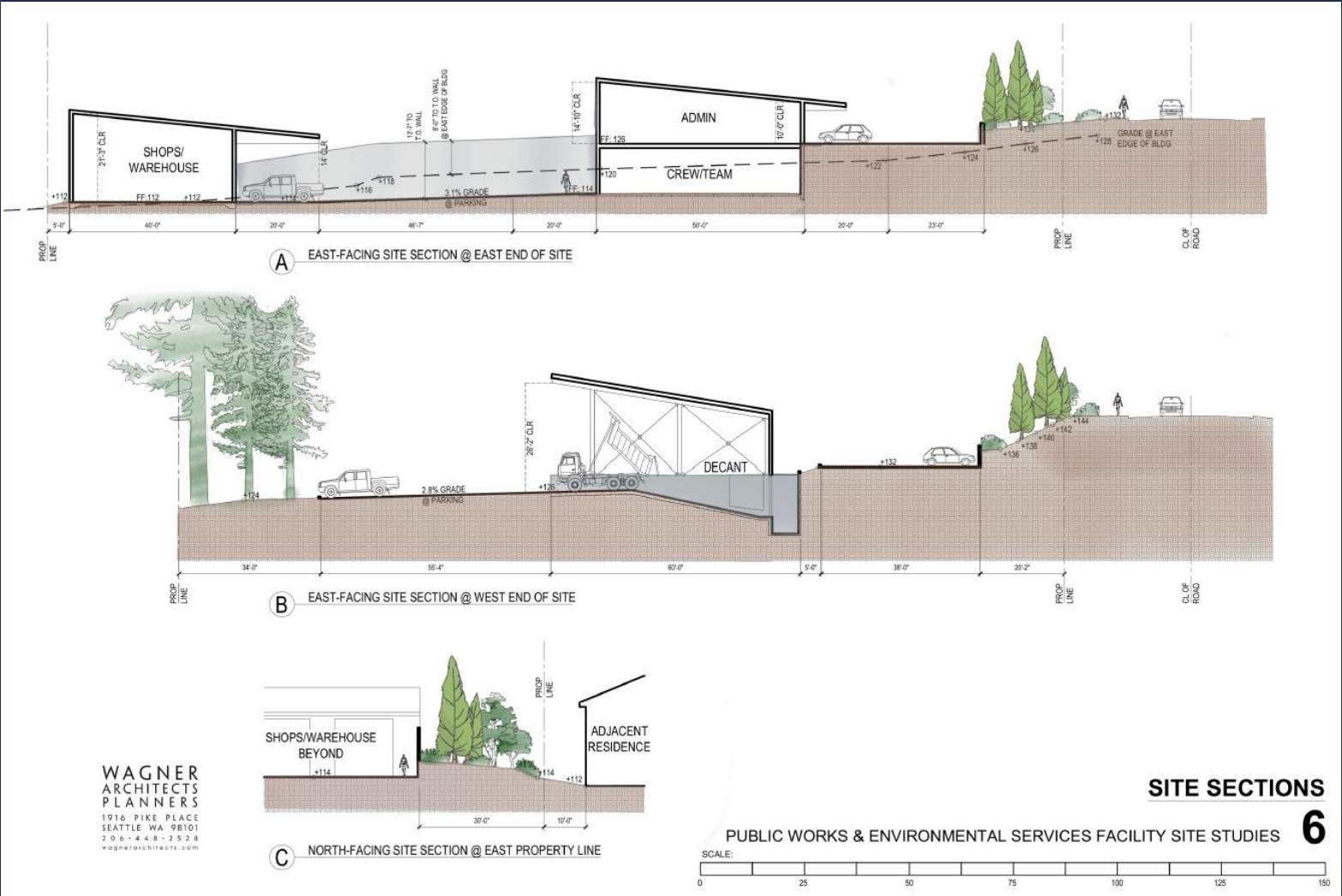


# Conceptual Site View—Full Buildout





# Conceptual Views at Elevation (full buildout)



# Council Action Timeline

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## July 24th

- Staff presented a reduced, phased approach to developing the PWOC site and a proposed budget update and funding strategy.
- To cut costs, the proposal deleted shop and storage buildings as well as the decant facility.
- The City Council supported the proposed phased approach and gave staff direction to move forward with Phase 1 with the funding plan as proposed.

# Council Action Timeline

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## **September 11th**

- City Council adopted the Facilities Capital Improvement Plan; this included the PWOC project and funding plan which included a bond issue to be repaid with surface water utility revenue and REET revenue.

# Council Action Timeline

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## ☒ November 20th

- City Council adopted the new Surface Water Utility Rates which includes funding for the PWOC.
- Presentation, discussion and 1<sup>st</sup> reading of the PWOC Bond Ordinance

## ☐ December 4th

- PWOC Bond Ordinance Presentation, for adoption



# Public Works Operations Center: In Summary

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- Going in-house was long overdue and inevitable
- Dramatic jump in quality and level of service resulted from going in-house
- A Public Works Operations Center is essential for serving our residents and maintaining our infrastructure
- Current temporary site is woefully inadequate
- Increases in new infrastructure, population, service requests, programs, and NPDES requirements further reinforce the need for a Public Works Operations Center

# Public Works Operations Center: In Summary

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- Complies with the City Council's direction last year to cut project costs
- Takes a prudent approach to build only the first phase now
- Sacrifices significant project elements, including the shops buildings and storage bays
- Includes climate- and earth-friendly components
- Takes the long view and allows for future expansion for future generations

# Public Works Operations Center: In Summary

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Public Works Operations and Maintenance is one of the City's core functions and is a critical component to the host of essential services the City provides our diverse community. Our day-to-day operations often fly under the radar, but we are always there, 24 hours a day around the clock, 7 days a week – yes, even on holidays. Everything we do supports the Council's mission, vision, and priorities – no matter what they are or how often they change.

The services provided by Public Works Operations **touches every single person** within Kenmore's boundaries including, but not limited to:

- Those that call Kenmore home; as a resident or a business owner
- Individuals who are employed by a Kenmore business
- Kenmore's homeless population
- Children who attend Kenmore schools
- Patrons of Kenmore businesses
- Non-Kenmore businesses doing work in Kenmore
- People who come to enjoy our amazing parks or other public facilities like the Hangar or the Burke Gilman Trail
- Commuters simply passing through

# Budget and Funding Strategy

## Phase One Development Costs

Site Acquisition (2021)	\$ 6,100,000
Design, Permitting, Art, & Other Costs	\$ 3,356,849
Construction	\$ 11,869,008
10% Contingency	\$ 1,186,901
Total	\$ 22,512,758
Adopted Budget in the CIP	\$ 22,500,000
Additive Bid Alternates if Low Bid is Below Budget:	
Add Shops Building	\$ 1,728,452
Add Geothermal Heating	\$ 450,000

- Budget for Phase 1, including land acquisition: \$22.5 million
- Full buildout total cost to complete: \$35.6 million



# Budget and Funding Strategy, continued

## Funding Strategy in the Adopted CIP:

- \$22.5 million bond to be paid back over 20 years
- Estimated annual bond payment: \$1.8 million
- Revenue sources for annual bond payment:
  - Current (not new) Real Estate Excise Tax: \$900,00
  - Surface Water Utility Fee Revenue: \$900,000

# Budget and Funding Strategy, continued

## Real Estate Excise Tax (REET):

- \$2.2 million in annual revenue (conservative)
- Capital restricted: REET cannot be spent on operations—only on one-time capital
- After \$900k share of annual debt service payment, approximately \$1.3 million will still be available for other capital projects

# Budget and Funding Strategy, continued

## Surface Water Utility Fees:

- Proposed surface water utility rate changes presented for adoption Nov 20, includes PWOC funding
- \$900k share of annual debt service will result in a surface water utility fee increase of about \$75 per year per household (\$6.25 per month). The current household fee is \$249.03 per year.
- Exemption for low-income seniors and disabled residents

# PWOC Debt Sources and Annual Payment

	Loan Amount/ Proceeds	Interest Rate	Initial Term	1st payment	Annual Debt Service Payment
State Low Interest Loan	3,325,048	2.42%	20 yrs	6/1/2022	210,000
Banner Bank Loan	6,600,000	3.45%	20 yrs	12/1/2022	460,000
Councilmanic LTGO*	12,575,000	5.00%	20 yrs	TBD, 2024	1,130,000
Total					\$ 1,800,000

*\*LTGO interest rate and annual payment are estimates*

## Annual Payment Funding Sources

REET	900,000
SWM	900,000
Total	\$ 1,800,000



# Limited Tax General Obligation (LTGO) Bonds for Public Works Operations Center

## Parameters for issuance of LTGO Bonds

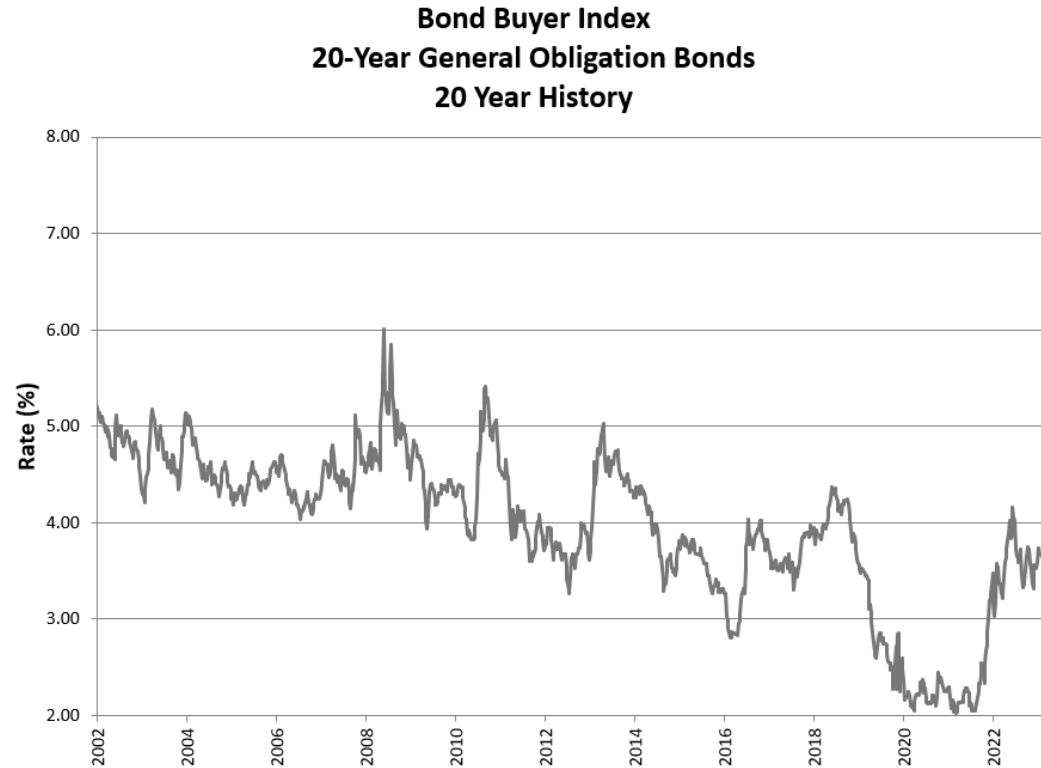
- Close and delivery of bond proceeds to occur by December 2024
- Bonds will be "limited tax general obligation" bonds which are backed by the City's full faith and credit and are issued within the City's non-voted debt limitation
- Maximum amount to be issued is not more than \$12,800,00
- Borrowing cost (true interest cost) may not exceed 6.5% without seeking additional authorization from Council



**Public Works Operating Facility Financing  
Limited Tax General Obligation Bonds, 2024  
*December 4, 2023***

**Dave Trageser**  
Managing Director  
Phone: (206) 903-8699  
Cell: (206) 518-0675  
Email: [dtrageser@dadco.com](mailto:dtrageser@dadco.com)

# BOND MARKET INTEREST RATE TREND



- Municipal borrowing rates reached historic lows with the onset of the pandemic and Federal Reserve Action. Inflation (supply chain and labor issues) and recent Federal Reserve action have all contributed to the 2023 interest rate pressure.
- The Bond Buyer 20 index tracks the average yields of 20 general obligation municipal bonds. The average rating of the 20 bonds that make up the index are grade Aa2 (Moody's rating) or grade AA (S&P Global rating).

Source: The Bond Buyer

# LIMITED TAX GENERAL OBLIGATION BOND

## SOURCES AND USES OF FUNDS

City of Kenmore  
LTGO Bonds, 2024  
AAA, NBQ, Current Rates

Dated Date                    06/01/2024  
Delivery Date                06/01/2024

**Sources:**

Bond Proceeds:	
Par Amount	11,835,000.00
Premium	913,488.75
	12,748,488.75

**Uses:**

Project Fund Deposits:	
Project Fund	12,574,952.00
Cost of Issuance:	
Other Cost of Issuance	90,000.00
Delivery Date Expenses:	
Underwriter's Discount	82,845.00
Other Uses of Funds:	
Additional Proceeds	691.75
	12,748,488.75



# LIMITED TAX GENERAL OBLIGATION BOND

Bond Debt Service			
City of Kenmore			
LTGO Bonds, 2024			
AAA, NBQ, Current Rates			
<i>Period Ending</i>	<i>Principal</i>	<i>Interest</i>	<i>Debt Service</i>
12/1/2024	185,000	295,875	480,875
12/1/2025	380,000	582,500	962,500
12/1/2026	400,000	563,500	963,500
12/1/2027	420,000	543,500	963,500
12/1/2028	440,000	522,500	962,500
12/1/2029	465,000	500,500	965,500
12/1/2030	485,000	477,250	962,250
12/1/2031	510,000	453,000	963,000
12/1/2032	535,000	427,500	962,500
12/1/2033	565,000	400,750	965,750
12/1/2034	590,000	372,500	962,500
12/1/2035	620,000	343,000	963,000
12/1/2036	655,000	312,000	967,000
12/1/2037	685,000	279,250	964,250
12/1/2038	720,000	245,000	965,000
12/1/2039	755,000	209,000	964,000
12/1/2040	795,000	171,250	966,250
12/1/2041	835,000	131,500	966,500
12/1/2042	875,000	89,750	964,750
12/1/2043	920,000	46,000	966,000
	11,835,000	6,966,125	18,801,125

# HYPOTHETICAL SCHEDULE OF EVENTS

City of Kenmore, Washington  
Limited Tax General Obligation Bonds, 2024  
General Schedule of Events  
(As of November 20, 2023)

Target Dates	Action
November 20	Council considers 1 <sup>st</sup> reading of Delegation Bond Ordinance
December 4	Council considers 2 <sup>nd</sup> reading/passage of Delegation Bond Ordinance
March 5	Bond/Disclosure Counsel coordinates with financing team on compiling disclosure information
March 17	Bond/Disclosure Counsel circulates draft Preliminary Official Statement (the "POS" for Review and comments
April 4	City and Underwriter provide comments to the draft POS
April 15	Due Diligence and S & P practice Teams call, and S & P rating presentation (via Teams)
April 30	Receive S & P rating
May 9	Release the POS, and begin marketing the Bonds to the prospective investors
May 18	Set the final interest rates for the Bonds, (based on comparable bond sales, spread to the MMD index, market conditions), approve Bond Purchase Contract
June 4	Closing and Delivery of Bond Proceeds. Dollar available for Project

\* Subject to change.

*Neither this material nor any of its contents may be disclosed, sold, or redistributed, electronically or otherwise, without prior written consent of Davidson Companies. The information presented herein is based on public information we believe to be reliable, prevailing market conditions, as well as our views at this point in time. We make no representation or warranty with respect to the accuracy or completeness of this material. Past performance is not necessarily indicative of future results. Davidson Companies does not assume any liability for any loss which may result from the reliance by any person upon such material. We make no representations regarding the legal, tax, regulatory, or accounting implications of entering into a Transaction.*

*Required Disclosure Pursuant to MSRB Rule G-23: An underwriter's primary role will be to purchase as principal, or arrange for the placement of the securities in a commercial arm's length transaction with the issuer, and may have financial and other interests that differ from those of the issuer. In its capacity as underwriter and not as financial advisor, an underwriter may provide incidental financial advisory services at the issuer's request, including advice regarding the structure, timing, terms and other similar matters concerning the issuance. However, an underwriter does not assume any financial advisory or fiduciary responsibilities with respect to the issuer.*

# Next Steps

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- Dec 4 Council Meeting
  - Staff will present for adoption the final ordinance providing for delegation of authority to issue the LTGO bonds
- Staff will work with Dave Trageser, Managing Partner, D.A. Davidson & Co., as our Bond Underwriter (Investment Banker) and Deanna Gregory, Partner, Pacifica Law Group, as our Bond Counsel through delivery of the bonds



# For comments and questions:

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- Melinda Merrell
- Finance & Administration Director, Finance Department
  - [mmerrell@kenmorewa.gov](mailto:mmerrell@kenmorewa.gov)
  - 425 398 8900 (x6190)



## City Council Agenda Bill City of Kenmore, WA

<p><b>Subject/Topic:</b> Resolution 22-408 Council Rules and Procedures; adding section 2.4 relating to Virtual Public Comment and section 2.6 relating to the Consent Agenda</p> <p><b>Proposed Council Action/Motin:</b> Motion to adopt Resolution No. 23-408, to amend Resolution 22-388 and establish procedures related to the consent agenda and virtual public comment participation.</p>	<p><b>For Council Meeting Agenda of:</b> December 4, 2023</p> <p><b>Department:</b> City Manager Department; Clerks Office</p> <p><b>Prepared by:</b> Anastasiya Warhol, City Clerk</p> <table><tr><td></td><td><b><u>Initial &amp; Date</u></b></td></tr><tr><td><b>Approved by Department Head:</b></td><td><u>SL 11/21/23.</u></td></tr><tr><td><b>Approved by City Attorney:</b></td><td><u>DR 11/27/23</u></td></tr><tr><td><b>Approved by Finance Director:</b></td><td><u>N/A</u></td></tr><tr><td><b>Approved by City Manager:</b></td><td><u>RK 11/27/23</u></td></tr></table> <p><b>Exhibits/Attachments:</b></p> <ol style="list-style-type: none"><li>1. Resolution No. 23-408</li><li>2. Attachment 1 to Resolution No. 23-408</li></ol>		<b><u>Initial &amp; Date</u></b>	<b>Approved by Department Head:</b>	<u>SL 11/21/23.</u>	<b>Approved by City Attorney:</b>	<u>DR 11/27/23</u>	<b>Approved by Finance Director:</b>	<u>N/A</u>	<b>Approved by City Manager:</b>	<u>RK 11/27/23</u>
	<b><u>Initial &amp; Date</u></b>										
<b>Approved by Department Head:</b>	<u>SL 11/21/23.</u>										
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<b>Approved by Finance Director:</b>	<u>N/A</u>										
<b>Approved by City Manager:</b>	<u>RK 11/27/23</u>										
<p><b>Summary:</b> The Council has requested an update to the current Rules of Procedure to address the following:</p> <ol style="list-style-type: none"><li>1) Virtual Public Comment</li><li>2) Consent Agenda</li></ol> <p>Staff have added two subsections (2.4, 2.6) addressing these topics, outlined in Attachment 1. The Consent Agenda has been routinely used to approve administrative items or those with prior Council authorization. The new added segment outlines in detail what can be included in the consent agenda.</p> <p>The City will offer virtual participation with pre-registration whenever possible. As indicated in the agenda for every City Council gathering, in the event of virtual participation being unavailable, such as due to a technological issue, individuals from the public who desire to speak can attend in person and register for giving public testimony that way.</p>											
<p><b>Information/Background:</b> Successful Councils often rely on clear and thorough Rules of Procedure to support them in public work. The City encourages routine updates at the Council's or City Manager's discretion.</p>											
<p><b>Fiscal Consideration:</b> There are costs related to the operations of a hybrid meeting. The hybrid enhancements allowing for virtual participation were approved by the City Council in 2021. The ongoing staff time required to maintain hybrid meetings and virtual participation will be reflected in the budget.</p>											
<p><b>City Council Priority or Budget Objective Being Addressed:</b> Resolution 22-408 supports Council objective No. 9: Foster community engagement and participation.</p>											

**CITY OF KENMORE  
WASHINGTON  
RESOLUTION NO. 23 - 408**

**A RESOLUTION OF THE CITY COUNCIL OF  
KENMORE, WASHINGTON, AMENDING  
RESOLUTION 22-388 AND ESTABLISHING  
PROCEDURES RELATING TO THE CONSENT  
AGENDA AND VIRTUAL PUBLIC COMMENT  
PARTICIPATION.**

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**WHEREAS,** RCW 35A.13.170 and RCW 35A.12.120 require the City Council to establish rules and procedures for the order of business and conduct of City Council meetings; and

**WHEREAS,** the City Council adopted Resolution 22-388, adopting the City of Kenmore Council Rules and Procedures; and

**WHEREAS,** the Council wishes to clarify the purpose and the documents qualified to be included in a consent agenda; and

**WHEREAS,** the City Council also wishes to elaborate on virtual public comment participation in the document.

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

Section 1. The City Council amends Resolution 22-388 as set forth in Exhibit 1 to this resolution attached hereto and incorporated by reference as if set forth in full.

**PASSED BY THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON AT A \_\_\_\_\_  
MEETING THEREOF THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2023.**

CITY OF KENMORE

\_\_\_\_\_  
Nigel Herbig, Mayor

**ATTEST/AUTHENTICATED:**

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Anastasiya Warhol, City Clerk

APPROVED AS TO FORM:

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Dawn Reitan, City Attorney



## **2 Order of Business Meetings**

### **2.1 Call to Order**

2.1.1 The Presiding Officer will call a meeting to order.

2.1.2 The Presiding Officer will request the City Clerk to call the roll of the Councilmembers. The Clerk will record the names of Councilmembers present and absent. The Clerk will also note the time of any late arrivals and early leave-takings for the record.

### **2.2 Agenda Approval**

2.2.1 The City Council shall approve the agenda.

2.2.2 Amendments to the agenda may be suggested, discussed, and approved.

### **2.3 Public Comments**

2.3.1 Members of the public may only speak during the designated Public Comment period, or during a scheduled public hearing, or a quasi-judicial hearing (as discussed in Section 8 below).

2.3.2 No person shall address the City Council at a meeting without being recognized by the Presiding Officer.

2.3.3 The Presiding Officer or City Clerk will state the rules for the Public Comment period. This may include items such as:

2.3.3.1 Members of the public must sign the log prior to the Public Comment period to be allowed to speak. They are not required to sign anywhere to attend the meeting.

2.3.3.2 They must state their name and city of residence.

2.3.3.3 There is a three-minute time limit.

2.3.3.4 It is a time for members of the public to speak on any topic(s) of their choice.

2.3.3.5 It is not a time for the Council or staff to answer questions, but exceptions can be made at the discretion of the Presiding Officer.

2.3.3.6 Comments should be addressed to the Presiding Officer and the City Council, not the audience.

2.3.3.7 If members of the public agree with the comments of previous speakers, they are encouraged to state that their comments have already been made by previous speakers.

2.3.3.8 Members of the public should refrain from booing, hissing, clapping, or making personal attacks during public comments, and throughout the meeting.

2.3.4 Each member of the public will be given three minutes. Suspension of this rule will require a majority vote of the Councilmembers present.

2.3.5 No person may use the designated Public Comment period to support or oppose any candidate for public office or ballot measure in a manner that violates RCW 42.17A.555.

2.3.6 The Presiding Officer will allow members of the public to return to their seats in the audience before responding to their presentations.

2.3.7 There will be no two-way conversations between Councilmembers and members of the public.

2.3.8 The Presiding Officer may direct the City Manager to follow up with members of the public on issues brought before the City Council. However, if public comment is about operational issues then the Presiding Officer should refer the resident to the main page on the City's website where they can report a concern. Operational requests raised during Public Comment should not get special priority or attention.

## **2.4 Virtual Public Comment**

2.4.1 The Council aims to provide a virtual meeting option whenever possible and technologically feasible. Members wishing to comment virtually during a public comment period, or a scheduled public hearing, will be required to submit a request in advance using a form approved by the City Clerk's Office and provided through the city website.

2.4.2 The Council may, at its discretion, eliminate the remote public comment option if necessary due to security, safety concerns, or as otherwise determined necessary by the Council.

2.4.3 The City Clerk's Office is authorized to evaluate all requests to comment virtually submitted on the approved form, with the goal of allowing the maximum number of requests subject to confirmation procedures established by the City Clerk's Office.

2.4.4 The City Clerk's Office is authorized to make changes to the registration form or process to enhance security or efficiency as necessary.

2.4.5 If approved to comment, virtual public comments must adhere to the same rules outlined in section 2.3 (Public Comment) or 8.2 (Public Hearings).

2.4.6 Guests providing virtual comments will "display" their first and last name

before being called on.

## **2.5 Council Business Meeting**

2.4.1 Each item on the agenda will be addressed in turn with staff, consultant, or special speaker reports as appropriate.

2.4.2 Council will discuss the issues and take action on them as appropriate.

## **2.6 Consent Agenda**

2.6.1 The consent agenda streamlines Council proceedings by addressing routine matters without extensive deliberation. Inclusion in the consent agenda is suitable for items in the following categories:

- Minutes: Approval of meeting minutes from previous sessions.
- Routine Contracts: Standard service contracts or procurements within established budgetary limits.
- Reports and Updates: Receipt of non-debatable reports or updates.
- Procedural Matters: Non-contentious appointments, reappointments, or procedural changes.
- Implementing Prior Direction: Actions implementing Council direction from budget, policy documents, or previous meetings.
- Final Actions Directed by Council: Finalizing actions previously directed by the Council, possibly in the form of resolutions or ordinances.

2.6.2 Items included in the consent agenda must adhere to guidelines and not require extensive discussion. Excluded items will be scheduled for individual consideration during the business agenda of Council sessions.

2.6.3 The consent agenda aims to streamline Council proceedings, optimizing time while ensuring transparency and adherence to prior directives. Any item on the Consent Agenda may, at the request of any Councilmember, be removed and considered and voted on separately. Requests to remove a consent item for consideration may be done during the Agenda Approval or Consent Agenda segments of the meeting.

## **2.7 Councilmember Reports, Comments, and Initiatives**

2.5.1 Councilmembers may give reports, make comments, and/or raise new topics or issues during “Councilmember Reports, Comments and Initiatives.” No final action or direction to staff can be taken on comments or topics raised. However, during Councilmember Reports, the Mayor (or Presiding Officer) may request Council concurrence to sign on to a document showing City support for a particular issue or position.

2.5.2 Each Councilmember will have 5 minutes for reports, comments and new topics/issues. Extra comments can be submitted in writing.

2.5.3 In raising a new topic or issue, the Councilmember must present it as a concept that includes a statement of how the topic or issue relates to existing City goals or to other important Council discussions.

A second Councilmember must agree to discuss the new topic or issue in order for it to be discussed by the City Council.

The Presiding Officer will direct discussion of the new topic or issue to determine whether there is majority support to move it to a future agenda.

After discussing the new topic or issue, the City Council will vote or come to a consensus on whether to move the topic or issue forward as a future agenda item.

2.5.4 By majority vote of Councilmembers present at a meeting, the maximum time for any or all Councilmember reports and comments may be extended.