



## MEDINA CITY COUNCIL

Monday, November 14, 2022

**5:00 PM – REGULAR MEETING**

### AGENDA

#### VISION STATEMENT

Medina is a family-friendly, diverse and inclusive community on the shores of Lake Washington. With parks and open spaces, Medina is a quiet and safe small city, with active and highly-engaged residents. Medina honors its heritage while preserving its natural environment and resources for current and future generations.

#### MISSION STATEMENT

Ensure efficient delivery of quality public services, act as responsible stewards of Medina's financial and natural resources, celebrate diversity, leverage local talent, and promote the safety, health, and quality of life of those who live, work, and play in Medina.



# MEDINA, WASHINGTON

## MEDINA CITY COUNCIL REGULAR MEETING

Hybrid - Virtual/In-Person  
Monday, November 14, 2022 – 5:00 PM

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### AGENDA

**MAYOR** | Jessica Rossman

**DEPUTY MAYOR** | Randy Reeves

**COUNCIL MEMBERS** | Cynthia F. Adkins, Jennifer Garone, Harini Gokul, Mac Johnston, Bob Zook

**CITY MANAGER** | Stephen R. Burns

**CITY ATTORNEY** | Scott Missall

**CITY CLERK** | Aimee Kellerman

#### Virtual Meeting Participation

The Medina City Council has moved to hybrid meetings, offering both in-person and online meeting participation. In accordance with the direction from Governor Inslee, masking and social distancing will be optional for those participating in person. Individuals who are participating online and wish to speak live must register their request with the City Clerk at 425.233.6411 or email [akellerman@medina-wa.gov](mailto:akellerman@medina-wa.gov) and leave a message before 2PM on the day of the November 14th Council meeting. Please reference Public Comments for November 14th Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit. The city will also accept written comments. Any written comments must be submitted by 2 PM on the day of the November 14th Council meeting to the City Clerk at [akellerman@medina-wa.gov](mailto:akellerman@medina-wa.gov).

#### [Join Zoom Meeting](#)

Meeting ID: 832 5227 3105

Passcode: 589036

One tap mobile

+12532158782,,83252273105# US (Tacoma)

#### 1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Council Members Adkins, Garone, Gokul, Johnston, Reeves, Rossman and Zook

#### 2. APPROVAL OF MEETING AGENDA

#### 3. PUBLIC COMMENT PERIOD

Individuals wishing to speak live during the Virtual City Council meeting will need to register their request with the City Clerk at 425.233.6411 or email [akellerman@medina-wa.gov](mailto:akellerman@medina-wa.gov) and leave a message **before 2PM** on the day of the November 14th Council

meeting. Please reference Public Comments for November 14th Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit.

#### 4. **PRESENTATIONS**

- 4.1 Reports and announcements from Park Board, Planning Commission, Emergency Preparedness, and City Council.

Time Estimate: 10 minutes

- 4.2 Marine Patrol Update by Mercer Island Marine Patrol Sergeant Chad Schumacher.

Time Estimate: 15 minutes

#### 5. **CITY MANAGER'S REPORT**

Time Estimate: 15 minutes

Police, Development Services, Finance, Central Services, Public Works, City Attorney

- [5.1a](#) City Manager's Monthly Report

- [5.1b](#) Police Monthly Report

- [5.1c](#) DS Monthly Report

- [5.1d](#) Finance Monthly Report

- [5.1e](#) CS Monthly Report

- [5.1f](#) PW Monthly Report

#### 6. **CONSENT AGENDA**

Time Estimate: 5 minutes

Consent agenda items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a Councilmember or City staff requests the Council to remove an item from the consent agenda.

- [6.1](#) October 2022, Check Register

**Recommendation:** Approve.

**Staff Contact:** Ryan Wagner, Director of Finance and HR

- [6.2](#) Approved Planning Commission Minutes of September 27, 2022

**Recommendation:** Receive and file.

**Staff Contact:** Stephanie Keyser, AICP, Planning Manager

- [6.3](#) Draft City Council Meeting Minutes of:  
a) October 10, 2022 Regular Meeting; and  
b) October 24, 2022 City Council Retreat.  
**Recommendation:** Adopt Minutes.  
**Staff Contact:** Aimee Kellerman, CMC, City Clerk

7. **LEGISLATIVE HEARING**

None.

8. **PUBLIC HEARINGS**

- [8.1](#) 2023 Final Budget and Salary Schedule  
**Recommendation:** Adopt Ordinance No. 1014.  
**Staff Contact:** Ryan Wagner, Director of Finance and HR

Time Estimate: 30 minutes

- [8.2](#) 2023 Property Tax Levy Resolution  
**Recommendation:** Adopt Resolution No. 428.  
**Staff Contact:** Ryan Wagner, Director of Finance and HR

Time Estimate: 5 minutes

9. **CITY BUSINESS**

- [9.1](#) Ordinance Amending 2022 Budget  
**Recommendation:** Adopt Ordinance No. 1015.  
**Staff Contact:** Ryan Wagner, Director of Finance and HR and Stephen R. Burns, City Manager

Time Estimate: 5 minutes

- [9.2](#) Ordinance Amending Medina Municipal Code Section 9.04.040 - Updating All Domestic Violence Protection Orders  
**Recommendation:** Adopt Ordinance No. 1016.  
**Staff Contacts:** Stephen R. Burns, City Manager and Emily Miner, Assistant City Attorney

Time Estimate: 5 minutes

- [9.3](#) Planning Commission Annual Code Update  
**Recommendation:** Discussion and schedule second public hearing on December 12, 2022.  
**Staff Contact:** Stephanie Keyser, Planning Manager

Time Estimate: 10 minutes

- [9.4](#) Medina City Council 2023 Goals and Priorities  
**Recommendation:** Approve.  
**Staff Contact:** Stephen R. Burns, City Manager

Time Estimate: 5 minutes

- 9.5 Gas-Powered Leaf Blowers Follow-Up Brief  
**Recommendation:** Discussion and direction.  
**Staff Contact:** Stephen R. Burns, City Manager

Time Limit: 45 minutes

10. **REQUESTS FOR FUTURE AGENDA ITEMS AND COUNCIL ROUND TABLE**

11. **PUBLIC COMMENT**

Comment period is limited to 10 minutes. Speaker comments limited to one minute per person.

12. **EXECUTIVE SESSION**

RCW 42.30.110.(1)(i)

To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

Time Estimate: 30 minutes

Council may take action following the Executive Session.

13. **ADJOURNMENT**

Next regular City Council Meeting: December 12, 2022 at 5 PM.

### **ADDITIONAL INFORMATION**

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Medina City Hall.

The agenda items are accessible on the City's website at [www.medina-wa.gov](http://www.medina-wa.gov) on Thursdays or Fridays prior to the Regular City Council Meeting.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (425) 233-6410 at least 48 hours prior to the meeting.

### **UPCOMING MEETINGS**

***Thursday, November 24, 2022 - Thanksgiving Holiday - City Hall Closed***

***Friday, November 25, 2022 - Day After Thanksgiving Holiday - City Hall Closed***

Monday, November 28, 2022 - City Council Meeting - **CANCELLED**

Monday, December 12, 2022 - City Council Meeting (5:00 PM)

***Monday, December 26, 2022 - Day After Christmas Holiday - City Hall Closed***

Tuesday, December 27, 2022 - City Council Meeting **CANCELLED**

### **CERTIFICATION OF POSTING AGENDA**

The agenda for Monday, November 14, 2022 Regular Meeting of the Medina City Council was posted and available for review on Thursday, November 10, 2022 at City Hall of the City of Medina, 501 Evergreen Point Road, Medina, WA 98039. The agenda is also available on the city website at [www.medina-wa.gov](http://www.medina-wa.gov).



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | www.medina-wa.gov

**Date:** November 14, 2022

**To:** Honorable Mayor and City Council

**From:** Stephen R. Burns, City Manager

**Subject:** City Manager Report – October 2022

1. State Route 520 Expansion Joint – Per Reinhall from the University of Washington reports that their tests have had a significant noise decrease with an overall reduction of more than 6 dB and with the main peak in the spectrum almost totally gone. It has been over eight weeks since their last installation and the polymer chevrons appear to be holding up. At this point, he thinks it is reasonable to believe that a full installation across all lanes will be durable. In addition, the chevrons are also very easy to replace when it is required. A draft final report is due to WSDOT in prior to the end of November so he will be providing Medina a copy.
2. Medina Council Retreat - The Medina Council Retreat was held on Monday, October 24 from 5pm to 9pm. Retreat facilitator Una McAlinden facilitated discussion amongst Council and staff on Council's top five priorities: Financial Stability and Accountability, Quality Infrastructure, Efficient and Effective City Government, Public Safety and Health, and Neighborhood Character.

Council discussed current realities, success indicators, and projects they would like accomplished in the next 12 to 18 months in each of the five categories. Council identified the following priorities for staff to work on in 2023:

- Create clear timeline and protocols for Council projects to include no new code without an enforcement plan.
  - Strategy for creative revenue sources, relook at fine structure and compare or calibrate with other cities.
  - Implement a full HR system that covers employee lifecycle.
  - Add each department's business lines and service levels on website.
  - Research and develop a plan for undergrounding utilities; and
  - Research available options for reducing ghost homes.
3. Bellevue Fire Report – No report submitted this month.



## MEDINA POLICE DEPARTMENT

**DATE:** November 14, 2022  
**TO:** Stephen R. Burns, City Manager  
**FROM:** Jeffrey R. Sass, Chief of Police  
**RE:** Police Department Update – October 2022

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The following is a summary highlighting some of the Medina Police Department activity in October 2022.

### Follow up:

Nothing to report.

### Shredder Day/Drug Take-back/E-cycling Event:

The second event of 2022 for Shredder/Drug Take-back and Electronics Recycling was held on Saturday, October 29<sup>th</sup> at Medina Park. An estimated 250+ vehicles arrived at the event over the three hours, dropping off countless pounds of electronics recycling, two truckful's of documents that were shredded and over 35 pounds of unwanted medications that were ultimately destroyed. These events help to curb identity theft through the illegal obtaining of personally identifiable information, reusing, and repurposing electronics materials and ensuring dangerous drugs and medications do not find their way onto the streets.





**Swearing-in & Promotional Ceremony:**

On Tuesday, October 4<sup>th</sup>, the Medina Police Department held a ceremony to swear in three police officers as well as the newly promoted Sergeant. The following police personnel were recognized and sworn into their respective responsibilities:

Sergeant Eric Anderson	Promoted on September 1, 2022
Officer Tyler Glenn	Hired on March 1, 2020 (ceremony delayed due to COVID-19)
Officer Roman Scott	Hired on April 4, 2022 & graduated Police Academy on September 8, 2022
Officer Chris Hadland	Hired on April 4, 2022 & graduated Police Academy on September 8, 2022

**Coffee with a Cop:**

The Medina Police Department held a “Coffee with a Cop” event on Thursday, October 6<sup>th</sup> at the Medina Market. The event saw great attendance by a variety of community members and was an outstanding opportunity for the community to engage in conversation with the Police Department leadership team on current events, neighborhood issues, goals, and strategies and to simply say “hello” after a long time apart due to the pandemic.

**Great Washington Shakeout Drill**

On Thursday, October 20<sup>th</sup>, The Medina Police Department and City of Medina participated in The Great Washington Shakeout drill. The event was a statewide program intended to practice earthquake safety and address any areas of concern. On-duty police personnel elected officials and community members also participated in a radio exercise to simulate the collapse of all regular communications after a catastrophic natural disaster. The drill and subsequent radio exercise were both great successes.

**Marine Patrol:**

Marine Patrol Sergeant Chad Schumacher will provide report in-person.



**MEDINA POLICE DEPARTMENT**  
*Jeff Sass, Chief of Police*  
**MONTHLY SUMMARY**  
**OCTOBER 2022**



**FELONY CRIMES**

**Burglary** **2022-00004186** **10/18/2022**

The Police Department was contacted for a reported burglary in the 7800 block of NE 12<sup>th</sup> St. The homeowners were out of the country and the house manager reported that the front door had been forced open. Unknown what was taken. Under investigation.

**Trespass** **2022-00004214** **10/20/2022**

Police Officers were dispatched to the 7500 block of NE 28<sup>th</sup> Pl for report of a residential alarm. Upon arrival, officers located an individual in the area and were able to prove that he had been inside the residence illegally and was the cause for the alarm activation. The subject was placed into custody and booked into jail.

**Burglary** **2022-00004220** **10/21/2022**

A Police Officer responded to the 700 block of Overlake Drive East for a reported burglary and a stolen vehicle. The residence was under construction. Construction equipment and tools were stolen along with a white Ford pickup truck. Officers were able to identify the suspect, served a search warrant on the suspect's vehicle and are gathering additional information in preparation of filing charges.

**Fraud** **2022-00004313** **10/27/2022**

A resident contacted the Police Department for a fraud report. The victim stated that they used an app that convinced them to give their ICLOUD information to the suspect which allowed the suspect to lock their phone remotely. The suspect then attempted to demand money to unlock their phone. The resident did not give the suspect any money and contacted their phone carrier to unlock their phone.

**MISDEMEANOR CRIMES**

**Assault** **2022-00004098** **10/12/2022**

A citizen contacted the Police Department to report an assault that occurred on October 5, 2022. The victim reported that they were involved in an altercation with a group of juveniles at the Evergreen Point Road Park and Ride which resulted in minor injuries. Under investigation.



# MEDINA POLICE DEPARTMENT

Jeffrey R. Sass, Chief of Police

City of Medina



## October 2022 - Monthly Report

CRIMES	Current Month	YTD 2022	YTD 2021	Year-End 2021
Burglary	2	10	9	13
Vehicle Prowl	0	4	12	13
Vehicle Theft	1	7	0	2
Theft (mail & all other)	0	7	10	15
ID Theft/Fraud	1	15	9	11
Malicious Mischief (Vandalism)	0	5	1	6
Domestic Violence/Violation of Contact Order	No 0	5	7	10
Disturbance, Harassment & Non-DV Assault	1	13	13	17
<b>TOTAL CRIMES</b>	<b>5</b>	<b>66</b>	<b>61</b>	<b>87</b>

COMMUNITY POLICING	Current Month	YTD 2022	YTD 2021	Year-End 2021
Drug Violations - Referrals to Treatment	0	1	1	1
Community Assists	17	119	92	116
House Watch Checks	5	455	461	548
School Zone	20	190	237	304
Mental Health	2	35	37	49
<b>TOTAL ENFORCEMENT</b>	<b>44</b>	<b>800</b>	<b>828</b>	<b>1018</b>

TRAFFIC	Current Month	YTD 2022	YTD 2021	Year-End 2021
Collisions				
Injury	0	2	0	0
Non-Injury	0	5	12	18
Non-Reportable	1	1	N/A	N/A
Traffic Stops				
Citations/Infractions/Parking	9	234	151	171
Warnings	97	1149	1605	1808
Directed Patrol	6	94	486	488
<b>TOTAL TRAFFIC</b>	<b>113</b>	<b>1485</b>	<b>2254</b>	<b>2485</b>

CALLS FOR SERVICE	Current Month	YTD 2022	YTD 2021	Year-End 2021
Animal Complaints	1	44	30	33
Residential Alarms	18	200	201	242
Missing Person	0	4	9	9
Suspicious Activity/Area Check	16	193	259	304
Medical Call/Assist Fire Department	2	27	34	47
Juvenile (underage party, substance use, etc.)	1	7	8	11
<b>TOTAL SERVICE</b>	<b>38</b>	<b>475</b>	<b>541</b>	<b>646</b>

\*This report does not include all calls for service handled by Medina Police Officers. It is meant to be an overview of general calls for service within the specified reporting period.



**MEDINA POLICE DEPARTMENT**  
*Jeff Sass, Chief of Police*  
**MONTHLY SUMMARY**  
**OCTOBER 2022**



**FELONY CRIMES**

**Mail Theft** **2022-00003935** **10/02/2022**  
 A resident in the 3200 block of Hunts Point Road reported to the Police Department that their mailbox was pried open, and mail taken from inside. The approximate damage to the mailbox is \$400. No suspects at this time.

**MISDEMEANOR CRIMES**

**Nothing to report.**

**OTHER**

**Warrant Arrest** **2022-00003954** **10/03/2022**  
 A Police Officer conducted a traffic stop in the 9000 block of Points Drive which resulted in the arrest of the driver for a misdemeanor warrant out of the City of Kirkland. The driver was taken into custody and booked into jail.

**Marine Incident** **2022-00004088** **10/11/2022**  
 A fatal boating incident occurred on Lake Washington near the 4300 block of Hunts Point Road. Referred to Mercer Island Marine Patrol for investigation.

**Collision** **2022-00004144** **10/16/2022**  
 A Police Officer contacted the driver of a one vehicle collision near the 3000 block of Hunts Point Road. The driver struck two traffic signs at the 2800 block of 84<sup>th</sup> Ave NE. The driver was not injured and is covering the replacement costs of the stop sign.

**Warrant Arrest** **2022-00004202** **10/20/2022**  
 A Police Officer conducted a traffic stop in the 2800 block of Hunts Point Road which resulted in the arrest of the driver for a felony warrant out of Skagit the County Sheriff's Office. The driver was taken into custody and booked into jail.

**MARINE PATROL**

Marine Patrol Sergeant Chad Schumacher will give Marine Patrol Report in-person.



# MEDINA POLICE DEPARTMENT

Jeffrey R. Sass, Chief of Police

Town of Hunts Point



## October 2022 - Monthly Report

CRIMES	Current Month	YTD 2022	YTD 2021	Year-End 2021
Burglary	0	0	1	1
Vehicle Prowl	0	0	1	1
Vehicle Theft	0	0	2	2
Theft (mail & all other)	1	4	3	3
ID Theft/Fraud	0	2	1	1
Malicious Mischief (Vandalism)	0	2	1	2
Domestic Violence	0	1	2	2
Disturbance, Harassment & Non-DV Assault	1	4	1	1
<b>TOTAL CRIMES</b>	<b>2</b>	<b>13</b>	<b>12</b>	<b>13</b>

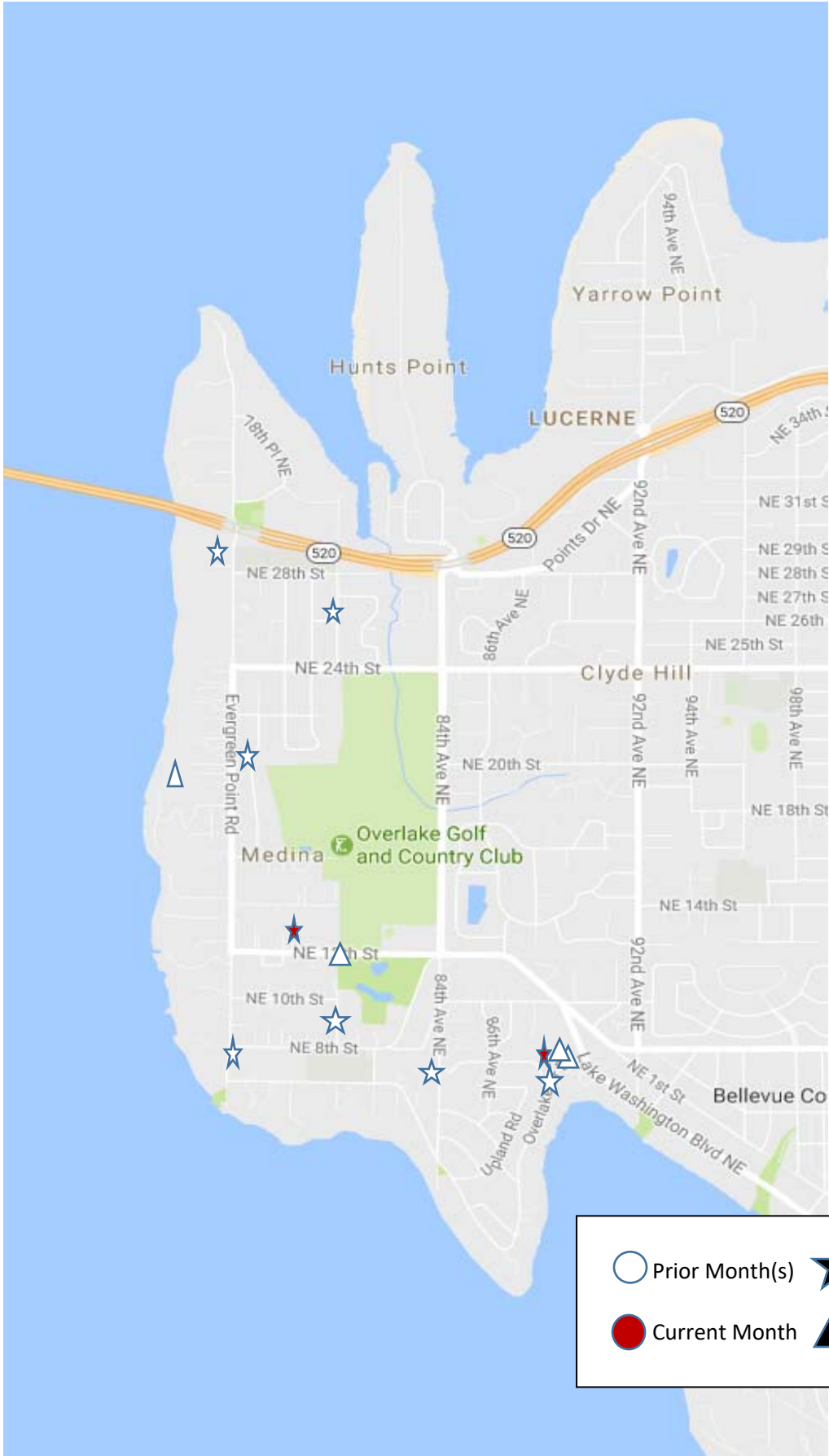
COMMUNITY POLICING	Current Month	YTD 2022	YTD 2021	Year-End 2021
Drug Violations - Referrals to Treatment	0	0	0	0
Community Assists	5	15	9	11
House Watch Checks	2	44	59	66
Mental Health	1	11	5	5
<b>TOTAL ENFORCEMENT</b>	<b>8</b>	<b>70</b>	<b>73</b>	<b>82</b>

TRAFFIC	Current Month	YTD 2022	YTD 2021	Year-End 2021
Collisions				
Injury	0	0	0	0
Non-Injury	0	1	0	1
Non-Reportable	1	1	0	0
Traffic Stops				
Citations/Infractions/Parking	9	72	23	28
Warnings	39	206	167	187
Directed Patrol	1	25	37	38
<b>TOTAL TRAFFIC</b>	<b>50</b>	<b>305</b>	<b>227</b>	<b>254</b>

CALLS FOR SERVICE	Current Month	YTD 2022	YTD 2021	Year-End 2021
Animal Complaints	1	4	5	5
Residential Alarms	5	28	21	24
Missing Person	0	0	0	0
Suspicious Activity/Area Check	1	15	33	33
Medical Call/Assist Fire Department	1	5	2	2
Juvenile (underage party, substance use, etc.)	0	0	1	1
<b>TOTAL SERVICE</b>	<b>8</b>	<b>52</b>	<b>62</b>	<b>65</b>

\*This report does not include all calls for service handled by Medina Police Officers. It is meant to be an overview of general calls for service within the specified reporting period.

# 2022 Burglaries & Vehicle Prowls Medina & Hunts Point





# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | [www.medina-wa.gov](http://www.medina-wa.gov)

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**Date:** November 14, 2022  
**To:** Honorable Mayor and City Council  
**Via:** Stephen R. Burns, City Manager  
**From:** Steven R. Wilcox, Development Services Department Director  
**Subject:** Development Services Department Monthly Report

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## Permit Activity

Please see the two permit activity reports provided with this report. Interestingly, permit valuation (the value Medina assigns to a project) comparing 2021 to 2022 year to date is similar to what we expect for year-end revenues although they are two different metrics. 2022 will likely end with permit value total lower than 2021 by about 25% to 30%. 2022 Development Services revenues to date have been an unwelcomed surprise considering the budgeting performed in Summer of 2021.

Late Autumn typically is the slowest time of year for permitting so we do not anticipate a surge of revenue at year end. However, we do know of several new development projects (demolition with a new home) which may arrive as completed applications in early 2023.

## Planning Commission

By Stephanie Keyser, Planning Manager

Planning Commission will hold a public hearing on their annual code amendments on November 15<sup>th</sup>. The amendments include housekeeping items, a clean-up of repealed sections, and adjustments that will make the code conform to not-so-recent legislation. These amendments will be brought to Council for a first review during the November 14<sup>th</sup> meeting and will be brought back for a public hearing during the December 12<sup>th</sup> meeting.

## Comp Plan:

Planning Commission will attend the first hour of Council's December 12<sup>th</sup> meeting for a kickoff presentation by the City's Comprehensive Plan consultants, CREA Affiliates. This is an opportunity to learn about the process, the roles that Council and Planning Commission will have, and to ask questions. Staff has been working with CREA on filling out the GMA Checklist (this is a mandatory item and the first task due under our GMA Grant) and formalizing the engagement strategy. The first community visioning workshop will be January 19, 2023, from 5-8PM at (tentatively) Medina Elementary's gym. Once Staff has received confirmation from Bellevue School District of the gym's reservation, community notifications of the meeting will be sent out.

## Construction Activity and General Medina Municipal Code Enforcement

Please see the Code Enforcement Report for October 2022 provided with this report. Our two tree code consultants will be adding their enforcement items to this report so that everything is tracked in one location. We continue to improve our new tree activity reports.

Code enforcement in October involved construction parking, work without permits, commercial signs on city owned property, vacant property condition, tree removal without permit, work performed outside of allowed hours, damage to the right of way, and bins (garbage, recycle) left out in city owned property too long.

Most of our code enforcement is based on reaction to immediate issues that are brought to our attention. Construction parking violations are the most common enforcement actions that we respond to as a reaction. Proactive code enforcement is most commonly applied through our permitting process where we provide education at different stages.

Development Services field staff have been asked to make inspection of garbage bins and recycle bins a scheduled weekly routine. Our Medina Municipal Code Section 12.28.020 (I) states: *“Garbage, yard waste, and/or recycling bins placed in the right-of-way for a total maximum period not longer than 24 hours surrounding the designated date and collection or pickup time of the bin owner's municipal waste service.”* For some time we have been attaching reminder tags to bins that have been left out too long. There has been some positive effect, but the tags do not solve the problem. Our field staff are also investigating who the owners of the bins are, and attempting to speak directly with them.

It is not typical for us to issue citations with fines and fees to residents who leave their bins out for more than 24 hours. We have worked at education rather than enforcement the same as we would apply to other matters. Because the matter of bins has not resolved and has recently again been brought to our attention as a problem we will take a more direct enforcement approach. Provided we are able to identify which property the bin(s) belong with we will:

- Confirm that the bin is located on Medina property.
- Attach a reminder tag to each bin left out more than 24 hours. Staff have discretion to issue more than one reminder.
- Send the bin owner a formal warning notice.
- Attempt to contact the bin owner and then try to meet to discuss alternate locations for the bins.
- Issue the bin owner a Citation. At this point a new Citation will be issued for each additional violation of MMC 12.28.020 (I). Fines are compounding.

Please see the “City of Medina Reminder” bin tag and example photo of its use provided with this report.

One of the owners of recycle bins that we recently gave a reminder tag called to say that pick-up is “sporadic” and not always the same day. This is a reason this owner was leaving his bins out within city owned property.



## **Pre-School**

We are investigating a complaint about a pre-school being operated out of a Medina home. There may be several code applications pending the investigation result. Once there is more information Council will be informed.

## **Tree Management Code Enforcement**

Please see the two reports by our Tree Management Code consultants. The “Tree with Building and Development” report is by Sean Dugan and addresses permitted development sites and the associated tree work in city owned property. The “City of Medina Arborist Monthly Report” is by Andy Crossett and reflects general tree code enforcement, and non-development project (individuals) tree permits. Enforcement of tree removals in violation of our Tree Management Code are most commonly reactive by Development Services staff. Education is one proactive approach to enforcement. Regular inspections of permitted development projects is also an important enforcement method.

At the December 12<sup>th</sup> Council meeting we intend on providing a draft proposal for an increase in fines associated with non-permitted tree removals. With the Town of Hunts Point Municipal Code Ch. 8.25.120 as a starting point we will be addressing tree removal as a single event, and separately when several trees are removed. Our Tree Management Code consultant Sean Dugan assisted Hunts Point in drafting their tree removal penalty code. This will be a significant change if adopted by Council.

Medina Municipal Code Table 1.15.330 addresses various monetary penalties based on types of code violations. This table will be completely revised with an amendment coming to Council in 2023. The tree removal penalty is being addressed separately. Existing Table 1.15.330 “Failure to obtain a tree removal permit” has a penalty which starts at \$300 with an upper limit of \$750 for a third and subsequent violations.

The new penalty proposal will include a fine of \$1,000 plus \$1,000 per inch of diameter for a significant tree removal. When more than one significant tree has been removed the fines are proposed to be doubled. A cap of \$25,000 per removed significant tree (per violation) will be part of the proposal. In addition to fines we will also assess actual costs of city staff and our consultants including our attorney’s time that is part of code enforcement. Working with consultants we are developing means for tracking costs associated with code enforcement so that the actual costs can be recovered.

## **Small Wireless Facility Building Permit Applications**

We have been contacted by T-Mobile regarding building permit applications. These permit applications will follow the franchise agreement. The building permit applications have not yet been submitted to us. One of the locations has a separate remote underground vault. The vault contains equipment necessary for operation of the wireless facility.

More information will be provided to Council once we have building permit applications submitted and vested with us.

## Development Services Fund Concepts

We are initiating new concepts regarding the Development Services Fund. There are questions regarding the Development Services Fund's long-term sustainability and transparency that should be resolved. For various reasons Development Services was separated from the General Fund beginning this year. The following are two reasons why the Development Services Fund was created:

- Considering the levy passage, city administration wanted to assure transparency in showing that development pays for itself. It was felt that a separate fund would accomplish this.
- The Development Services Fund is a way to manage the year-to-year highs and lows of permitting revenues and expenses while not adversely impacting the needed stability of the General Fund.

Very generally, much of Development Services Fund expense accounts, and some revenues can be thought of as more predictable and less predictable. It is the "less predictable" budget accounts that cause trouble with forecasting. The less predictable expenses are the ones which rise and fall with development activity. More predictable expenses are that portion of the Development Services Fund which are similar to other departments. For the most part, staff wages (benefits, etc.), insurance, software and hardware costs, travel/training, dues and subscriptions, etc. can be accurately forecasted and are more predictable. Increases and decreases in development activity parallel professional consultant services activity and associated costs. Consultant activity directly corresponds with the portion of the Development Services Fund which can be most difficult to forecast.

As part of this concept, revenues from permit fees should not pay for our professional consultants. Considering the development project sizes we often see, we charge fairly modest permit fees. These fees do not cover our consultant expenses. A cash deposit system is being used where an "Advanced Deposit" (AD) is initially paid by a permit applicant and then drawn from as actual consultant costs rise above fees charged. If the AD amount becomes low, the developer is required to add cash.

To create a sustainable, and much more transparent Development Services Fund a concept is being considered where more predictable expenses are associated with more predictable revenues. Less predictable expenses would then be associated with a revenue stream that parallels fluctuation in development activity. The actual operation of the Development Services Fund would not be much different than it is now, but it would be easier to understand and forecast. An argument could be made that this concept is more equitable too.

Under this new concept permit fees would pay the more predictable expenses. This could allow for easier evaluation of fee amounts needed to pay for a service level that Council prefers.

To pay for the less predictable expenses which typically involve professional consultants, this fund concept would expand the use of the existing Advanced Deposit system and would also consolidate it. Development will be confirmed to pay for itself. A service level as decided by Council will be funded through permit fees. None of this will impact the General Fund while adding transparency.

As part of this concept is that the Development Services Fund should include some additional changes. Due to the recent implementation of the Development Services Fund we have only recently been looking at how staff, and some other expenses are allocated between funds. Traditionally, the Development Services Fund has charged fees which cover expenses for services that can include benefits to the entire city, not just for the permitting work of the Department. An example is our Planning Manager who spends a significant portion of her time on Planning Commission projects, or other state mandated projects with city-wide benefit. But, the Development Services Fund pays our Planner's full salary and benefits. If the Development Services Fund truly is separate and required to balance its own budget, then it may be a logical extension that work with city-wide benefit be allocated to other funds.

## **2021 Washington State Building Code**

The 2021 Washington State Building Code ("State Code") adoption cycle is underway. We are currently under the 2018 State Code as adopted by Medina. The decision to adopt the 2021 State Code will be made by the Washington State Building Code Council by December 1, 2022. Adoption by Medina will then be mandatory. Building code adoptions are typically on a 3-year cycle. The 2021 State Code adoption into the Medina Municipal Code is something we will be talking about at times during the first half of 2023. Please see the "Washington State Building Codes Review and Adoption Process" provided with this report.

The Washington State Building Code is comprised of a list of codes such as the commercial building code (IBC), residential building code (IRC), fire code (IFC), mechanical code (IMC), gas piping codes (NFPA, UPC), Washington State Energy Code and others. There are many 100's (maybe 1000's) of references applicable to each mandated code adoption. Typically, the Energy Code has most impact on the type of construction common to Medina. The fundamental reason for these codes is safety of building occupants, although there are other benefits such as improved construction quality.

The Development Services Director is also Medina's Building Official. Each jurisdiction in our state has one building official who has authority to administer the State Code. Assuming the State Building Code Council adopts the 2021 codes, you will be asked to approve of the State Code for use in Medina. Implementation of new buildings codes is typically July 1st as mandated by the state.

It is likely that we will have certain amendment proposals needed to match our Fire Code (a part of the State Code) to what the City of Bellevue adopts. The City of Bellevue amends the State Fire Code and because we under contract with their Fire Department for suppression and prevention services it is important to assure our codes match.

Chapter 1 of the State Codes is administrative. The state allows jurisdictions to amend Ch.1 without State Building Code Council approval. There will be some house-keeping amendments proposed to Council, as well as amendments necessary to match the Medina Municipal Code such as Chapter 1.15 Code Enforcement. There may be other house-keeping amendments proposed such as swimming pool safety, property maintenance standards, and others, but some of this depends upon the final result of the state's adoption.

The Washington State Building Codes Review and Adoption process is provided with this report.

I would enjoy talking with you individually about anything in this report. The best way to contact me is at [swilcox@medina-wa.gov](mailto:swilcox@medina-wa.gov). Also 206-235-9137 or 425-233-6409.



## October 2022 Issued Permits

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Report run on: 11/01/2022 07:56 AM

<b>Construction Value:</b>	<b>October 2022</b>	<b>October 2021</b>	<b>2022 YTM</b>	<b>2021 YTM</b>	<b>Difference</b>
Accessory Structure	-	-	\$70,000.00	-	\$70,000.00
Addition / Alteration	\$22,200.00	\$3,110,000.00	\$3,224,441.04	\$11,322,319.21	(\$8,097,878.17)
Fence / Wall	-	-	\$279,036.00	\$444,800.00	(\$165,764.00)
New Construction	\$2,173,983.00	\$3,615,062.00	\$27,948,828.40	\$31,766,487.00	(\$3,817,658.60)
Repair / Replace	-	-	-	-	\$0.00
Wireless Comm. Facility	-	-	\$70,000.00	-	\$70,000.00
<b>Total Value:</b>	<b>\$2,196,183.00</b>	<b>\$6,725,062.00</b>	<b>\$31,592,305.44</b>	<b>\$43,533,606.21</b>	<b>(\$11,941,300.77)</b>
<b>Permits Issued:</b>	<b>October 2022</b>	<b>October 2021</b>	<b>2022 YTM</b>	<b>2021 YTM</b>	<b>Difference</b>
New Construction	1	1	15	15	0
Permit Extension	3	-	44	35	9
Accessory Structure	-	-	1	-	1
Addition / Alteration	2	3	19	32	(13)
Construction Activity Permit	2	1	22	24	(2)
Demolition	1	1	11	18	(7)
Fence / Wall	-	-	15	13	2
Grading / Drainage	1	2	18	23	(5)
Mechanical	10	4	87	71	16
Other - Moving	-	-	-	-	0
Plumbing / Gas	6	6	64	78	(14)
Repair / Replace	-	-	-	-	0
Reroof	-	-	-	-	0
Right of Way Use	4	7	74	82	(8)
Tree Mitigation	6	5	49	56	(7)
Wireless Comm. Facility	-	-	1	-	1
<b>Total Permits:</b>	<b>36</b>	<b>30</b>	<b>420</b>	<b>447</b>	<b>(27)</b>
<b>Inspections:</b>	<b>October 2022</b>	<b>October 2021</b>	<b>2022 YTM</b>	<b>2021 YTM</b>	<b>Difference</b>
Building	77	108	889	881	8
Engineering/Other	37	98	210	320	(110)
	2	9	58	59	(1)
Tree	10	-	60	20	40
<b>Total Inspections:</b>	<b>126</b>	<b>215</b>	<b>1,217</b>	<b>1,280</b>	<b>(63)</b>

## October 2022 Permit Applications Received

Permit Type	Submitted Date	Permit Number	Total Valuation	Address
B-ADD/ALT	10/17/2022	B-22-118	\$379,000.00	922 87TH AVE NE
B-ADD/ALT	10/12/2022	B-22-117	\$1,250,000.00	2839 EVERGREEN POINT RD
B-ADD/ALT	10/31/2022	B-22-122	\$9,532.28	810 84TH AVE NE
B-ADD/ALT	10/21/2022	B-22-119	\$100,000.00	854 Evergreen Point Rd
<b>TOTAL B-ADD/ALT:</b>	<b>4</b>		<b>\$1,738,532.28</b>	
B-GAS	10/04/2022	G-22-031		501 EVERGREEN POINT RD
B-GAS	10/24/2022	G-22-032		338 OVERLAKE DR E
B-GAS	10/25/2022	G-22-033		3436 EVERGREEN POINT RD
B-GAS	10/27/2022	G-22-034		1686 77th Ave NE
<b>TOTAL B-GAS:</b>	<b>4</b>		<b>\$0.00</b>	
B-GATE	10/10/2022	B-22-116	\$16,000.00	3263 EVERGREEN POINT RD
B-GATE	10/26/2022	B-22-121	\$35,000.00	850 80TH AVE NE
<b>TOTAL B-GATE:</b>	<b>2</b>		<b>\$51,000.00</b>	
B-MECHANICAL	10/04/2022	M-22-098		501 EVERGREEN POINT RD
B-MECHANICAL	10/12/2022	M-22-099		309 UPLAND RD

B-MECHANICAL	10/13/2022	M-22-100		8429 NE 7TH ST
B-MECHANICAL	10/14/2022	M-22-101		500 86TH AVE NE
B-MECHANICAL	10/17/2022	M-22-102	\$48,700.00	444 Overlake Drive E
B-MECHANICAL	10/17/2022	M-22-103		8430 NE 7TH ST
B-MECHANICAL	10/24/2022	M-22-104		338 OVERLAKE DR E
B-MECHANICAL	10/25/2022	M-22-105		3240 EVERGREEN POINT RD
B-MECHANICAL	10/27/2022	M-22-106	\$40,000.00	1686 77th Ave NE
B-MECHANICAL	10/28/2022	M-22-107	\$18,000.00	2039 77TH AVE NE
B-MECHANICAL	10/31/2022	M-22-108		8037 NE 28TH ST
<b>TOTAL B-MECHANICAL:</b>	<b>11</b>		<b>\$106,700.00</b>	
B-PLUMBING	10/10/2022	P-22-057		8000 NE 16TH ST
B-PLUMBING	10/25/2022	P-22-058		8845 OVERLAKE DR W
B-PLUMBING	10/27/2022	P-22-059		2019 79TH AVE NE
<b>TOTAL B-PLUMBING:</b>	<b>3</b>		<b>\$0.00</b>	
B-SFR	10/24/2022	B-22-120	\$1,000,000.00	3605 EVERGREEN POINT RD
<b>TOTAL B-SFR:</b>	<b>1</b>		<b>\$1,000,000.00</b>	

CAP - CONSTRUCTION ACTIVITY PERMIT	10/17/2022	CAP-22-027		945 88TH AVE NE
CAP - CONSTRUCTION ACTIVITY PERMIT	10/17/2022	CAP-22-026		945 88TH AVE NE
CAP - CONSTRUCTION ACTIVITY PERMIT	10/17/2022	CAP-22-028		619 84TH AVE NE
CAP - CONSTRUCTION ACTIVITY PERMIT	10/24/2022	CAP-22-029		2839 EVERGREEN POINT RD
CAP - CONSTRUCTION ACTIVITY PERMIT	10/26/2022	CAP-22-030		3332 78TH PL NE
CAP - CONSTRUCTION ACTIVITY PERMIT	10/28/2022	CAP-22-031		854 EVERGREEN POINT RD
<b>TOTAL CAP - CONSTRUCTION ACTIVITY PERMIT:</b>	<b>6</b>		<b>\$0.00</b>	
ENG-GRADING/DRAINAGE	10/19/2022	ENG-GD-22-023		2439 78th Ave NE
ENG-GRADING/DRAINAGE	10/14/2022	ENG-GD-22-021		1835 73RD AVE NE
ENG-GRADING/DRAINAGE	10/17/2022	ENG-GD-22-022		945 88TH AVE NE
ENG-GRADING/DRAINAGE	10/24/2022	ENG-GD-22-024		2839 EVERGREEN POINT RD
ENG-GRADING/DRAINAGE	10/24/2022	ENG-GD-22-025		3605 EVERGREEN POINT RD
<b>TOTAL ENG-GRADING/DRAINAGE:</b>	<b>5</b>		<b>\$0.00</b>	
P-ADMIN VARIANCE	10/07/2022	P-22-056		7747 OVERLAKE DR W
<b>TOTAL P-ADMIN VARIANCE:</b>	<b>1</b>		<b>\$0.00</b>	
P-SEPA EXEMPTION	10/31/2022	P-22-060		1835 73RD AVE NE



<b>TOTAL P-SEPA EXEMPTION:</b>	<b>1</b>		<b>\$0.00</b>	
PW-RIGHT OF WAY	10/24/2022	PW-ROW-22-090		2439 78TH AVE NE
PW-RIGHT OF WAY	10/06/2022	PW-ROW-22-086		945 88TH AVE NE
PW-RIGHT OF WAY	10/07/2022	PW-ROW-22-087		7749 NE 8th St
PW-RIGHT OF WAY	10/10/2022	PW-ROW-22-088		707 OVERLAKE DR E
PW-RIGHT OF WAY	10/18/2022	PW-ROW-22-089		7842 NE 14th St
PW-RIGHT OF WAY	10/24/2022	PW-ROW-22-091		2039 79TH AVE NE
PW-RIGHT OF WAY	10/25/2022	PW-ROW-22-092		2221 78TH AVE NE
PW-RIGHT OF WAY	10/26/2022	PW-ROW-22-093		8467 Midland Road
PW-RIGHT OF WAY	10/26/2022	PW-ROW-22-094		3332 78TH PL NE
<b>TOTAL PW-RIGHT OF WAY:</b>	<b>9</b>		<b>\$0.00</b>	
TREE-ADMIN ROW TREE REMOVAL	10/26/2022	TREE-22-071		2439 78TH AVE NE
<b>TOTAL TREE-ADMIN ROW TREE REMOVAL:</b>	<b>1</b>		<b>\$0.00</b>	
TREE-PERFORMANCE	10/30/2022	TREE-22-072		2220 78TH AVE NE
<b>TOTAL TREE-PERFORMANCE:</b>	<b>1</b>		<b>\$0.00</b>	
TREE-RESTORATION	10/17/2022	TREE-22-068		945 88TH AVE NE
<b>TOTAL TREE-RESTORATION:</b>	<b>1</b>		<b>\$0.00</b>	

TREE-WITH BUILDING/DEVELOPMENT	10/06/2022	TREE-22-067		2036 EVERGREEN POINT RD
TREE-WITH BUILDING/DEVELOPMENT	10/24/2022	TREE-22-069		2839 EVERGREEN POINT RD
TREE-WITH BUILDING/DEVELOPMENT	10/24/2022	TREE-22-070		3605 EVERGREEN POINT RD
<b>TOTAL TREE-WITH BUILDING/DEVELOPMENT:</b>	<b>3</b>		<b>\$0.00</b>	
<b>Total # of Permits</b>	<b>53</b>		<b>\$2,896,232.28</b>	



# October Code Enforcement Report

Report run on: 10/31/2022 12:56 PM

Case Number	Case Type	Case Status	Assigned To	Address	Case Text
CC-2022-153	REFUSE BINS	OPENED		2058 78TH AVE NE	<p>Description: Two refuse bins left in Right-of-Way beyond 24-hour period (Recycling and Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to both bins.</p>
CC-2022-118	GENERAL	COMPLETED	Rob Kilmer	8458 NE 9TH ST	<p>Description: Received report of damage to roadway caused by construction activity.</p> <p>Action Taken: Visited site, spoke with reporter, and spoke with site manager/GC. Determined that damage was superficial in nature. Any damage to roadway will be covered under the requirements of existing ROW permit and \$10,000 bond on file with City.</p>
CC-2022-120	CAP VIOLATION	COMPLETED	Rob Kilmer	7617 NE 24TH ST	<p>Description: Work being performed prior to 7am. Work vehicle parked in ROW</p> <p>Action Taken: Sent initial warning to project Agent</p>
CC-2022-121	GENERAL	COMPLETED	Rob Kilmer	8458 NE 9TH ST	<p>Description: Site conditions require corrections</p> <p>Action Taken: Sent correction letter to project Agent</p>
CC-2022-122	STOP WORK ORDER	OPENED	Rob Kilmer	2036 EVERGREEN POINT RD	<p>Description: 2 trees being removed without a permit.</p> <p>Action Taken: Issued Stop Work Order for tree cutting on the site. Interior finish work in the house, and pruning exempt from a permit, is still allowed to take place.</p>
CC-2022-123	STOP WORK ORDER	COMPLETED	Rob Kilmer	7842 NE 14TH ST	<p>Description: Work to construct a block wall observed in City right-of-way.</p> <p>Action Taken: Stop Work Order posted on site. Spoke to contractor performing work. Mailed copy of Stop Work Order to property owner. Permit application PW-ROW-22-089 is now approved. 10/26/22</p>

Case Number	Case Type	Case Status	Assigned To	Address	Case Text
CC-2022-124	ROW VIOLATION	OPENED	Rob Kilmer	8845 OVERLAKE DR W	<p>Description: Large rocks observed to have been placed within 24" of the paved roadway in violation of MMC 12.28.060</p> <p>Action Taken: Notified project Agent and project management team that the rocks closer than 24" will need to be removed and any remaining rocks will need to be approved under a revision to the project's right-of-way permit.</p>
CC-2022-125	SIGN VIOLATION	COMPLETED	Rob Kilmer	Various	<p>Description: Commercial advertising signs (Diamond Detailing) observed placed within the right-of-way</p> <p>Action Taken: Removed signs and contacted company to advise them regarding the City's rules prohibiting the display of commercial advertising signs.</p>
CC-2022-126	REFUSE BINS	COMPLETED	Rob Kilmer	3230 78TH PL NE	<p>Description: Two refuse bins left in Right-of-Way beyond 24-hour period (Recycling and Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to both bins.</p>
CC-2022-127	REFUSE BINS	COMPLETED	Rob Kilmer	3226 78TH PL NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-128	REFUSE BINS	COMPLETED	Rob Kilmer	3210 78TH PL NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-129	INITIAL WARNING	COMPLETED	Rob Kilmer	3242 Evergreen Point Road	<p>Description: Construction Related Vehicle parked in right-of-way.</p> <p>Action Taken: Sent initial waring to project Agent.</p>
CC-2022-130	GENERAL	COMPLETED	Rob Kilmer	84th Avenue NE	<p>Description: Phone caller reported that there was "Arabic writing spray painted in blinding white paint all over 84th Avenue NE."</p> <p>Action Taken: Drove from Overlake Drive West to the 520 Bridge traffic circle to investigate. No markings were observed other than a few utility-locate markings along the curb near Ridge Road.</p>



# October Code Enforcement Report

Report run on: 10/31/2022 12:56 PM

Case Number	Case Type	Case Status	Assigned To	Address	Case Text
CC-2022-131	REFUSE BINS	COMPLETED	Rob Kilmer	3407 EVERGREEN POINT RD	<p>Description: Two refuse bins left in Right-of-Way beyond 24-hour period (Recycling and Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to both bins.</p>
CC-2022-132	REFUSE BINS	COMPLETED	Rob Kilmer	3616 EVERGREEN POINT RD	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-133	REFUSE BINS	COMPLETED	Rob Kilmer	3318 78TH PL NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Recycling).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-134	REFUSE BINS	COMPLETED	Rob Kilmer	3249 EVERGREEN POINT RD	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Recycling).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-135	REFUSE BINS	COMPLETED	Rob Kilmer	3245 EVERGREEN POINT RD	<p>Description: Four refuse bins left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to four bins.</p>
CC-2022-136	INITIAL WARNING	COMPLETED	Rob Kilmer	338 OVERLAKE DR E	<p>Description: Construction related vehicle parked in ROW</p> <p>Action Taken: Issued preliminary warning to PM of worksite.</p>
CC-2022-137	SIGN VIOLATION	COMPLETED	Rob Kilmer	Various	<p>Description: Several advertising signs (Tesla X for Sale) observed throughout the City.</p> <p>Action Taken: Collected sign and spoke with poster to inform them of the sign rules in Medina.</p>



# October Code Enforcement Report

Report run on: 10/31/2022 12:56 PM

Case Number	Case Type	Case Status	Assigned To	Address	Case Text
CC-2022-138	GENERAL	COMPLETED	Rob Kilmer	2439 78TH AVE NE	<p>Description: Complaint received regarding the property conditions of this empty house.</p> <p>Action Taken: Reached out to the last person we had contact with regarding this property (from 8 December 2021). Spoke by phone with General Contractor (10/25/22) who said they will send someone to do yard maintenance at the site. 10/31/22 Received a message from the GC that the site had been maintained. A photo is saved into the notes.</p>
CC-2022-139	REFUSE BINS	COMPLETED	Rob Kilmer	2626 78TH AVE NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Recycling).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-140	REFUSE BINS	COMPLETED	Rob Kilmer	2656 78TH AVE NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Recycling).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-141	REFUSE BINS	COMPLETED	Rob Kilmer	2425 80TH AVE NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-142	REFUSE BINS	COMPLETED	Rob Kilmer	1013 84TH AVE NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-143	REFUSE BINS	OPENED	Rob Kilmer	3244 Evergreen Point Road	<p>Description: Three refuse bins left in Right-of-Way beyond 24-hour period (Garbage, Recycle, Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to three bins.</p>

Case Number	Case Type	Case Status	Assigned To	Address	Case Text
CC-2022-144	REFUSE BINS	OPENED	Rob Kilmer	3239 EVERGREEN POINT RD	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p> <p>PLEASE NOTE: It's unclear whether yard waste was picked up around Medina, as several bins were observed to be full.</p>
CC-2022-145	REFUSE BINS	OPENED	Rob Kilmer	3245 EVERGREEN POINT RD	<p>Description: Four refuse bins left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Photographed, as note from last week is still attached.</p> <p>PLEASE NOTE: It's unclear whether yard waste was picked up around Medina, as several bins were observed to be full. (However, these four bins haven't moved in two weeks)</p>
CC-2022-146	REFUSE BINS	COMPLETED	Rob Kilmer	3335 Evergreen Point Road	<p>Description: Two refuse bins left in Right-of-Way beyond 24-hour period (Garbage, Recycle).</p> <p>Action Taken: Attached City of Medina reminder notice to two bins.</p>
CC-2022-147	REFUSE BINS	OPENED	Rob Kilmer	3611 EVERGREEN POINT RD	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p> <p>PLEASE NOTE: It's unclear whether yard waste was picked up around Medina, as several bins were observed to be full</p>
CC-2022-148	REFUSE BINS	OPENED	Rob Kilmer	3201 78TH PL NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p> <p>PLEASE NOTE: It's unclear whether yard waste was picked up around Medina, as several bins were observed to be full</p>



# October Code Enforcement Report

Report run on: 10/31/2022 12:56 PM

Case Number	Case Type	Case Status	Assigned To	Address	Case Text
CC-2022-149	REFUSE BINS	OPENED	Rob Kilmer	7701 NE 28TH ST	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-150	REFUSE BINS	OPENED	Rob Kilmer	2451 78TH AVE NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-151	REFUSE BINS	OPENED	Rob Kilmer	2254 78TH AVE NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p> <p>PLEASE NOTE: It's unclear whether yard waste was picked up around Medina, as several bins were observed to be full.</p>
CC-2022-152	REFUSE BINS	OPENED	Rob Kilmer	2058 78TH AVE NE	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>



## **City of Medina Reminder**

**Please move your bin(s) onto your property as required by our Medina Municipal Code.**

**Garbage, yard waste, and/or recycling bins are allowed to be placed within the public right-of-way for no longer than a maximum of 24-hours surrounding the designated date and collection or pickup time of the bin owner's municipal waste service. Section 12.28.020(I) Medina Municipal Code.**

**Direct questions to Rob Kilmer,  
Medina Deputy Building Official  
rkilmer@medina-wa.gov  
425-233-6413**



October 2022 - Tree Code Consultant Monthly Report

Development Project - Permitted Tree Removal					
Permit Type	Address	# Trees Removed	Removed Tree Size	*Supplemental Required	Description
<b>TREE-WITH BUILDING/DEVELOPMENT</b>					
Admin ROW Tree Removal	8467 Midland Rd	1	12	2	poor condition cherry tree replaced by Japanese maple
TREE-ADMIN ROW TREE REMOVAL	8335 Overlake Dr. W.	1	8"	1	Nuisance tree, need to pay \$200 and update AROWTAP
* Size meets minimum standards outlined in 16.52.100.A.1.					
<b>Sent for Citation Review</b>					
TREE-WITH BUILDING/DEVELOPMENT	3645 Evergreen Point Road	1	24	6	tree removed prior to approval; ATAP revision requested
TREE-WITH BUILDING/DEVELOPMENT	2036 Evergreen Point Rd	3	25, 20, 6		trees removed prior to approval; ATAP revision requested

### Tree with Building and Development



8467 Mindland Rd. – Administrative ROW Tree Activity Permit. Approved removal of 1 ornamental cherry tree (12"). Two supplemental replacement trees required.



8335 Overlake Dr. West – Administrative ROW Tree Activity Permit. Approved removal of nuisance Douglas-fir tree (8"). Tree has been topped and growig into power lines. One supplemental tree required and payment into Medina Tree Fund.

Sent for Citation Review



2036 Evergreen Point Rd. - Two trees (25", 6") removed without prior consent. Top photo shows felled native western white pine. Bottom photo shows a third tree (20") that has been topped (arrow) and will likely need to be removed. No tree protection around remaining trees as required by permit. Revision of the approved Administrative Tree Activity Permit requested.



3645 Evergreen Point Rd. – One 24" Deodar cedar removed without prior consent. New driveway in location of tree (arrow). No tree protection around preserved trees as recommended by project arborist and shown in application. Revision of Administrative Tree Activity Permit application requested prior to approval.

## City of Medina Arborist Monthly Report – Non-Development Activity – 10/1/2022 – 10/31/2022

7746 Overlake Drive W – 2 x bigleaf maples 36" DBH each – Hazard tree risk assessment – Resident concerned that trees are diseased and could fall. Confirmed both trees are diseased with *Kretzschmaria deusta* with several potential targets. Trees are partially within private easement. Resident to discuss potential removal with neighbors.



3217 EPR – 3 x western redcedar 22", 29", 31" DBH – Hazard tree assessment – Resident provided report from arborist that stated trees were hazardous. I disagreed with the assessment. Homeowner opted to remove the trees via a tree restoration permit. 9 trees in total required for replanting.





2626 EPR – 1 bigleaf maple 29" DBH – Hazard tree assessment – Assessed tree and observed Ganoderma sp. fungus growing on the stem/buttruss. Tree determined to be high risk and hazardous. Requires 1 replacement tree.



7658 NE 12th Street – 1 Coast Redwood – 66” DBH – Resident was told by pest company that carpenter ants may be coming from this tree. During the site visit I observed rotten landscape timbers and a rotten cherry stump with carpenter ant activity, but nothing on the redwood. Informed resident and explained tree permitting options if he still wanted to proceed with removal.



1000 82<sup>nd</sup> Ave NE – 4 Black Poplars – Dead tree confirmation – Confirmed that the trees are 100% dead and exempt from permitting.



850 82nd Ave NE – 1 Silver Birch 10” DBH – Dead tree confirmation. Tree isn’t dead. Informed homeowner of permitting options.





STATE OF WASHINGTON

## STATE BUILDING CODE COUNCIL

1500 Jefferson Street SE • P.O. Box 41449 • Olympia, Washington 98504  
 (360) 407-9277 • fax (360) 586-9088 • e-mail sbcc@des.wa.gov • www.sbcc.wa.gov

Last Updated Date: 06/25/2022

### **RE: Washington State Building Codes Review and Adoption Process**

All meetings described in the following process are posted on the SBCC web site and announced through GovDelivery and are open to the public. The agendas and summary minutes are posted on the SBCC web site.

The adoption period of new model codes begins with the availability of the new editions every three years and ends with formal adoption of the building codes as amended by the State Building Code Council (SBCC). For review, the codes are broken into two groups. Group 1 includes the International Building Code (Nonstructural provisions), International Fire Code, and Washington State Energy Code-Commercial. Group 2 includes the International Building Code (Structural Provisions), International Existing Building Code, International Residential Code, International Mechanical Code, Wildland-Urban Interface Code, International Fuel Gas Code, Uniform Plumbing Code, and the Washington State Energy Code-Residential. Group 1 codes are evaluated in the first year of review, Group 2 codes in the second year.

New model codes are compared against the previous edition by a Technical Advisory Group (TAG) appointed for a specific code. The TAGs are comprised of a Council member as chair along with appointed volunteers from stakeholder groups. The TAG also compares the existing code amendments with the new model code edition. The new editions often incorporate the Washington State amendments to previous versions. The TAG makes recommendations addressing which State amendments should be eliminated because the new edition substantively addresses them to a standing committee made up of Council members. The standing committee then either accepts the TAG recommendations or modifies them before making recommendations to the full Council. The Council then votes on which amendments will be eliminated, then formally requests anyone who has an interest, to submit code change proposals to the model code and amendments being carried forward. At the close of the submittal window, the Council reviews the statewide code change proposals received for completeness and then forwards them to the applicable TAG. The TAG then reviews each proposal, determining whether they will recommend support of the proposal, recommend modifying the proposal, or recommend disapproval of the proposal to the appropriate Council standing committee.

The standing committees are the Building, Fire and Plumbing (BFP) and Mechanical, Ventilation and Energy (MVE) Codes Committees. These committees are made up of only Council Members. The Committees take the recommendations of the TAGs, and through another round of public comments, decide by majority vote whether to recommend approval, disapproval, or modification of the proposed statewide amendments to the full SBCC. The SBCC makes the final determination which proposal to be included in the rulemaking. Proposals included in the rulemaking are filed with the State Code Reviser and published in the Washington State Register. This filing includes a summary of the proposed rules, the complete text of the proposed changes, due dates for public comments, dates and locations for public hearings, and any economic impact statements required by law. The comment period and public hearings is the fourth opportunity for stakeholders and members of the public to voice their concerns or to support proposed amendments. (The first is the TAG review, the second is the Standing Committee review, and

the third is at the Council meeting where the decision which proposed amendment is moving forward is made.) Proposals that are disapproved are dismissed and not considered further. Occasionally, the Council may refer a proposal back to the TAG for additional modifications. When that happens, generally the original recommendation, if it was not for disapproval, will be filed and the further TAG work will be taken as public testimony. If the proposal was recommended for disapproval, the Council has the choice to either file the original proposal as submitted and consider further TAG work as testimony, or delay the process to consider further TAG recommendations at the next meeting. This could either be through a special council meeting or at the next regularly scheduled meeting.

There is a written public comment period and public hearings, typically held in September and/or October in both Eastern and Western Washington. After the public hearings, the Council holds a work session to review testimony and receive clarification on any issue they feel is necessary. There is often limited public comment and clarification on controversial issues at these work sessions; it is up to the discretion of the Council Chair.

The Council must make the final decision on adoption by December 1 for all codes, except the Washington State Energy Code-Commercial. The Washington State Energy Code-Commercial, must be adopted by December 15. All state amendments to the codes must receive a majority of eight votes of the Council to be adopted. Amendments to the Washington State Energy Code-Commercial, require a two-thirds majority vote or they will require legislative action for adoption. The amendments cannot take effect before the end of the regular legislative session in the next year. Typically, the Council uses July 1 as effective date for new codes.



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | www.medina-wa.gov

**Date:** November 14, 2022  
**To:** Honorable Mayor and City Council  
**Via:** Stephen Burns, City Manager  
**From:** Ryan Wagner, Finance & HR Director  
**Subject:** October 2022 Financial Reporting, End of Year Estimates

This Reports Includes:

- October AP Check Register Activity Detail
- Updates from Finance Department
- October Cash Position Report
- End of Year Budget Vs Estimates Memo

Key Items from October 2022:

## Finance Summary

- October YTD Cash Position Report included, October YTD Financials will be provided soon
- End of year projections by Department is attached to this packet, included is a memo highlighting the big picture items
- 2021 Financial audit still in progress with the State Auditor's Office
- REVENUE
  - \$919K in property taxes, rest should come in November
  - \$165K in sales tax revenue, \$1.54M to date (Slightly under what was budgeted)
  - \$0K in REET Revenue collected in October.
  - \$179K REET Expected in November per October activity
  - Department of Commerce Grant of \$26K Received
- EXPENSES
  - \$340K Payroll
  - \$383K for City of Bellevue Fire (Second and last payment of 2022)
  - \$161K for NE 7<sup>th</sup> St Improvement Project (Kamins Construction)

Updated Fund Balances as of 10/31/2022

Period: 2022 - October

Fund		Beginning Cash	Beginning Investments	Activity In	Activity Out	Ending Cash	Ending Investments	Ending Balance
001	General Fund	\$3,365,824.04	\$0.00	\$1,297,158.66	\$834,815.81	\$3,828,166.89	\$0.00	\$3,828,166.89
101	City Street Fund	\$51,867.30	\$0.00	\$38,298.65	\$33,160.50	\$57,005.45	\$0.00	\$57,005.45
103	Tree Fund	\$78,894.46	\$0.00	\$0.00	\$0.00	\$78,894.46	\$0.00	\$78,894.46
302	Contingency Fund	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00	\$0.00	\$250,000.00
303	Levy Stabilization Fund	\$875,000.02	\$0.00	\$41,666.67	\$0.00	\$916,666.69	\$0.00	\$916,666.69
307	Capital Projects Fund	\$6,087,003.74	\$0.00	\$11,371.44	\$190,553.40	\$5,907,821.78	\$0.00	\$5,907,821.78
401	Development Services Fund	\$887,502.59	\$0.00	\$99,365.92	\$74,597.75	\$912,270.76	\$0.00	\$912,270.76
631	NonRevenue Trust Funds	\$18,703.19	\$0.00	\$106.25	\$72.00	\$18,737.44	\$0.00	\$18,737.44
999	Master Investments	(\$11,347,534.71)	\$11,347,534.71	\$0.00	\$206,703.98	(\$11,554,238.69)	\$11,554,238.69	\$0.00

Cash Position Report as of 10/31/2022

<u>2022 Beginning Cash Balance 9/30/2022</u>		<u>2022 Cash Balance, 10/31/2022</u>	
<u>TOTAL CASH &amp; INVESTMENTS</u>		<u>TOTAL CASH &amp; INVESTMENTS</u>	
Period Ending: 9/30/2022		Period Ending: 10/31/2022	
WA ST INV POOL	\$ 7,349,579	WA ST INV POOL	\$ 7,556,283
OTHER INVESTMENTS	4,000,000	OTHER INVESTMENTS*	4,000,000
CHECKING	325,292	CHECKING	853,737
	<u>\$ 11,674,872</u>		<u>\$ 12,410,020</u>

\*Bond maturity dates:

\$500K bond (Mar 2020)	3/25/2025
\$1M bond (Aug 2020)	8/5/2024
\$1M bond (June 2022)	12/31/2022
\$1M bond (June 2022)	5/31/2023
\$500K bond (June 2022)	12/31/2025



# City of Medina 2022 Budget Vs End of Year Estimates

## Comprehensive Summary:

DESCRIPTION	2020 Actual	2021 Year-end Actuals	2022 Adopted Budget	2022 Year-end Estimates	2023 Adopted Budget	General Fund Year End Carryover Balances
<b>GENERAL FUND</b>						<b>2023</b> <b>Fund Balance</b> <b>Projected, Excess/(Shortfall)</b> <b>\$1,334,896</b>  <b>25% Policy Minimum</b>  <b>\$1,926,207</b>  <b>42.3%</b>
BEGINNING FUND BALANCE	\$ 1,181,753	\$ 2,194,185	\$ 3,373,294	\$ 3,373,294	\$ 3,147,162	
REVENUES	7,983,720	8,952,680	8,270,543	7,672,810	7,818,769	
OPERATING TRANSFERS-IN	-	-	-	-	-	
EXPENDITURES	6,601,288	6,646,440	6,779,723	5,997,415	6,764,827	
OPERATING TRANSFERS-OUT	370,000	1,127,132	1,901,527	1,901,527	940,000	
<i>Year end carryover balance</i>	\$ 2,194,185	\$ 3,373,294	\$ 2,962,587	\$ 3,147,162	\$ 3,261,103	
<b>STREET FUND</b>						
BEGINNING FUND BALANCE	\$ 16,031	\$ 13,778	\$ 81,376	\$ 81,376	\$ 91,871	
REVENUES	65,875	128,931	118,801	111,713	135,166	
OPERATING TRANSFERS-IN	370,000	377,132	401,527	401,527	515,000	
EXPENDITURES	438,128	438,465	520,328	502,745	642,803	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
<i>Year end carryover balance</i>	\$ 13,778	\$ 81,376	\$ 81,376	\$ 91,871	\$ 99,234	
<b>DEV. SERVICES FUND</b>						
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ -	\$ 936,928	
REVENUES	-	-	1,356,895	918,010	1,007,538	
OPERATING TRANSFERS-IN	-	-	1,000,000	1,000,000	-	
EXPENDITURES	-	-	1,179,726	981,082	1,013,297	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
<i>Year end carryover balance</i>	\$ -	\$ -	\$ 1,177,169	\$ 936,928	\$ 931,169	
<b>TREE FUND</b>						
BEGINNING FUND BALANCE	\$ 113,572	\$ 110,072	\$ 86,032	\$ 86,032	\$ 60,342	
REVENUES	-	-	3,075	2,310	3,075	
OPERATING TRANSFERS-IN	-	-	-	-	-	
EXPENDITURES	3,500	24,040	40,000	28,000	40,000	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
<i>Year end carryover balance</i>	\$ 110,072	\$ 86,032	\$ 49,107	\$ 60,342	\$ 23,417	
<b>LEVY STABILIZATION FUND</b>						
BEGINNING FUND BALANCE	\$ -	\$ -	\$ 500,000	\$ 500,000	\$ 1,000,000	
OPERATING TRANSFERS-IN	-	500,000	500,000	500,000	500,000	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
<i>Year end carryover balance</i>	\$ -	\$ 500,000	\$ 1,000,000	\$ 1,000,000	\$ 1,500,000	
<b>CAPITAL PROJECTS FUND</b>						
BEGINNING FUND BALANCE	\$ 2,049,772	\$ 3,281,736	\$ 5,073,214	\$ 5,073,214	\$ 6,102,797	
REVENUES	1,841,084	2,443,145	2,086,618	2,035,700	1,253,265	
OPERATING TRANSFERS-IN	-	-	-	-	-	
EXPENDITURES	609,120	651,667	1,510,000	1,006,117	1,090,000	
OPERATING TRANSFERS-OUT	-	-	-	-	75,000	
<i>Year end carryover balance</i>	\$ 3,281,736	\$ 5,073,214	\$ 5,649,832	\$ 6,102,797	\$ 6,191,062	
<b>CONTINGENCY FUND</b>						
BEGINNING FUND BALANCE	\$ -	\$ -	\$ 250,000	\$ 250,000	\$ 250,000	
REVENUES	\$ -	\$ -	\$ -	\$ -	\$ -	
OPERATING TRANSFERS-IN	\$ -	\$ 250,000	\$ -	\$ -	\$ -	
OPERATING TRANSFERS-OUT	\$ -	\$ -	\$ -	\$ -	\$ -	
<i>Year end carryover balance</i>	\$ -	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	
<b>TOTAL ALL FUNDS BUDGET</b>						
BEGINNING FUND BALANCE	\$ 3,361,128	\$ 5,599,771	\$ 9,395,381	\$ 9,395,381	\$ 11,589,100	
REVENUES	9,890,679	11,518,257	11,835,932	10,740,542	10,217,812	
OPERATING TRANSFERS-IN	370,000	1,127,132	1,901,527	1,901,527	1,015,000	
EXPENDITURES	7,652,036	7,722,647	10,029,777	8,515,359	9,550,927	
OPERATING TRANSFERS-OUT	370,000	1,127,132	1,901,527	1,901,527	1,015,000	
<i>Year end carryover balance</i>	\$ 5,599,771	\$ 9,395,381	\$ 11,201,536	\$ 11,620,565	\$ 12,255,985	

**General Fund and Street Fund:**

Revenue

General Fund revenue makes up a large portion of what the city brings in each year, and with the good majority of City Departments falling within the fund, most of Medina’s expenditures as well. The general fund includes the Police Department, Central Services, Finance, Parks and more (green tabs on excel budget sheet). Please note while the Street Fund is separate on the accounting side, it has been included here as over 75% of its revenue consists of transfers from the General Fund.

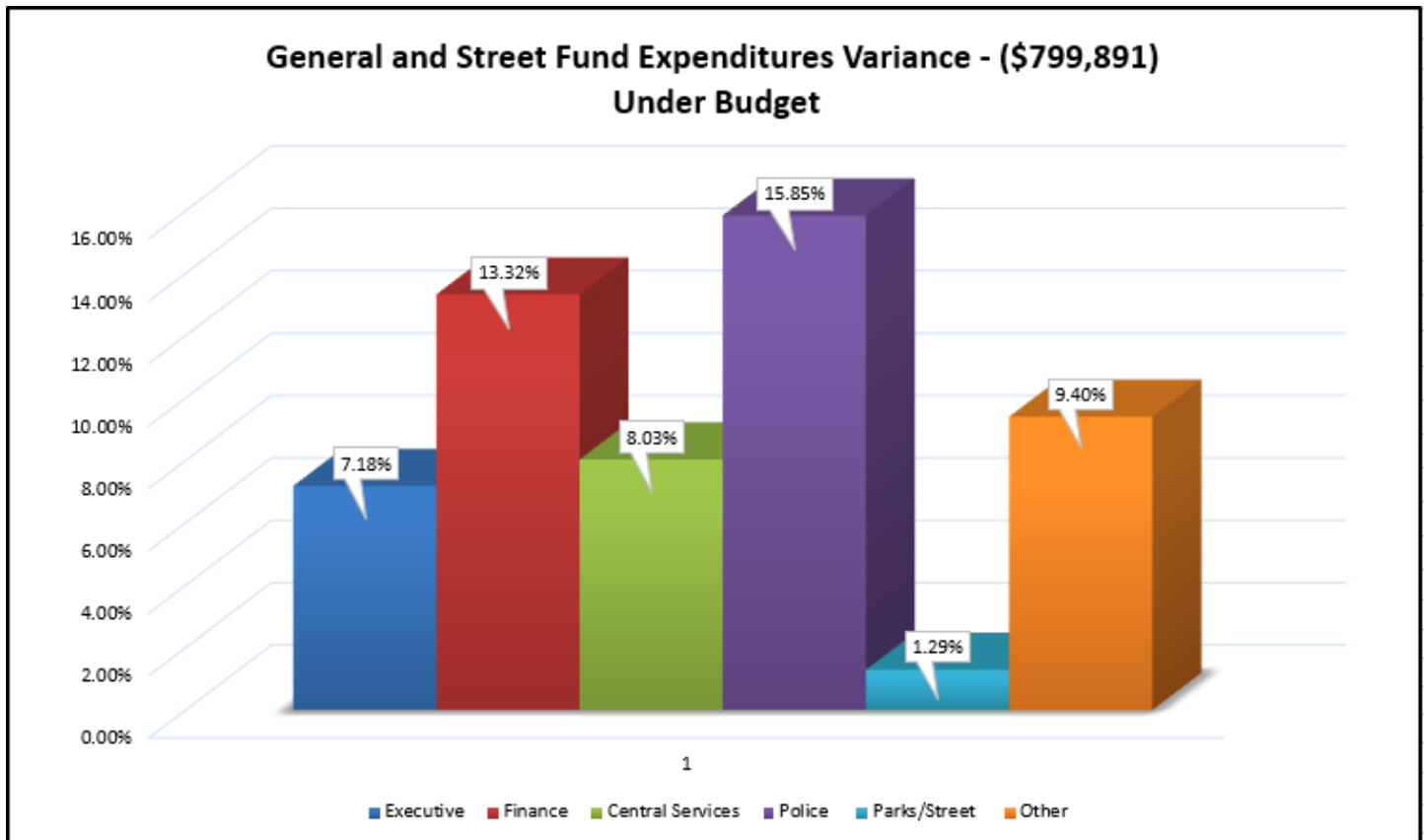
General Fund Revenue is projected to have been overestimated for 2022, with an estimated deficit of **(\$597,733)**. The following line items are the main reason for the deficit.

- **(\$400,000)** Passport Services
- **(\$100,000)** Contributions and Donations

With the rise in interest rates over the course of 2022, the City has been able to utilize the Bond market and our LGIP Investment account to improve our Investment Earnings. We project around \$125,000 in 2022 with \$50,000 being allocated to the General Fund. This is well over **700%** more than expected this year and helps to cover our revenue shortfalls elsewhere.

Expenditures

With the projected revenue deficit, it was important in 2022 for staff to be conservative with spend across all departments. Based on actuals for our first three quarters and conversing with the City Directors, we estimate that each department will be giving money back in 2022. The graphic below highlights the percentage each department is under budget.



## Budget Variances of Note by Department:

### Legislative

(Medina Days) - \$24,870 No firework or barge spend in 2022

### Executive

(Professional Services) - \$34,872 Financial Consultant for Director position under budget

### Central Services

(Repairs and Maintenance) – \$26,130 City Hall maintenance costs scaled back in 2022

(Postage/Telephone) – \$5,900 Dependent on amount of mail sent out, hard to anticipate

(Technical Services) – \$57,772 Special projects moved to 2023 with contracted IT firm

(Advertising) – \$7,727 Multiple job postings in 2022, for unplanned employee turnover

(Professional Services) - \$22,480 Laserfiche contract to be paid in Q4 2022, approved by Council

(Postcard/ Public Info) - \$3,740 At Council direction, more public communication was sent for PW and DS

### Police Department

(Education) - \$8,995 Significant backpay of an employee for previously earned degree

(Uniforms) - \$17,000 2 new officers, new Chief, new Captain, new Sergeant

(Vehicle Exp.) - \$9,000 Unanticipated increase in fuel prices drove up gasoline expenses

(Jail Service) - \$12,000 Less activity in 2022

(Surveillance Cameras) - \$335,000 Looking to lease system instead of buying

### Legal

(Special Council) - \$49,716 Spent less than expected on new labor contracts

### Parks and Street

(Overtime) - \$5,214 Heavy traffic in summer months requiring overtime on weekends for trash cleanup

(Professional Services) - \$22,000 Horticultural Elements Sales Tax Invoice 2017-2022 Backpay

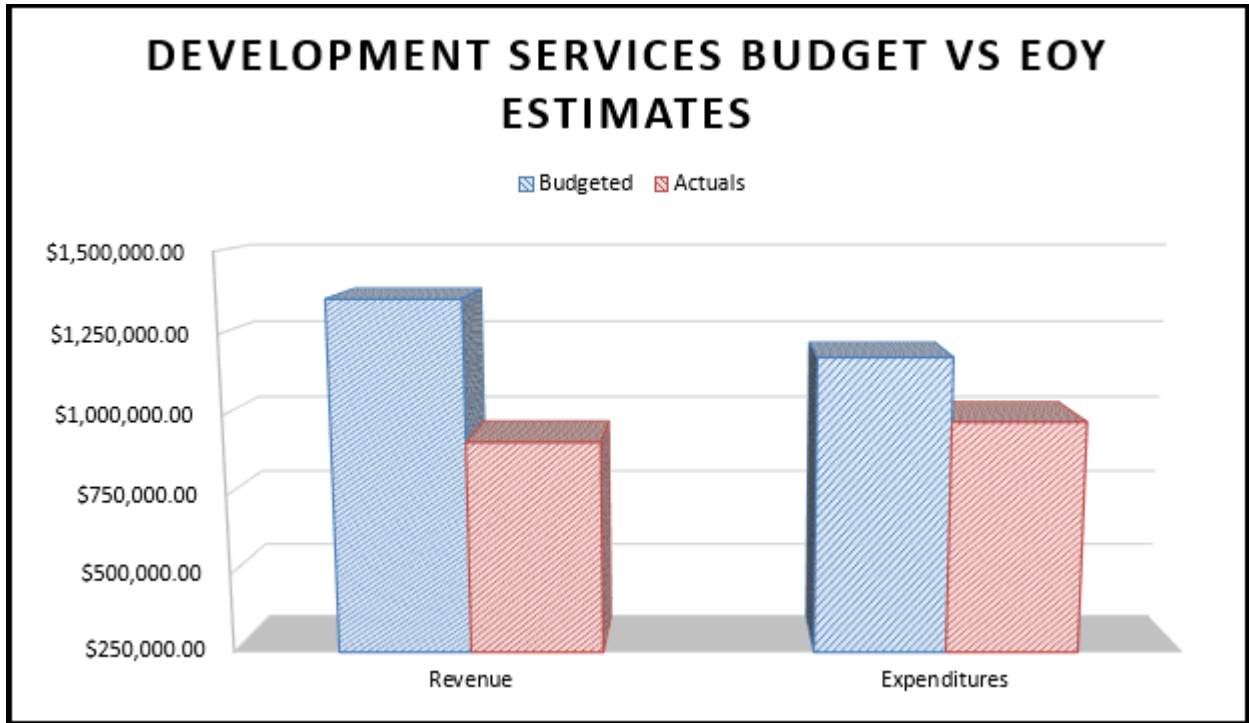
(Pro Services NPDES Grant) - \$30,000 True cost less than expected for 2022

(Street Irrigation Utilities) - \$15,000 True cost less than expected for 2022

**Development Services:**

2022 was the first year of the Development Services Department’s Enterprise Fund. The Government Accounting and Standards Board (GASB) has pronounced that if any service or program’s principal revenue source has a pricing policy that fees and charges be set to recover cost meets the criteria to be reported as a separate “Enterprise Fund”. The City, to meet its goal of greater transparency, decided to extract the Development Services Department’s related revenues, expenses (direct and allocated) and customer deposits from the General Fund and place them in a newly created Development Services Fund.

\$400K was allocated from the General Fund at the beginning of 2022 to start the fund. Revenues is projected to be down around **\$438K** from what was budgeted in 2022. Learning from this the 2023 preliminary budget shows a much more conservative prediction of revenue based on trends and contractor feedback. With the decrease in revenue, the Development Services staff has worked hard to limit unnecessary spending to make sure to carry a positive fund balance into 2023. The department is under budget on the expenditure side by a projected **\$199K**.



With the unplanned for downturn in permit and fee revenue, we expect to use \$63K out of the \$400K allocated from the General Fund in 2022 to cover costs. This will leave us with about \$337K left in the Development Services fund for 2023. With more conservative revenue numbers and a reallocation of a .5 FTE away from the department, we will continue to monitor the enterprise fund over the next few years to determine longtime viability.

**Capital Fund:**

	Budgeted	EOY Estimate	Variance
Revenue	\$2,086,618.40	\$2,035,699.84	-2.4%
Expenditures	\$1,510,000.00	\$1,006,117.00	-33.37%
2022 Increase in Capital- \$1,029,582.84			

Revenue

**REET:**

Down 16% from what was budgeted for in 2022, still expected to bring in around \$1.35M this year

**Grants:**

ARPA – 2<sup>nd</sup> Payment received in 2022 for \$459K with \$375K going towards capital for storm water infrastructure projects

Transportation Improvement Board (TIB) - \$36,405 for City Wide Crack Seal project

Transportation Improvement Board (TIB) - \$192,356 for NE 7<sup>th</sup> Street Overlay, 84th Ave NE to Overlake Dr

**Investment Earnings:**

Up 322% from what was budgeted for in 2022, bringing an expected \$76K to the Capital Fund

Expenditures

**Park Improvements:**

\$10K overspend due to shortage of wood chips and unforeseen waste disposal fees

**Street Improvement Overlays:**

\$270K estimated spend in 2022, with a large portion being covered by TIB Grant

**Stormwater Drainage Improvements:**

40% Estimated spend under budget for 2022, large portion of cost covered by ARPA Grant

**Sidewalk Improvements:**

98% Estimated spend under budget for 2022, projects and cost deferred to 2023



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
 TELEPHONE 425-233-6400 | www.medina-wa.gov

**Date:** November 14, 2022  
**To:** Honorable Mayor and City Council  
**Via:** Stephen R. Burns, City Manager  
**From:** Aimee Kellerman, City Clerk  
**Subject:** Central Services Department Monthly Report

## NOVEMBER AND DECEMBER PUBLIC MEETINGS AND EVENTS

<b>Event</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
Planning Commission Special Meeting	Nov 15	6:00 pm	In-Person/Online
Park Board Meeting	Nov 21	5:00 pm	In-Person/Online
Thanksgiving Holiday – <b>City Hall Closed</b>	Nov 24		
Day After Thanksgiving Holiday – <b>City Hall Closed</b>	Nov 25		
City Council Meeting – Tentative	Nov 38	5:00 pm	In-Person/Online
City Council Meeting	Dec 12	5:00 pm	In-Person/Online
Annual Argosy Christmas Ships	Dec 22	5:00 pm – 6:30 pm	Medina Beach Park
Christmas Day Observed - <b>City Hall Closed</b>	Dec 26		

*Meetings are publicly noticed on the City’s three official notice boards, City website, and via GovDelivery. Occasionally notices require publication in the City’s official newspaper, The Seattle Times. Public meetings scheduled after publication of this report can be found on the City’s website.*

## COMMUNICATION TO OUR COMMUNITY

**E-Notice Program:** During the month of October, the City issued 28 bulletins amounting to a total of 119,181 bulletins delivered to subscribers; approximately 18.1% were opened. See **Attachment 1**.

As of October 31, the city had 13,614 subscribers (change in total subscribers **+310**), with a combined total of 122,773 subscriptions (change in total subscriptions **+3,247**).

## RECORDS REQUESTS

As of October 31, 7 public records requests have been received by Central Services. See **Attachment 2**.

**ATTACHMENT 1**

	<b>Bulletins Developed</b>	<b>Total Recipients</b>	<b>Total Delivered</b>	<b>Unique Email Opens</b>	<b>Email Open Rate</b>	<b>Wireless Recipients</b>
Comparisons:						
October, 2022	28	131,830	119,181	15,287	18.10%	41,173
September, 2022	18	71,635	64,845	8,554	18.20%	21,385
August, 2022	13	65,817	60,494	8,916	19.90%	18,579
July, 2022	17	66,926	61,741	8,809	18.5%	16,757
June, 2022	38	170,001	156,176	17,192	15.00%	48,346
May, 2022	21	93,246	86,088	9,650	14.8%	24,298
April, 2022	31	166,938	154,946	17,108	14.70%	45,327
March, 2022	21	108,426	100,766	11,437	15.00%	28,354
February, 2022	17	48,354	44,691	4,260	11.80%	10,350
January, 2022	25	101,589	94,429	10,651	14.20%	23,288
December, 2021	32	193,448	180,037	18,165	13.10%	49,149
November, 2021	27	100,179	93,226	7,593	10.20%	22,569
October, 2021	37	124,366	118,068	9,230	8.60%	21,579
September, 2021	25	86,280	80,364	6,546	10.10%	18,846
<b>Date Sent</b>	<b>Top 10 Most Read Bulletins During October</b>				<b>Emails Opened</b>	<b>Email Open Rate</b>
10/06/2022 04:10 PM PDT	Medina Emergency Preparedness Committee Meeting (Virtual) Wednesday, October 12, at 4:00 pm				1,589	20%
10/07/2022 03:09 PM PDT	NE 7th - Road & Storm Improvements				1,196	16%
10/11/2022 03:55 PM PDT	UPDATE - NE 7th - Road & Storm Improvements				1,226	16%
10/12/2022 02:17 PM PDT	Rescission of City of Medina Proclamation of Local Emergency Coronavirus/COVID-19				1,382	17%
10/14/2022 11:10 AM PDT	Community Bulletin - I-90 Westbound Closure - Traffic Implications				1,704	19%
10/14/2022 01:31 PM PDT	E-lert - COMING UP - Shredder Day Saturday, October 29th, 9-12 Noon at Medina Park (NE 12th St)				1,639	17%
10/19/2022 02:52 PM PDT	Community Bulletin - Westbound SR-520 & Trail Weekend Closure				1,757	19%
10/25/2022 03:10 PM PDT	Notice of Public Hearing - 2023 Proposed Annual Budget November 14, 2022				1,215	16%
10/26/2022 04:05 PM PDT	E-lert - COMING UP - Shredder Day Saturday, October 29th, 9-12 Noon at Medina Park (NE 12th St)				1,630	18%
10/31/2022 12:14 PM PDT	Notice of Public Hearing - 2023 Property Tax Levy - November 14, 2022				1,300	16%

**ATTACHMENT 2**

501 EVERGREEN POINT ROAD • P.O. BOX 144 • MEDINA, WA 98039-0144  
TELEPHONE (425) 233-6400 • FAX (425) 451-8197 • [www.medina-wa.gov](http://www.medina-wa.gov)

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DATE: November 14, 2022  
TO: Mayor and City Council  
From: Aimee Kellerman, City Clerk  
Subject: October 2022, Public Records Request Tracking

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In October 2022, Central Services staff received **7** new public records requests. These requests required approximately **6.5 hours** of Central Services staff time and **0 hours** of consulting time with the City Attorney. The overall October cost, which includes staff hourly rate plus benefits and City Attorney fees is approximately **\$380**.

In addition, the police department receives public records requests specific to police business that require records research and information distribution. In October 2022, the Police Department received **12** new records requests. These requests required approximately **1.25 hours** of staff time and **1.3 hours** of consulting time with the City Attorney. The overall October cost, which includes staff hourly rate plus benefits is approximately **\$455**. The requests are from outside law enforcement agencies, insurance carriers, the public and persons involved in the incidents.



# October 2022 Monthly PRR Report

## ATTACHMENT 2

Run Date: 11/07/2022 9:05 AM

Assigned Dept	Create Date	Reference No	Request Type	Required Completion Date	Summary	Customer Full Name	PRR - Type of Records Requested	Public Record Desired	Assigned Staff
Central Services	10/7/2022	<a href="#">P002534-100722</a>	Public Records Request	11/1/2022	Public Records Request	Request for List of Code Enforcement violations / abandoned homes Rez De	Building	Request for List of Code Enforcement violations and list of abandoned homes	Dawn Nations
Central Services	10/10/2022	<a href="#">P002535-101022</a>	Public Records Request	10/19/2022	Public Records Request	Braden Mineer	Building	Requesting a report of all issued and pending building permits for residential & commercial properties from 9/1/2022 to 9/30/2022. Report to include if possible: permit number, issue date, site addresses, valuation of project, description of work, contractor information and owner name.	Dawn Nations
Central Services	10/13/2022	<a href="#">P002538-101322</a>	Public Records Request	10/24/2022	Public Records Request	Boaz Dillon	Human Resources	To whom it may concern, In accordance with Chapter 42.56 RCW, I'd like to submit the following request for public records on behalf of the Freedom Foundation. Specifically, I am seeking: 1.A copy of the collective bargaining agreement(s) currently in effect between the City of Medina and the Teamsters Local Union No. 763. 2.A copy of the collective bargaining agreement currently in effect between the City of Medina and the Medina Patrol Officers Collective. It is my preference to receive responsive records electronically. Please don't hesitate to let me know if you have any questions regarding this request.	Dawn Nations

ATTACHMENT 2

Central Services	10/14/2022	<a href="#">P002540-101422</a>	Public Records Request	10/25/2022	Public Records Request	Architect Pam Suttle	Building	Can you look in your records for an original grade report for the old Applegate permit BO 52710-2782, date of issue 6-17-10. Our Feinstei new garage addition project needs this report and we do not want to duplicate the expense or work that has already been done. I believe the report was done by Moran Geotechnical Consultants, but I could be wrong on that note.	Dawn Nations
Central Services	10/18/2022	<a href="#">P002544-101822</a>	Public Records Request	10/27/2022	Public Records Request	Ike Fischer	Building	Building Plans for 1525 79th PI NE	Craig Fischer
Central Services	10/25/2022	<a href="#">P002548-102522</a>	Public Records Request	11/3/2022	Public Records Request	HEIDI SCHMITTEN	Building	Building plans for 560 Overlake Drive Medina Parcel # B83550-1914	Dawn Nations
Central Services	10/25/2022	<a href="#">P002550-102522</a>	Public Records Request	11/3/2022	Public Records Request	Tax Researcher Rita Littman	Finance	Does your City still have a Municipal Utility Tax for Phone, Electric, Gas & Cable @ 6%? Does your City have any plans to have a B&O Tax on Telecom which would be for Retail and Services? Does your City have any plans to levy a B&O Tax on occupations other than Telecom such as Retail and Services? Does your City still have a non-company specific/generic Cable Franchise Fee @ 4%? Does your City have any remittance form for any of these taxes or fees? Do you expect any changes?	Aimee Kellerman



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | [www.medina-wa.gov](http://www.medina-wa.gov)

**Date:** November 14, 2022  
**To:** Honorable Mayor and City Council  
**Via:** Stephen R. Burns, City Manager  
**From:** Ryan Osada, Public Works Director  
**Subject:** Public Works Monthly Report

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- 1. TREE DONATION SERVICES** – The city provides opportunities to donate a tree which can be planted in the parks or other landscaped areas. The donor will meet with Public Works to discuss location and tree species that will work for the situation. This is explained on the city’s website under “memorial donation process”. The cost of the tree, plaque and delivery is paid by the participant and the city provides “soft” cost services.



2. **CITY HALL BALCONY REPAIRS** – Public Works removed panels under the City Hall Balcony to investigate repair scope. After meeting with a structural engineer, the water damage seems to be isolated to the west side posts. So far, the repairs will include post replacement, railing restoration and deck resurfacing. However, further investigation is needed to develop a full scope of work.



**3. AC WATERMAIN REPLACEMENT** – Karvel Construction has made a lot of progress replacing the mainline on NE 14<sup>th</sup> Street. The next step is to connect individual service lines to the new mainline. This scope of work is more time consuming since coordinating water shut-off with residents can be challenging. Karvel’s most recent schedule has them on Evergreen Point Road in December and 79<sup>th</sup> PI NE after the new year.



4. **MAINTENANCE** - Over the last month, Public Works maintenance has been taking advantage of the dry weather, cleaning the pond outfalls and grading low areas in the parks. They have also trimmed roadside vegetation as requested through the city’s outreach portal. Catch Basin cleaning is another priority this time of year with the coming rainy season. In addition, Public Works will start preparing for winter weather by stocking up on sand and salt.





## 5. PROJECT UPDATES -

**2015 Medina Park Stormwater Pond Imp.** – Dredging is tentatively planned for summer of 2024

**2017 Medina Beach Park Tree Replanting** – Phase III tree planting.

**Medina Park Playground Improvements** – completed

**Post Office Floor Replacement** – Our public works staff will evaluate the subfloor structure and recommended replacement scope.

**Citywide Stormwater System Mapping & Evaluation** – G&O has completed most of the mapping. We are currently working on scoping and mapping the storm infrastructure that is located on several private properties.

**2022 Hazardous Tree Removal** – completed

**NE 12th Street Sidewalk Improvements & Undergrounding** – Finalizing 90% construction drawings. Still waiting for final drawings for luminaire locations. First round of notices was sent to residents along the corridor. *Revised construction schedule Summer 2023.*

**77<sup>th</sup> Ave NE Stormwater Repair** – completed

**TIB\_NE 7th Street Overlay – 84th Ave NE to Overlake Dr** – completed

**77th Ave NE Storm Repair Phase 2 & Phase 3** – completed

**2022 Localized Repair\_Stormwater** – site added on Overlake Dr E - completed

**2022 City Hall Repairs – Miscellaneous** – Balcony – in review

**77<sup>TH</sup> Ave NE Sidewalk & Curb Ramp Imp.** – reevaluating scope of work



October 2022 Check Register Report

Vendor	Invoice Number	Expense Notes	Invoice Amount	Check Number	Check Date	Account Number	Account Description
WA ST Dept of Revenue	October 2022 JE #2005 Q2 2022 Leasehold Tax Return	Q2 2022 Leasehold Tax Return filed in Q3	\$2,981.81 <b>\$2,981.81</b>	EFT Payment 11/9/2022 9:46:48 AM - 1	10/31/2022	001-000-000-317-20-00-00	Leasehold Excise Tax
Puget Sound Regional Council	Invoice - #2023048	PSRC	\$719.00 <b>\$719.00</b>	64116	10/10/2022	001-000-000-511-60-41-01	Legislative Activities- Regional/Intergovt
Una McAlinden	October 2022 City Council Retreat	Council Retreat Facilitator	\$2,000.00 <b>\$2,000.00</b>	64125	10/10/2022	001-000-000-511-60-43-00	Travel & Training
US Bank	Nations CC Statement October 2022	Donuts for Sergeant Celebration	\$48.00 <b>\$48.00</b>	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-511-60-49-00	Miscellaneous
Kirkland Municipal Court	Invoice - #SEP22MED	August 2022 Filing Fees	\$749.28	64109	10/10/2022	001-000-000-512-50-40-10	Municipal Court-Traffic/NonTrf
Kirkland Municipal Court	Invoice - #JUN22MED	Filing Fees	\$790.89 <b>\$1,540.17</b>	64169	10/25/2022	001-000-000-512-50-40-10	Municipal Court-Traffic/NonTrf
Moberly & Roberts, PLLC	Invoice - #1061	City Prosecutor	\$4,000.00 <b>\$4,000.00</b>	64112	10/10/2022	001-000-000-512-50-41-10	Prosecuting Attorney
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$575.21)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-513-10-11-00	Salaries & Wages
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$37.11)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-513-10-11-16	ICMA 457 Plan
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$8.68)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-513-10-21-50	Auto Allowance
Sound View Strategies, LLC	Invoice - #2764	SR520 Consultant	(\$621.00) \$3,000.00 <b>\$3,000.00</b>	64161	10/20/2022	001-000-000-513-10-41-00	Professional Services
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$253.33)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-514-20-11-00	Salaries & Wages
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$16.72)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-514-20-11-16	ICMA 457 Plan
Employment Security Dept	October 2022 JE #2012 Adjusting Entry for PFML Benefits Variance	Adjusting Entry for PFML Benefits Variance	\$0.29 <b>\$0.29</b>	20100967-October 2022 Benefits Variance (ESD)	10/31/2022	001-000-000-514-20-21-00	Personnel Benefits
AWC Employee Benefit Trust	October 2022 JE #2013 Adjusting Entry for AWC Benefits Variance	Adjusting Entry for AWC Benefits Variance	\$0.01 <b>\$0.01</b>	20100967-October 2022 Benefits Variance	10/31/2022	001-000-000-514-20-21-00	Personnel Benefits
WA ST Dept of L&I	October 2022 JE #2009 Adjusting Entry for L&I Benefits Variance	Adjusting Entry for L&I Benefits Variance	\$12.30 <b>\$12.30</b>	20100967-October 2022 Benefits Variance (L&I)	10/31/2022	001-000-000-514-20-21-00	Personnel Benefits
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$0.95) <b>(\$0.95)</b>	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-514-20-21-17	Opt-Out Of Medical
Navia Benefit Solutions	Invoice - #10517276	Monthly Flex Fees	\$50.00 <b>\$50.00</b>	64113	10/10/2022	001-000-000-514-20-49-10	Miscellaneous
US Bank	October 2022 JE #2011 Bank Fees	October 2022 Bank Fees	\$238.43 <b>\$238.43</b>	20100967-October 2022 Bank Fees	10/31/2022	001-000-000-514-20-49-10	Miscellaneous
Stewart MacNichols Harmell, Inc., PS	For August 2022 Public Defender Services	August 2022 Public Defender Services	\$250.00 <b>\$250.00</b>	64120	10/10/2022	001-000-000-515-91-40-00	Public Defender
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$332.35)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-518-10-11-00	Salaries & Wages
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$3.48)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-518-10-11-11	Longevity
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$1.07)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-518-10-11-14	Education
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$2.19)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-518-10-11-16	ICMA 457 Plan
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$17.91)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-518-10-11-17	Opt-Out Medical
Konica Minolta Premier Finance	Invoice - #77700498	CH Copier	\$1,751.89	EFT Payment 10/7/2022 10:33:56 AM - 1	10/10/2022	001-000-000-518-10-31-00	Office And Operating Supplies
Konica Minolta Premier Finance	Invoice - #77687632	PW Copier	\$100.94	EFT Payment 10/7/2022 10:33:56 AM - 1	10/10/2022	001-000-000-518-10-31-00	Office And Operating Supplies
Konica Minolta Premier Finance	Invoice - #77342726	PW Printing Services	\$91.54	EFT Payment 10/7/2022 10:33:56 AM - 1	10/10/2022	001-000-000-518-10-31-00	Office And Operating Supplies
Konica Minolta Premier Finance	Invoice - #77235506	CH Printing Services	\$285.32 <b>\$2,229.69</b>	EFT Payment 10/7/2022 10:33:56 AM - 1	10/10/2022	001-000-000-518-10-31-00	Office And Operating Supplies
Staples Business Advantage	Invoice - #3519590472	CH Supplies	\$19.26	64163	10/20/2022	001-000-000-518-10-31-00	Office And Operating Supplies
Staples Business Advantage	Invoice - #3519590468	CH Supplies	\$15.94	64163	10/20/2022	001-000-000-518-10-31-00	Office And Operating Supplies
Staples Business Advantage	Invoice - #3519590473	CH Supplies	\$6.59	64163	10/20/2022	001-000-000-518-10-31-00	Office And Operating Supplies
Staples Business Advantage	Invoice - #3519590470	CH Supplies	\$161.38 <b>\$203.17</b>	64163	10/20/2022	001-000-000-518-10-31-00	Office And Operating Supplies
Pitney Bowes Global Financial Services LLC	Invoice - #3316387290	Postage Meter Lease	\$451.45 <b>\$451.45</b>	64156	10/20/2022	001-000-000-518-10-31-00	Office And Operating Supplies
US Bank	Nations CC Statement October 2022	Office Supplies - Labels for Label Maker	\$22.09	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-10-31-00	Office And Operating Supplies
US Bank	Nations CC Statement October 2022	Office Supplies - Laptop Cooling Pad	\$15.90	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-10-31-00	Office And Operating Supplies
US Bank	Nations CC Statement October 2022	Office Supplies - USB Drives for PRA	\$54.07	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-10-31-00	Office And Operating Supplies
US Bank	Nations CC Statement October 2022	Card for Sergeant	\$5.06	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-10-31-00	Office And Operating Supplies
US Bank	Nations CC Statement October 2022	Office Supplies - Toner for Finance Department	\$103.86	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-10-31-00	Office And Operating Supplies
US Bank	Nations CC Statement October 2022	Microphone for Chambers Testing	\$11.04 <b>\$212.02</b>	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-10-31-00	Office And Operating Supplies
Pro-shred	Invoice - #57263	CH Shredding Service	\$55.66	64114	10/10/2022	001-000-000-518-10-41-00	Professional Services
Pro-shred	Invoice - #56855	CH Shredding Service	\$55.66 <b>\$111.32</b>	64114	10/10/2022	001-000-000-518-10-41-00	Professional Services
CivicPlus, LLC	Invoice - #241454	MMC Update	\$1,360.00 <b>\$1,360.00</b>	64143	10/20/2022	001-000-000-518-10-41-00	Professional Services
Centurylink	For Services from September 7 to October 7, 2022	CH Terminal	\$174.64 <b>\$174.64</b>	64099	10/10/2022	001-000-000-518-10-42-00	Postage/Telephone
JR Mailing Services, Inc.	Invoice - #23738	Vegetation Postcards	\$756.60 <b>\$756.60</b>	64150	10/20/2022	001-000-000-518-10-42-00	Postage/Telephone
Kellerman, Aimee	September 2022 Kellerman Expense Reimbursement	Washington Municipal Clerks Association Fall Conference	\$165.00 <b>\$165.00</b>	EFT Payment 10/7/2022 8:58:17 AM - 1	10/10/2022	001-000-000-518-10-43-00	Travel & Training
Fischer, Craig T	October 2022 Fischer Expense Reimbursement	Vision Municipal Solutions Annual Users Conference	\$572.00 <b>\$572.00</b>	EFT Payment 10/20/2022 12:59:44 PM - 1	10/20/2022	001-000-000-518-10-43-00	Travel & Training

US Bank	Nations CC Statement October 2022	Clerks Training - Dinner (Kellerman and Nations)	\$38.36	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-10-43-00	Travel & Training
US Bank	Nations CC Statement October 2022	Clerks Training - Lodging and Food	\$274.66	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-10-43-00	Travel & Training
			<b>\$313.02</b>				
Daily Journal of Commerce	Invoice - #3381840	Call for Bid Audio/Video Contractor	\$201.40	64102	10/10/2022	001-000-000-518-10-44-00	Advertising
			<b>\$201.40</b>				
Seattle Times, The	Invoice - #27316	Legal Notices	\$223.11	64118	10/10/2022	001-000-000-518-10-44-00	Advertising
			<b>\$223.11</b>				
Puget Sound Energy	For Services from August 19 to September 20, 2022 (501 Evergreen CH Utilities Gas/Electric		\$1,485.69	64115	10/10/2022	001-000-000-518-10-47-00	Utility Serv-Elec,Water,Waste
			<b>\$1,485.69</b>				
Spot-On Print & Design	Invoice - #57431	Vegetation Postcard	\$180.56	64162	10/20/2022	001-000-000-518-10-49-30	Postcard, Public information
			<b>\$180.56</b>				
US Bank	Kellerman CC Statement October 2022	Public Storage	\$947.00	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-30-45-00	Facility Rental
US Bank	Kellerman CC Statement October 2022	Public Storage	\$947.00	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-30-45-00	Facility Rental
			<b>\$1,894.00</b>				
Home Depot Credit Services	August 2022 Drywall Anchors for City Hall	Drywall Anchors for City Hall	\$9.20	64104	10/10/2022	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
			<b>\$9.20</b>				
Buenavista Services, Inc	Invoice - #10080	Janitorial Services/Parks Restrooms	\$1,158.62	64140	10/20/2022	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
Buenavista Services, Inc	Invoice - #10081	Janitorial Services/CH and PO	\$2,037.75	64140	10/20/2022	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
Buenavista Services, Inc	Invoice - #10100	CH Janitorial Supplies	\$1,296.93	64140	10/20/2022	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
			<b>\$4,493.30</b>				
Statewide Security	Invoice - #214548	Quarterly/Fire Alarm Monitoring	\$749.78	64164	10/20/2022	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
			<b>\$749.78</b>				
TIG Technology Integration Group	Invoice - #5478850	Duo Subscription	\$16.52	64165	10/20/2022	001-000-000-518-80-31-00	IT HW, SW, Operating Supplies
			<b>\$16.52</b>				
Message Watcher, LLC	Invoice - #49679	Email, Website, SM Archiving	\$237.30	64111	10/10/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$237.30</b>				
8X8, Inc.	Invoice - #3569214	CH Phones	\$911.31	64094	10/10/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$911.31</b>				
King County Treasury	Invoice - #11012798	KC INET	\$375.00	64108	10/10/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$375.00</b>				
TIG Technology Integration Group	Invoice - #60211	IT Managed Services	\$10,619.78	64165	10/20/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$10,619.78</b>				
CivicPlus, LLC	Invoice - #242968	Agenda Management Software	\$3,743.40	64143	10/20/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$3,743.40</b>				
AV Capture All, Inc.	Invoice - #2722	Meeting Recording Software	\$3,303.00	64134	10/20/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$3,303.00</b>				
King County Treasury	Invoice - #11012902	KC INET	\$375.00	64152	10/20/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$375.00</b>				
US Bank	Kellerman CC Statement October 2022	Web Services for Internet Logs	\$0.29	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-80-41-50	Technical Services, Software Services
US Bank	Kellerman CC Statement October 2022	Web Services for Internet Logs	\$0.29	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$0.58</b>				
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$822.70)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-521-20-11-00	Salaries & Wages
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$7.29)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-521-20-11-11	Longevity
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$1.15)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-521-20-11-14	Education
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$48.94)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-521-20-11-16	ICMA 457 Plan
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$45.98)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-521-20-11-17	Opt-Out Of Medical
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$0.77)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-521-20-11-18	Night Shift Differential
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$1.12)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-521-20-11-19	2% Physical Fitness Incentive
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$27.26)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-521-20-12-00	Overtime
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	\$0.00	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-521-20-21-00	Personnel Benefits
			<b>(\$955.21)</b>				
Michael & JJ, LLC	Invoice - #1284	PD Dry Cleaning	\$412.38	64153	10/20/2022	001-000-000-521-20-22-00	Uniforms
			<b>\$412.38</b>				
911 Supply Inc	Invoice - #INV-2-22769	Uniform - Gidlof	\$340.21	64129	10/20/2022	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	Invoice - #INV-2-22768	Uniform - Gidlof	\$358.65	64129	10/20/2022	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	Invoice - #INV-2-22800	Uniform - Gidlof	\$49.37	64129	10/20/2022	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	Invoice - #INV-2-22682	Uniform-Hadland	\$60.54	64129	10/20/2022	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	Invoice - #INV-2-22680	Uniform - Anderson	\$94.69	64129	10/20/2022	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	Invoice - #INV-2-22770	Uniform - Gidlof	\$340.20	64129	10/20/2022	001-000-000-521-20-22-00	Uniforms
			<b>\$1,243.66</b>				
US Bank	Gidlof CC Statement October 2022	Police Pants	\$79.99	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-22-00	Uniforms
US Bank	Gidlof CC Statement October 2022	Uniform/Boots	\$519.60	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-22-00	Uniforms
US Bank	Gidlof CC Statement October 2022	Key Ring Holder	\$14.74	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-22-00	Uniforms
US Bank	Gidlof CC Statement October 2022	Pant - Anderson	\$154.14	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-22-00	Uniforms
US Bank	Gidlof CC Statement October 2022	Uniform Pants	(\$237.81)	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-22-00	Uniforms
			<b>\$530.66</b>				
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$0.29)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-521-20-23-00	Tuition
			<b>(\$0.29)</b>				
Staples Business Advantage	Invoice - #3517935537	PD Office Supplies	\$4.39	64119	10/10/2022	001-000-000-521-20-31-00	Office Supplies
Staples Business Advantage	Invoice - #3519590464	PD Office Supplies	\$110.75	64119	10/10/2022	001-000-000-521-20-31-00	Office Supplies
Staples Business Advantage	Invoice - #3517935536	PD Office Supplies	\$29.87	64119	10/10/2022	001-000-000-521-20-31-00	Office Supplies
			<b>\$145.01</b>				
A&H Embroidery	Invoice - #16135	Admin/Office Uniform	\$394.43	64095	10/10/2022	001-000-000-521-20-31-00	Office Supplies
			<b>\$394.43</b>				
Staples Business Advantage	Invoice - #3519590466	PD Office Supplies	\$16.50	64119	10/10/2022	001-000-000-521-20-31-00	Office Supplies
Staples Business Advantage	Invoice - #3520663876	PD Office Supplies	\$105.67	64163	10/20/2022	001-000-000-521-20-31-00	Office Supplies
Staples Business Advantage	Invoice - #3520663875	PD Office Supplies	\$176.84	64163	10/20/2022	001-000-000-521-20-31-00	Office Supplies

Staples Business Advantage	Invoice - #3520663878	Office Supplies (Kitchen)	\$67.85	64163	10/20/2022	001-000-000-521-20-31-00	Office Supplies
			<b>\$366.86</b>				
A&H Embroidery	Invoice - #16171	Baseball Caps-Medina Logo	\$29.70	64130	10/20/2022	001-000-000-521-20-31-00	Office Supplies
			<b>\$29.70</b>				
US Bank	Marxer CC Statement October 2022	Kitchen Cart	\$189.31	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement October 2022	Cable Supplie	\$74.64	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement October 2022	Simple Cord/Cable	\$274.02	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement October 2022	Office Furniture	\$1,712.06	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement October 2022	Cable Supplies	\$101.79	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement October 2022	Logitech Keyboard	\$44.03	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Sass CC Statement October 2022	Agency coins	\$1,031.31	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement October 2022	Office Supplies	\$50.40	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement October 2022	Card Holders	\$57.82	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement October 2022	Office Furniture	\$1,985.10	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-01	IT HW,SW Off Equip <\$5K
US Bank	Gidlof CC Statement October 2022	Office Furniture	\$1,985.10	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-01	IT HW,SW Off Equip <\$5K
US Bank	Gidlof CC Statement October 2022	Office Chair	\$367.20	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-01	IT HW,SW Off Equip <\$5K
US Bank	Gidlof CC Statement October 2022	TV Mount	\$33.02	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-01	IT HW,SW Off Equip <\$5K
US Bank	Gidlof CC Statement October 2022	Ethernet Cable	\$11.93	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-01	IT HW,SW Off Equip <\$5K
			<b>\$7,917.73</b>				
Kelley-Ross Pharmacy at the Polyclinic	Invoice - #1094	Police Operating Supplies	\$720.00	64107	10/10/2022	001-000-000-521-20-31-40	Police Operating Supplies
			<b>\$720.00</b>				
US Bank	Gidlof CC Statement October 2022	Surveillance Earphone	\$103.22	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-40	Police Operating Supplies
US Bank	Gidlof CC Statement October 2022	Safety Lights	(\$143.98)	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-40	Police Operating Supplies
US Bank	Gidlof CC Statement October 2022	Postage	\$19.95	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-31-40	Police Operating Supplies
			<b>(\$20.81)</b>				
Car Wash Enterprises	Invoice - #August 2022	PD Car Wash	\$16.00	64097	10/10/2022	001-000-000-521-20-32-00	Vehicle Expenses-Gas, Car Wash
			<b>\$16.00</b>				
Tiki Car Wash	Invoice - #2219	PD Car Wash	\$83.54	64122	10/10/2022	001-000-000-521-20-32-00	Vehicle Expenses-Gas, Car Wash
Tiki Car Wash	Invoice - 2219	PD Car Washes	\$47.74	64166	10/20/2022	001-000-000-521-20-32-00	Vehicle Expenses-Gas, Car Wash
			<b>\$131.28</b>				
US Bank	Gidlof CC Statement October 2022	Rifle Sling	\$39.60	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-521-20-35-20	Firearms (Purchase & Repair)
			<b>\$39.60</b>				
LexisNexis Risk Management - Account 1011660	Invoice - #1011660-20220831	Investigative Tool	\$116.81	64110	10/10/2022	001-000-000-521-20-41-00	Professional Services
			<b>\$116.81</b>				
Washington State Patrol	Invoice - I23001801	WSP Background Checks	\$11.00	64168	10/20/2022	001-000-000-521-20-41-50	Recruitment-Background
			<b>\$11.00</b>				
Public Safety Testing, Inc.	Invoice - #2022-841	3rd Quarter 2022 Dues	\$147.00	64157	10/20/2022	001-000-000-521-20-41-50	Recruitment-Background
			<b>\$147.00</b>				
Centurylink	For Services from September 8 to October 8, 2022	PD Emergency Line	\$136.66	64099	10/10/2022	001-000-000-521-20-42-00	Communications (phone,Pager)
Centurylink	For Services from September 17 to October 17, 2022	PD Phone and Fax	\$249.98	64099	10/10/2022	001-000-000-521-20-42-00	Communications (phone,Pager)
			<b>\$386.64</b>				
AT&T Mobility	Invoice - #287287975246X09272022	Patrol Car Connection	\$2,227.94	64096	10/10/2022	001-000-000-521-20-42-00	Communications (phone,Pager)
			<b>\$2,227.94</b>				
Centurylink	For Services from October 8 through November 8, 2022 (PD)	PD Emergency Line	\$272.78	64142	10/20/2022	001-000-000-521-20-42-00	Communications (phone,Pager)
			<b>\$272.78</b>				
Konica Minolta Premier Finance	Invoice - #77504727	PD Copier	\$255.00	EFT Payment 10/7/2022 10:33:56 AM - 1	10/10/2022	001-000-000-521-20-45-00	Equipment-Lease & Rentals
			<b>\$255.00</b>				
AutoNation Chrysler, Jeep, Dodge Bellevue	Invoice - #313559	Car Maintenance	\$106.96	64133	10/20/2022	001-000-000-521-20-48-10	Repairs & Maint-Automobiles
AutoNation Chrysler, Jeep, Dodge Bellevue	Invoice - #313572	Car Maintenance	\$102.89	64133	10/20/2022	001-000-000-521-20-48-10	Repairs & Maint-Automobiles
			<b>\$209.85</b>				
Comcast	For Services from September 16 to October 15, 2022 (8300 NE 12th St Camera)		\$510.72	64100	10/10/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
			<b>\$510.72</b>				
Puget Sound Energy	For Services from August 22 to September 21, 2022 (740 Overlake ODE Camera)		\$35.20	64115	10/10/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Puget Sound Energy	For Services from August 22 to September 21, 2022 (8670 NE 10th St Camera)		\$32.38	64115	10/10/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Puget Sound Energy	For Services from August 19 to September 20, 2022 (1050 82nd 82nd Ave NE Camera)		\$35.54	64115	10/10/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
			<b>\$103.12</b>				
Comcast	For Services from September 16 to October 15, 2022 (8300 NE 24th St Camera)		\$510.72	64100	10/10/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
			<b>\$510.72</b>				
Puget Sound Energy	For Services from August 16 to September 15, 2022 (8300 NE 24th 8300 NE 24th St Camera)		\$25.61	64115	10/10/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
			<b>\$25.61</b>				
Comcast	For Services from October 16 through November 15, 2022 (8300 NE 24th St Camera)		\$255.36	64145	10/20/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Comcast	For Services from October 16 through November 15, 2022 (8300 NE 12th St Camera)		\$255.36	64145	10/20/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Comcast	For Services from October 7 through November 6, 2022 (1000 Lakr1000 LWB NE Camera)		\$245.36	64145	10/20/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Comcast	For Services from October 7 through November 6, 2022 (700 Lake 700 LWB NE Camera)		\$250.87	64145	10/20/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
			<b>\$1,006.95</b>				
Bellevue, City of	Invoice - #43593	2022 2nd Half Fire Services (Bellevue)	\$363,418.50	64137	10/20/2022	001-000-000-522-20-41-00	Fire Control Services
Bellevue, City of	Invoice - #43604	2022 2nd Half LEOFF1 Services (Bellevue)	\$19,779.09	64137	10/20/2022	001-000-000-522-20-41-00	Fire Control Services
			<b>\$383,197.59</b>				
Frey, Helena	October 2022 JE #2001 LTC Reimbursement (4)	LTC Reimbursement	\$12.93	20100964	10/31/2022	001-000-000-571-00-10-00	Salaries & Wages - Lifeguards
			<b>\$12.93</b>				
Tyshler, Daniel	October 2022 JE #2001 LTC Reimbursement (11)	LTC Reimbursement	\$20.10	EFT Payment 11/9/2022 9:41:33 AM - 6	10/31/2022	001-000-000-571-00-10-00	Salaries & Wages - Lifeguards
			<b>\$20.10</b>				
Schuler, Riley	October 2022 JE #2001 LTC Reimbursement (10)	LTC Reimbursement	\$15.93	EFT Payment 11/9/2022 9:41:33 AM - 5	10/31/2022	001-000-000-571-00-10-00	Salaries & Wages - Lifeguards
			<b>\$15.93</b>				
Arnold, Caroline	October 2022 JE #2001 LTC Reimbursement (3)	LTC Reimbursement	\$9.66	EFT Payment 11/9/2022 9:41:33 AM - 1	10/31/2022	001-000-000-571-00-10-00	Salaries & Wages - Lifeguards
			<b>\$9.66</b>				
Abdi, Mohamad	October 2022 JE #2001 LTC Reimbursement (2)	LTC Reimbursement	\$10.48	20100963	10/31/2022	001-000-000-571-00-10-00	Salaries & Wages - Lifeguards

			<b>\$10.48</b>			
Hannah, Ava	October 2022 JE #2001 LTC Reimbursement (5)	LTC Reimbursement	\$16.61	EFT Payment 11/9/2022 9:41:33 AM - 2	10/31/2022	001-000-000-571-00-10-00 Salaries & Wages - Lifeguards
			<b>\$16.61</b>			
Harrison, Alexander B	October 2022 JE #2001 LTC Reimbursement (6)	LTC Reimbursement	\$16.23	20100965	10/31/2022	001-000-000-571-00-10-00 Salaries & Wages - Lifeguards
			<b>\$16.23</b>			
Tyshler, Jonathan	October 2022 JE #2001 LTC Reimbursement (12)	LTC Reimbursement	\$15.23	EFT Payment 11/9/2022 9:41:33 AM - 7	10/31/2022	001-000-000-571-00-10-00 Salaries & Wages - Lifeguards
			<b>\$15.23</b>			
Metter, Luke	October 2022 JE #2001 LTC Reimbursement (8)	LTC Reimbursement	\$26.48	20100966	10/31/2022	001-000-000-571-00-10-00 Salaries & Wages - Lifeguards
			<b>\$26.48</b>			
Abdi, Bahar	October 2022 JE #2001 LTC Reimbursement (1)	LTC Reimbursement	\$2.69	20100962	10/31/2022	001-000-000-571-00-10-00 Salaries & Wages - Lifeguards
			<b>\$2.69</b>			
Musolino, William	October 2022 JE #2001 LTC Reimbursement (9)	LTC Reimbursement	\$5.54	EFT Payment 11/9/2022 9:41:33 AM - 4	10/31/2022	001-000-000-571-00-10-00 Salaries & Wages - Lifeguards
			<b>\$5.54</b>			
Hoffner, Audrey	October 2022 JE #2001 LTC Reimbursement (7)	LTC Reimbursement	\$14.68	EFT Payment 11/9/2022 9:41:33 AM - 3	10/31/2022	001-000-000-571-00-10-00 Salaries & Wages - Lifeguards
			<b>\$14.68</b>			
US Bank	Marxer CC Statement October 2022	Lifeguard Tent	\$694.40	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-571-00-32-00 Miscellaneous - Lifeguards
			<b>\$694.40</b>			
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$315.86)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-576-80-11-00 Salaries & Wages
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$3.81)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-576-80-11-11 Longevity
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$1.61)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-576-80-11-14 Education
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$12.74)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-576-80-11-16 ICMA 457 Plan
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$14.63)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-576-80-11-17 Opt-Out Of Medical
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$5.99)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	001-000-000-576-80-12-00 Overtime
			<b>(\$354.64)</b>			
US Bank	Crickmore CC Statement October 2022	Uniforms	\$495.45	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-576-80-22-00 Uniforms
			<b>\$495.45</b>			
Home Depot Credit Services	August 2022 Irrigation Parts	Irrigation Parts	\$12.25	64104	10/10/2022	001-000-000-576-80-31-00 Operating Supplies
Home Depot Credit Services	August 2022 Refund	Refund for Clamp	(\$59.62)	64104	10/10/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>(\$47.37)</b>			
Horizon	Invoice - #3M451876	Irrigation Controler and Leaf Rakes	\$505.91	64105	10/10/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$505.91</b>			
Issaquah Honda Kubota	Invoice - 56434I	Stihl Kombi Tool - Chainsaw	\$220.14	64106	10/10/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$220.14</b>			
Home Depot Credit Services	September 2022 Irrigation Supplies	Irrigation Supplies	\$20.17	64104	10/10/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$20.17</b>			
Buenavista Services, Inc	Invoice - #10100	PW Janitorial Supplies	\$1,262.87	64140	10/20/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$1,262.87</b>			
Mutt Mitt	Invoice - #509480	Mutt Mitt Dog Bags	\$8,799.20	64155	10/20/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$8,799.20</b>			
Sanitary & Maintenance Supply	Invoice - #2203030	PW Parks and Bathroom Supplies	\$1,171.22	64160	10/20/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$1,171.22</b>			
Horizon	Invoice - #3M455192	Irrigation Parts	\$33.77	64148	10/20/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$33.77</b>			
Cedar Grove Composting Inc	Invoice - #0000700748	Topsoil for Parks	\$604.46	64141	10/20/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$604.46</b>			
Horizon	Invoice - #3M455172	Irrigation Parts	\$185.10	64148	10/20/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$185.10</b>			
US Bank	Crickmore CC Statement October 2022	Dog Waste Garbage Cans	\$1,117.66	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-576-80-31-00 Operating Supplies
US Bank	Crickmore CC Statement October 2022	Irrigation Parts	\$557.95	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-576-80-31-00 Operating Supplies
US Bank	Crickmore CC Statement October 2022	STIHL KOMBITOO - BRISTLE BRUSH	\$335.79	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-576-80-31-00 Operating Supplies
US Bank	Crickmore CC Statement October 2022	STIHL KOMBITOO - RECIPRICATOR	\$440.39	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-576-80-31-00 Operating Supplies
US Bank	Crickmore CC Statement October 2022	Dog Waste Garbage Cans	(\$1,117.66)	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-576-80-31-00 Operating Supplies
US Bank	Crickmore CC Statement October 2022	STIHL KOMBITOO - KM131R MOTOR	\$484.43	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$1,818.56</b>			
Certified Laboratories	Invoice - #7907755	PW Shop Supplies	\$630.12	64127	10/12/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$630.12</b>			
US Bank	Crickmore CC Statement October 2022	Irrigation Parts	\$37.90	EFT Payment 11/9/2022 9:46:03 AM - 1	10/31/2022	001-000-000-576-80-31-00 Operating Supplies
			<b>\$37.90</b>			
ADT Commercial LLC	Invoice - #147074948	PW Shop Fire Monitoring	\$566.97	64131	10/20/2022	001-000-000-576-80-41-00 Professional Services
			<b>\$566.97</b>			
Republic Services, Inc. dba Rabanco, Ltd.	Invoice - #0172-008954811	PW Debris Disposal	\$1,421.59	64117	10/10/2022	001-000-000-576-80-41-04 Professional Services-Misc
			<b>\$1,421.59</b>			
Comcast	For Services from September 25 through October 24, 2022	PW Internet Services	\$302.72	64145	10/20/2022	001-000-000-576-80-42-00 Telephone/postage
			<b>\$302.72</b>			
Centurylink	For Services from October 8 through November 8, 2022 (PW)	PW Shop Fire/Alarm	\$261.88	64142	10/20/2022	001-000-000-576-80-42-00 Telephone/postage
			<b>\$261.88</b>			
AT&T MOBILITY	Invoice - #287290584494X09132022	PW Cell Phones	\$278.16	64132	10/20/2022	001-000-000-576-80-42-00 Telephone/postage
AT&T MOBILITY	Invoice - #287290584494X10132022	PW Mobile Phones	\$0.72	64132	10/20/2022	001-000-000-576-80-42-00 Telephone/postage
			<b>\$278.88</b>			
Centurylink	For Services from September 8 through October 8, 2022 (PW)	PW Shop Alarm/Fire Line	\$262.86	64142	10/20/2022	001-000-000-576-80-42-00 Telephone/postage
			<b>\$262.86</b>			
Puget Sound Energy	For Services August 23 through September 21, 2022	PW Shop and Medina Park Power	\$1,073.82	64158	10/20/2022	001-000-000-576-80-47-00 Utilities
Puget Sound Energy	For Services August 22 through September 21, 2022	View Point Park Power	\$0.35	64158	10/20/2022	001-000-000-576-80-47-00 Utilities
			<b>\$1,074.17</b>			
Bellevue City Treasurer - Water	For Services from June 29 through August 31, 2022	View Point PK Irrigation	\$68.93	64136	10/20/2022	001-000-000-576-80-47-00 Utilities
Bellevue City Treasurer - Water	For Services from June 28 through August 23, 2022	View Point PK Irrigation	\$625.93	64136	10/20/2022	001-000-000-576-80-47-00 Utilities
			<b>\$694.86</b>			

Puget Sound Energy	Invoice - #220001569	Limited Use Permit	\$500.00	64158	10/20/2022	001-000-000-576-80-49-00	Miscellaneous, annual lease
			<b>\$500.00</b>				
Avidex	Invoice - #087512	Council Chambers Camera Upgrade	\$16,756.92	64135	10/20/2022	001-000-000-594-14-64-00	City Hall IT HW/SW >\$5K Capital Outlay
			<b>\$16,756.92</b>				
FCI - Custom Police Vehicles	Invoice - #14623	Lease MPD Car #26	\$795.79	64103	10/10/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14620	Lease MPD Car #27	\$712.87	64103	10/10/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14622	Lease MPD Car #29	\$1,011.99	64103	10/10/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14652	Vehicle Lease	\$1,782.95	64103	10/10/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14621	Lease MPD Car #28	\$835.17	64103	10/10/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14621	Interest PD Vehicle	\$245.91	64103	10/10/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14652	Interest PD Vehicle	\$921.85	64103	10/10/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14620	Interest PD Vehicle	\$226.25	64103	10/10/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14622	Interest PD Vehicle	\$356.97	64103	10/10/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14623	Interest PD Vehicle	\$197.93	64103	10/10/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
			<b>\$7,087.68</b>				
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$210.50)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	101-000-000-542-30-11-00	Salaries & Wages
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$2.55)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	101-000-000-542-30-11-11	Longevity
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$1.08)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	101-000-000-542-30-11-14	Education
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$8.56)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	101-000-000-542-30-11-16	ICMA 457 Plan
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$9.72)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	101-000-000-542-30-11-17	Opt-Out Of Medical
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$3.95)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	101-000-000-542-30-12-00	Overtime
			<b>(\$236.36)</b>				
Home Depot Credit Services	September 2022 Concrete for Sign Post	Concrete for Sign Post	\$115.03	64104	10/10/2022	101-000-000-542-30-31-00	Operating & Maintenance Supplies
			<b>\$115.03</b>				
Issaquah Honda Kubota	Invoice - 564331	Chainsaw Chains and Pressure Washer Connectors	\$164.68	64106	10/10/2022	101-000-000-542-30-31-00	Operating & Maintenance Supplies
			<b>\$164.68</b>				
US Bank	Crickmore CC Statement October 2022	Sidewalk Curb Ramp	\$87.19		10/31/2022	101-000-000-542-30-31-00	Operating & Maintenance Supplies
US Bank	Crickmore CC Statement October 2022	Yutrax Folding Truck Ramps	\$484.42		10/31/2022	101-000-000-542-30-31-00	Operating & Maintenance Supplies
			<b>\$571.61</b>				
Home Depot Credit Services	September 2022 Small Tools	Small Tools	\$140.21	64104	10/10/2022	101-000-000-542-30-35-00	Small Tools/minor Equipment
			<b>\$140.21</b>				
Clyde Hill, City of	Invoice - #2022-9	84/24th Signal	\$953.37	64144	10/20/2022	101-000-000-542-30-35-00	Small Tools/minor Equipment
			<b>\$953.37</b>				
Horticultural Elements, Inc.	Invoice - #6942	84th Ave NE Median Maintenance - October	\$4,943.49	64149	10/20/2022	101-000-000-542-30-41-00	Professional Services
			<b>\$4,943.49</b>				
Gray & Osborne, Inc.	Invoice - #4/Project No 22464.00	NPDES Assistance	\$162.86	64147	10/20/2022	101-000-000-542-30-41-03	NPDES Grant
			<b>\$162.86</b>				
Utilities Underground Location Ctr	Invoice - #2090182	Utility Excavation Notifications Services	\$74.82	64167	10/20/2022	101-000-000-542-30-47-00	Utility Services
			<b>\$74.82</b>				
Clyde Hill, City of	Invoice - #2022-9	Signal PWR	\$210.15	64144	10/20/2022	101-000-000-542-63-41-00	Street Light Utilities
Clyde Hill, City of	Invoice - #2022-9	84th Median Irrigation	\$2,849.79	64144	10/20/2022	101-000-000-542-70-40-00	Street Irrigation Utilities
			<b>\$3,059.94</b>				
Swanson Brothers Concrete, Inc.	Invoice - #2022021	Concrete Work for Playground - Medina Park	\$7,411.93	64121	10/10/2022	307-000-000-594-76-63-20	Park Improvements
			<b>\$7,411.93</b>				
Central Paving, LLC	Invoice - #3887	TIB_CrackSealing_2206	\$2,205.00	64098	10/10/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
			<b>\$2,205.00</b>				
Republic Services, Inc. dba Rabanco, Ltd.	Invoice - #0172-009042645	NE 7th St Trimming	\$878.61	64159	10/20/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
			<b>\$878.61</b>				
Mike's Tree Care, Inc	NE 7th St Trimming	NE 7th St Trimming	\$1,816.65	64154	10/20/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
			<b>\$1,816.65</b>				
Kamins Construction Inc	Invoice - #PE 1	2203 - NE 7th St Improvement	\$161,139.49	64151	10/20/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
			<b>\$161,139.49</b>				
Gray & Osborne, Inc.	Invoice - #5/Project No 22503.00	License Plate Recognition and Vehicle Management System	\$12,394.35	64147	10/20/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
Gray & Osborne, Inc.	Invoice - #4/Project No 22488.00	NE 7th St Overlay - PE	\$2,776.67	64147	10/20/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
Gray & Osborne, Inc.	Invoice - #5/Project No 22488.01	NE 7th St Overlay - PE	\$795.62	64147	10/20/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
Gray & Osborne, Inc.	Invoice - #5/Project No 22512.00	General Engineering Services	\$1,135.08	64147	10/20/2022	307-000-000-595-30-63-02	Storm Sewer Improvements
			<b>\$17,101.72</b>				
TIG Technology Integration Group	Invoice - #60211	IT Services	\$1,956.94	64165	10/20/2022	401-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$1,956.94</b>				
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$1,994.00)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	401-000-000-558-60-11-00	Salaries & Wages
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$0.43)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	401-000-000-558-60-11-14	Education
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$81.03)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	401-000-000-558-60-11-16	ICMA 457 Plan
Medina, City of	October 2022 JE #2000 Fringe Benefits Offset for Apr-Sept	Fringe Benefits Offset for Apr-Sept	(\$0.54)	20100962-Fringe Benefits Offset Apr-Sept	10/31/2022	401-000-000-558-60-11-17	Opt-Out of Medical
			<b>(\$2,076.00)</b>				
WA ST Dept of Transportation	Invoice - #FB91017003231	Building Inspector Vehicle Fuel	\$121.37	64126	10/10/2022	401-000-000-558-60-32-00	Vehicle Expenses - Gas, Oil, Maint.
			<b>\$121.37</b>				
US Bank	Wilcox CC Statement October 2022	Wash Development Services Vehicle	\$5.00		10/31/2022	401-000-000-558-60-32-00	Vehicle Expenses - Gas, Oil, Maint.
			<b>\$5.00</b>				
CWA Consultants	Invoice - #22-400	Building Permit Review Services	\$440.00	64101	10/10/2022	401-000-000-558-60-41-00	Professional Services
CWA Consultants	Invoice - #22-401	Building Permit Review Services	\$220.00	64146	10/20/2022	401-000-000-558-60-41-00	Professional Services
			<b>\$660.00</b>				
Blueline Group LLC, The	Invoice - #24529	Housing Action Plan (Cost Covered by a Grant)	\$2,800.00	64138	10/20/2022	401-000-000-558-60-41-01	Planning Consultant
			<b>\$2,800.00</b>				
Gray & Osborne, Inc.	Invoice - #4/Project No 22427.07	Grading and Drainage Services	\$214.13	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #6/Project No 20425.03	Grading and Drainage Services	\$204.83	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #4/Project No 21427.28	Grading and Drainage Services	\$135.52	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #1/Project No 22427.19	Grading and Drainage Services	\$529.68	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant

Gray & Osborne, Inc.	Invoice - #3/Project No 22427.11	Grading and Drainage Services	\$349.65	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #8/Project No 21427.14	Grading and Drainage Services	\$204.83	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #5/Project No 22427.05	Grading and Drainage Services	\$851.28	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #1/Project No 22427.15	Grading and Drainage Services	\$198.63	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #8/Project No 21427.15	Grading and Drainage Services	\$135.52	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #17/Project No 19412.03	Grading and Drainage Services	\$138.62	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #18/Project No 20425.16	Grading and Drainage Services	\$8.60	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #10/Project No 21427.07	Grading and Drainage Services	\$66.21	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #10/Project No 22427	Grading and Drainage Services	\$1,404.81	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #15/Project No 20425.10	Grading and Drainage Services	\$339.11	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #13/Project No 20425.12	Grading and Drainage Services	\$140.48	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #11/Project No 21427.11	Grading and Drainage Services	\$466.57	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #7/Project No 24127.22	Grading and Drainage Services	\$214.13	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #9/Project No 21427.26	Grading and Drainage Services	\$262.88	64147	10/20/2022	401-000-000-558-60-41-07	Engineering Consultant
			<b>\$5,865.48</b>				
BRC Acoustics & Audiovisual Design	Invoice - #26856	Sound Test Services	\$1,727.87	64139	10/20/2022	401-000-000-558-60-41-08	Sound Testing Consultant
			<b>\$1,727.87</b>				
Tree Solutions, Inc.	Invoice - #35183	Tree Code Consulting	\$200.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
			<b>\$200.00</b>				
Tree Frog LLC	Invoice - #1588	Arborist Consultant	\$2,568.75	64123	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
			<b>\$2,568.75</b>				
Tree Solutions, Inc.	Invoice - #35181	Tree Code Consulting	\$680.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35180	Tree Code Consulting	\$320.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35186	Tree Code Consulting	\$120.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35179	Tree Code Consulting	\$640.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35177	Tree Code Consulting	\$240.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35185	Tree Code Consulting	\$560.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35178	Tree Code Consulting	\$2,080.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35182	Tree Code Consulting	\$480.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35187	Tree Code Consulting	\$240.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35184	Tree Code Consulting	\$120.00	64124	10/10/2022	401-000-000-558-60-41-50	Landscape Consultant
			<b>\$5,480.00</b>				
US Bank	October 2022 JE #2011 Bank Fees	October 2022 Bank Fees	\$1,362.76	20100967-October 2022 Bank Fees	10/31/2022	401-000-000-558-60-49-10	Miscellaneous
			<b>\$1,362.76</b>				
Whittier, Paul	CAP-22-024	Refund Request for CAP-22-024	\$1,957.01	64128	10/20/2022	401-000-000-582-10-00-01	Refund of PGB/CMP Deposits (DS)
			<b>\$1,957.01</b>				
WA ST Dept of Licensing	October 2022 CPL Receipts	October 2022 CPL Receipts	\$72.00	20100967-October 2022 CPL Receipts	10/31/2022	631-000-000-589-30-01-00	Dept Of Lic-Gun Permit
			<b>\$72.00</b>				
			<b>\$717,568.16</b>	<b>AP Total</b>			
Payroll	October 2022 Payroll	Payroll	\$18,693.88	Total	10/31/2022	001-000-000-513-10-11-00	Salaries, Wages & Benefits
Payroll	October 2022 Payroll	Payroll	\$20,439.07	Total	10/31/2022	001-000-000-514-20-11-00	Salaries, Wages & Benefits
Payroll	October 2022 Payroll	Payroll	\$35,017.03	Total	10/31/2022	001-000-000-518-10-11-00	Salaries, Wages & Benefits
Payroll	October 2022 Payroll	Payroll	\$156,358.57	Total	10/31/2022	001-000-000-521-20-11-00	Salaries, Wages & Benefits
Payroll	October 2022 Payroll	Payroll	\$34,816.08	Total	10/31/2022	001-000-000-576-80-11-00	Salaries, Wages & Benefits
Payroll	October 2022 Payroll	Payroll	\$23,210.85	Total	10/31/2022	101-000-000-542-30-11-00	Salaries, Wages & Benefits
Payroll	October 2022 Payroll	Payroll	\$51,968.57	Total	10/31/2022	401-000-000-558-60-11-00	Salaries, Wages & Benefits
			<b>\$340,504.05</b>	<b>Payroll Total</b>			
			<b>\$1,058,072.21</b>	<b>Grand Total</b>			



# MEDINA, WASHINGTON

## PLANNING COMMISSION SPECIAL MEETING

Virtual/Online

Tuesday, September 27, 2022 – 4:00 PM

### MINUTES

**COMMISSION CHAIR** | Laurel Preston

**COMMISSION VICE-CHAIR** | Shawn Schubring

**COMMISSIONERS** | Laura Bustamante, Li-Tan Hsu, David Langworthy, Mark Nelson, Mike Raskin

**PLANNING MANAGER** | Stephanie Keyser

#### **1. CALL TO ORDER / ROLL CALL**

**PRESENT**

Chair Laurel Preston

Vice Chair Shawn Schubring

Commissioner Laura Bustamante

Commissioner Mark Nelson

Commissioner Li-Tan Hsu

**ABSENT**

Commissioner David Langworthy

Commissioner Mike Raskin

**STAFF**

Bennett, Burns, Keyser, Wilcox

#### **2. APPROVAL OF MEETING AGENDA**

By consensus, Planning Commission approved the meeting agenda as presented.

#### **3. APPROVAL OF MINUTES**

##### 3.1 Planning Commission Minutes of June 21, 2022

**Recommendation:** Approve Minutes

**Staff Contact:** Rebecca Bennett, Development Services Coordinator

**ACTION:** Motion to amend minutes and add Commissioner Hsu to Roll Call list.  
(Approved 6-0)

Motion made by Commissioner Nelson, Seconded by Vice Chair Schubring.  
Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,

Commissioner Hsu, Commissioner Nelson

#### **4. ANNOUNCEMENTS**

##### 4.1 Staff/Commissioners

No announcements were made by staff nor commissioners.

#### **5. AUDIENCE PARTICIPATION**

There was no audience participation.

#### **6. DISCUSSION**

##### 6.1 Planning Commission Update

**Recommendation:** N/A

**Staff Contact(s):** Stephanie Keyser, Planning Manager

**Time Estimate:** 30 minutes

Keyser announced that the original vs. average grade discussion is on hold as more research needs to be done by our planning consultant. Council has adopted the tree code as presented. Council approved help with the Comprehensive Plan. Housing discussions will need to be had within Planning Committee over the next few years. A new Planning Committee meeting time of 6:00pm was decided.

##### 6.2 Minor Code Clean-Up (2022)

**Recommendation:** N/A

**Staff Contact(s):** Stephanie Keyser, Planning Manager

**Time Estimate:** 60 minutes

Keyser gave presentation of code clean-up. Commissioners discussed and asked questions.

#### **7. ADJOURNMENT**

Meeting adjourned at 5:11pm.

**ACTION:** Motion to adjourn.

Motion made by Vice Chair Schubring, Seconded by Commissioner Bustamante.  
Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,  
Commissioner Hsu, Commissioner Nelson





# MEDINA, WASHINGTON

## MEDINA CITY COUNCIL REGULAR MEETING

Hybrid - Virtual/In-Person  
Monday, October 10, 2022 – 5:00 PM

### MINUTES

#### 1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Mayor Rossman called the regular meeting to order at 5:02 p.m. in the Medina Council Chambers.

#### PRESENT

Mayor Jessica Rossman  
Deputy Mayor Randy Reeves  
Councilmember Cynthia Adkins  
Councilmember Jennifer Garone  
Councilmember Harini Gokul  
Councilmember Mac Johnston  
Councilmember Bob Zook

#### ABSENT

None

#### STAFF PRESENT

Steve Burns, Scott Missall, Ryan Osada, Eric Anderson, Roman Scott, Chris Hadland, Tsz Yan Brady, Ryan Wagner, Stephanie Keyser, Aimee Kellerman, Dawn Nations

#### 2. APPROVAL OF MEETING AGENDA

**ACTION:** Motion Garone to pull agenda item 6.8 NE 7th Street Improvements Change Order for further discussion. This was seconded by Johnston and carried by a 7:0 vote; Council moved Agenda Item 6.8 to City Business as 9.1 and Gas-Powered Leaf Blowers as 9.2.

#### 3. PUBLIC COMMENT PERIOD

Mayor Rossman opened the public comment period. The following individual addressed the Council:

- Mark Sander commented on egregious speeding on NE 24th going east from Evergreen Point Road.

With no further public comments, Mayor Rossman closed the public comment period.

#### 4. **PRESENTATIONS**

- 4.1 Reports and announcements from Park Board, Planning Commission, Emergency Preparedness, and City Council.

Chief Sass reported that the next Emergency Preparedness meeting is scheduled for this Wednesday, October 12 at 4:00 p.m. via Zoom.

- 4.2 Introduction of New City Employees by Chief Jeff Sass and Ryan Wagner, Finance Director

Chief Sass introduced the city's two new employees in the police department: Officers Roman Scott and Chris Hadland.

Director of Finance and HR Ryan Wagner introduced new city employee Assistant Finance Director Tsz Yan Brady.

#### 5. **CITY MANAGER'S REPORT**

Police Chief Jeffrey Sass gave an update on activities in the police department.

Director of Public Works Ryan Osada gave an update on Public Works projects.

Director of Finance and HR reported on activities in the Finance department and the city's financials.

City Manager Steve Burns gave a brief summary of his staff report.

#### 6. **CONSENT AGENDA**

**ACTION:** Motion Reeves second Gokul and carried by a 7:0 vote; Council approved the Consent Agenda as amended.

- 6.1 September 2022, Check Register  
**Recommendation:** Approve.  
**Staff Contact:** Ryan Wagner, Finance Director

- 6.2 Approved Park Board Meeting Minutes of:  
 a) May 16, 2022; and  
 b) June 20, 2022.  
**Recommendation:** Receive and file.  
**Staff Contact:** Dawn Nations, Deputy City Clerk

- 6.3 Approved Planning Commission Meeting Minutes of June 21, 2022  
**Recommendation:** Receive and file.  
**Staff Contact:** Rebecca Bennett, Development Services Coordinator

- 6.4 Draft City Council Meeting Minutes of:  
 a) September 12, 2022; and  
 b) September 26, 2022.

**Recommendation:** Adopt minutes.

**Staff Contact:** Aimee Kellerman, CMC, City Clerk

- 6.5 Contract with CompuLink Management Center, Inc. dba Laserfiche for Technology Solution

**Recommendation:** Approve.

**Staff Contact:** Aimee Kellerman, CMC, City Clerk

- 6.6 Domestic Violence Awareness Month 2022 Proclamation

**Recommendation:** Approve.

**Staff Contact:** Stephen R. Burns, City Manager

- 6.7 Rescission of Medina Proclamation of Local Emergency

**Recommendation:** Approve.

**Staff Contact:** Stephen R. Burns, City Manager

## 7. **LEGISLATIVE HEARING**

None.

## 8. **PUBLIC HEARING**

- 8.1 2023 Preliminary Budget

**Recommendation:** Discussion and direction.

**Staff Contact:** Ryan Wagner, Finance Director

Director of Finance and HR Ryan Wagner gave a brief summary of updates to the budget since the September 26 budget study session.

Mayor Rossman opened the public hearing period. There were no speakers. Subsequently, Mayor Rossman closed the public hearing period.

Council continued discussion, asked questions, and staff responded.

**ACTION:** Discussion item only; no action taken.

## 9. **CITY BUSINESS**

- 9.1 NE 7TH ST Improvements Change Order

**Recommendation:** Approve.

**Staff Contact:** Ryan Osada, Public Works Director

Council asked for further explanation of the change order and confirm street.

Public Works Director clarified that the change order is for 77th Ave NE not 7th Street. Council asked questions and staff responded.

**ACTION:** Council directed staff to come back with alternative new design options.

## 9.2 Gas Leaf Blower Discussion

**Recommendation:** Discussion and direction.

**Staff Contact:** Stephen R. Burns, City Manager and Ryan Osada, Public Works Director

Mayor Rossman gave a brief introduction of process for the gas-powered leaf blower discussion.

City Manager Steve Burns walked Council through discussion points and options for Council to move forward. Each Councilmember provided their viewpoint and requests for for information on the gas-powered leaf blower issue.

**ACTION:** Council directed staff to come back to Council at a future meeting with the following:

1. How is the current code working?
  - a. Were noise complaints received?
  - b. What is the city doing (or what did the city do) to educate the public on the updated noise ordinance?
2. What is the current market for electric equipment?
  - a. What is the lifecycle for such equipment?
  - b. Can it be financially neutral for the city to move to electric equipment?
  - c. What are the long-term impacts?
  - d. Will entities and residents move towards electric equipment naturally because the market is shifting that way anyways?
3. For jurisdictions that have adopted restrictions on blowers, what has the impact been on residents and businesses?
  - a. Are neighbors fighting?
  - b. How effective is enforcement?
4. Environmental/health impacts
  - a. Is there a public health emergency related to the noise and air pollution from blowers? (Would need to have an expert speak to the public health concerns)
  - b. What is the environmental impact from creating/developing batteries and then throwing away old batteries as well as throwing away gas-powered blowers?
5. State/County Level
  - a. Is there any state funding available for businesses impacted by blower restrictions?
  - b. Is the state/county taking any action to restrict or prohibit gas-powered blowers?

10. **REQUESTS FOR FUTURE AGENDA ITEMS AND COUNCIL ROUND TABLE**

Mayor Rossman confirmed with Council that with the approval of the Comprehensive Plan consultant contract, Council would want to add a presentation from the consultant at a future meeting to include scope of Comprehensive Plan work plan, the process involved and how it is all going to be laid out.

11. **PUBLIC COMMENT**

Mayor Rossman opened the public comment period. There were no speakers. Subsequently, public comment was closed.

12. **ADJOURNMENT**

By consensus, Council adjourned the regular meeting at 7:58 p.m.

\_\_\_\_\_  
Jessica Rossman, Mayor

Attest:

\_\_\_\_\_  
Aimee Kellerman, City Clerk

DRAFT



# MEDINA, WASHINGTON

## MEDINA CITY COUNCIL SPECIAL MEETING

Hybrid - Virtual/In-Person Medina City Hall - Council  
Chambers

Monday, October 24, 2022 – 5:00 PM

### MINUTES

#### 1. SPECIAL MEETING - CALL TO ORDER / ROLL CALL

Mayor Rossman called the special meeting/retreat to order at 5:05 p.m. in the Medina Council Chambers.

#### PRESENT

Mayor Jessica Rossman  
Deputy Mayor Randy Reeves  
Councilmember Cynthia Adkins  
Councilmember Jennifer Garone  
Councilmember Harini Gokul (out at 7:37 p.m.)  
Councilmember Mac Johnston  
Councilmember Bob Zook

#### ABSENT

None

#### STAFF PRESENT

Steve Burns, Scott Missall, Jeff Sass, Ryan Osada, Steve Wilcox, Ryan Wagner, Stephanie Keyser (online), Dawn Nations (online), and Aimee Kellerman

#### 2. COUNCIL RETREAT AGENDA

##### 2.1 Council Retreat Agenda

Retreat facilitator Una McAlinden facilitated discussion amongst Council and staff on Council's top five priorities: Financial Stability and Accountability, Quality Infrastructure, Efficient and Effective City Government, Public Safety and Health, and Neighborhood Character.

Council discussed current realities, success indicators, and projects they would like accomplished in the next 12 to 18 months in each of the five categories.

Council identified the following priorities for staff to work on in 2023:

- Create clear timeline and protocols for Council projects to include no new code without an enforcement plan.

- Strategy for creative revenue sources, relook at fine structure and compare or calibrate with other cities.
- Implement a full HR system that covers employee lifecycle.
- Add each department's business lines and service levels on website.
- Research and develop a plan for undergrounding utilities; and
- Research available options for reducing ghost homes.

**3. ADJOURNMENT**

By consensus, Council adjourned the special meeting at 9:01 p.m.

\_\_\_\_\_  
Jessica Rossman, Mayor

Attest:

\_\_\_\_\_  
Aimee Kellerman, City Clerk

DRAFT

# --- City of Medina: Council Planning Process



## Focus: Identifying our Priority Accomplishments for 2023



Designed & facilitated by certified Technology of Participation Facilitator:



Una McAlinden, CTF



### Monday, October 24, 2022



# Financial Sustainability & Accountability

## 1 Current Reality

What's in place now?

updates of tech are underway

10-year balanced budget

levy lid lift

stabilization fund

new finance director

financial audit being completed

What's missing?

limited revenue sources

real time transparency

funding for long term major projects eg storm water updates

What are relevant opportunities?

simplifying budget so public understands

connection to community character

community engagement on topic

ultra-rich community members could contribute and support

tech upgrades

What are relevant threats?

high inflation

deteriorating infrastructure

real estate market: less transactions impacts our revenue

state mandates

small staff size - risk of turnover

## 3 12 Month Accomplishments

Storm infrastructure improvements plan

Assure the stabilization fund maintains viability

Quarterly earnings call

Parks non-profit - community engagement

System of interdepartmental oversight for large projects

Real-time indicators of revenue and expenditure visible on website in graphic

clear timeline & protocol for council projects

Add to each Dept page on website - business line & service levels

What specific actions would move the needle?  
What do we want to achieve in the next 12 months?

## 2 Success Indicators

clear communication about how we are funding things

development services fund is sustainable

Public spaces are well maintained

Newsletter shared budget successes

public communication & real-time transparency

residents can see priorities reflected in budget

New funding sources secured

Metrics that make sense are available graphically

Public education & outreach

Future roadmap developed

stabilization fund is increased

Delivery of LOS that community cares about

no future levy lift required

What would be different in 2 years if you really mobilize behind this priority area?

# Quality Infrastructure

## 1 Current Reality

What's in place now?

trees	unobtrusive cell network	World class city hall	waterfront
Great parks & trail	Sidewalks & roads	Post office	

What's missing?

Underground utilities	no residential fibre optics	Need to complete ADA compliance	Missing sections of sidewalk
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What are relevant opportunities?

"Walkable Medina"	Undergrounding of utilities	Stormwater upgrades (ARPA)	frontage improvement (residential permits)
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What are relevant threats?

climate change	changing demographics	aging bridges	loss of tree canopy
aging stormwater system	budget limited	no community consensus	

Designed & facilitated by Una McAlinden, Creative Strategy Solutions

## 3 12 Month Accomplishments

- Full compliance with stormwater permit
- Plan for tree canopy study
- Documented storm/drainage facilities plan: eg critical path or similar
- Plan to reduce power outages
- A plan for community education with room for the unknown
- Visible enforcement of tree code
- Develop plan for undergrounding
- Relook at fine, compare/ calibrate with other cities
- Strategy for creative revenue sources

## 2 Success Indicators

- no breaks, no floods
- no power outages
- a defined undergrounding plan in place
- SLA partnerships continue with Bellevue & other cities
- Stormwater permit compliance
- tree canopy increasing
- ADA work completed
- community is aware of the issues and pending crisis
- Accountability/enforcement of tree code = deterrent
- Clear visible progress on stormwater plan

What specific actions would move the needle?  
What do we want to achieve in the next 12 months?

What would be different in 2 years if you really mobilize behind this priority area?

# Efficient & Effective City Government

## 1 Current Reality

What's in place now?

good staff retention

fiscally prudent

strong talented team

creative & iterative

talented Boards & Commissions

Peerless public safety

What's missing?

diversity in multiple ways

difficulty reaching all community/generating interest

community engagement (only when it impacts them)

Several HR loose ends to be updated

What are relevant opportunities?

Comp plan coming up

More efficient meetings

qualitative outreach

What are relevant threats?

vacant homes

we keep reinventing

external factors we can't control

turnover

## 3 12 Month Accomplishments

City advisory board for key priority (finance)

targeted "academy" in languages for new residents

Youth board

Robert's Rules and 3-hour limit to council meetings

Continued staff development, training, etc

annual luncheon /other morale activities

Implementation of a full HR system that covers employee lifecycle

What specific actions would move the needle?  
What do we want to achieve in the next 12 months?

## 2 Success Indicators

Shorter Council meetings that people attend

Multiple candidates for positions: Council, staff, boards

Staff morale increases

Staff retention increases

Increased response rates to surveys

Internal process improvements that lead to more bandwidth

Employee Lifecycle Systems in place

Council reflects community

What would be different in 2 years if you really mobilize behind this priority area?

# Public Safety & Health

## 1 Current Reality

### What's in place now?

increased visitors & bike riders - highways, P&R, trail

clean parks

low crime rate

world class law enforcement & emergency prep

safe streets

high usage of gas leaf blowers

### What's missing?

compliance with speed limits

compliance with garbage codes

pet debris - code of conduct

limited neighborhood watch groups

neighbors connecting & looking out for each other

### What are relevant opportunities?

block party program

Speed data is available

House Watch increase

1/3 of homes turned over during pandemic/large influx of new residents

tax ghost homes

### What are relevant threats?

surrounding metro areas are growing

ghost homes - vacant

unregulated electric bikes

siloed community

## 3 12 Month Accomplishments

Identify ways to keep property crime low

Friends of Medina Parks - pick up trash etc

Expand participation in Medina emergency radio teams

Plan for bicycles & electric bikes

Noise ordinance enforcement strategy (quiet hours)

Bikers are nicer

Road safety awareness campaign

Plan to phase out gas blowers for community & city with education

PSA program on keeping Medina clean (and poop free)

Research available options for reducing ghost homes

What specific actions would move the needle?  
What do we want to achieve in the next 12 months?

## 2 Success Indicators

quieter neighborhoods

More electric leaf blowers

Less traffic incidents / less speed complaints

thoughtful bike riders share the road

less graffiti

less trash on roads

less mail theft

every kid wearing a helmet

low press profile

maintain low property crime rates

Zero police complaints maintained

What would be different in 2 years if you really mobilize behind this priority area?

# Neighborhood Character

1

## Current Reality

What's in place now?

- Green store is empty
- Neighbors don't talk
- Increased park use by non-residents
- Lots of cul de sacs

What's missing?

- Ways for neighbors to resolve disputes early
- Community involvement
- Shared understanding of what community should be

What are relevant opportunities?

- Post-Covid energy for connecting
- Bellevue mediation program
- State density requirements
- Walkability project

What are relevant threats?

- New construction is not in keeping with our neighborhoods
- State directed density
- Carbon reduction requirements

Designed & facilitated by Una McAlinden, Creative Strategy Solutions

3

## 12 Month Accomplishments

- Codify Mark Nelson as only authorized architect
- Revisit "bulk" discussion in comp plan
- All ROWs trimmed and maintained
- Medina Days block party how-to kit
- Research mediation user-fee options
- Complete comp plan process
- Evaluate "bulk" with the tree code (both at once)
- Hit all targets for comp plan as agreed w' consultant & planning commission
- Clarity on Right of Way code & enforcement (report & metrics)
- no new code without enforcement plan

2

## Success Indicators

- More diverse architecture in new construction
- Less overgrown hedges in shared areas
- Less code enforcement complaints
- fewer clearcut lots
- Increased volunteers for emergency preparedness
- 10 Medina Days block parties
- Less fights in park
- Tree retention increased esp new development

What specific actions would move the needle?  
What do we want to achieve in the next 12 months?

What would be different in 2 years if you really mobilize behind this priority area?

# Priorities Discussion

## Items with dots

Assure the stabilization fund maintains viability	System of interdepartmental oversight for large projects	Add to each Dept page on website - business line & service levels	clear timeline & protocol for council projects
Plan to phase out gas blowers for community & city with education	Research available options for reducing ghost homes	Noise ordinance enforcement strategy (quiet hours)	Friends of Medina Parks - pick up trash etc
no new code without enforcement plan	All ROWs trimmed and maintained	Evaluate "bulk" with the tree code (both at once)	
Implementation of a full HR system that covers employee lifecycle	annual luncheon /other morale activities	targeted "academy" in languages for new residents	
Relook at fine structure compare/ calibrate with other cities	Develop plan for undergrounding	Strategy for creative revenue sources	

# Ranked Final

AGENDA ITEM 6.3

clear timeline & protocol for council projects	no new code without enforcement plan	✓
Relook at fine structure compare/ calibrate with other cities	Strategy for creative revenue sources	✓
Implementation of a full HR system that covers employee lifecycle		✓
Add to each Dept page on website - business line & service levels		✓
Develop plan for undergrounding	Initial work and data will be compiled for Council review	
Research available options for reducing ghost homes	City attorney will revisit prior work on this and present to Council to refresh situation	



# MEDINA, WASHINGTON

## AGENDA BILL

Monday, November 14, 2022

**Subject:** 2023 Final Budget and Salary Schedule

**Category:** Ordinance, City Council Business, Public Hearing

**Staff Contact:** Ryan Wagner, Finance Director

### **Summary**

#### **History and Background Information:**

June 13, 2022 Regular Meeting: Public Hearing to consider the 2023-2028 Six Year Capital Improvement and Transportation Plan (CIP/TIB/Non-TIB).

September 12, 2022 Regular Meeting: The City Council held its first public hearing on the 2023 Budget.

September 26, 2022 Study Session: The 2023 Preliminary Budget was reviewed by Fund and by Department as presented in the 2023 Preliminary Budget document. Detailed line-item spreadsheets were also made available. Key Revenue and Expense items were discussed and Department Directors were present to answer specific questions.

October 10, 2022 Regular Meeting: The City Council held its second public hearing on the 2023 Budget.

November 14, 2022 Regular Meeting: The City Council will hold its third public hearing on the 2023 Budget.

#### **2023 Budget Assumptions:**

##### **General Fund & Street Operations (77.6% of Total City Budget):**

- Property tax increase of 3.62% reflects 3.15% increase to the regular levy, \$56K due to new construction and \$11K estimated increase in utility values & prior year refunds.
- Sales tax is assuming a slight quieting of construction-oriented sales tax collection and some post-COVID return to the mall to shop, reducing destination-based internet sales taxes.
- Utility tax predicted to stay relatively flat from 2022 due to rate adjustments and an anticipated colder winter which will impact usage.
- Passport acceptance services resumed in 2022 at pre covid levels, predicted one time revenue of \$400K did not occur.
- Investment Interest is predicted to be higher in 2023 due to continued increases in the federal fund rate.
- 54% of General Fund and Street Operations spending is on direct labor. A notated version of the 2023 draft budget ordinance's attachment, representing the salary schedule detailed by position, is included at the end of this brief. Direct staff's COLA adjustments are based on the following:
  - Police Guild Contract (8 FTEs), 5%-- contract expiring 12/31/2026.
  - Teamsters Clerical Contract (6 FTEs), 4%-- contract expiring 12/31/2024.
  - Teamsters Public Works Contract (4 FTEs), 4%-- contract expired 12/31/2024.

- Unrepresented Employees, including City Manager (7.7 FTEs), based on June 30<sup>th</sup> CPI-W (Seattle-Tacoma-Bellevue) of 10.1%, capped at a 4% increase. Employee benefit rates have been finalized by AWC and are reflected in this budget. In 2021 AWC raised rates by 4% on medical premiums, in 2022 that number was 5.8%. We see another increase of 4.5% for 2023 which is reflected in this budget. Dental and Vision are held to 0%. The City pays 90% of medical premiums for employees and their dependents plus 100% of dental, vision, employee only LTD/life insurance.
- 76% of General Fund and Street Operations budgeted spending is for State Mandated Services: Public Safety, City Manager & Finance. 23% is spent on the Essential Services that support the need for delivering effective and efficient public service and a reliable public infrastructure such as IT, park & building maintenance, and risk management. ***The remaining 1% is discretionary spending for quality of life and other Council initiatives.***

**Development Services Fund (10.6% of Total City Budget):**

- The City, to meet its goal of greater transparency, decided to extract the Development Services Department's related revenues, expenses (direct and allocated) and customer deposits from the General Fund and place them in a newly created Development Services Fund, starting with Budget Year 2022. Development Services is a State Mandated program which funds itself through fees and occasional grants.
- Revenue in 2022 was down compared to what was expected, 2023 estimates are more conservative to match cooling market and current actuals.

**Capital Projects Fund (11.4% of Total City Budget):**

- 2023's anticipated REET revenue of \$1.13M has been budgeted conservatively. It assumes there is a finite amount of developable inventory within the City as well as available local industry and customers with an appetite to take on the types of homes that we have seen built.
- A copy of 6-year Capital Improvement Plan through 2028, approved by City Council on June 13th is attached, which outlines projects targeted for 2023.

**Tree Fund (0.4% of Total City Budget):**

- 2023 anticipates \$3,075 in revenues and plans to use part of \$60K fund balance towards \$40K of hazardous tree removal and replanting.

**Attachment(s)**

1. 2023 City Manager Budget Message
2. 2023 Budget In Brief
3. 2023 Project List as of 6/14/2022
4. 2023 Budget Ordinance No. 1014 and 2022 Salary Schedule **Attachment A**

**Budget/Fiscal Impact:** See attached.



**Recommendation:** Adopt 2023 Budget Ordinance No. 1014.

**City Manager Approval:** 

**Proposed Council Motion:** “I move to approve Ordinance No. 1014, adopting the 2023 Budget for the City of Medina setting forth the summary of estimated revenues and expenditures for each fund and the 2023 Salary Schedule.”

Time Estimate: 30 minutes

# City of Medina 2023 Proposed Budget



To the Community and Council of the City of Medina, staff is proud to present the 2023 preliminary budget.

Included with the proposed budget, is the below memo to give an overview of the 2019 passed property tax levy lid lift, along with what to expect for 2023 and beyond at the department level.

### **2019 Property Tax Levy Lid Lift**

*The promises that were made to the voters, if they passed the measure, are the foundation this budget was built on.*

Why did we go to the ballot? The City was at a financial crossroads. Rising costs were making it difficult for the City to provide the level of services our community has come to expect. Until 2019, the City had been able to balance the budget through aggressive cost-savings measures, identifying additional revenue sources and dipping into reserves. But in looking long-term, the City determined it could no longer find efficiencies without impacting service delivery.

The 1% rule: While property values continue to rise, the City's tax revenues don't rise in tandem. This is because the City's tax revenues are not based on a percentage of Medina property value; instead, the City is authorized to collect a predetermined amount of property tax each year, and each homeowner pays a proportional share of that predetermined amount. Since 2001, local governments (like Medina) are not allowed to raise their portion of the property tax levy beyond one percent (1%) a year without a vote of the public. For context: In 2019, the City's total 2019 property tax income was set by state law at \$2.8 million in total, and a 1% increase would only yield an additional \$28,000 for the City in 2020, not nearly enough to cover the rising cost of services. (Fire services alone increased by nearly double that amount in 2019.)

Asking the voters to decide: In the fall of 2019, the question of how to maintain Medina went to voters. Because the levy lid lift was approved, the City has funds to continue current service levels without significant cuts.

99% of all Medina's General Fund & Street Operations spending is for services that are state-mandated or essential support functions to the mandated services. However, the state doesn't dictate the level of services to be provided. For example, a city must provide law enforcement, but the state doesn't dictate staffing levels, how often patrols are scheduled, or whether lifeguards are required for public beaches. After nearly 20 years of budget trimming, Medina was facing the need to cut into service levels that would be noticeable in every area, including public safety. In 2018, City Council and staff started a 2-year process of long-term financial planning, exploring options and public engagement surrounding a levy lid lift measure. These promises were born from those conversations and must be kept:

Presented by Ryan Wagner, Finance Director

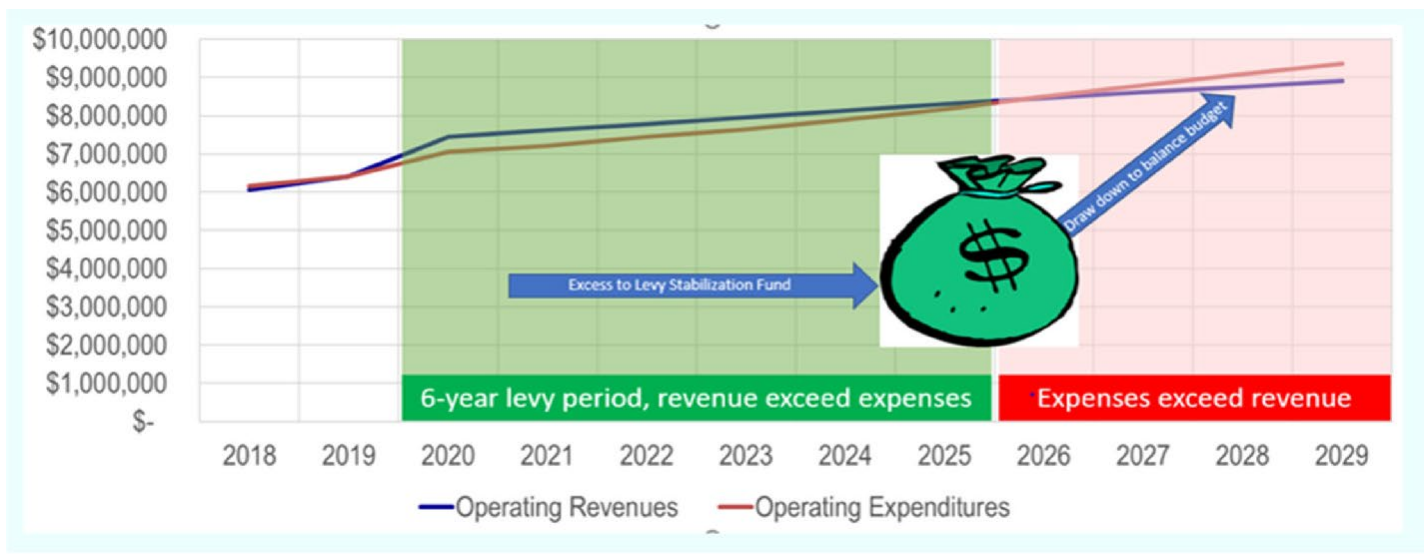
**-Maintain the same LEVEL of services as before the levy lid lift.** Remember, these were already trimmed service levels. This dictates a service level, status-quo budget. So, no additions or reductions from the promises made in 2019.

**-Restore the City's measures of financial health:**

- Start each new year with the full General Fund required balance to cover first quarter expenses. This is something the State Auditor looks for, as well as creditors. It allows us to continue to pay the bills while waiting for our major source of funding (property taxes) that only get paid to the City in portions every 6 months.
- Engaged Finance Committee.
- Continual long-term financial planning, always looking ahead 10 years.
- Contingency Fund rebuilt.
- \*Develop community friendly financial statements.

**-Make the "bump" from the 6-year levy last at least 10-years.**

Levy year 1 (2020) filled the gap and allowed services to continue without reduction. Years 2-6 (2021-25) will have budgeted transfers to a *Levy Stabilization Fund* in amounts that will build a minimum operating reserve of \$2M to draw on for at least another 4 years. 2023's budget reflects a \$500K transfer into this fund. See illustration below.



### SPECIFICS ABOUT THE LEVY

The levy's structure was designed to have an initial increase of no more than \$0.20 per \$1000 assessed value (example \$2M AV home = additional \$400/year). In 2020 this gave the City an additional 12% of revenue towards General Fund and Street Operations, \$941,572. For the next five years (2021-2025) the City will be allowed to increase this amount by 5%, see

projected table below. In 2026 the previous year’s levy total will roll into the regular property taxes, which is limited to an annual increase of no more than 1%.

How Much Extra Funds is the Levy Lid Lift Creating Each Year?				
Projected Revenues, 2020-2029				
	Amount of Increase	Total		
2020	\$ 941,572	\$ 941,572	Initial "bump"	
2021	\$ 47,079	\$ 988,651	} +5% each year	
2022	\$ 49,433	\$ 1,038,083		
2023	\$ 51,904	\$ 1,089,987		
2024	\$ 54,499	\$ 1,144,487		
2025	\$ 57,224	\$ 1,201,711		
2026	\$ 12,017	\$ 1,213,728	} +1% each year	
2027	\$ 12,137	\$ 1,225,865		
2028	\$ 12,259	\$ 1,238,124		
2029	\$ 12,381	\$ 1,250,505		
		\$ 11,332,713	10-year total	

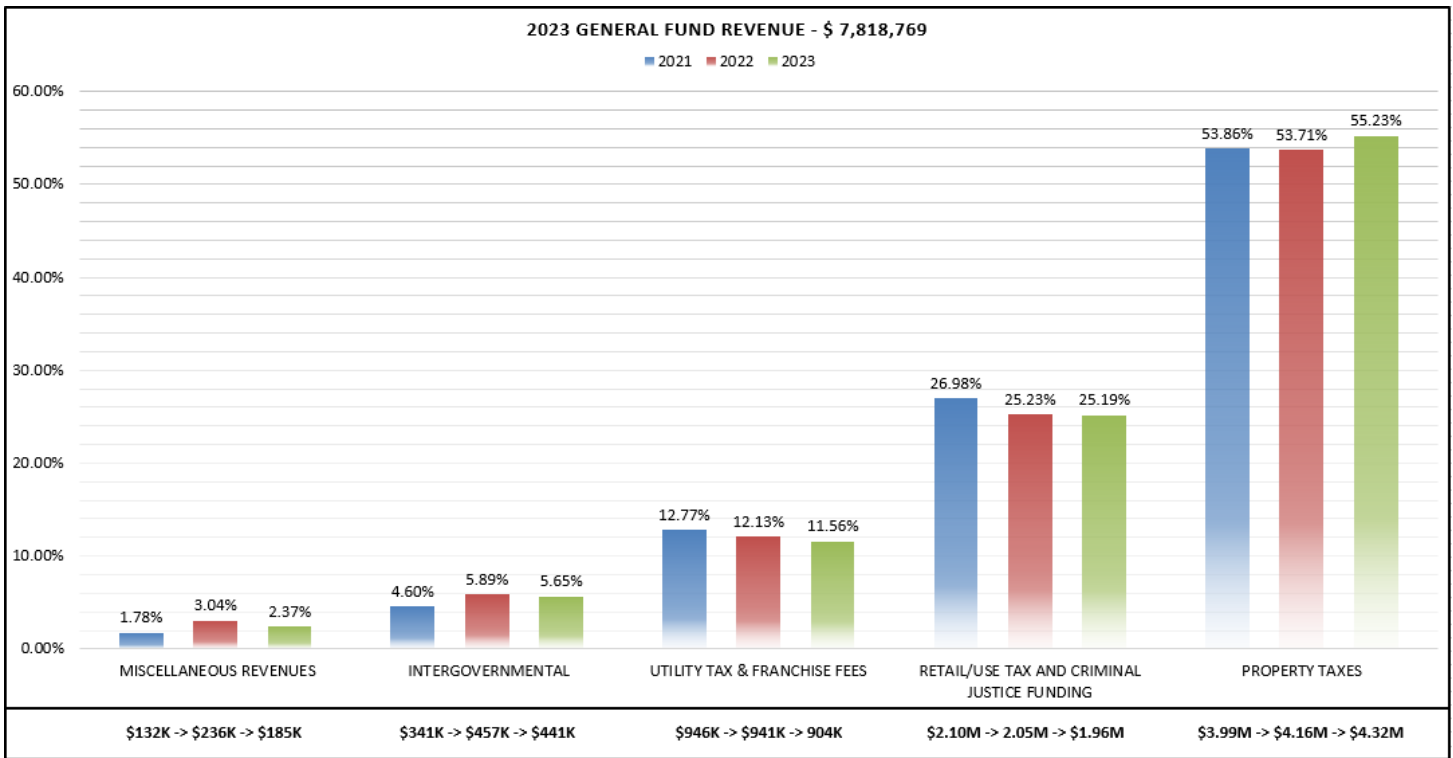
## 2023 Preliminary Budget, By Fund

### General Fund and Street Fund (\$8,347,630), 77.6% of Total City Budget

General Fund revenue makes up a large portion of what the city brings in each year, and with the good majority of city departments falling within the fund, most of Medina’s expenditures as well. The general fund includes the Police Department, Central Services, Finance, Parks and more (green tabs on excel budget sheet). Please note while the Street Fund is separate on the accounting side, it has been included here as over 75% of its revenue consists of transfers from the General Fund.

#### Revenue Notes:

- Property tax revenue increase of 3.62% per the Levy Lid lift and legacy portions
- Sales tax is budgeted at a 5% decline looking at rolling YTD numbers and expecting a drop-off of construction-oriented sales tax collection and some post-COVID return to the mall to shop, reducing destination-based internet sales taxes
- Intergovernmental income is predicted to decrease by MRSC with the decrease in Medina’s population over the years
- Passport Services will return to normal, the predicted one-time revenue and expenditure here for 2022 did not occur
- With interest rates steadily rising, interest earning income in 2023 is predicted to surpass 2022 helping to offset the conservative revenue numbers elsewhere



Expenditure Notes:

-54% (\$4.28M) of General Fund and Street Operations spending is on labor from direct staff members. Completed salary schedule detailed by position, will be included alongside the final budget presented to Council at the first November meeting. Please note that our current City Manager Steve Burns, alongside former City Manager Mike Sauerwein and Finance Director Julie Ketter worked diligently to negotiate fair labor agreements during a challenging time.

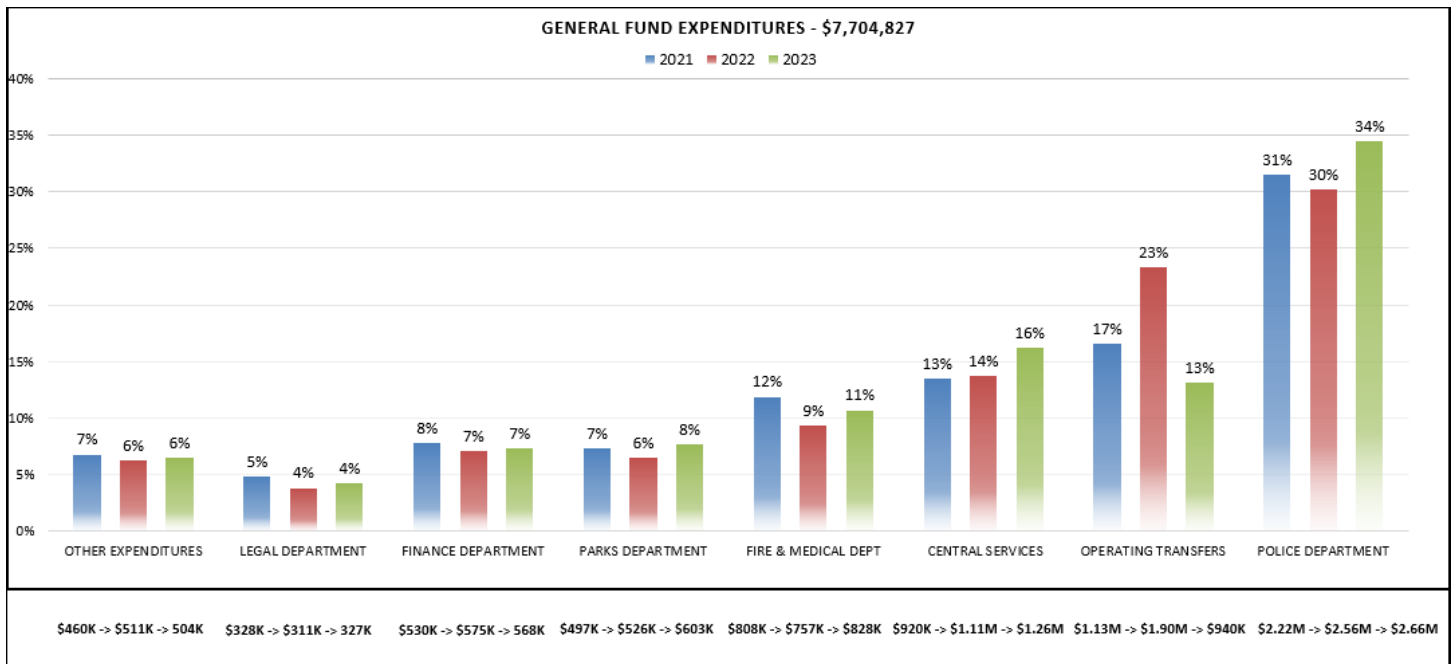
Direct staff’s COLA adjustments are based on the following:

- Police Guild Contract (8 FTEs), 5%-- contract expiring 12/31/2026. New contract includes a physical fitness incentive of 2% which can be trained for and passed by each officer.
- Teamsters Clerical Contract (6 FTEs), 4%-- contract expired 12/31/2024.
- Teamsters Public Works Contract (4 FTEs), 4%-- contract expired 12/31/2024.
- Unrepresented Employees, including City Manager (7.7 FTEs), based on June 30<sup>th</sup> CPI-W (Seattle-Tacoma-Bellevue) of 10.1%, capped at a 4% increase.

Department Specific Notes

-**Legislative** nominal spend in 2022, Finance Committee recommended an increase of funds with the return of Medina Days for the city to help cover fireworks.

- Executive** 2023 is reduced from 2022’s project actual due to new City Manager and removal of Finance Director Consultant.
- Finance** reflects a 24% increase in insurance expense from \$208K to \$259K, despite an overall rate decrease of 1.1%, due to new Finance staff and removal of overlapping Director salaries from Q1 2022.
- Legal’s** 5% increase in fees associated with increased attorney rates and usage.
- Central Services** expenses are budgeted to increase 13.0% due to the following
  - Comp Plan
  - Increased IT Services
  - Replacement of PD and City Staff Computers and Electronics
- Police’s** 3% increase is mainly due inflationary rates for necessary expenditures such as NORCOM, Marine Patrol, Ammo, and Gasoline
  - Police Capital Outlay down 76% with removal of one-time LPR Camera replacement fee
- Fire Services** 9% (From \$757K to \$828K) increase from 2022 as Bellevue Fire returns to pre-Covid fees, also pays its employees CPI which was 10.1% June to June 2022.
- Public Housing** reflects additional amounts collected in Sales Tax that must pass through to fund affordable housing (ARCH).
- Recreational Services (lifeguard program)** Same as 2022.
- General Fund Transfers Out** Transfers include \$500K to the Levy Stabilization Fund as promised to the Voters during the 2019 vote. \$440K transferred to the Street Fund to counter expenditures.



**-Street Fund** 23.5% increase (\$520K to \$643K) due to inclusion of another .5 FTE as the Deputy Building Inspector is now split between Development Services and the Street Fund. \$19K increase to the Capital Outlay section for Asset Essentials Licensing.

### **Tree Fund (\$40,000), 0.4% of Total City Budget**

Revenues to this fund come from fees collected under the tree code and can only be used on certain tree planting or canopy restoration. Each year the City anticipates minor fee collection but occasionally receives a single, large amount which keeps enough of a fund balance to support a larger project. 2023 anticipates \$3,075 in revenues and plans to use part of \$75K fund balance towards \$40K of hazardous tree removal and replanting.

### **Development Services Fund (\$1,013,297), 10.6% of Total City Budget**

2022 was the first year of the Development Services Department's enterprise fund. Development Services is a State Mandated program which funds itself through fees and occasional grants. \$400K was allocated from the General Fund at the beginning of 2022 to start the fund. Revenues look like they will fall well below what was budgeted for in 2022, therefore 2023 shows much more conservative predictions based on trends and contractor feedback. With the decrease in revenue, staff has done a good job limiting unnecessary spending to make sure to carry a positive fund balance into 2023.

57% of Development Services Fund spending is on direct staff labor and benefits. Another 32% of the total budget is spent on contracted labor.

### **Capital Fund (\$1,090,000), 11.4% of Total City Budget**

Capital Fund revenues come from five sources, each coming with restrictions of what it can be used for:

Real Estate Excise Tax -REET (\$1,133,065 or 90.4% of total) is generated from the selling of real estate within the community. It is the most restrictive source as it can only be used for large capital improvement projects. The State strictly defines those projects and its use is audited thoroughly each year. Since the real estate market goes through boom-to-bust cycles over time, this revenue source mirrors it. Medina has been enjoying a robust local real estate period for a number of years but more recently, while still active, it has been heavily weighted towards small, older homes often on larger lots. 2023's anticipated REET revenue of \$1.13M has been budgeted conservatively. It assumes there is a finite amount of developable inventory within the city as well as available local industry and customers with an appetite to take on the types of homes that we have seen built.



Grant Funds/Intergovernmental (0% of total) Grants can come from a variety of sources. In Medina they typically come from the State Transportation Improvement Board. While nothing is expected from TIB in 2023, city staff will continue to look at options for federal funding going forward.

King County Parks Levy (\$50,000 or 4% of total) is the voter approved levy to improve parks county-wide. Medina's allocation from that levy that will be received each year, 2020-2025; none was recognized in 2022 but instead is being rolled over into 2023.

Investment Earnings (\$70,200 or 5.6% of total) from the balance kept in this fund. The capital fund is projected to start 2023 with a fund balance of almost \$5.2M. This balance has been built over the recent real estate boom in order to continue with needed projects once the market cools and REET receipts decline.

Donations from the community for capital projects, especially park improvements are the fifth source of funding. The community has been generous over the years but this is not a source we include in budget planning.

### **Year End Carryover Balances**

As is the case with a lot of smaller organizations, Medina does not use accrual accounting methods, instead it operates on a cash basis. Accrual accounting means revenue and expenses are recognized and recorded when they occur, while cash basis accounting means these line items aren't documented until cash exchanges hands. A result of this is that known future expense obligations are not reflected on financial reports. This distinction is important when it comes to viewing the City's year end carryover balances. Fund balances remaining at the end of each year, especially in the General Fund can be mistakenly assumed to be discretionary "reserves". In reality, it is similar to a personal checkbook balance that is needed to pay bills that will come due before you get paid again. Since the majority of Medina's funding for general day-to-day operations doesn't come in until the spring it is our policy, based on auditor & financial advisory organizations recommendations, that we start each year with a 25% carryover balance to cover those 1<sup>st</sup> quarter expenses. When unexpected General Fund revenues or cost savings happen, it will be staff's recommendation to Council--based on Finance Committee's set policy--to direct that amount into rebuilding the City's drained Contingency Fund. The first transfer of this kind was made in 2021 from 2020's ending fund balance carryover excess.

For additional information including the detail version of the 2023 budget, please visit our website:

<https://www.medina-wa.gov/finance>

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DESCRIPTION	2020 Actual	2021 Year-end Actuals	2022 Adopted Budget	2022 Year-end Estimates	2023 Adopted Budget	General Fund Year End Carryover Balances
<b>GENERAL FUND</b>						<b>2023 Fund Balance Projected, Excess/(Shortfall)</b>
BEGINNING FUND BALANCE	\$ 1,181,753	\$ 2,194,185	\$ 3,373,294	\$ 3,373,294	\$ 3,147,162	<b>\$1,334,896</b>
REVENUES	7,983,720	8,952,680	8,270,543	7,672,810	7,818,769	
OPERATING TRANSFERS-IN	-	-	-	-	-	<b>25% Policy Minimum</b>
EXPENDITURES	6,601,288	6,646,440	6,779,723	5,997,415	6,764,827	
OPERATING TRANSFERS-OUT	370,000	1,127,132	1,901,527	1,901,527	940,000	<b>\$1,926,207</b>
<b>Year end carryover balance</b>	<b>\$ 2,194,185</b>	<b>\$ 3,373,294</b>	<b>\$ 2,962,587</b>	<b>\$ 3,147,162</b>	<b>\$ 3,261,103</b>	
<b>STREET FUND</b>						42.3%
BEGINNING FUND BALANCE	\$ 16,031	\$ 13,778	\$ 81,376	\$ 81,376	\$ 91,871	<i>Note: GF balances prior to 2022 do not include Development Services' customer deposits or SAO 2019 directive "fiduciary" amounts</i>
REVENUES	65,875	128,931	118,801	111,713	135,166	
OPERATING TRANSFERS-IN	370,000	377,132	401,527	401,527	515,000	
EXPENDITURES	438,128	438,465	520,328	502,745	642,803	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
<b>Year end carryover balance</b>	<b>\$ 13,778</b>	<b>\$ 81,376</b>	<b>\$ 81,376</b>	<b>\$ 91,871</b>	<b>\$ 99,234</b>	
<b>DEV. SERVICES FUND</b>						<i>Note: \$600,000 of DS Balance is Held within Advanced Deposits Is Not Considered Usable Funds</i>
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ -	\$ 936,928	
REVENUES	-	-	1,356,895	918,010	1,007,538	
OPERATING TRANSFERS-IN	-	-	1,000,000	1,000,000	-	
EXPENDITURES	-	-	1,179,726	981,082	1,013,297	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
<b>Year end carryover balance</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,177,169</b>	<b>\$ 936,928</b>	<b>\$ 931,169</b>	
<b>TREE FUND</b>						
BEGINNING FUND BALANCE	\$ 113,572	\$ 110,072	\$ 86,032	\$ 86,032	\$ 60,342	
REVENUES	-	-	3,075	2,310	3,075	
OPERATING TRANSFERS-IN	-	-	-	-	-	
EXPENDITURES	3,500	24,040	40,000	28,000	40,000	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
<b>Year end carryover balance</b>	<b>\$ 110,072</b>	<b>\$ 86,032</b>	<b>\$ 49,107</b>	<b>\$ 60,342</b>	<b>\$ 23,417</b>	
<b>LEVY STABILIZATION FUND</b>						
BEGINNING FUND BALANCE	\$ -	\$ -	\$ 500,000	\$ 500,000	\$ 1,000,000	
OPERATING TRANSFERS-IN	-	500,000	500,000	500,000	500,000	
OPERATING TRANSFERS-OUT	-	-	-	-	-	<b>Must have min. of \$2M by 12/31/2025</b>
<b>Year end carryover balance</b>	<b>\$ -</b>	<b>\$ 500,000</b>	<b>\$ 1,000,000</b>	<b>\$ 1,000,000</b>	<b>\$ 1,500,000</b>	
<b>CAPITAL PROJECTS FUND</b>						
BEGINNING FUND BALANCE	\$ 2,049,772	\$ 3,281,736	\$ 5,073,214	\$ 5,073,214	\$ 6,102,797	
REVENUES	1,841,084	2,443,145	2,086,618	2,035,700	1,253,265	
OPERATING TRANSFERS-IN	-	-	-	-	-	<i>Note: CPF balances do not include contractor retainage activity amounts</i>
EXPENDITURES	609,120	651,667	1,510,000	1,006,117	1,090,000	
OPERATING TRANSFERS-OUT	-	-	-	-	75,000	
<b>Year end carryover balance</b>	<b>\$ 3,281,736</b>	<b>\$ 5,073,214</b>	<b>\$ 5,649,832</b>	<b>\$ 6,102,797</b>	<b>\$ 6,191,062</b>	
<b>CONTINGENCY FUND</b>						
BEGINNING FUND BALANCE	\$ -	\$ -	\$ 250,000	\$ 250,000	\$ 250,000	
REVENUES	-	-	-	-	-	
OPERATING TRANSFERS-IN	-	\$ 250,000	-	-	-	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
<b>Year end carryover balance</b>	<b>\$ -</b>	<b>\$ 250,000</b>	<b>\$ 250,000</b>	<b>\$ 250,000</b>	<b>\$ 250,000</b>	
<b>TOTAL ALL FUNDS BUDGET</b>						
BEGINNING FUND BALANCE	\$ 3,361,128	\$ 5,599,771	\$ 9,395,381	\$ 9,395,381	\$ 11,589,100	
REVENUES	9,890,679	11,518,257	11,835,932	10,740,542	10,217,812	
OPERATING TRANSFERS-IN	370,000	1,127,132	1,901,527	1,901,527	1,015,000	
EXPENDITURES	7,652,036	7,722,647	10,029,777	8,515,359	9,550,927	
OPERATING TRANSFERS-OUT	370,000	1,127,132	1,901,527	1,901,527	1,015,000	
<b>Year end carryover balance</b>	<b>\$ 5,599,771</b>	<b>\$ 9,395,381</b>	<b>\$ 11,201,536</b>	<b>\$ 11,620,565</b>	<b>\$ 12,255,985</b>	

**City of Medina  
Ordinance Number 1005  
Attachment A**

**2023 Salary Schedule**

The 2023 salary ranges for full time city employees shall be as follows (see notes in blue):

**Exempt Unrepresented Employees:**

COLA increase = CPI-W, capped at 4%	FTE	Minimum	Midpoint	Maximum
Building Official	0	\$8,225	\$9,256	\$10,284
Planning Manager	1	\$8,225	\$9,256	\$10,284
Public Works Director	1	\$9,479	\$10,662	\$13,032
Development Services Director	1	\$9,479	\$10,662	\$13,032
Finance/HR Director	1	\$9,479	\$10,662	\$11,848
City Clerk	1	\$9,479	\$10,662	\$11,848
Police Chief	1	\$11,676	\$13,135	\$14,592
City Manager	1	\$11,963	\$13,458	\$16,025

**Non Exempt Unrepresented Employees:**

COLA increase = CPI-W, capped at 4%	FTE	Minimum	Midpoint	Maximum
Assistant Finance Director *	1	\$6,291	\$7,549	\$8,806
Police Captain	1	\$9,880	\$11,113	\$12,348

**Collective Bargaining Agreement between City of Medina and City of Medina Patrol Officers:**

Police Guild Contract 5% COLA Increase	FTE	Step A	Step B	Step C	Step D
Patrol Officer A		\$7,432	\$7,869	\$8,305	\$8,745
Patrol Officer B		\$7,522	\$7,959	\$8,393	\$8,834
Patrol Officer C	2	\$7,695	\$8,133	\$8,570	\$9,006
Patrol Officer D	4	\$7,869	\$8,305	\$8,746	\$9,182
Police Sergeant A	1	\$8,757	\$9,233	\$9,722	\$10,220
Police Sergeant B		\$8,931	\$9,407	\$9,896	\$10,395

**Public, Professional and Office-Clerical Employees Union, Local 763**

**(Representing Public Works Employees):**

Teamsters Guild Contract 4% COLA Increase	FTE	Step A	Step B	Step C	Step D
Maintenance Worker	3	5,817.76	6,064.24	6,406.40	6,758.96
Maintenance Supervisor	1	7,078.24	7,471.36	7,871.76	8,291.92

**Public, Professional and Office-Clerical Employees Union, Local 763**

**(Representing Office-Clerical Employees):**

Teamsters Guild Contract 4% COLA Increase	FTE	Step A	Step B	Step C	Step D
Admin. Assistant-Deputy Clerk	1	\$5,818	\$6,064	\$6,406	\$6,759
Information Systems Coordinator	1	\$5,818	\$6,064	\$6,406	\$6,759
Police Administrative Specialist	1	\$5,818	\$6,064	\$6,406	\$6,759
Development Svcs Coordinator	1	\$5,936	\$6,115	\$6,439	\$6,778
Dpty Blding Official	1	\$6,310	\$7,151	\$7,992	\$8,832
Police Office Manager	1	\$7,078	\$7,471	\$7,872	\$8,292

\* = position currently filled with part-time employee with salary pro-rated at 0.7 FTE

**ORDINANCE NO. 1014**

**CITY OF MEDINA, WASHINGTON**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA WASHINGTON  
ADOPTING A BUDGET FOR THE YEAR 2023, AND SETTING FORTH IN SUMMARY FORM  
THE TOTALS OF ESTIMATED REVENUES AND EXPENDITURES FOR EACH SEPARATE  
FUND AND THE AGGREGATE TOTALS FOR ALL SUCH FUNDS COMBINED AND  
ADOPTING THE 2023 SALARY SCHEDULE**

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**WHEREAS**, State law requires the City to adopt a budget and provides procedures for the filing of a budget, deliberations, public hearings, and final fixing of the budget, and

**WHEREAS**, a preliminary proposed budget for 2023 has been prepared and filed with the City Clerk, and

**WHEREAS**, the City of Medina City Council held a public hearing on September 12 and October 10, 2022 to gather input as part of the 2023 budget process, and another public hearing on November 14, 2022 for the 2023 Property Tax Levy and the 2023 proposed budget, and deliberated and considered the preliminary proposed budget, and

**WHEREAS**, the preliminary proposed final budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the City of Medina for the purposes and estimated expenditures set forth necessary to carry on the services and needs of the City of Medina for the calendar year 2023.

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

**SECTION 1.** In accordance with the provisions of R.C.W. 35A.33.075, the budget of the City of Medina, WA, for the year 2023, is approved on the 14th day of November after the notice of hearings and after the preliminary budget having been filed with the City Clerk as required by law.

**SECTION 2.** Estimated resources for each separate fund of the City of Medina, and aggregate expenditures for all such funds for the year 2023 are set forth in a summary form below, and are hereby appropriated for expenditure at the fund level during the year 2023 as set forth in the 2023 Budget.

	General	Street	Tree	Dev Serv.	Contingency	Capital	Levy Stabilization	Total
	Fund	Fund	Fund	Fund	Fund	Projects	Fund	All Funds
Beginning Fund Balance	\$ 3,147,161.53	\$ 91,871.08	\$60,341.98	\$ 936,927.95	\$250,000.00	\$ 6,102,796.97	\$ 1,000,000.00	\$ 11,589,099.51
Revenues	\$ 7,818,768.58	\$ 135,166.00	\$ 3,075.00	\$ 1,007,538.00	\$ -	\$ 1,253,264.54	\$ -	\$ 10,217,812.12
Transfers In	\$ -	\$515,000.00	\$ -0-	\$ -	\$ -	\$ -0-	\$ 500,000.00	\$ 1,015,000.00
Total Resources	\$ 7,818,768.58	\$650,166.00	\$ 3,075.00	\$ 1,007,538.00	\$ -	\$ 1,253,264.54	\$ 500,000.00	\$ 11,232,812.12
Expenditures	\$ 6,764,826.94	\$642,802.84	\$40,000.00	\$ 1,013,296.76	\$ -	\$ 1,090,000.00	\$ -	\$ 9,550,926.54
Transfers Out	\$ 940,000.00	\$ -0-	\$ -0-	\$ -	\$ -	\$ 75,000.00	\$ -	\$ 1,015,000.00
Total Uses	\$ 7,704,826.94	\$642,802.84	\$40,000.00	\$ 1,013,296.76	\$ -	\$ 1,165,000.00	\$ -	\$ 10,565,926.54
Ending Fund Balance	\$ 3,261,103.17	\$ 99,234.24	\$23,416.98	\$ 931,169.19	\$250,000.00	\$ 6,191,061.51	\$ 1,500,000.00	\$ 12,255,985.09

**SECTION 3.** The 2023 Salary Schedule for authorized positions is attached as **Attachment A** and hereby adopted.

**SECTION 4.** The City Clerk is directed to transmit a certified copy of the budget hereby adopted by reference to the Office of the Auditor of the State of Washington, Division of Municipal Corporation, and the Association of Washington Cities.

**Section 5. Corrections.** The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 6. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE ON AND AFTER THE 1ST DAY OF JANUARY 2023.

**PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 14 DAY OF NOVEMBER 2022 BY A VOTE OF X FOR, X AGAINST, AND X ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE XX DAY OF XX 20XX.**

\_\_\_\_\_  
 Jessica Rossman, Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
Scott Missal, City Attorney  
Ogden Murphy, LLC

\_\_\_\_\_  
Aimee Kellerman, City Clerk

PUBLISHED:  
EFFECTIVE DATE: 01/01/2023  
ORDINANCE NO.: 1014

**SUMMARY OF ORDINANCE NO. 1014  
of the City of Medina, Washington**

On November 14, 2022 the City Council of the City of Medina, Washington, approved Ordinance No. 1014, the main points of which are summarized by its title as follows:

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF MEDINA, WASHINGTON, FOR THE YEAR 2023, AND SETTING FORTH IN SUMMARY FORM THE TOTALS OF ESTIMATED REVENUES AND EXPENDITURES FOR EACH SEPARATE FUND AND THE AGGREGATE TOTALS FOR ALL SUCH FUNDS COMBINED AND ADOPTING THE 2023 SALARY SCHEDULE.

The full text of this ordinance will be mailed upon request.

APPROVED by the City Council at their regular meeting of November 14, 2022,

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Aimee Kellerman, City Clerk

<b>CITY OF MEDINA</b>						Updated 5/20/2022			
2023 - 2028 SIX YEAR CAPITAL IMPROVEMENT PLAN (CIP) 2023 - 2028 SIX YEAR TRANSPORTATION IMPROVEMENT PLAN (TIP) 2023 - 2028 SIX YEAR NON-TRANSPORTATION IMPROVEMENT PLAN (NON-TIP) DATE SUBMITTED: June 2022						Approved by: Medina City Council Date: June 2022 Resolution Number:			
NO.	YEAR	STREET / LOCATION	FROM / AT	TO	LENGTH (mi)	PROJECT SCOPE	PAVEMENT CONDITION	PROJECT BUDGET	REVENUE SOURCE

**I. STREET IMPROVEMENT PROJECTS (ACP Overlays, Sidewalks, Storm Drainage, etc.)**

1 - 1	2023	86th Ave NE	Ridge Road	NE 7th Street	0.15	Asphalt overlay, drainage improvements	52	\$90,000.00	REET Tax
1 - 2	2023	77 PI NE	NE 16th Street	EOR	0.04	Asphalt overlay, drainage improvements	48	\$30,000.00	REET Tax
1 - 3	2024	78th Place NE	NE 32nd Street	Evergreen Pt Rd	0.23	Asphalt overlay, drainage improvements	67	\$100,000.00	REET Tax
1 - 4	2025	Upland Road	Overlake Dr W	NE 6th Street	0.3	Asphalt overlay, drainage improvements	63	\$200,000.00	REET Tax
1 - 5	2026	Parking Lot	Medina Pk NE 82nd			Asphalt overlay	75	\$50,000.00	REET Tax
1 - 6	2026	NE 5th Street	Ridge Road	Upland Road	0.10	Asphalt overlay, drainage improvements	70	\$65,000.00	REET Tax
1 - 7	2027	NE 10th Street	Evergreen Pt Rd	80th Ave NE	0.26	Asphalt overlay, drainage improvements	63	\$155,000.00	REET Tax
1 - 8	2028	NE 12th Street	84th Ave NE	Evergreen Pt Rd	0.5	Asphalt overlay, drainage improvements	72	\$225,000.00	REET Tax

**II. STORM DRAINAGE PROJECTS (Not including storm drainage improvements in conjunction with street or path projects)**

II - 1	2023	Localized Repairs	Various Locations			Stormwater Infrastructure Improvements		\$200,000.00	ARPA
II - 2	2024	Localized Repairs	Various Locations			Stormwater Infrastructure Improvements		\$200,000.00	REET Tax
II - 3	2025	Localized Repairs	Various Locations			Stormwater Infrastructure Improvements		\$100,000.00	REET Tax
II - 4	2026	Localized Repairs	Various Locations			Stormwater Infrastructure Improvements		\$100,000.00	REET Tax
II - 5	2027	Localized Repairs	Various Locations			Stormwater Infrastructure Improvements		\$100,000.00	REET Tax
II - 6	2028	Localized Repairs	Various Locations			Stormwater Infrastructure Improvements		\$100,000.00	REET Tax

<p><b>Pavement Condition Legend for Part I. ACP Overlays:</b></p> <p>Based on a 100 point rating with 0 being the worst.                  Rating is generated by the TIB Performance Management Dashboard                  *Rating is outdated - field verified</p>	<p><b>NOTES:</b></p> <p>1) The above budget figures are to be considered preliminary project costs only.                  More precise budget figures will need to be determined once the final scope of each project is defined, which will require more extensive research, survey, and scope definition prior to the particular year's budgeting.</p> <p>2) The projects identified above are preliminary in scope. Projects may be added to or deleted from this list.</p>
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**III. SIDEWALK / PATH PROJECTS (Including storm drainage improvements as needed)**

III - 1	2023	NE 10th St	84th Ave NE	Lk Wash Blvd	0.28	ADA Updates and Sidewalk Repairs		\$130,000.00	REET Tax
III - 2	2024	81st Ave NE	NE 8th St	Overlake Dr W	0.09	Sidewalk Installation		\$120,000.00	REET Tax
III - 3	2025	Overlake Dr W	81st Ave NE	Evergreen Pt Rd	0.35	Sidewalk Installation		\$300,000.00	REET Tax
III - 4	2026	NE 24th Street	Evergreen Pt Rd	84th Ave NE	0.48	ADA Updates and Sidewalk Repairs		\$300,000.00	REET Tax
III - 5	2027	NE 28th Street	Evergreen Pt Rd	80th Ave NE	0.25	ADA Updates and Sidewalk Repairs		\$100,000.00	REET Tax
III - 6	2028	NE 12th Street	80th Ave NE	84th Ave NE	0.2	ADA Updates and Sidewalk Repairs		\$200,000.00	REET Tax

**NON-TRANSPORTATION IMPROVEMENT PROJECTS:**

**IV. BUILDING RESTORATION AND IMPROVEMENTS**

IV - 1	2023	City Hall				Flooring Main & Upper		\$30,000.00	REET Tax
IV - 2	2024	City Hall				Re-paint City Hall Building Exterior, excluding trim		\$50,000.00	REET Tax
IV - 3	2024	Post Office				Re-paint Building Exterior		\$20,000.00	REET Tax
IV - 4	2026	Post Office				Re-paint Interior		\$20,000.00	REET Tax
IV - 5	2027	City Hall Building				Re-paint City Hall Interior		\$65,000.00	REET Tax
IV - 6	2028	City Hall Building				Re-Roof Building		\$50,000.00	REET Tax

**V. PARKS PROJECTS**

V - 1	2023	Medina Park	East Section		N/A	Irrigation system, drainage & pathway improvements		\$50,000.00	Park Levy
V - 2	2024	Medina Park	West Section		N/A	Irrigation system, drainage & pathway improvements		\$50,000.00	Park Levy
V - 3	2026	Post Office Park	Park		N/A	Hardscaping & Landscaping		\$50,000.00	Park Levy
V - 4	2027	Medina Park	Playground		N/A	Turf Installation		\$170,000.00	REET Tax
V - 5	2028	Fairweather Park	Playfield		N/A	Playfield Drainage Improvements		\$50,000.00	REET Tax

**SUMMARY TOTAL PROJECTED BUDGET BY YEAR:**

2023	\$	530,000.00
2024	\$	540,000.00
2025	\$	600,000.00
2026	\$	585,000.00
2027	\$	520,000.00
2028	\$	590,000.00

**TOTAL SIX YEAR C.I.P. 2023 - 2028 \$ 3,365,000.00**

**NOTES:**

- 1) The above budget figures are to be considered preliminary project costs only. More precise budget figures will need to be determined once the final scope of each project is defined, which will require more extensive research, survey, and scope definition prior to the particular year's budgeting.
- 2) The projects identified above are preliminary in scope. Projects may be added to or deleted from this list.



# MEDINA, WASHINGTON

## AGENDA BILL

Monday, November 14, 2022

**Subject:** 2023 Property Tax Levy Resolution

**Category:** Public Hearing & Resolution

**Staff Contact:** Ryan Wagner, Finance Director

### **Summary**

Pursuant to RCW 84.55, the City is required to certify the estimated City of Medina property tax to be levied and collected by the King County Assessor's Office. The City Council draft 2023 budget includes an overall 3.62% increase against allowable levy due to remaining capacity from the 2019 voter-approved measure, new construction, estimated increase in utility value and allowable refunds. The 2023 levy amount-- \$4,318,656-- conforms to the 2019 ballot measure materials and is calculated as follows:

\$3,129,789	- 2022 Levy basis for calculation, portion to increase by 1%
\$31,298	- 1% increase
\$1,038,084	- 2022 Levy basis for calculation, 2019 levy lid lift portion to increase by 5%
\$51,904	- 5% increase
\$56,479	- New construction
\$10,000	- Estimated increase in utility value
\$1,102	- Relevy for prior year refunds
<u>\$4,318,656</u>	- Total recommended Medina City tax levy for 2023

### **Attachment(s)**

- 1 2023 Property Tax Levy Resolution 428
- 2 King County's Preliminary Levy Limit Worksheet, 2023 Tax Roll
- 3 King County Ordinance 2152 property tax levy form

**Budget/Fiscal Impact:** \$4,318,656 estimated property tax revenues in 2023

**Recommendation:** Approve Resolution No. 428

**City Manager Approval:**

**Proposed Council Motion:** "I move to approve Resolution No. **428**, adopting the 2023 property tax levy for the City of Medina and setting forth the estimated levy amount."

Time Estimate: 5 minutes

## CITY OF MEDINA, WASHINGTON

## RESOLUTION NO. 428

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, CERTIFYING TO THE GOVERNING AUTHORITY OF KING COUNTY THE ESTIMATES OF THE TAX AMOUNT TO BE LEVIED ON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY FOR THE YEAR 2023**

**WHEREAS**, the City Council of the City of Medina attests that the population of the City is less than ten thousand; and

**WHEREAS**, the City Council has properly given advance notice of the public hearing duly held November 14, 2022 to consider the revenue sources for the City's current expense budget for the 2023 calendar year, all pursuant to RCW 84.55.120; and

**WHEREAS**, the voters approved City of Medina Proposition 1 on November 5, 2019, to increase Medina's regular property tax levy above the limit factor by \$0.20/\$1000 assessed value to a maximum rate of \$0.83712/\$1000 assessed valuation for collection in 2020, to set a 5% limit factor for each year 2021-2025, to use the 2025 levy amount as the base to compute subsequent levy limits, and to exempt low income seniors and disabled persons; all as set forth in Medina Ordinance No. 970; and

**WHEREAS**, the City Council, after hearing, and after duly considering all relevant evidence and testimony presented at the hearing, has determined that the City of Medina requires a regular levy in the amount of \$4,318,656, for an increase of \$150,783, representing a 3.62% increase from the previous year, including the levy lid lift, as well as amounts resulting from the addition of new construction and improvements to property, and any possible increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the City and in its best interest.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, RESOLVES AS FOLLOWS:**

**Approval and Effective Date.** This Resolution is hereby adopted and shall be effective as of the date of adoption by the City Council set forth below.

**PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON NOVEMBER 14, 2022 AND SIGNED IN AUTHENTICATION OF ITS PASSAGE ON NOVEMBER 14, 2022.**

\_\_\_\_\_  
Jessica Rossman, Mayor

Approved as to form:  
Ogden Murphy Wallace, PLLC

Attest:

\_\_\_\_\_  
Scott M. Missall, City Attorney

\_\_\_\_\_  
Aimee Kellerman, City Clerk

FILED WITH THE CITY CLERK: XX  
PASSED BY THE CITY COUNCIL: XX  
RESOLUTION NO. **428**

By Ordinance 2152 of the Metropolitan King County Council, Taxing Districts are required annually to submit the following information regarding their tax levies for the ensuing year as part of a formal resolution of the District's governing body.

THE KING COUNTY ASSESSOR HAS NOTIFIED THE GOVERNING BODY OF Medina THAT THE ASSESSED VALUATION OF PROPERTY LYING WITHIN THE BOUNDARIES OF SAID DISTRICT FOR THE ASSESSMENT YEAR 2022 IS:

	\$ <u>7,121,072,719</u>
REGULAR (STATUTORY) LEVY (AS APPLICABLE):	
EXPENSE FUND	\$ <u>3,227,566</u>
- LIDLIFT NAME _____	\$ _____
- LIDLIFT NAME _____	\$ _____
RESERVE FUND	\$ _____
NON-VOTED G.O. BOND (Limited)	\$ _____
<b>REFUNDS</b> (Noted on worksheet)	\$ <u>1,102</u>
<b>TOTAL REGULAR LEVY</b>	\$ <u>3,228,668</u>
EXCESS (VOTER APPROVED) LEVY:	
(Please list authorized bond levies separately.)	
G.O. BONDS FUND LEVY _____	\$ _____
G.O. BONDS FUND LEVY _____	\$ _____
G.O. BONDS FUND LEVY _____	\$ _____
 SPECIAL LEVIES (INDICATE PURPOSE AND DATE OF ELECTION AT WHICH APPROVED, EXCEPT LIDLIFTS):	
11/8/19 Voter approved levy lid lift, year 4 of 6	\$ <u>1,089,988</u>
<u>\$1,038,084 (Year 3) + 5% increase</u>	\$ _____
<b>TOTAL TAXES REQUESTED:</b>	<b>\$ <u>4,318,656</u></b>

THE ABOVE IS A TRUE AND COMPLETE LISTING OF LEVIES FOR SAID DISTRICT FOR TAX YEAR 2023 AND THEY ARE WITHIN THE MAXIMUMS ESTABLISHED BY LAW.

\_\_\_\_\_  
(AUTHORIZED SIGNATURE)

\_\_\_\_\_  
(DATE)

**PRELIMINARY**

**LEVY LIMIT WORKSHEET – 2023 Tax Roll**

**TAXING DISTRICT: City of Medina**

*The following determination of your regular levy limit for 2023 property taxes is provided by the King County Assessor pursuant to RCW 84.55.100.*

Annexed to Library District (Note 1) Estimated Library rate: 0.23474

Using Limit Factor For District	Calculation of Limit Factor Levy	Using Implicit Price Deflator
4,482,053	Levy basis for calculation: (2022 Limit Factor) (Note 2)	4,482,053
<b>1.0500</b>	x Limit Factor	<b>1.0646</b>
4,706,156	= Levy	4,771,459
72,661,874	Local new construction	72,661,874
0	+ Increase in utility value (Note 3)	0
72,661,874	= Total new construction	72,661,874
0.77728	x Last year's regular levy rate	0.77728
56,479	= New construction levy	56,479
<b>4,762,635</b>	Total Limit Factor Levy	<b>4,827,938</b>
<b>Annexation Levy</b>		
0	Omitted assessment levy (Note 4)	0
4,762,635	Total Limit Factor Levy + new lid lifts	4,827,938
7,121,072,719	÷ Regular levy assessed value less annexations	7,121,072,719
0.66881	= Annexation rate (cannot exceed statutory maximum rate)	0.67798
0	x Annexation assessed value	0
<b>0</b>	= <b>Annexation Levy</b>	<b>0</b>
<b>Lid lifts, Refunds and Total</b>		
0	+ First year lid lifts	0
4,762,635	+ Limit Factor Levy	4,827,938
<b>4,762,635</b>	= Total RCW 84.55 levy	<b>4,827,938</b>
1,102	+ Relevy for prior year refunds (Note 5)	1,102
4,763,737	= Total RCW 84.55 levy + refunds	4,829,040
	Levy Correction: Year of Error _____ (+or-)	
<b>4,763,736</b>	<b>ALLOWABLE LEVY (Note 6)</b>	<b>4,829,040</b>
<b>Increase Information (Note 7)</b>		
0.66896	Levy rate based on allowable levy	0.67813
4,167,490	Last year's ACTUAL regular levy	4,167,490
538,666	Dollar increase over last year other than N/C – Annex	603,969
12.93%	Percent increase over last year other than N/C – Annex	14.49%
<b>Calculation of statutory levy</b>		
	Regular levy assessed value (Note 8)	7,121,072,719
	x Maximum statutory rate	3.36526
	= <b>Maximum statutory levy</b>	<b>23,964,261</b>
	+Omitted assessments levy	0
	=Maximum statutory levy	<b>23,964,261</b>
	Limit factor needed for statutory levy	Not usable

ALL YEARS SHOWN ON THIS FORM ARE THE YEARS IN WHICH THE TAX IS PAYABLE.  
Please read carefully the notes on the reverse side.

## Notes:

- 1) Rates for fire districts and the library district are estimated at the time this worksheet is produced. Fire district and library district rates affect the maximum allowable rate for cities annexed to them. These rates *will* change, mainly in response to the actual levy requests from the fire and library districts. Hence, affected cities may have a higher or lower allowable levy rate than is shown here when final levy rates are calculated.
- 2) This figure shows the maximum *allowable levy*, which may differ from any actual prior levy if a district has levied less than its maximum in prior years. The maximum allowable levy excludes any allowable refund levy if the maximum was based on a limit factor. The maximum allowable levy excludes omitted assessments if the maximum was determined by your district's statutory rate limit. If your district passed a limit factor ordinance in the year indicated, that limit factor would help determine the highest allowable levy. However, if the statutory rate limit was more restrictive than your stated limit factor, the statutory rate limit is controlling.
- 3) Any increase in value in state-assessed property is considered to be new construction value for purposes of calculating the respective limits. State-assessed property is property belonging to inter-county utility and transportation companies (telephone, railroad, airline companies and the like).
- 4) An omitted assessment is property value that should have been included on a prior year's roll but will be included on the tax roll for which this worksheet has been prepared. Omitted are assessed and taxed at the rate in effect for the year omitted (RCW 84.40.080-085). Omitted assessments tax is deducted from the levy maximum before calculating the levy rate for current assessments and added back in as a current year's receivable.
- 5) Administrative refunds under RCW 84.69.020 were removed from the levy lid by the 1981 legislature.
- 6) A district is entitled to the lesser of the maximum levies determined by application of the limit under RCW 84.55 and the statutory rate limit. Levies may be subject to further proration if aggregate rate limits set in Article VII of the state constitution and in RCW 84.52.043 are exceeded.
- 7) This section is provided for your information, and to assist in preparing any Increase Ordinance that may be required by RCW 84.55.120. The increase information compares the allowable levy for the next tax year with your ACTUAL levy being collected this year. The actual levy excludes any refund levy and expired temporary lid lifts, if applicable. New construction, annexation and refund levies, as well as temporary lid lifts in their initial year, are subtracted from this year's *allowable* levy before the comparison is made.
- 8) ***Assessed valuations shown are subject to change from error corrections and appeal board decisions recorded between the date of this worksheet and final levy rate determination.***



# MEDINA, WASHINGTON

## AGENDA BILL

Monday, November 14<sup>th</sup>, 2022

**Subject:** 2022 Budget Amendment

**Category:** Ordinance/City Council Business

**Staff Contact(s):** Ryan Wagner, Finance & HR Director

### Summary

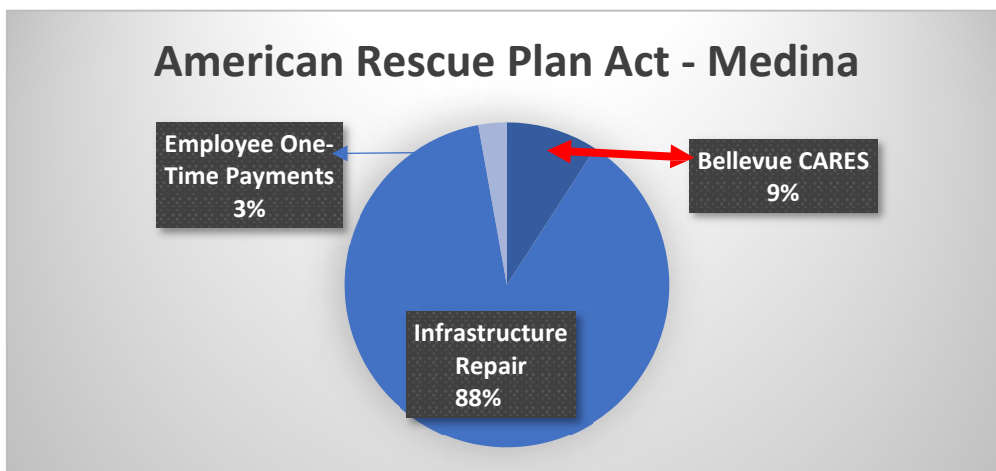
The purpose for recommending a 2022 Budget Amendment is to document budget changes that occurred after the 2022 Budget was adopted on November 8, 2021. Except items of an accounting “housekeeping” nature, all of these have been noted in Council’s monthly financial reports throughout the year as they occurred. As per our practice, these changes are gathered under one ordinance for passage towards the end of the budget year. These changes are as follows:

- 1) Approval of American Rescue Plan Act (ARPA) Funds Distribution

#### Summary

In October 2021, the Medina City Council directed the City Manager to research the use of American Rescue Plan Act (ARPA) funds for a one-time payment to each Permanent City employee. The payment is to acknowledge City employee’s dedication and commitment to the City of Medina during the COVID-19 pandemic. City staff determined according to the guidelines set forth by the federal government, one of the uses for ARPA funds for premium pay, one-time bonuses for employees. Research showed that ARPA funds for employee retention and bonuses were being used in other jurisdictions across the state. At the June 8, 2022, Medina Finance Committee Meeting, staff presented the committee the findings and recommended a one-time payment of \$1,000 per employee. The Committee approved the recommendation to be presented to Council later in the year.

The City of Medina received \$918,735 in ARPA funds spread out over three years – 2022 through 2024. If the Council approves this request, the City will have spent \$808,735 on infrastructure repair and maintenance (88% of the funds), \$84,000 on mental health community support through Bellevue Fire CARES (9% of the funds), and \$26,000 for City employee one-time payments (3% of the funds).





- 2) July 11, 2022, Council approved additional increase to Development Services and Public Works Director's salary above the budgeted COLA. Total impact to General Fund Expenses: \$13,670.40 which will be offset by Investment Interest Earnings that is substantially over what was budgeted.

**Attachment(s)**

1. 2022 Budget Ordinance No. 1015 - amending Ordinance No. 1005
2. 2022 Amended Salary Schedule **Attachment A**

**Budget/Fiscal Impact:**

\$ 13,670.40	General Fund Revenue Net Increase
\$ 26,000.00	General Fund Transfers In
\$ (28,734.08)	General Fund Expense Increase
\$ (10,936.32)	General Fund Transfers Out
\$ 4,101.12	Street Fund Transfer In
\$ (4,101.12)	Street Fund Expense Increase
\$ 6,835.20	Development Services Transfers In
\$ (6,835.20)	Development Services Expense Increase
\$ 26,000	Capital Projects Fund Revenue Net Increase
\$ (26,000)	Capital Projects Fund Transfers Out
\$ -0-	

**Recommendation:** Approve Ordinance No. 1015.

**City Manager Approval:**



**Proposed Council Motion:** "I move to adopt Ordinance No. 1015 amending the 2022 Budget, including the 2022 Amended Salary Schedule."

Time Estimate: 5 minutes

**Ordinance No. 1015**

**MEDINA CITY COUNCIL**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON,  
AMENDING ORDINANCE NO. 1005 TO ADOPT AND IMPLEMENT THE  
2022 BUDGET; AND TO ESTABLISH AN EFFECTIVE DATE.**

**WHEREAS**, the Medina City Council enacted Ordinance 1005 on November 8, 2021 approving the budget for 2022; and

**WHEREAS**, it is necessary to increase General Fund Expenditures and Resources; and

**WHEREAS**, it is necessary to increase Street Fund Resources; and

**WHEREAS**, it is necessary to increase Development Services Resources; and

**WHEREAS**, it is necessary to increase Capital Projects Expenditures and Resources; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Ordinance No. 1005 is hereby amended as summarized below:

	General Fund	Street Fund	Tree Fund	Dev Serv. Fund	Contingency Fund	Capital Projects	Stabilization Fund	Total All Funds
Beginning Fund Balance	\$ 3,373,294.00	\$ 81,376.00	\$86,032.00	\$ -	\$250,000.00	\$ 5,073,214.00	\$ 500,000.00	\$ 9,363,916.00
Revenues	\$ 8,284,213.40	\$ 118,801.00	\$ 3,075.00	\$ 1,356,895.00	\$ -	\$ 2,112,618.00	\$ -	\$ 11,875,602.40
Transfers In	\$ 26,000.00	\$405,628.12	\$ -0-	\$ 1,006,835.20	\$ -	\$ -0-	\$ 500,000.00	\$ 1,938,463.32
Total Resources	\$ 8,310,213.40	\$524,429.12	\$ 3,075.00	\$ 2,363,730.20	\$ -	\$ 2,112,618.00	\$ 500,000.00	\$ 13,814,065.72
Expenditures	\$ 6,808,457.08	\$524,429.12	\$40,000.00	\$ 1,186,561.20	\$ -	\$ 1,510,000.00	\$ -	\$ 10,069,447.40
Transfers Out	\$ 1,912,463.32	\$ -0-	\$ -0-	\$ -	\$ -	\$ 26,000.00	\$ -	\$ 1,938,463.32
Total Uses	\$ 8,720,920.40	\$524,429.12	\$40,000.00	\$ 1,186,561.20	\$ -	\$ 1,536,000.00	\$ -	\$ 12,007,910.72
Ending Fund Balance	\$ 2,962,587.00	\$ 81,376.00	\$49,107.00	\$ 1,177,169.00	\$250,000.00	\$ 5,649,832.00	\$ 1,000,000.00	\$ 11,170,071.00

**Section 2.** 2022 Salary Schedule for authorized position, originally adopted with Ordinance 1005, is also amended as reflected in **Attachment A**, 2022 Amended Salary Schedule.

**Section 3.** The City Manager is authorized to make any changes necessary to carry out the terms of this ordinance.

**Section 4.** The effective date of this ordinance shall be (5) days after its publication of a summary of its intent and contents.

**PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 14<sup>TH</sup> DAY OF NOVEMBER 2022 BY A VOTE OF  FOR,  AGAINST, AND  ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 14<sup>TH</sup> DAY OF NOVEMBER 2022.**

\_\_\_\_\_  
Jessica Rossman, Mayor

Approved as to form:  
Ogden Murphy Wallace, PLLC

Attest:

\_\_\_\_\_  
Scott M. Missall, City Attorney

\_\_\_\_\_  
Aimee Kellerman, City Clerk

PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO.: / AB

**City of Medina  
Ordinance Number 1005  
Attachment A**

**2022 Salary Schedule**

The 2022 salary ranges for full time city employees shall be as follows (see notes in blue):

**Exempt Unrepresented Employees:**

COLA increase = CPI-W, capped at 4%	FTE	Minimum	Midpoint	Maximum
Building Official	0	\$7,909	\$8,900	\$9,888
Planning Manager	1	\$7,909	\$8,900	\$9,888
Public Works Director	1	\$9,114	\$10,252	\$12,531
Development Services Director	1	\$9,114	\$10,252	\$12,531
Finance/HR Director	1	\$9,114	\$10,252	\$11,392
City Clerk	1	\$9,114	\$10,252	\$11,392
Police Chief	1	\$11,227	\$12,630	\$14,031
City Manager	1	\$11,503	\$12,940	\$15,409

**Non Exempt Unrepresented Employees:**

COLA increase = CPI-W, capped at 4%	FTE	Minimum	Midpoint	Maximum
Assistant Finance Director *	1	\$6,049	\$7,259	\$8,467
Police Captain	1	\$9,500	\$10,686	\$11,873

**Collective Bargaining Agreement between City of Medina and City of Medina Patrol Officers:**

Police Guild Contract Ratified in April of 2022 - 6% COLA	FTE	Step A	Step B	Step C	Step D
Patrol Officer A		\$7,078	\$7,494	\$7,910	\$8,328
Patrol Officer B		\$7,163	\$7,580	\$7,993	\$8,413
Patrol Officer C	2	\$7,329	\$7,745	\$8,162	\$8,578
Patrol Officer D	4	\$7,494	\$7,910	\$8,329	\$8,745
Police Sergeant A	1	\$8,340	\$8,794	\$9,259	\$9,733
Police Sergeant B		\$8,505	\$8,959	\$9,424	\$9,900

**Public, Professional and Office-Clerical Employees Union, Local 763**

**(Representing Public Works Employees):**

Updated 3.15.22 upon Teamsters Contract Ratified - 4% COLA	FTE	Step A	Step B	Step C	Step D
Maintenance Worker	3	5,594.00	5,831.00	6,160.00	6,499.00
Maintenance Supervisor	1	6,806.00	7,184.00	7,569.00	7,973.00

**Public, Professional and Office-Clerical Employees Union, Local 763**

**(Representing Office-Clerical Employees):**

Updated 3.15.22 upon Teamsters Contract Ratified - 4% COLA	FTE	Step A	Step B	Step C	Step D
Admin. Assistant-Deputy Clerk	1	\$5,594	\$5,831	\$6,160	\$6,499
Information Systems Coordinator	1	\$5,594	\$5,831	\$6,160	\$6,499
Police Administrative Specialist	1	\$5,594	\$5,831	\$6,160	\$6,499
Development Svcs Coordinator	1	\$5,708	\$5,880	\$6,191	\$6,517
Dpty Bldg Official	1	\$6,067	\$6,876	\$7,685	\$8,492
Police Office Manager	1	\$6,806	\$7,184	\$7,569	\$7,973

\* = position currently filled with part-time employee with salary pro-rated at 0.7 FTE



# MEDINA, WASHINGTON

## AGENDA BILL

Monday, November 14, 2022

**Subject:** Ordinance Amending Medina Municipal Code Chapter 9.04

**Category:** Ordinance/City Council Business

**Staff Contacts:** Stephen R. Burns, City Manager and Emily Miner, Assistant City Attorney

### **Summary**

In 2021, the Washington State Legislature enacted Engrossed Second Substitute House Bill 1320 (E2SHB 1320) with the purpose of modernizing, harmonizing, and improving the efficacy of the state's laws concerning civil protection orders. E2SHB 1320 established a new chapter of the Revised Code of Washington (RCW) to govern all types of protection orders, including domestic violence protection orders, sexual assault protection orders, stalking protection orders, anti-harassment protection orders (AHPOs), vulnerable adult protection orders, and extreme risk protection orders.

Section 9.04.040 of the Medina Municipal Code (MMC), "General Provisions" adopts by reference former sections of the RCW that criminalized violations of various types of protection orders and penalized such violations as gross misdemeanors. These references have changed with enactment of E2SHB 1320, effective July 1, 2022, and are no longer consistent with state law. In order for the city to effectively enforce the state's protection order violation laws, the City Council must amend MMC Section 9.04.040 to adopt the recodified laws by reference.

### **Attachment:**

- Ordinance No. 1016, amending Medina Municipal Code Section 9.04.040 "General Provisions"

**Budget/Fiscal Impact:** None.

**Recommendation:** Adopt Ordinance No. 1016.

**City Manager Approval:** 

**Proposed Council Motion:** "I move to adopt Ordinance No. 1016, amending Medina Municipal Code Section 9.04.040 "General Provisions".

Time Estimate: 5 minutes

**Ordinance No. 1016**

**MEDINA CITY COUNCIL**

**AN ORDINANCE OF THE CITY OF MEDINA, WASHINGTON, AMENDING MEDINA MUNICIPAL CODE SECTION 9.04.040, "GENERAL PROVISIONS", TO HARMONIZE THE CHAPTER WITH RECENT CHANGES TO STATE LAW; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, in 2021, the Washington State Legislature enacted Engrossed Second Substitute House Bill 1320 (E2SHB 1320) with the purpose of modernizing, harmonizing, and improving the efficacy of the state's laws concerning civil protection orders; and

**WHEREAS**, E2SHB 1320 established a new chapter of the Revised Code of Washington (RCW) to govern all types of protection orders, including domestic violence protection orders (DVPOs), sexual assault protection orders (SAPOs), stalking protection orders (Stalking POs), anti-harassment protection orders (AHPOs), vulnerable adult protection orders (VAPOs), and extreme risk protection orders (ERPOs); and

**WHEREAS**, Section 9.04.040 of the Medina Municipal Code (MMC), "General Provisions" adopts by reference former sections of the RCW that criminalized violations of various types of protection orders and penalized such violations as gross misdemeanors; and

**WHEREAS**, these references have changed with enactment of E2SHB 1320, effective July 1, 2022, and are no longer consistent with state law; and

**WHEREAS**, in order for the City to effectively enforce the state's protection order violation laws, the City Council must amend MMC Section 9.04.040 to adopt the recodified laws by reference; and

**WHEREAS**, the City Council desires to amend MMC Section 9.04.040 to harmonize with changes to state law effectuated by enactment of E2SHB 1320; and

**WHEREAS**, the City Council finds that the seriousness of order violations merits affirmatively adopting the criminal provisions of Chapter 7.105 RCW to ensure violators may be promptly and effectively prosecuted in the Medina Municipal Court, and

**WHEREAS**, the City Council finds that a legal question of whether these provisions of Chapter 7.105 RCW have been adopted by the City of Medina can lead to delayed justice and potential danger to victims of domestic violence, stalking, harassment, and sexual assault, and elder abuse and constitutes a public emergency requiring that these amendments become effectively immediately upon adoption.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Findings. The foregoing recitals are hereby adopted as Findings of Fact in support of this Ordinance.

**Section 2.** Amendment to MMC Section 9.04.040. MMC Section 9.04.040 is hereby amended to read as follows:

**9.04.030. Statutes adopted by reference.**

The following statutes as set forth in the Revised Code of Washington are adopted by reference as and for a portion of the criminal code of the city as if set forth in full in this title. Also adopted by reference are all subsequent modifications to the sections or chapters of the Revised Code of Washington set forth in this chapter as the same may be changed, amended or added to:

RCW	
<b>7.105</b>	<b>Civil Protection Orders</b>
9.01.055	Immunity—Aiding officer
9.01.110	Failure to act
9.01.120	Civil remedies preserved
9.01.130	Sending criminal letter
9.01.160	Existing civil rights
9.03.010	Abandoning, discarding refrigeration equipment
9.03.020	Permitting unused equipment to remain on premises
9.03.030	Violation of RCW 9.03.010 or 9.03.020
9.04.010	False advertising
9A.04.010	Title, effective date, application, severability, captions
9A.04.020	Purpose—Principles of construction
9A.04.030	State criminal jurisdiction
9A.04.040	Classes of crimes
9A.04.050	People capable of committing crimes
9A.04.060	Common law to supplement statutes
9A.04.070	Who amenable to criminal statutes
9A.04.080	Limitation of actions
9A.04.090	Application of general provisions of code
9A.04.100	Proof beyond reasonable doubt
9A.04.110	Definitions
9.08.020	Diseased animals
9.08.030	False representation animals
9.08.065	Definitions
9.08.070	Pet animals—Taking, concealing, injuring, killing, etc.—Penalty
9A.08.010	General requirements of culpability
9A.08.020	Liability for conduct of another—Complicity
9A.08.030	Criminal liability of corporations and persons action on under a duty to act in their behalf
9.16.030	Counterfeiting trademarks, brand, etc.
9.16.040	Displaying goods with false trademarks
9.16.050	When deemed affixed
9.16.060	Fraudulent registration of trademark
9.16.070	Form and similitude defined
9.16.080	Sales of petroleum products improperly labeled or by wrong grade
9.16.150	Marked, stamped or branded defined
9A.16.010	Definitions
9A.16.020	Use of force—When lawful
9A.16.030	Homicide—When excusable
9A.16.040	Justifiable homicide by police officer
9A.16.060	Duress

9A.16.070	Entrapment
9A.16.080	Action for being detained on mercantile establishment premises for investigation "reasonable grounds" as defense
9A.16.090	Intoxication
9A.16.100	Use of force on children—Policy—Actions presumed unreasonable
9A.16.110	Defense of person or property against heinous crime— Indemnification or reimbursement by state for expenses of defendant
9.18.120	Suppression of competitive bidding
9.18.130	Collusion to prevent competitive bidding
9.18.140	Penalty
9A.20.010	Classification and designation of crimes
9A.20.020	Authorized sentences of offenders
9A.20.021	Maximum sentences for crimes committed July 1, 1984, and after
9A.20.030	Alternatives to a fine—Restitution
9.26A.090	Telephone credit cards—Prohibited acts
9.26A.100	Definitions
9.26A.110	Fraud in obtaining telecommunications service—Penalty
9.26A.120	Fraud in operating coin-box telephone or other receptacle
9.26A.130	Penalty for manufacture or sale of slugs to be used for coin
9.27.015	Obstructing court, building or residence
9A.28.020	Criminal attempt
9A.28.030	Criminal solicitation
9A.28.040	Criminal conspiracy
9A.36.041	Assault in fourth degree
9A.36.050	Reckless endangerment
9A.36.070	Coercion
9.38.010	False representation concerning credit
9.38.020	False representation concerning title
9.40.040	Spark emitting engines
9.40.100	Injuring or tampering with fire alarm apparatus or equipment—False alarm—Penalty
9.41.010	Terms defined
9.41.030	Being armed prima facie evidence of intent
9.41.040	Certain persons forbidden to possess arms
9.41.045	Possession by offender
9.41.050	Carrying pistol
9.41.060	Exceptions
9.41.070	Issue of license to carry
9.41.080	Delivery to minors and others forbidden
9.41.090	Sales regulations
9.41.093	Exemptions
9.41.095	Denial of application
9.41.098	Forfeiture of firearm, order by courts—Disposition—Confiscation by law enforcement officer
9.41.100	Dealers to be licensed
9.41.110	Dealer's licenses, by whom granted and conditions thereof
9.41.120	Certain transfers forbidden
9.41.130	False information forbidden
9.41.140	Alteration of identifying marks prohibited
9.41.150	Exemptions
9.41.160	Penalty



9.41.170	Alien's license to carry firearms
9.41.180	Setting spring gun
9.41.190	Machine guns prohibited
9.41.200	Machine guns—Defined
9.41.220	Machine guns and parts contraband
9.41.230	Aiming and discharging firearms
9.41.240	Use of firearms by minor
9.41.250	Dangerous weapons—Evidence
9.41.260	Dangerous exhibitions
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9.61.230	Telephone calls to harass, intimidate, torment or embarrass
9.61.240	Permitting telephone to be used
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9A.61.020	Defrauding a public utility
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9.73.020	Opening sealed letter
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9A.76.030	Refusing to summon aid for a peace officer
9A.76.040	Resisting arrest

9A.76.050	Rendering criminal assistance—Definition of term
9A.76.060	Relative defined
9A.76.070	Rendering criminal assistance in the first degree
9A.76.080	Rendering criminal assistance in the second degree
9A.76.090	Rendering criminal assistance in the third degree
9A.76.100	Compounding
9A.76.130	Escape in the third degree
9A.76.160	Introducing contraband in the third degree
9A.76.170	Bail jumping
9A.80.010	Official misconduct
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9A.84.020	Failure to disperse
9A.84.030	Disorderly conduct
9A.84.040	False reporting
9.86.010	Flags, etc. defined
9.86.020	Improper use of flag prohibited
9.86.030	Desecration of flag
9.86.040	Application of provisions
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9A.88.010	Indecent exposure
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9A.88.050	Prostitution—No defense
9A.88.060	Promoting prostitution—Definitions
9A.88.090	Permitting prostitution
9A.88.110	Patronizing a prostitute
9.91.025	Unlawful bus conduct
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9.92.020	Punishment of gross misdemeanor when not fixed by statute
9.92.030	Punishment of misdemeanor when not fixed by statute
9.92.040	Punishment for contempt
<del>10.99</del>	<del>Domestic violence</del>
<del>26.09</del>	<del>Domestic violence</del>
<del>26.50</del>	<del>Domestic violence</del>
29A.84.040	Political advertising, removing or defacing

**Section 3.** Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener and clerical errors, references, ordinance numbering, section/subsection numbering and any references thereto.

**Section 3.** Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

**Section 4.** Declaration of Emergency; Effective Date. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, safety, and welfare, shall take effect and be in full force immediately upon its adoption. A non-exhaustive list of facts supporting this emergency declaration are included in the recitals above, which are adopted by reference as findings of fact as if fully set forth herein. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City of Medina.

**APPROVED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 14TH DAY OF NOVEMBER, 2022 AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 14TH DAY OF NOVEMBER, 2022.**

\_\_\_\_\_  
Jessica Rossman, Mayor

Approved as to form:  
Ogden Murphy Wallace, PLLC

Attest:

\_\_\_\_\_  
Scott Missall, City Attorney

\_\_\_\_\_  
Aimee Kellerman, City Clerk

PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO.:



# MEDINA, WASHINGTON

## AGENDA BILL

Monday, November 14, 2022

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**Subject:** Planning Commission Annual Code Update

**Category:** Discussion

**Staff Contact:** Stephanie Keyser, Planning Manager

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### **Summary**

Every year Planning Commission forwards a recommendation to Council for small code amendments intended to: 1) clean-up and clarify the existing code, 2) streamline process for both staff and applicants, and 3) incorporate new legislative requirements. Tonight is Council's first review of the proposal. Planning Commission will hold a public hearing on Tuesday, November 15<sup>th</sup> and finalize their recommendation. On December 12<sup>th</sup>, Council will hold a second public hearing on the proposal, review Planning Commission's formal recommendation, and tentatively adopt the amendments.

**Attachment(s)**

1. Summary of Amendments
2. Red-lined Draft
3. Clean Draft

**Budget/Fiscal Impact:** N/A

**Recommendation:** Discussion and schedule second public hearing on December 12, 2022.

**City Manager Approval:**

A handwritten signature in black ink, appearing to be 'S. Keyser', is written over the 'City Manager Approval:' label.

**Proposed Council Motion:** N/A

**Time Estimate:** 10 minutes



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | www.medina-wa.gov

## MEMORANDUM

DATE: November 14, 2022  
TO: Medina City Council  
FROM: Stephanie Keyser, Planning Manager  
RE: Annual Code Clean-Up (2022)

The following outlines the proposed annual code clean-up for 2022. When reading the draft, especially in the sign code section, the **red** is existing code language that has been moved while **red and underlined** is brand new text.

Section	Title	Proposed Amendment
<b>MMC 10.08.010</b>	Streets and Roads	Remove house address
<b>MMC 12.44</b>	Street Vacations	Clarifies that costs will be recovered for city staff time even if a petitioner withdraws their street vacation petition ( <i>City Attorney</i> drafted amendment)
<b>MMC 16.12.090</b>	“H” Definitions	Remove housekeeping unit from H definitions
<b>MMC 16.12.200</b>	“S” Definitions	Housekeeping amendments to the S definitions
<b>MMC 16.22.040</b>	Protrusions Into Setback Areas	Cleans up the section and clarifies existing mechanical equipment location and units for nonconforming houses
<b>MMC 16.30.020</b>	Signs	Remove language in the code that regulates the content of signs ( <b>Reed V. Gilbert</b> )
<b>MMC 16.34.020</b>	Accessory Dwelling Units	Amend ADU section to remove burdensome language
<b>MMC 16.34.040</b>	Accessory Recreational Facilities	Correct a scrivener’s error
<b>MMC 16.52.190</b>	Tree Protection Measures during Development	Clarifies tree protection during development
<b>MMC 16.70.030</b>	Construction Code of Conduct	Repeal Construction Code of Conduct (Clean Up)
<b>MMC 16.71.010</b>	Minor Deviation	Clarify that a structure using a minor deviation application cannot experience substantial destruction
<b>MMC 16.71.040</b>	Level 1 Tailored Construction Mitigation Plan	Repeal Level 1 Tailored Construction Mitigation Plan (Clean Up)
<b>MMC 16.71.050</b>	Administrative Right-of-Way Tree Activity Permit	Clarify permit covers tree and vegetation in the right-of-way

<b>MMC 16.72.080</b>	Level 2 Tailored Construction Mitigation Plan	Repeal Level 2 Tailored Construction Mitigation Plan (Clean Up)
<b>MMC 16.72.090</b>	Nonadministrative Right-of-Way Tree Activity Permit	Clarify permit covers tree and vegetation in the right-of-way
<b>MMC 16.72.100</b>	Nonadministrative Tree Activity Permit	Clarify this permit is for Landmark trees with a DBH of 50 inches or greater, as required in MMC 16.52.160(E)

### Summary of Proposed Amendments

1. MMC 10.08.010 – Streets and Roads. The purpose of this amendment is to remove the referenced street address that identifies the end of the Medina city limits on Lake Washington Blvd. It's not appropriate to have a person's home address as a landmark or identifier in code. Residential addresses do not exist in perpetuity and often change as a result of construction, lot consolidation, or lot separation. This amendment will remove the home address number.
2. MMC 12.44 – Street Vacations. The amendments in this chapter were written by the City Attorney to clarify that if a petitioner withdraws their street vacation petition, or if it is denied, they (the petitioner) are still responsible to reimburse the city for full expenses and costs incurred processing the petition.
3. MMC 16.12.090 – "H" Definitions. The purpose of this amendment is to remove housekeeping unit from the "H" definitions because it is referred in the code as *single* housekeeping unit.
4. MMC 16.12.200 – "S" Definitions. The purpose of these amendments are to clarify "S" definitions.
5. MMC 16.22.040 – Protrusions Into Setback Areas. The purpose of these amendments is to clean up and clarify the section. For mechanical units, the proposal includes an exception where *existing* mechanical units may be replaced by installing a new unit in the same location, regardless of setbacks. This amendment also provides relief for residents of *existing* legally nonconforming houses so that they may place new units in the side setbacks, provided they are 5-feet away from the property line. In both of these circumstances, the units still must pass the required sound test and screening required by code. There would be no new impact to neighbors.
6. MMC 16.30.020 – Signs. The purpose of these amendments is to conform to Reed v. Gilbert (2015). Although there was a sign code update in 2017, Medina's code still has language where *content* is regulated. The legal opinion that has formed in the past few years is that jurisdictions should remove the classification of realtor signs, which is a content driven regulation, and instead focus on the type of sign (temporary) and actual structure dimensions. While reviewing this code, staff was of the opinion that this section is not an intuitive read and that perhaps it could be simplified by creating a sign matrix. **The dimensions, locations, and types of permitted and prohibited signs has not changed.** What has changed is the organization to the section and the addition of illustrations. The City Attorney has also reviewed the section and has suggested minor edits.
7. MMC 16.34.020 – Accessory Dwelling Units. The purpose of these amendments is to remove the requirement for an accessory dwelling unit (ADU) to have an additional use.

An example of an additional use is to have a garage with an ADU on top or to have an ADU with a separated room and access that could just be used as a studio. Staff has found that this additional use requirement creates an unnecessary burden on existing homeowners and is an example where theory (code) and practice (building plans) just don't mesh. It should be stressed that this additional use requirement is **not** a problem with new construction. With new construction, the owners already want to build a detached garage with a mother-in-law suite on top, or build a pool house with an apartment. The problem comes with residents who either have an existing structure that they want to convert to an ADU (like an existing detached garage) or they have an existing ADU that they want to expand or remodel and start using again. To meet the intent of the code residents are having to either get creative and reduce the functionality of the space or tack on storage closet appendages that are wasteful of resources.

8. MMC 16.34.040 – Accessory Recreational Facilities. The purpose of this amendment is to correct a scrivener's error.
9. MMC 16.52.190 - Tree Protection Measures during Development. The purpose of this amendment is to clarify tree protection during site development.
10. MMC 16.70.030 – Construction Code of Conduct. The purpose of this amendment is a clean-up to repeal an old code section that was missed with previous amendments.
11. MMC 16.71.010 – Minor Deviation. The purpose of this amendment is to clarify that a structure cannot experience either substantial destruction or reconstruction during to qualify for a minor deviation. This ties a monetary limit to the minor deviation process and aligns it closer to its intent which is for a remodel and not for a completely new house. If a homeowner wanted to go exceed the substantial destruction or reconstruction threshold, they could request that through a nonadministrative variance.
12. MMC 16.71.040 – Level 1 Tailored Construction Mitigation Plan. The purpose of this amendment is a clean-up to repeal an old code section that was missed with previous amendments.
13. MMC 16.71.050 – Administrative Right-of-Way Tree Activity Permit. The purpose of this amendment is to clarify permit covers tree and vegetation in the right-of-way.
14. MMC 16.72.080 – Level 2 Tailored Construction Mitigation Plan. The purpose of this amendment is a clean-up to repeal an old code section that was missed with previous amendments.
15. MMC 16.72.090 – Nonadministrative Right-of-Way Tree Activity Permit. Clarify permit covers tree and vegetation in the right-of-way.
16. MMC 16.72.100 – Nonadministrative Tree Activity Permit. Clarify this permit is for Landmark trees with a DBH of 50 inches or greater, as required in MMC 16.52.160(E).



**Chapter 10.08 – Streets and Roads**

10.08.010 – Functional classification of the City of Medina’s streets and roads.

Applying the definitions as established by the Federal Highway Administration (FHWA), U.S. Department of Transportation, for a minor arterial, collector, and local access transportation route, the following designations are adopted for the City of Medina's streets and roads:

- A. *Minor arterial.*
  - 1. 84th Avenue NE, from NE 12th Street to NE 28th Street.
- B. *Collector.*
  - 1. Evergreen Point Road, from Overlake Drive West to 78th Place NE.
  - 2. Overlake Drive West, from Evergreen Point Road to Groat Point Drive.
  - 3. Overlake Drive East, from Groat Point Drive to Lake Washington Boulevard.
  - 4. NE 12th Street, from Evergreen Point Road to Lake Washington Boulevard.
  - 5. Lake Washington Boulevard, from NE 12th Street to the Medina city limit near 854 Lake Washington Boulevard.
  - 6. NE 24th Street, from Evergreen Point Road to 84th Avenue NE.
- C. *Local access.*
  - 1. All other streets and roads within the City of Medina.

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**Chapter 12.44 – Street Vacations**

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12.44.050. - Petition by owners.

The owners of an interest in real estate abutting upon or underlying public ROW may petition the city council for vacation thereof in accordance with requirements of this chapter.

- A. The petitioner shall apply for a vacation by submitting the following to the city clerk:
  - 1. A vacation petition with supporting affidavits on forms provided by the city.
  - 2. A diagram of the location and a survey of the subject property and immediate area of the proposed vacation including the abutting and/or underlying properties, all prepared by a licensed surveyor registered in the State of Washington.
  - 3. A legal description of the subject property prepared by a licensed surveyor registered in the State of Washington.
  - 4. For each abutting and underlying property and petitioner, a title report indicating the extent and type of ownership and providing a legal description of the petitioner's property.
  - 5. The vacation fees and deposits as established by this chapter and city ordinance.
  - 6. Any additional information or material the city determines is reasonably necessary for the city council to understand, consider and evaluate the requested vacation.

B. The petition shall be filed with the city clerk and shall be signed by owners of more than two-thirds of the property abutting the subject property (based on front footage) or underlying the subject property (based on square footage).

C. The city clerk shall determine the petition's compliance with this chapter. For the purpose of determining the sufficiency of signatures of owners of private property on a petition or a consent to vacate determined by the city council, the following rules shall govern as applicable:

1. The signature of an owner of property shall be as set forth in the King County assessor records and confirmed by a title report.

2. In the case of a property subject to a contract of purchase, the signature of the contract grantor and grantee shall be required.

3. In the case of property ownership by corporation or similar entity, the signature of the officer authorized by the bylaws and resolution of the board of directors evidenced by an excerpt of the bylaws and copy of the resolution, each duly certified by the secretary of the corporation, and granting such authority.

4. In the case of property owned or controlled by an estate, guardian or conservator of a decedent or incompetent, the signature of the duly qualified administrator, executor or guardian accompanied by a duly certified copy of his/her judicial appointment or designation.

D. Each petitioner shall be responsible to reimburse the City for the full expenses and costs incurred by the City to process the petitioner's requested vacation, regardless of the outcome of the City's review and decision thereon or petitioner's withdrawal of the petition. In addition to any other provisions of the MMC or this chapter, the City Manager or designee shall keep account of all administrative time, costs and expenses incurred by City employees, contractors, consultants, legal counsel, appraisers, appointed officers and other individuals acting on behalf of or for the benefit of the City in the course of processing the petition. The City Manager or designee shall periodically compile such time, costs and expenses and invoice the petitioner for payment thereof, which shall be made by petitioner not more than fifteen (15) from the date of the invoice. Upon the City's final decision to grant, deny or otherwise act on the petition, the City Manager or designee shall compile a final invoice for all remaining unpaid time, costs and expenses and shall present such invoice to the petitioner for prompt payment. No vacation shall become final nor be recorded until all invoices have been paid in full by the petitioner. In the event the petitioner does not make timely payment as set forth herein, the City may suspend further review and processing of the petition.

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#### 12.44.080. - Petition fees and costs; compensation.

A. The petition, properly signed, shall be filed with the city clerk and accompanied by payment of the application fee and the estimated appraisal cost as set forth herein, which amounts shall be paid into the general fund of the city to defray the costs and expenses incurred by the city to: appraise the subject property, determine the sufficiency of the petition, evaluate and investigate the petition, and report the facts, circumstances and conclusions concerning the petition to the city council. Fees and costs shall not be returned or refunded to the petitioners regardless of the city council's action on the petition.

B. The amount of the fees and costs due upon filing shall be as follows:

1. The minimum application fee established by the city's then current fee schedule.

2. An appraisal fee deposit of \$2,500.00, which may be adjusted by the city manager up to the amount of the MAI appraisal bid or estimate submitted to the city.

C. In the event that the application fee, and/or the appraisal ~~deposit costs~~ set forth in subsection (B) of this section is insufficient to reimburse the city for all of the city's costs and expenses incurred in relation to the petition, the balance shall be determined and paid by the petitioner in accordance with MMC 12.44.050(D). ~~immediately upon receipt of the city's invoice.~~

D. In the event the vacation is granted by the city council, the petitioner shall immediately pay upon receipt of an invoice the amount required by the city council as compensation for the area being vacated as provided in MMC 12.44.180 and all amounts payable in accordance with MMC 12.44.050(D). A vacation ordinance shall not be effective until such time as the petitioner pays all sums due to the city, including all compensation due to the city for the vacation and all costs and expenses of the city in processing the petition. The city shall not record an approved vacation ordinance until such time as all such compensation, fees, costs and reimbursements are paid in full. If any portion of such amount remains unpaid for 30 days after submittal of a final invoice to the petitioner, the city council shall rescind and vacate the approved vacation ordinance.

E. In the event that the city council initiates a vacation, fees shall not be required unless council directs otherwise.

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## Chapter 16.12 – Definitions

### 16.12.090. "H" definitions.

*Habitat conservation areas* means areas designated as fish and wildlife habitat conservation areas.

*Hardscape* means any inorganic decorative landscape materials, including but not limited to stones, boulders, cobbles, pavers, decorative concrete incorporated into an overall landscape design of the grounds. This definition includes, but is not limited to, patios, walkways, steps, and other paved areas on the ground.

*Hazard areas* means areas designated as geologically hazardous areas due to potential for erosion, landslide, seismic activity, or other geologic condition.

*Hazard tree* means a tree designated by the city arborist as having a high to extreme risk using the International Society of Arborists Tree Risk Assessment Qualification (TRAQ) system. A hazard tree must have a likely or very likely potential to fail and a target that might sustain injury or damage. Hazard trees are created through a variety of circumstances including human influences, disease, and weather.

*Hearing body* means the body designated by the city council to preside over an open-record hearing or closed-record appeal.

*Hearing examiner* means the person appointed pursuant to MMC 2.72.020 with the powers and duties prescribed in Chapter 2.72 MMC.

*Height* means a vertical distance measured between two points.

*Home business* means an economic enterprise to make a product or perform a service, or to undertake any activity that requires a business license from the State of Washington, that is conducted or operated pursuant to MMC 16.31.010 within a single family dwelling by the resident occupant or owner thereof, which use or activity shall be clearly incidental and secondary to the residential use of the dwelling, including the use of the dwelling as a business address in a directory or as a business mailing address.

*Horticulture* means the occupation of cultivating plants, especially flowers, fruit, and vegetables.

*Hot tub* means a hydro-massage pool, or tub for recreational or therapeutic use designed for immersion of users, and usually having a filter, heater, and motor-driven blower.

*Household staff* means individuals who spend more than 50 percent of their working time employed at the residence site and in no event work less than 20 hours per week, including caregivers.

~~*Housekeeping unit* means one or more persons living together sharing household responsibilities and activities, which may include sharing expenses, chores, eating evening meals together and participating in recreational activities and having close social, economic and psychological commitments to each other. A housekeeping unit does not include larger institutional group living situations such as dormitories, fraternities, sororities, and similar groups where the common living arrangement or basis for the establishment of the housekeeping unit is temporary.~~

*Hydraulic project approval (HPA)* means a permit issued by the State Department of Fish and Wildlife for modifications to waters of the state in accordance with Chapter 75.20 RCW.

*Hydric soil* means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements.

*Hydrophytic vegetation* means macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements.

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#### 16.12.200. "S" definitions.

*School* means a school operation with 13 or more attendees at any one time, not including immediate family members who reside in the school or employees.

*School operation* means any institution of learning, excluding those offering post-secondary education, offering instruction in the several branches of learning and study required by the Basic Education Code of the State of Washington to be taught in the public, private and parochial school.

*Scrub-shrub wetland* means a regulated wetland with at least 30 percent of its surface area covered by woody vegetation less than 20 feet in height as the uppermost strata as measured from existing grade.

*Security barrier* means an obstruction, such as fences, walls, vegetation and similar elements that restricts public access.

*Seismic hazard areas* means areas that are subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction, lateral spreading, or surface faulting.

*Sensitive areas.* See "critical areas."

*SEPA.* See definition of "State Environmental Policy Act (SEPA)."

*Service area* means the vicinity around a wireless communication facility that effectively receives signals from and transmits signals to the facility.

*Setback* means the minimum distance from the property line to where a structure may be built. (See MMC 16.22.030.)

*Setback area* means the area of a lot or building site between the property line and the limits set by the Medina Municipal Code city regulations within which no ~~permanent~~ structure may intrude unless allowed otherwise by law.

*Shorelands or shoreland areas* means those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark or floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes and tidal waters which are subject to the provisions of the Washington State Shoreline Management Act of 1971 and the City of Medina shoreline master program, Chapters 16.60 through 16.67 MMC.

*Shorelines* means all of the water areas of the state as defined in RCW 90.58.030, including reservoirs and their associated shorelands, together with the lands underlying them except:

1. Shorelines of statewide significance;
2. Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less and the wetlands associated with such upstream segments; and
3. Shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes.

*Shorelines of statewide significance* means those areas defined in RCW 90.58.030 and limited in the City of Medina to Lake Washington.

*Sign* means any medium visible to the public including its structure and component parts which is used or intended to be used out of doors or is visible out of doors to convey a message to the attract attention from a public right-of-way or otherwise attract attention to its subject matter, for advertising or any other purposes to a building, use, business or event; or to promote the sale of products, goods or services; using graphics, written copy, letters, numbers, figures, symbols, logos, registered trademarks, or other such symbols. Painted wall designs or patterns which do not represent a product, service, or registered trademark, and which do not identify the user, are not considered signs.

*Sign, A-board* means a portable sign consisting of two sign faces hinged at the top and separated at the bottom to make it self-standing.

*Sign area* means the area of the face of the sign. When a dimensional sign contains information on two sides of the sign, only one side is counted in determining sign area, except A-board signs where the average area of the two faces shall be used to determine sign area.

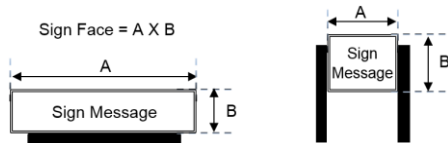
*Sign, banner* means a sign made of lightweight fabric or similar material that is temporarily mounted to a pole or building by one or more edge. National, state or municipal flags, or the official flag of any institution, shall not be considered banners.

~~*Sign, commercial* means a sign containing commercial content used for identifying a building, use, business or event, or to advertise the sale of goods, products, events or services. This includes real estate and event signs.~~

*Sign face* means the surface upon, against or through which the letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign is displayed or illustrated, not including the sign support structure, or architectural features of a building.

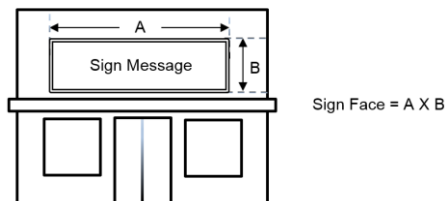
1. In the case of freestanding signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate including borders upon which the sign message is displayed or illustrated. See Figure 1.

**Figure 1**



2. In the case of signs displayed on or mounted to buildings or fences, the sign face shall include the area of the entire panel, cabinet or face substrate upon which the sign message is displayed including framed, painted or illuminated borders that contrast the sign from the background of the building or fence. See Figure 2.

**Figure 2**



3. In the case of signs consisting of individual letters and/or individual graphic elements painted or affixed to a building or structure, the sign face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn using connected straight lines closest to the edge of the letters or separate graphic elements comprising the sign message. See Figure 3.

**Figure 3**



*Sign, freestanding* means a sign attached to a self-supporting structure such as **a columns, poles, or braces** placed in or upon the ground **and not attached to any other structure.**

*Sign height* means the total vertical measurement of a sign including all components of the sign and the sign's support structure.

*Sign, illuminated* means a sign characterized using artificial light, either projecting through its surface (internally or trans-illuminated), or reflecting off its surface (externally illuminated).

*Sign, location identity* means signs that identify address numbers, property owners, and/or geographic areas such as neighborhoods and subdivisions.

*Sign, mounted* means a sign that is applied or affixed to a building, wall or fence.

*Sign, municipal* means a sign erected by the City of Medina, or its authorized representatives, for the safety, convenience or information of its citizens, including, but not limited to, traffic control signs, legal notices, city entrance signs, and signs announcing public and community events, meetings, and activities.

~~*Sign, noncommercial* means a sign containing noncommercial content used for identifying a building, use, or event, or to advertise noncommercial matters, excluding municipal signs.~~

*Sign, off-site* means any sign that advertises or relates to an event, activity, use, good, product, or service that is not available on the premises upon which the sign is erected.

*Sign, on-site* means any sign that advertises or relates to an event, activity, use, good, product, or service that is lawfully permitted to be offered, sold, traded, provided, or conducted at the location or premises upon which the sign is erected.

*Sign, permanent* means any sign which is affixed to the ground or to any permanent structure or building, including walls, awnings and fences, in such a manner that it cannot be moved or transported with ease, and which is intended to remain in one location and position for an extended period of time.

~~*Sign, real estate and events* means a temporary sign that is for the sole purpose of advertising a parcel, tract, lot, site or home for rent, lease or sale; for advertising the sale of a home's household belongings; or which identifies an individual or company performing an active construction project that has obtained building permits under MMC 16.40.010(A) or (B), and which construction activity is visible from a public street right-of-way, including remodels. For purposes of this definition, "construction projects" shall not include routine maintenance of property such as landscaping care.~~

*Sign support structure* means any structure designed specifically for the support of a sign and which does not form part of the sign proper or of the display.

*Sign, temporary* means a sign ~~displaying either commercial or noncommercial messages~~ which is not permanently affixed to the ground or any permanent structure or building, and which is capable of being moved or transported with ease, and which is only intended to be used for a limited period of time.

*Sign, window* means a sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

*Significant tree* means a tree of at least six-inch DBH size and of a species as identified on the "City of Medina List of Suitable Tree Species" as set forth in Chapter 16.52 MMC.

*Single-family dwelling* means a dwelling unit which is occupied as, or designed or intended for occupancy as, a residence by one family and may include family guests and/or household staff. The owner of the single-family dwelling may provide lodging to persons who are not guests and who are not part of a family provided the total number of persons, including nonfamily persons living in the dwelling, does not exceed three, excluding children with familial status within the meaning of Title 42 United States Code, Section 3602(k). The limitation on the number of nonfamily persons living in the dwelling shall not apply to adult family homes, family day-care providers' home facilities as prescribed by RCW 35A.63.215, and other living arrangements which would violate Title 42 United States Code, Section 3604.

*Single-family dwelling, detached* means a separate unconnected single-family dwelling surrounded by open space and yards and which contains one dwelling unit and up to one accessory dwelling unit. A detached single-family dwelling may have detached accessory buildings including, but not limited to, garages, accessory recreational facilities, cabanas and similar residential accessories having no more than one room plus a bathroom and otherwise not designed as an independent residence.

*Single Housekeeping Unit*, means one or more person who jointly have common access to and common use of all living, kitchen, and eating areas within the dwelling unit and household activities and responsibilities such as meals, chores, expenses and maintenance of the premises are shared or carried out according to a household plan or other customary method.

*Soil survey* means the most recent soil survey for the local area or county by the National Resources Conservation Service, U.S. Department of Agriculture.

*Spa*. See definition under "hot tub."

*Species* means any group of animals classified as a species or subspecies as commonly accepted by the scientific community.

*Species, endangered* means any fish or wildlife species or subspecies that is threatened with extinction throughout all or a significant portion of its range and is listed by the state or federal government as an endangered species.

*Species of local importance* means those species of local concern due to their population status or their sensitivity to habitat manipulation, or that are game species.

*Species, priority* means any fish or wildlife species requiring protective measures and/or management guidelines to ensure their persistence as genetically viable population levels as classified by the Department of Fish and Wildlife, including endangered, threatened, sensitive, candidate and monitor species, and those of recreational, commercial, or tribal importance.

*Species, threatened* means any fish or wildlife species or subspecies that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.

*Sport court* means an area of ground defined by permanent surfacing, equipment and/or fencing for the purpose of playing tennis, badminton, basketball and similar social games.

*State Environmental Policy Act (SEPA)* means environmental review procedures required under Chapter 43.21C RCW, Chapter 197-11 WAC, and Chapter 16.04 MMC.

*Steep slope* means any area with a slope of 40 percent or steeper and with a vertical relief of ten or more feet except areas composed of consolidated rock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least ten feet of vertical relief.

*Story* means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof.

*Stream* means a course or route, formed by nature or modified by humans and generally consisting of a channel with a bed, banks, or sides throughout substantially all its length, along which surface waters, with some regularity (annually in the rainy season), naturally and normally flow in draining from higher to lower lands. This definition does not include specially designed irrigation and drainage ditches, grass-lined swales, canals, stormwater runoff devices, or other



courses unless they are used by salmonids or to convey watercourses that were naturally occurring prior to construction.

*Street* means a right-of-way, opened or unopened, that is intended for motor vehicle travel or for motor vehicle access to abutting property. "Street" includes all the area within the right-of-way, such as roadways, parking strips, and sidewalks. For the purposes of the zoning code, "street" shall not include private lanes.

*Street frontage* means the property line abutting streets.

*Structural coverage* means the area of a lot covered by structures. (See MMC 16.23.030.)

*Structure* means that which is erected, built or constructed, including an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

*Subdivision* means the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

*Subdivision, accumulative short* means multiple short subdivisions of contiguous existing lots held under common ownership, which would result in the creation of five or more lots within a five-year period of the initial short subdivision approval. "Ownership" for the purpose of this definition means ownership as established at the date of the initial short subdivision approval.

*Subdivision, short* means the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

~~*Substantial destruction* means to remove more than 60 percent of the existing exterior wall framing of a structure, as measured by the horizontal linear length of all existing exterior walls. Any partial removal of existing framing shall count towards the measurement of horizontal linear length the same as if the entire framing within that horizontal linear length was removed, except partial removal shall not include replacement of windows or doors when no beams or struts are removed. For the purpose of substantial destruction, existing exterior walls shall exclude exterior walls built less than 18 months prior to submittal of a building permit application. damage of any origin that is voluntarily or involuntarily sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 60 percent of the fair market value of the structure before the damage occurred. The calculation of the 18 months shall include to the time after the date the last permit involving construction of a new exterior wall was finalized by the city.~~

*Substantially* means significant in the size or amount and has a noticeable impact on the current situation to a degree that would satisfy a reasonable person as significant.

*Support structures* means the structure to which signs or antennas and other necessary associated hardware are mounted, including, but not limited to, lattice towers, monopoles, utility support structures, and existing nonresidential buildings.

*Swimming pool* means any artificially constructed water-holding device that has a minimum depth of 42 inches and is of sufficient size for swimming, wading, immersion, or therapeutic purposes.

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**Chapter 16.22 – Lot Development Standards**

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#### 16.22.040. Protrusions into setback areas.

The following structures may be located within a setback area, ~~excluding except~~ setbacks from Lake Washington, which are subject to Chapter 16.63 MMC:

- A. Utilities which are located underground and accessory to a principal use, except the requirement for undergrounding is not required if the limitation in MMC 16.50.090(I)(6) applies.;
- B. Walkways, stairs and steps, and driveways, not including parking spaces, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.;
- C. Uncovered decks and patios, provided:
  1. No part of the structure exceeds 30 inches in height above the existing or finished grade, whichever grade is lower; and
  2. The following setbacks are maintained:
    - a. A minimum 15-foot setback is maintained from the front property line;
    - b. A minimum 10-foot setback is maintained from the rear property line; and
    - c. A minimum side-yard setback equal to one-half the required distance pursuant to Table 16.22.030.
- D. Window wells that do not project more than six inches above the ground level and do not protrude more than four feet into the setback area.;
- E. Fences and freestanding walls which comply with the requirements set forth in MMC 16.30.010.;
- F. Irrigation systems at or below finished grade, including yard hydrants, sprinkler heads and similar features that do not exceed 36 inches above the finished grade.;
- G. Ramps and similar structures installed to a single-family dwelling to provide ADA access ~~for elderly and/or disabled persons.~~;
- H. Foundation footings where the footing structure does not protrude more than two feet into the setback area and is located entirely below the ground surface.;
- I. Improved surface areas for off-street parking provided:
  1. The protrusion is limited to the front setback area and a minimum of 15-foot setback is maintained from a front property line; and
  2. The parking area is designed in a manner that is clearly distinguishable from the driveway; and
  - ~~3. A minimum 15-foot setback is maintained from the front property line;~~
  - ~~34.~~ The top of the parking surface does not exceed 30 inches above the existing or finished grade, whichever is lower.;
- J. A chimney provided:
  1. The protrusion is limited to the side setback area and does not exceed more than two-feet into the setback area from a side property line; and
  2. The maximum horizontal width of the chimney inside the setback area is five feet.;
  - ~~and~~
  - ~~3. The chimney does not protrude more than two feet into the setback area;~~
- K. ~~Small~~ A accessory structures and outdoor mechanical equipment provided:

1. The protrusion is limited to the rear setback area ~~from a rear property line and a minimum 15-foot setback from the rear property line is maintained;~~ and
  2. The highest point of the accessory structure or outdoor mechanical equipment does not exceed eight feet in height above the finished grade; and
  3. The accessory structure or outdoor mechanical equipment does not occupy a footprint greater than 100 square feet; and
  4. Solid landscape screening pursuant to MMC 16.30.070 is planted that screens the structure or mechanical equipment from adjoining properties; and
  5. ~~A minimum 15-foot setback from the rear property line is maintained;~~ For outdoor mechanical equipment, the following shall apply:
    - a. An existing unit may be replaced with a new unit in the same location regardless of setback requirements;
    - b. For existing legally nonconforming residences that do not conform to the current side yard setback requirements, a new unit may be installed in the side yard setback provide a minimum 5-foot setback is maintained from the side property line; and
  6. All mechanical equipment shall meet the sound requirements set forth in Chapter 8.06 MMC.
- L. Open play structures without roofs or walls provided:
1. The protrusion is limited to rear setback areas and a minimum 10-foot setback from a rear property line is maintained; and
  2. The maximum height of the play structure does not exceed ten feet above the finished grade; and
  3. The play structure does not occupy a footprint greater than 100 square feet; ;
  4. ~~A minimum ten-foot setback from the rear property line is maintained;~~
- M. Swimming pools, spas and hot tubs as provided for in MMC 16.34.040; ;
- N. Raised planting bed boxes, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower; ;
- O. Low impact development best management practices or treatment best management practices provided:
1. The best management practice shall be designed, constructed, and maintained in accordance with the stormwater manual adopted under MMC 13.06.020.
  2. Best management practices, including associated vegetation, shall be located entirely on private property.
  3. The maximum height of any structural element associated with the best management practice shall not exceed 30 inches above the existing or finished grade, whichever grade is lower.
  4. The best management practice shall be designed to manage or treat stormwater runoff solely from the building site and from less than 5,000 square feet of impervious surface.
  5. Examples of acceptable best management practices, as those practices are defined in Chapter 16.12 MMC, include but are not limited to the following:
    - a. Rain garden;
    - b. Bioretention;
    - c. Dispersion; and

d. Biofiltration treatment.

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**16.30.020. Signs.**

A. *Purpose.* The purpose of this section is to recognize that signs have a strong visual impact on the character and quality of the community. As a part of the scenery, signs attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps set the tone for the neighborhood. The city recognizes the value of maintaining its high-quality residential character through the provision of appropriate and aesthetic signage. In addition, limiting the size, type and location of signs will minimize their distracting effect on drivers and thereby improve traffic safety and protect the public health, safety, and general welfare.

B. *Intent.* The intent of this section is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral and nondiscriminatory sign standards and requirements. This section has also been adopted to:

1. To promote and accomplish the goals, policies and objectives of the city's comprehensive plan and zoning code; and
42. To provide content-neutral design standards for signage; and
23. To recognize the predominately high-quality, single-family residential setting and built-out character of the community by permitting signs that complement this character; and
34. To establish regulations for the design, number, placement and size of exterior signs consistent with the city's high-quality residential character; and
45. To provide business establishments the ability to identify themselves with signage consistent with the high-quality residential setting of the community; and
56. To promote public safety by controlling the amount of clutter and visual distractions caused by signs; and
67. To establish minimum requirements for maintenance of signs.

C. *Interpretations.* This chapter shall not be interpreted to restrict speech on the basis of its content, viewpoint, or message. Any classification of signs in this chapter which purports to permit speech by reason of the type of sign, identity of the sign user or otherwise, shall be interpreted to allow commercial or noncommercial speech on the sign. No part of this chapter shall be construed to favor commercial speech over noncommercial speech. To the extent that any provision of this chapter is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.

**BD. Applicability.**

1. *Applicability.* The requirements of this section shall apply to all signs including sign structures, unless exempt under subsection (BD)(2) of this section. No sign shall be installed, erected and/or displayed within the jurisdiction of the City of Medina, except as provided for in this section and MMC 16.64.070 (shoreline master program).

2. *Exemptions.* The following signs are exempt from the requirements of this section:
- a. Signs required by federal or state statutes or regulations that are exempt from local regulations.;
  - b. Signs placed inside of buildings or within the boundaries of a lot where the sign is not visible from other properties or city rights-of-way.;
  - c. Wall graphics of an artistic nature which do not ~~contain commercial advertisement~~ conform to the definition of a sign in MMC16.12.200.;
  - d. Signs associated with a community event sanctioned by the city or with a special event where a special event permit is obtained pursuant to Chapter 9.40 MMC.;
  - e. Signs meeting the definition of location identity sign as set forth in MMC 16.12.200, which meet the requirements set forth in MMC 16.30.030.
- ~~3. *Limited exemptions.* The following signs are exempt from permit, number, height and size requirements prescribed elsewhere in this section:~~
- ~~fa.~~ fa. Flags that are not of a commercial nature, provided no more than three flags are displayed on the lot simultaneously.;
  - ~~gb.~~ gb. All signs having a sign area of 100 square inches or less, provided:
    - i. The sign is not located within city rights-of-way; and
    - ii. No more than two signs qualifying for this exemption are visible from city rights-of-way or nearby properties.;
  - ~~hc.~~ hc. Permanent signs having a sign area greater than 100 square inches, but not exceeding 144 square inches, provided:
    - i. The purpose of the sign is to warn against trespassing consistent with the restrictions on peddlers and solicitors in Chapter 5.12 MMC;
    - ii. The sign is not located within city rights-of-way; and
    - iii. No more than three signs per property qualifying for this exemption are visible from city rights-of-way or nearby properties.;
  - ~~id.~~ id. Signs circulating traffic on private property provided:
    - i. The sign is not located within city rights-of-way;
    - ii. The sign does not exceed two square feet in sign area; and
    - iii. No more than two signs qualifying for this exemption are visible from city rights-of-way or nearby properties.;
  - ~~je.~~ je. Signs ~~associated with nonresidential uses~~ that communicate operational information such as, but not limited to, hours of access and open/closed signs that do not exceed two square feet in sign area.;
  - ~~kf.~~ kf. Municipal signs pursuant to the requirements in subsection (G) of this section.
4. *Prohibited location for signs.* The following locations for signs are prohibited:
- a. ~~Signs erected and/or displayed within any P~~ublic park or public property, except as specifically allowed by the Medina Municipal Code;
  - b. ~~Signs erected and/or displayed on P~~private property without the express consent of the owner thereof;

- c. ~~Signs posted On~~ public traffic or safety sign posts;
- d. ~~Signs containing obscene or prurient words, scenes or graphics;~~
- e. ~~Signs mounted On~~ utility poles or light standards without the express consent of the entity that owns or controls the utility pole;
- f. ~~Signs in~~ or on vehicles or vessels visible from public property or city rights-of-way, unless the sign meets one of the following conditions:
  - i. The sign is an integral component of the vehicle or vessel and consists of magnetic, decal or is painted onto or attached to the vehicle or vessel provided the vehicle or vessel is in operational condition, and the vehicle or vessel is not a static display;
  - ii. Signs on vehicles or vessels meeting the requirements in subsection (DB)(2)(c) of this section;
- g. ~~Signs Locations~~ that are determined by the director to be a hazard to public safety due to their design, materials, physical condition, or placement.

5. ~~Prohibited signs. Signs which bear or contain statements, words, or pictures which are obscene under the prevailing statutes or U.S. Supreme Court decisional law are prohibited.~~

GE. ~~General sign provisions.~~

1. ~~How to apply the sign code.~~ The principal use of the property, or the principal use of the property abutting a city right-of-way, shall control ~~in applying the nonresidential sign standards in subsection (DE) of this section, or the residential sign standards in subsection (E) of this section.~~ The Medina Comprehensive Plan, Table 1: Land Use Inventory identifies nonresidential uses in the city.
2. ~~Determining signs allowed by use.~~
  - a. ~~Commercial establishments may have:~~
    - i. ~~Permanent signs authorized under subsection (D)(1) of this section;~~
    - ii. ~~Temporary commercial and noncommercial signs authorized under subsections (D)(2)(a) and (b) of this section;~~
    - iii. ~~Exempt signs authorized under subsections (B)(2) and (3) of this section;~~
    - iv. ~~Real estate and event signs authorized under subsection (F) of this section; and~~
    - iv. ~~Location identity signs authorized in MMC 16.30.030;~~
  - b. ~~Nonresidential uses other than commercial establishments may have:~~
    - i. ~~Permanent signs authorized under subsection (D)(1) of this section;~~
    - ii. ~~Temporary noncommercial signs authorized under subsection (D)(3)(b) of this section;~~
    - iii. ~~Exempt signs authorized under subsections (B)(2) and (3) of this section;~~
    - iv. ~~Real estate and event signs authorized under subsection (F) of this section; and~~
    - iv. ~~Location identity signs authorized in MMC 16.30.030.~~
  - c. ~~Residential uses may have:~~
    - i. ~~Permanent and temporary noncommercial signs authorized under subsection (E) of this section;~~

- ~~ii. Exempt signs authorized under subsections (B)(2) and (3) of this section;~~
- ~~iii. Real estate and event signs authorized under subsection (F) of this section; and~~
- ~~iv. Location identity signs authorized in MMC 16.30.030.~~

~~32.~~ *Sign permits.* A building permit is required for the following:

- ~~a. Erecting, installing or replacing any permanent sign **having greater than two square feet of sign area**;~~
- ~~b. Erecting, installing or replacing any temporary sign located within any city right-of-way having greater than four square feet in sign area;~~
- ~~c. Erecting, installing or replacing any temporary **construction** sign unless exempt pursuant to subsection (BD)(2)(b) of this section;~~
- ~~d. Repairs to any sign meeting the size requirements in subsection (CE)(32)(a) or (b) of this section, excluding ordinary repairs as defined by the adopted building code set forth in Chapter 16.40 MMC.~~

~~43.~~ *Maintenance requirements.*

- ~~a. Signs, including any and all components of the structures and/or supports thereof, shall be maintained in a proper state of repair; and~~
- ~~b. The director may order abatement by repair, rehabilitation, demolition or removal of any sign determined to be in a poor state of repair or dangerous due to likely structural failure or faulty wiring.~~

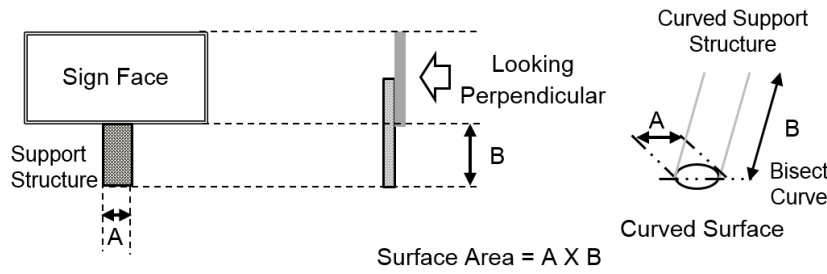
~~54.~~ *Illumination.*

- ~~a. If a sign is permitted to be illuminated pursuant to Table 16.30.020(F), then the following conditions shall apply:~~
  - ~~i. The illumination shall be by a steady continuous light source only.~~
  - ~~ii. No strobe, flashing, moving, or animated features are permitted.~~
  - ~~iii. Outdoor signs may be illuminated only by an external light source, except in the neighborhood auto servicing zone signs may be internally illuminated.~~
  - ~~iv. Illumination Lighting must be shielded to prevent direct glare and/or light trespass into adjoining lots.~~
  - ~~v. Illumination Lighting shall be designed, located, installed and directed in such manner as to prevent objectionable light at, (and glare across,) the property lines and disability glare at any location on or off the property.~~
  - ~~vi. No lighting shall be directed towards passing traffic or towards nearby properties;~~
  - ~~vii. The recommendations set forth by the Illuminating Engineering Society of North America (IES) shall be used in evaluating lighting for consistency with these criteria.~~
  - ~~viii. The luminance level shall not exceed five candelas per square foot (cd/ft<sup>2</sup>);~~
  - ~~ix. The following types of illumination of signs are prohibited when visible from public rights-of-way or nearby properties:~~
    - ~~i. All strobe or flashing lights;~~
    - ~~ii. All moving or animated features that manifest motion;~~

- ~~iii. Any lighted sign where the display can be changed or altered by electrical, electronic or computerized methods; or~~
    - ~~iv. Other types of illumination where the light source is not steady or continuous.~~
- 65. *Signs in a city right-of-way.* Placement of signs within a city right-of-way shall comply with the following:
  - a. Signs shall be placed a minimum distance of ten feet from the edge of pavement, except:
    - i. The director may approve placement at a distance of less than ten feet on a case-by-case basis after considering public safety factors; or
    - ii. Where the edge of pavement includes raised curbs, a sign may be placed less than ten feet from the edge of pavement provided the sign does not cause unsafe conditions for the public's use of the right-of-way;
  - b. Consent by the abutting property owner is required before placement of any sign within a city right-of-way, excluding municipal signs; and
  - c. Applicable requirements in Chapter 12.28 MMC are followed.
- 76. *Measuring sign height.* The height of a sign is measured from the lowest point of the existing grade beneath the sign to the highest point of the sign and sign structure.
- 87. ~~*Time limitations.* Where a nonpermanent sign is required to be removed after a designated time period, the designated time period shall be the maximum amount of time the sign can be erected or displayed during any consecutive 12-month period, except as provided for real estate/construction signs in Table 16.30.020(F).~~ *Maximum number increased.* The maximum number of temporary large yard signs as defined in MMC Table 16.30.020(F) may be increased as follows:
  - a. One additional sign may be posted on the waterfront side of a lot adjoining Lake Washington or on a side facing the golf course when a lot adjoins a golf course;
  - b. If a property does not adjoin a city right-of-way, one additional temporary sign may be placed at the entrance to a public lane serving the subject property.
- 98. *Scenic Vista Act.* Signs that are visible from the SR 520 state highway or located within the state highway right-of-way may be subject to the Scenic Vista Act set forth in Chapter 47.42 RCW.
- 409. *Support structures for freestanding signs.*
  - a. The surface area of the support structure that is visible when looking perpendicular at the sign face shall not exceed 120 percent of the maximum sign area allowed for the sign.
  - b. When the surface area of a support structure is curved, the curve shall be projected onto an xy-plane to calculate the surface area.
  - c. When a sign contains information on two sides, only one side is counted in determining sign area, except A-board signs where the average area of the two surface areas shall be used to determine surface area.



**Diagrams 16.30.020(CE)(109) Surface Area of Support Structure**



~~D. Nonresidential signs. Signs associated with nonresidential uses shall comply with all of the standards set forth in this subsection (D).~~

~~1. Permanent signs. Table 16.30.020(D)(1) sets forth the requirements for permanent signs associated with nonresidential uses.~~

**Table 16.30.020(D)(1): Permanent Sign Standards—Nonresidential**

Description	Development Standard
Maximum sign area	24 square feet per sign
Maximum height:	
—• Freestanding sign	4 feet
—• Mounted sign*	Not to exceed the height of the building
Maximum number of signs	One per each public street frontage the building and/or principal use is adjacent to, not to exceed 2
Placement location:	
—• On-site sign	Allowed
—• Off-site sign	Prohibited
—• On city right-of-way	Prohibited
Sign illumination	Allowed (see MMC 16.30.020(C)(5))
Sign removal	Required within 30 days after abandonment
*Mounted signs are limited to being affixed to a building only	

~~2. Temporary signs.~~

~~a. Commercial signs. Table 16.30.020(D)(2)(a) sets forth the requirements for temporary commercial signs associated with nonresidential uses.~~

**Table 16.30.020(D)(2)(a): Temporary Commercial Sign Standards—Nonresidential**

Description	Development Standard
Maximum sign area	12 square feet
Maximum height:	
—• Freestanding sign	4 feet

—• Mounted sign	Not to exceed the height of the building, wall or fence to which it is attached
Maximum number of signs	One per each public street frontage the building and/or principal use is adjacent to, not to exceed 2
Placement location:	
—• On-site sign	Allowed
—• Off-site sign	Prohibited
—• On city right-of-way	Allowed adjacent to lot only (see MMC 16.30.020(C)(6))
Sign illumination	Prohibited
Sign removal	Must be taken down during nonbusiness hours

b. — Noncommercial signs. Table 16.30.020(D)(2)(b) sets forth the requirements for temporary noncommercial signs associated with nonresidential uses.

**Table 16.30.020(D)(2)(b): Temporary Noncommercial Sign Standards—Nonresidential**

Description	Development Standard	
Maximum sign area:		
—• Banner sign	15 square feet	
—• A-board sign	8 square feet	
—• All other signs	4 square feet	
Maximum height:		
—• Freestanding sign	4 feet	
—• Mounted sign	Not to exceed the height of the building, wall or fence to which it is attached	
Maximum number of signs:		
—• Banner signs exceeding 4 square feet in sign area	One	
—• Signs located on city right-of-way	One per each 50 feet plus one for any remaining fraction thereof of abutting lineal street frontage	
—• All other signs	No restriction	
Placement location:		
—• On-site sign	Allowed	
—• Off-site sign	Allowed	
—• On city right-of-way	Banner sign	Prohibited
	All other temporary signs	Allowed (see MMC 16.30.020(C)(6))
Sign illumination	Prohibited	
Sign removal	Must be removed within 24 hours of related event ending, or within 26 weeks of being erected and/or displayed, whichever period is shorter	

3. — Specific content. Permanent and temporary commercial signs associated with commercial establishments can display only content specific to the commercial

~~establishment and/or products, goods and services offered on site by the commercial establishment.~~

~~4.—Window signs:~~

- ~~a.—Temporary signs placed on a building window shall not cover more than 40 percent of the transparent surface area of the window.~~
- ~~b.—A permanent sign painted or etched on a window may be allowed in lieu of a mounted or freestanding sign prescribed in Table 16.30.020(D)(1) provided the maximum sign area does not cover more than 40 percent of the transparent surface area of the window.~~

~~5.—In addition to the nonresidential commercial and noncommercial sign standards prescribed by this subsection (D), real estate and event signs are allowed that comply with the standards in subsection (F) of this section.~~

~~E.—Residential sign standards. Signs associated with residential uses shall comply with all of the standards set forth in this subsection (E).~~

- ~~1.—Commercial signs. Permanent and temporary commercial signs shall not be erected and/or displayed on properties, or in the adjacent city right-of-way, having a principal use that is residential, except for real estate and event signs complying with the requirements in subsection (F) of this section.~~
- ~~2.—Noncommercial signs. Table 16.30.020(E) sets forth the requirements for all permanent and temporary noncommercial signs associated with residential uses.~~

**Table 16.30.020(E): Noncommercial Sign Standards—Residential**

Description	Development Standard	
Maximum sign area:		
—• Banner sign	15 square feet	
—• All other signs	4 square feet	
Maximum height:		
—• Freestanding sign	4 feet	
—• Mounted sign	Not to exceed the height of the building, wall or fence to which it is attached	
Maximum number of signs:		
—• Banner signs exceeding 4 square feet in sign area	One	
—• Signs located on city right-of-way	One per each 50 feet plus one for any remaining fraction thereof of abutting lineal street frontage	
—• All other signs	No restriction	
Placement location:		
—• On-site sign	Allowed	
—• Off-site sign	Permanent sign	Prohibited
	Temporary sign	Allowed
—• On city right-of-way	Permanent sign	Prohibited
	Banner sign	
	A-board sign	
	All other temporary signs	Allowed (see MMC 16.30.020(C)(6))
Sign illumination	Prohibited	

Sign removal—Temporary sign	Must be removed within 24 hours of related event ending, or within 26 weeks of being erected and/or displayed, whichever period is shorter
Sign removal—Permanent sign	Required within 30 days after abandonment

F.—*Real estate and event signs.* Real estate and event signs shall comply with all of the standards set forth in this subsection (F).

1.—In applying the definition of real estate and event sign to Table 16.30.020(F), the following subcategories of real estate and event signs shall apply:

- a.—Real estate/construction signs, which are for the sole purpose of advertising a parcel, tract, lot, site or home for rent, lease or sale; or which identify the individual or company performing an active construction project including remodels of a property that has obtained a building permit under MMC 16.40.010(A) or (B) from the city, and which construction activity is visible from a public street right-of-way.
- b.—Event signs, which are for the sole purpose of selling a home's household belongings or for advertising an open house event associated with the sale of a parcel, tract, lot, or site.

2.—Table 16.30.020(F) sets forth the requirements for all real estate and event signs.

**Table 16.30.020(F): Real Estate and Event Sign Standards**

Description	Development Standard		
<b>Maximum sign area:</b>			
—• Real estate/construction sign	5 square feet		
—• Event sign	4 square feet		
<b>Maximum height:</b>			
—• Freestanding sign	6 feet		
—• Mounted sign	Not to exceed the height of the building, wall or fence to which it is attached		
<b>Maximum number of signs:</b>			
—• Real estate/construction sign	One per lot, except as provided in MMC 16.30.020(F)(3)		
—• Event sign	3		
<b>Placement location:</b>			
—• Real estate/construction sign:			
	—• On-site sign	Allowed	
	—• Off-site sign	Prohibited, except as allowed in MMC 16.30.020(F)(3)	
	—• On city right-of-way	Banner sign	Prohibited
		All other real estate signs	Allowed adjacent to lot only
—• Event sign:			
	—• On-site sign	Allowed	
	—• Off-site sign	Prohibited	

	<del>• On city right-of-way</del>	<del>Banner sign</del>	<del>Prohibited</del>
		<del>All other event signs</del>	<del>Allowed (see MMC 16.30.020(H))</del>
<del>Illumination</del>	<del>Prohibited</del>		
<del>Sign removal:</del>			
<del>• Real estate/construction sign</del>	<del>See MMC 16.30.020(F)(5)</del>		
<del>• Event sign</del>	<del>Must be removed daily within one hour after event closes each day, not to exceed being displayed more than three days per week</del>		

~~3. The maximum number of real estate/construction signs may be increased as follows:~~

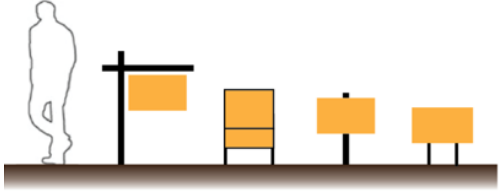
- ~~a. One additional real estate sign may be posted on the waterfront side of a lot adjoining Lake Washington or on a side facing the golf course when a lot adjoins a golf course;~~
- ~~b. If a property does not adjoin a city right-of-way, one additional real estate sign advertising only a parcel, tract, lot, site or home for rent, lease or sale may be placed at the entrance to a private lane serving the subject property;~~
- ~~c. Additional construction signs are prohibited.~~

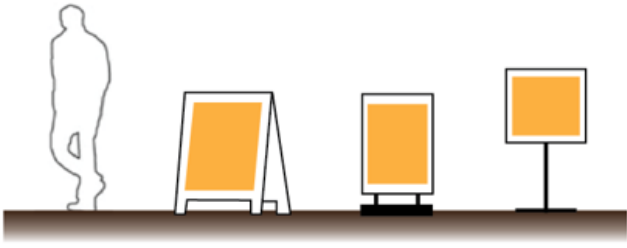
~~4. Event signs may be located further off site than adjacent to the subject lot provided subsection (C)(5) of this section is satisfied.~~

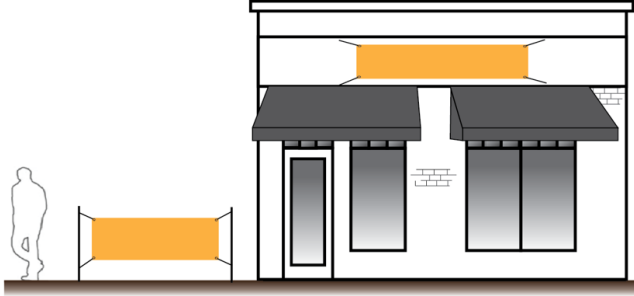

~~5. A real estate/construction sign may be erected or displayed on a site for the duration the property is for sale or the construction project is active, and shall be removed within 24 hours or the next business day, whichever time is longer, after close of property sale or completion of a construction project.~~

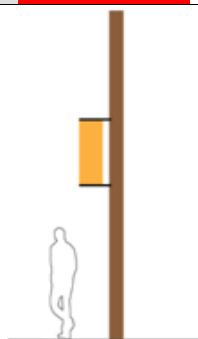
F. *Sign types and standards.* Table 16.30.020(F) sets forth the sign types and standards.

**Table 16.30.020(F): Sign Types and Standards**


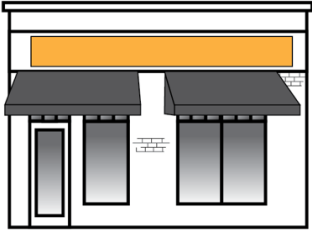
<b>Sign Type</b>	<b>Small Yard Signs</b>	
Examples include single pole or step-stake signs		
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential	Nonresidential
	Allowed	Allowed
Permanence	Temporary	Permanent
	Allowed	Prohibited



Time limit	Must be removed within 24 hours of related event ending, or within 26 weeks of being erected and/or displayed, whichever period is shorter		
Illumination	Prohibited		
Maximum Sign Area	4 square feet		
Maximum Height	4 feet		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Allowed	Allowed (see MMC 16.30.020(E)(5))
Maximum Number Permitted	Signs located on City Right-of-Way		All other <u>permitted</u> locations
	One per 50 feet plus one for any remaining fraction thereof abutting lineal street frontage		No restriction
Installation	<u>Manually pushed or hammered into the ground</u>		
<b>Sign Type</b>	<b>Portable Signs</b>		
<u>Examples include small and large A-Board and free-standing pole signs</u>			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential	Nonresidential	
	Prohibited	Allowed	
Permanence	Temporary	Permanent	
	Allowed	Prohibited	
Time Limit	Must be taken down during nonbusiness or event hours		
Illumination	Prohibited		
Maximum Sign Area	A-Board	8 square feet	
	All Others	4 square feet	
Maximum Height	4 feet		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Prohibited	Allowed adjacent to lot only (see MMC 16.30.020(E)(5))
Maximum Number Permitted	One (1) per each public street frontage to building and/or principal use adjacent to, not to exceed two (2)		
Installation	<u>Stands free on ground, no foundation</u>		
<b>Sign Type</b>	<b>Banner Signs</b>		

<p>Examples include ground, and wall mounted signs</p>			
<p>Principle Use of Property or Property Adjacent to City Right-of-Way</p>	<p>Residential Allowed</p>		<p>Nonresidential Allowed</p>
<p>Permanence</p>	<p>Temporary Allowed</p>		<p>Permanent Allowed</p>
<p>Time Limit</p>	<p>Temporary Must be removed within 24 hours of related event ending, or within 26 weeks after being erected and/or displayed, whichever period is shorter</p>		<p>Permanent Must be removed within 30 days after abandonment</p>
<p>Illumination</p>	<p>Prohibited</p>		
<p>Maximum Sign Area</p>	<p>15 square feet</p>		
<p>Maximum Height</p>	<p>Ground Banner 4 feet</p>		<p>Mounted Banner Not to exceed the height of the building, wall, or fence to which it is attached</p>
<p>Placement</p>	<p>On-Site Allowed</p>	<p>Off-Site Temporary Allowed Permanent Prohibited</p>	<p>City Right-of-Way Prohibited</p>
<p>Maximum Number Permitted</p>	<p>One (1) banner sign exceeding 4 square feet in sign area</p>		
<p>Installation</p>	<p><u>Ground Banner</u> <u>Manually pushed or hammered into the ground</u></p>		<p><u>Mounted Banner</u> <u>Attached securely to a building, wall, or fence</u></p>
<p><b>Sign Type</b></p>	<p style="text-align: center;"><b>Large Yard Signs</b></p>		
<p><u>Examples include half sheet, and quarter sheet signs</u></p>			
<p>Principle Use of Property or Property</p>	<p>Residential Allowed</p>		<p>Nonresidential Allowed</p>

Adjacent to City Right-of-Way			
Permanence	Temporary	Permanent	
	Allowed	Prohibited	
Time Limit	Must be removed within 24 hours or the next business day, whichever time is longer, after the completion of the project, close of property sale, or conclusion of the event		
Illumination	Prohibited		
Maximum Sign Area	5 square feet		
Maximum Height	6 feet		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Prohibited, except as allowed in MMC 16.30.020(E)(7)	Allowed adjacent to lot only
Maximum Number Permitted	One (1) per lot, except as provided in MMC 16.30.020(E)(7)		
<u>Installation</u>	<u>Permanent foundation prohibited; manually pushed or hammered into the ground</u>		
<b><u>Sign Type</u></b>	<b><u>Pole Banner</u></b>		
Examples include banners attached to utility poles			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential	Nonresidential	
	Allowed (see MMC 16.30.020(D)(4)(d))	Allowed (see MMC 16.30.020(D)(4)(d))	
Category	Temporary	Allowed	
	Permanent	Prohibited	
Time Limit	Must be removed within 24 hours of related event ending, or within 26 weeks after being erected and/or displayed, whichever period is shorter		
Illumination	Prohibited		
Maximum Sign Area	4 square feet		
Maximum Height	Not to exceed the height of the pole to which it is attached. Must have 8 feet clearance under banner.		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Prohibited	Allowed (see MMC 16.30.020(E)(5))
Maximum Number Permitted	One (1) per pole		
<u>Installation</u>	<u>Attached to utility support structures</u>		
<b><u>Sign Type</u></b>	<b><u>Freestanding Signs</u></b>		



Examples include monument and pylon			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential Allowed <sup>1</sup>		Nonresidential Allowed
Category	Temporary Prohibited		Permanent Allowed
Time Limit	Must be removed within 30 days after abandonment		
Illumination	Permitted (see MMC 16.30.020(E)(4))		
Maximum Sign Area	24 square feet per sign		
Maximum Height	4 feet		
Placement	On-Site Allowed	Off-Site Prohibited	City Right-of-Way Prohibited
Maximum Number Permitted	One (1) per each public street frontage the building and/or principal use is adjacent to but not to exceed two (2)		
Installation	<u>Permanent foundation</u>		
<b>Sign Type</b>	<b>Wall Signs</b>		
Examples include a sign painted directly to a wall, attached to, or erected against a wall of a building or structure with the exposed face of the sign parallel to the plane of such wall			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential Prohibited		Nonresidential Allowed
Category	Temporary Allowed		Permanent Allowed
Time Limit	Temporary Must be removed within 24 hours or the next business day, whichever time is longer, after the completion of the project, close of property sale, or conclusion of the event		Permanent Must be removed within 30 days after abandonment
Illumination	Permitted (see MMC 16.30.020(E)(4))		
Maximum Sign Area	24 square feet per sign		
Maximum Height	Not to exceed the height of the building		

Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Prohibited	Prohibited
Maximum Number Permitted	One (1) per each public street frontage the building and/or principal use is adjacent to but not to exceed two (2)		
Installation	<u>Mounted directly to building</u>		
<b>Sign Type</b>	<b><u>Awning Sign</u></b>		
<u>Examples include a sign either attached to, affixed to, or painted on an awning, marquee, or canopy</u>			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential	Nonresidential	
	Prohibited	Allowed	
Category	Temporary	Permanent	
	Prohibited	Allowed	
Time Limitation	Must be removed within 30 days of abandonment		
Illumination	Permitted (see MMC 16.30.020(E)(4))		
Maximum Sign Area	24 square feet		
Maximum Height	Not to exceed the height of the building		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Not applicable	Not applicable
Maximum Number Permitted	One (1) per awning		
Installation	<u>Directly onto awning attached to a building</u>		
<b>Sign Type</b>	<b><u>Window Sign</u></b>		
<u>Examples include a painted, etched, or vinyl sign placed directly onto a window</u>			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential	Nonresidential	
	Prohibited	Allowed	
Category	Temporary	Permanent	
	Allowed	Allowed	
Time Limit	Temporary	Permanent	
	Must be removed within 24 hours of related event ending, or within 26 weeks after being	Must be removed within 30 days of abandonment	

	erected and/or displayed, whichever period is shorter		
Illumination	Prohibited		
Maximum Sign Area	No more than 40 percent of the transparent surface area of the window		
Maximum Height	Limited to height of window		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Not applicable	Not applicable
Maximum Number Permitted	Temporary		Permanent
	One (1) sign that does not cover more than 40 percent of the transparent surface of the window(s)		In Lieu of a mounted or freestanding sign, one (1) permanent sign provided it does not cover more than 40 percent of the transparent surface of the window(s)
Installation	<u>Directly onto window glass</u>		
<p><u>Notes:</u></p> <p><u><sup>1</sup> Permanent free standing signs are allowed for residential uses provided they meet the location identity standards in MMC 16.30.030</u></p>			

G. *Municipal signs.*

1. The requirements for permits for permanent signs set forth in subsection ~~(GE)~~(32) of this section shall apply to municipal signs, excluding traffic control signs.
2. Nothing else in this section shall restrict the erecting or posting of signs by the city, or its authorized representatives, for the safety, convenience or information of its citizens.

H. *Nonconforming signs.*

1. All permanent signs that do not conform to the specific standards of ~~the~~ the Medina Municipal Code that were erected in conformance with a valid permit or were erected in conformance with then applicable ordinances and regulations shall be considered legally nonconforming signs.
2. Nonconforming rights are not granted to temporary signs or signs that were in violation of previous versions of the Medina sign code.
3. Legally nonconforming signs may continue unless:
  - a. The sign is abandoned; or
  - b. The sign is changed as to the location, shape, or dimensions; or
- c. The ~~user sign is not kept~~ fails to keep the sign in good repair consistent with the maintenance requirements imposed by this section. In such cases, the sign as changed or repaired must comply with all applicable provisions of this section.

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**Chapter 16.34 – Accessory Uses**

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#### 16.34.020. Accessory dwelling units.

This section establishes the development criteria that apply to accessory dwelling units.

- A. Accessory dwelling units meeting the requirements of this section are excluded from density and minimum lot area requirements.
- B. Accessory dwelling units shall be fully contained within and attached to a single-family dwelling, or must be located within a detached accessory building ~~containing another permitted accessory use.~~
- ~~C. Accessory dwelling units are prohibited as the only use in a detached accessory building.~~
- ~~CD.~~ Only one accessory dwelling unit may be permitted on a lot per each single-family dwelling located on the same lot.
- ~~DE.~~ Development standards.
  - 1. The accessory dwelling unit shall comply with the development standards of the zoning where the accessory dwelling unit is located;
  - 2. The accessory dwelling unit shall contain no more than the lesser of 1,000 square feet of gross floor area, or 40 percent of the total square footage of the gross floor area of the single-family dwelling and accessory dwelling unit combined;
  - 3. All of the structures on the property shall have the appearance of a single-family dwelling and any other permitted accessory structures;
  - 4. The entry door to the accessory dwelling unit shall be screened from the street by portions of the structure or by dense evergreen vegetation;
  - 5. There shall be no sign or other indication of the accessory dwelling unit's existence other than an address sign and a separate mail box; and
  - ~~6. The exterior finish of the accessory dwelling unit shall be identical to the residence or accessory structure in which it is contained; and~~
  - ~~67.~~ A certification by City of Bellevue utilities is required indicating that water supply and sanitary sewage are available to adequately serve the accessory dwelling unit.
- ~~EF.~~ There shall be one off-street parking space provided for the accessory dwelling unit, which shall be in addition to any off-street spaces required for the principal single-family dwelling.
- ~~EG.~~ Garage space may be converted into an accessory dwelling unit only if the number of covered garage spaces eliminated by the conversion is replaced by the same number of covered garage spaces elsewhere on the property.
- ~~GH.~~ An accessory dwelling unit must contain:
  - 1. Bathroom facilities that include a toilet, sink and a shower or bathtub; and
  - 2. ~~Kitchen or~~ Food storage and preparation facilities and a sink.
- ~~HI.~~ A property owner seeking to establish a legal accessory dwelling unit shall apply to register the dwelling unit with the city pursuant to MMC 16.70.070. The application shall include an agreement, in a form approved by the City, by the property owner to maintain the accessory dwelling unit in compliance with the standards set forth in this section.

J. After the accessory dwelling unit is approved, a registration form signed by the record holders of the property shall be recorded with the King County auditor's office. Said registration form shall contain:

1. The street address and legal description of the property; and
2. The requirement for maintaining the accessory dwelling unit in compliance with the requirements of this section.

JK. The registration of the accessory dwelling unit may be canceled pursuant to MMC 16.70.070 by the property owner by recording a certificate of cancellation in a form satisfactory to the city with the King County department of records and elections. The city may record a notice of cancellation upon failure to comply with the standards set forth in this section.

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16.34.040. Accessory recreational facilities.

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C. Development standards.

1. Major recreational facilities shall comply with the development requirements of the zone in which the recreational facility is located, except as provided in subsection (C)(3) of this section.
2. Swimming pools, spas and hot tubs shall have the setback measured from the property line to the outside edge of the structural rim of the vessel (see Figure 16.34.040(C)(2)).
3. Major recreational facilities may protrude into setback areas provided:
  - a. At least a 15-foot setback is maintained from each rear and front property line; and
  - b. At least a ~~ten~~10-foot setback is maintained from each side property line.
4. The height of a swimming pool, hot tub or spa is measured from the lowest point of original grade or finished grade, whichever grade is lower, underneath the perimeter of the facility to the highest point of the structural rim of the vessel. (See Figure 16.34.040(C)(4).)

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**Chapter 16.52 – Tree Management Code**

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16.52.190 – Tree Protection Measures During Development Construction

A. Tree protection measures shall be implemented and maintained before and during all development construction activities to ensure the preservation of significant trees that are planned to be retained. Tree protection measures shall be shown on grading and drainage plans, tree protection plans, and construction mitigation plans.

B. Tree protection measures shall include, but are not limited to, the following:

1. Establish tree protection zones and install protective fencing at the drip line or other barriers that are at least four feet in height, except where tree protection zones are remote from areas of land disturbance, and where approved by the director, alternative forms of tree protection may be used in lieu of tree protective fencing; provided, that the critical root zones of protected trees or stands of trees are clearly delineated and protected;
2. Limit grading levels around subject trees to not raise or lower grades within the larger of the following areas:
  - a. The drip line area of the tree; or
  - b. An area around the tree equal to one foot in diameter for each inch of tree diameter measured at DBH;
3. Installation of a tree well, but only where necessary and only with pre-approval of the city;
4. Designation of areas on site for parking, material and equipment storage, construction ingress and egress, and similar designated areas that do not negatively impact significant trees;
5. Locate trenches for utilities that minimize negative effects on the tree root structure with provisions for filling the trenches with a suitable growing medium in the vicinity of the trees;
6. Employ measures to protect critical root systems from smothering and compaction;
7. Implement a tree care program during construction to include watering, fertilizing, pruning and pest control; and
8. Measures for the disposal of potentially harmful items such as excess concrete, polluted water runoff, and other toxic materials.

C. The director may approve deviations to the tree protection measures set forth in subsection (B) of this section if the director determines that the deviation will provide equal or better tree protection than the required tree protection measure.

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**Chapter 16.70 – Administrative Approvals**

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~~16.70.030 Construction code of conduct.~~

~~A.—Applicant. Any owner may submit an application for a construction code of conduct.~~

~~B.—Procedures:~~

- ~~1.—Construction code of conducts are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and~~

~~2. Before the city issues permits authorizing grading, demolition or construction activity, the property owners, designated agent, and contractor shall sign the construction code of conduct.~~

~~C. *Applicability.* This section applies to where a construction code of conduct is required pursuant to MMC 16.75.040.~~

~~D. *Limitations.* The construction code of conduct is a construction mitigation plan prepared by the city that establishes prescriptive measures for reducing construction impacts on neighboring properties and streets. Compliance with the measures set forth in a construction code of conduct are binding on the signatories required in subsection (B)(2) of this section.~~

~~E. *Criteria for approval.* The evaluation criteria set forth in MMC 16.75.040 as they currently exist or are hereafter amended constitute the criteria for approving a construction code of conduct.~~

~~F. *Conditions of approval.* The decision authority may attach to a code of conduct on a case-by-case basis such reasonable mitigation measures as necessary to protect the public health, general welfare and safety from the negative impacts of construction activity.~~

16.70.0430. Substantial development permit exemption.

- A. *Applicant.* Any owner may submit a request for a written exemption from the requirement for a substantial development permit.
- B. *Procedures.* An exemption from a substantial development permit is processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section shall apply to activities defined as development pursuant to RCW 90.58.030(3)(a), and located within the shoreline jurisdiction as defined by the Shoreline Management Act, and implements the provisions set forth in WAC 173-27-040 as they currently exist or are hereafter amended.
- D. *Limitations.*
1. Exemptions are to be construed narrowly and only development that meets the precise terms of one or more of the listed exemptions may be granted an exemption; and
  2. If any part of a proposed development is not eligible for one of the listed exemptions, then an exemption shall not be granted.
- E. *Criteria for approval.*
1. The development for which the exemption is sought must meet one or more of the conditions set forth in WAC 173-27-040(2); and
  2. The development must comply with and be consistent with the Medina shoreline master program (Chapters 16.60 through 16.67 MMC), Chapter 173-27 WAC (Shoreline Management Permit and Enforcement Procedures), and Chapter 90.58 RCW (Shoreline Management Act).
- F. *Conditions of approval.* The decision authority may attach conditions as necessary to prevent undesirable effects on the shoreline area and carry out the spirit and purpose of the regulations set forth in the Medina shoreline master program and the Shoreline Management Act.

16.70.0540. Administrative tree activity permit.

- A. *Applicant.* Any owner may submit an application for an administrative tree activity permit.
- B. *Procedures.* Administrative tree activity permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to the activities associated with removing and planting trees set forth in MMC 16.52.160(B).
- D. *Criteria for approval.* The decision authority may approve an administrative tree activity permit only if the requirements set forth in Chapter 16.52 MMC are satisfied.
- E. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- F. *Lapse of approval.*
  - 1. An administrative tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  - 2. Expiration of the administrative tree activity permit is automatic and notice is not required; and
  - 3. No extension of the time period for the permit is allowed.

16.70.0650. Temporary use permit.

- A. *Applicant.* Any owner may submit an application for a temporary use permit.
- B. *Procedures.* Temporary use permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section shall apply to those uses authorized as temporary uses pursuant to Chapter 16.35 MMC.
- D. *Limitations.* Only one temporary use permit may be granted within a five-year time period from the date the original temporary use permit is issued, except a second temporary use permit may be granted if:
  - 1. For temporary public facilities:
    - a. In the opinion of the director, a significantly different public facility will occupy the use of the property;
    - b. The second temporary use permit is consistent with the requirements set forth in this chapter; and
    - c. No additional temporary use permit is approved for at least five years following approval of the second temporary use permit.
  - 2. For temporary wireless communication facilities:
    - a. A complete nonadministrative special use permit application has been submitted to the city;
    - b. The extension of time, at the discretion of the director, is necessary to allow for the processing of permits and construction of facilities; and
    - c. No additional temporary use permit is approved for at least five years following approval of the second temporary use permit.



- E. *Criteria for approval.* The decision authority may approve a temporary use permit only when the following criteria are satisfied:
1. The temporary use will not materially be detrimental to the public health, safety, or welfare, or injurious to property or improvements in the immediate vicinity;
  2. For a temporary public facility, there is adequate parking within a sufficient proximity to the site for employees, city vehicles and customers;
  3. Except in the case of emergencies, the temporary use will not cause noise, light or glare which adversely impacts surrounding uses; and
  4. The temporary use shall comply with all codes applicable to development, such as zoning and building codes, except as otherwise provided for in MMC 16.35.040 and 16.35.050.
- F. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

16.70.0760. Accessory dwelling unit registration.

- A. *Applicability.* Any owner installing an accessory dwelling unit (ADU) pursuant to MMC 16.34.020 shall apply for an accessory dwelling unit registration.
- B. *Review procedures.* Approval of an accessory dwelling unit is processed as a Type 1 decision pursuant to the requirements set forth in Chapter 16.80 MMC.
- C. *Approval criteria.* The decision authority may approve an ADU only when the following criteria are met:
1. The ADU meets the requirements set forth in MMC ~~2016~~.34.020; and
  2. The property owner agrees to maintain the ADU in compliance with the requirements in MMC ~~2016~~.34.020.
- D. *Written agreement.*
1. Before a certificate of occupancy is issued for the ADU, the property owner shall complete, sign, have notarized, and record an ADU registration form.
  2. The contents of the ADU registration form shall include the following:
    - a. The street address and legal description of the property where the accessory dwelling unit is located;
    - b. The written agreement to maintain the ADU as prescribed in subsection (C)(2) of this section; and
    - c. Any other relevant information determined necessary by the decision authority.
  3. The property owner shall record the ADU registration with King County recorder's office. A copy of the recorded document and recording number shall be provided to the city.
  4. The ADU registration may be cancelled under the following conditions:
    - a. The property owner may cancel the ADU registration if:
      - i. The ADU is permanently removed from the property; or

- ii. The property owner provides to the city evidence that the use has been removed and obtains approval from the city to cancel the ADU registration; and
  - iii. The property owner records a certificate of cancellation with King County recorder's office and provides a copy of the recorded certificate of cancellation to the city.
- b. The city may cancel the ADU registration if the property owner fails to comply with the general requirements in MMC 16.34.020. Cancellation of the ADU registration shall be in accordance with the following procedures:
- i. The city provides a notice of cancellation to the property owner who shall have a right to appeal the decision to cancel pursuant to MMC 16.80.220 for a Type 1 decision;
  - ii. Once a decision to cancel becomes final, the city shall record a certificate of cancellation with King County recorder's office;
  - iii. A copy of the recorded certificate of cancellation shall be provided to the property owner after which the use as an accessory dwelling unit shall cease.
- E. *Lapse of approval.* Approval of an accessory dwelling unit shall expire if the building permit for the accessory dwelling unit expires and substantial construction of the accessory dwelling unit has not started. Approval of an accessory dwelling unit shall also expire if the use is abandoned during its existence, or if a certificate of cancellation is recorded.

#### 16.70.0870. Grading and drainage permit.

- A. *Applicant.* Any owner may submit an application for a grading and drainage permit.
- B. *Procedures.* Grading and drainage permits are processed as a Type 1 decision, unless a SEPA threshold determination is required in which case the application is processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to all permits required under Chapter 16.43 MMC.
- D. *Criteria for approval.* The codes and standards referenced in Chapter 16.43 MMC and other applicable ordinances and regulations, as they currently exist or are hereafter amended, set forth the criteria for approving grading and drainage permits.
- E. *Conditions of approval.* The decision authority may attach such conditions as reasonably necessary to safeguard the public health, general welfare, and safety.
- F. *Lapse of approval.* Grading and drainage permits shall expire as prescribed for building permits in Chapter 16.40 MMC.

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### **Chapter 16.71 – Administrative Discretionary Approvals**

#### 16.71.010. Minor deviation.

- A. *Purpose.* The purpose of a minor deviation is:
  - 1. To allow for minor departures from numeric development standards for remodeling projects; and

2. To allow flexibility in design while preserving nonconforming conditions with respect to setback requirements and maximum building heights.
- B. *Applicant.* Any owner may submit an application for a minor deviation.
- C. *Procedures.* Minor deviations are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* A minor deviation may be approved for the following:
1. Departures by five percent or less from any numeric development standard provided:
    - a. If the numeric development standard is expressed as a percentage, the five percent is calculated as the numeric percentage multiplied by 1.05; and
    - b. Requests for departures may include qualifying conditions such as structural coverage bonuses and height bonuses.
  2. Departures from building height and zoning setback standards to allow a building addition to match an existing nonconforming building height or setback that was legally established provided:
    - a. Matching a nonconforming building height means a building addition extending above the maximum zoning height applicable to the building, but the highest point of the addition does not exceed the highest point of the roof of the existing building; or
    - b. Matching a nonconforming zoning setback means a building addition extending into the setback area, but the addition does not extend closer to the property line than the closest point of the existing building, excluding gutters; and
    - c. The total above-ground bulk of the building located within the nonconforming height or setback envelope does not occupy more than 60 percent of the maximum possible above-ground bulk that could otherwise be built within the nonconforming building height or setback envelope with approval of a minor deviation.
- E. *Limitations.* A minor deviation shall not be approved for the following:
1. Where the structures experiences substantial destruction as defined by MMC 16.12.200 or reconstruction as defined by MMC 16.12.190.
  - ~~24.~~ Where the request is to obtain final approval of a structure that compliance with the numeric development standard was represented in the building permit application, but subsequent construction is noncompliant; or
  - ~~32.~~ Where the project consists of a building alteration or improvement that was completed at any time within the previous five years.
- F. *Criteria for approval.* The decision authority may approve a minor deviation only if the following criteria are satisfied:
1. The minor deviation does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and
  2. The granting of such minor deviation will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and

3. The proposed development will not substantially reduce the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code; and
  4. For departures set forth in subsection (D)(1) of this section, the minor deviation is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- H. *Lapse of approval.*
1. An approved minor deviation shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
  2. Expiration of the minor deviation is automatic and notice is not required; and
3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension

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~~16.71.040. Level 1 tailored construction mitigation plan.~~

- ~~A.—*Purpose.* The purpose of a Level 1 tailored construction mitigation plan is to mitigate the adverse effects on adjacent properties and public streets caused by major construction projects.~~
- ~~B.—*Applicant.* Any owner may submit an application for a Level 1 tailored construction mitigation plan.~~
- ~~C.—*Procedures.*~~
- ~~1.—Level 1 tailored construction mitigation plans are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and~~
  - ~~2.—Before the city issues permits authorizing grading, demolition or construction activity, the property owners, designated agent, and contractor shall sign the Level 1 tailored construction mitigation plan.~~
- ~~D.—*Applicability.* This section applies to where a Level 1 tailored construction mitigation plan is required pursuant to the criteria in Chapter 16.75 MMC.~~
- ~~E.—*Limitations.* The tailored construction mitigation plan is a construction mitigation plan consisting of both city-developed and applicant-proposed measures for reducing construction impacts on neighboring properties and streets. The measures set forth in a Level 1 tailored construction mitigation plan are binding on all of the signatories required in subsection (C)(2) of this section.~~
- ~~F.—*Criteria for approval.* The criteria for approval of a Level 1 tailored construction mitigation plan are those set forth in MMC 16.75.040, as it currently exists or is hereafter amended.~~

- ~~G. *Conditions of approval.* The decision authority may attach reasonable mitigation measures as necessary to protect the public health, safety and general welfare from the impacts of construction activity.~~
- ~~H. *Lapse of approval.* A Level 1 tailored construction mitigation plan shall remain in effect until such time all construction permits associated with the Level 1 tailored construction mitigation plan expires.~~

16.71.0540. Administrative right-of-way tree activity permit.

- A. *Purpose.* The purpose of an administrative right-of-way tree activity permit is to authorize removal or pruning of city trees and vegetative cover in the right-of-way consistent with Chapter 16.52 MMC the Medina tree code.
- B. *Applicant.* Only owners enumerated in MMC 16.52.160(C) may submit an application for an administrative right-of-way tree activity permit.
- C. *Procedures.* Administrative right-of-way tree activity permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to the pruning and removal of trees as set forth in MMC 16.52.160(C).
- E. *Criteria for approval.* The decision authority may approve an administrative right-of-way tree activity permit only if the following criteria are satisfied:
1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
  4. Removal of the city tree is permitted pursuant to MMC 16.52.190(D);
  5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
  6. Tree trimming or pruning is done in accordance with the following:
    - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
    - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
    - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree;
  7. All other requirements set forth in MMC 16.52.190 are satisfied.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. An administrative right-of-way tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;

2. Expiration of the administrative right-of-way tree activity permit is automatic and notice is not required; and
3. No extension of the time period for the permit is allowed.

16.71.0650. Administrative substantial development permit.

- A. *Purpose.* The purpose of an administrative substantial development permit is to regulate developments and uses of water bodies and associated upland areas to protect human health and the natural environment, but by the scope of the development warrant a less cumbersome approval process.
- B. *Applicant.* Any owner may submit an application for an administrative substantial development permit.
- C. *Procedures.* Administrative substantial development permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to activities within the meaning of the term "development" as defined in RCW 90.58.030(3)(a), and located within the shoreline jurisdiction as defined by the Shoreline Management Act, provided:
  1. The development is not exempt from a substantial development permit pursuant to WAC 173-27-040 as it currently exists or is hereafter amended; and
  2. The development does not include any dredging waterward of the ordinary high water mark; and
  3. The development does not include grading activity involving more than 500 cubic yards of material within the shoreline jurisdiction, excluding fill material used specifically for fish and wildlife habitat restoration; and
  4. The total cost or fair-market value of the entire proposed development does not exceed \$50,000.00 provided:
    - a. The calculation for total cost or fair-market value shall include all costs, excluding permit fees and taxes, associated with development on the property during a period beginning from the date an application for the administrative substantial development permit is submitted and ending 18 months after the date all permits issued by the city for the property are finalized; and
    - b. Development may not be divided into phases for the purpose of avoiding a higher designation of decision type, except as provided in subsection (D)(4)(a) of this section.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.080, the applicant shall provide the following with an administrative substantial development permit:
  1. A site plan containing the following:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;

- d. A general description of the vicinity of the proposed project, including identification of adjacent uses, structures and improvements, intensity of development and physical characteristics;
  - e. Identification of the ordinary high water mark:
    - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan;
    - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
  - f. Existing and proposed land contours with minimum two-foot elevation intervals;
  - g. A general description of the character of vegetation found on the site;
  - h. The dimensions and locations of all existing and proposed structures and improvements;
2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source, and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and
  6. Additional submittal information set forth in the shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve an administrative substantial development permit only if the following criteria are satisfied:
1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);
  2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and
  3. The proposed development is consistent with the requirements of the Medina shoreline master program.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to an administrative substantial development permit shall be consistent with WAC 173-27-100 as it currently exists or is hereafter amended.
- I. *Lapse of approval.* Administrative substantial development permit shall expire as set forth in WAC 173-27-090 and amendments thereto.

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## Chapter 16.72 – Quasi-Judicial Approvals

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### ~~16.72.080. Level 2 tailored construction mitigation plan.~~

- ~~A. *Purpose.* The purpose of a Level 2 tailored construction mitigation plan is to mitigate the adverse effects on adjacent properties and public streets caused by major construction projects.~~
- ~~B. *Applicant.* Any owner may submit an application for a Level 2 tailored construction mitigation plan.~~
- ~~C. *Procedures.*~~
- ~~1. Level 2 tailored construction mitigation plans are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and~~
  - ~~2. Before the city issues permits authorizing grading, demolition or construction activity, the property owners, designated agent, and contractor shall sign the Level 2 tailored construction mitigation plan.~~
- ~~D. *Applicability.* This section applies to where a Level 2 tailored construction mitigation plan is required pursuant to the criteria in Chapter 16.75 MMC.~~
- ~~E. *Limitations.* The Level 2 tailored construction mitigation plan is a construction mitigation plan consisting of both city-developed and applicant-proposed measures for reducing construction impacts on neighboring properties and streets. The measures set forth in a Level 2 tailored construction mitigation plan are binding on all of the signatories required in subsection (C)(2) of this section.~~
- ~~F. *Criteria for approval.* The evaluation criteria set forth in MMC 16.75.040 shall serve as the criteria for approving a Level 2 tailored construction mitigation plan.~~
- ~~G. *Conditions of approval.* The decision authority may attach such mitigation measures as necessary to protect the public health, safety and general welfare from the impacts of construction activity.~~
- ~~H. *Lapse of approval.* A Level 2 tailored construction mitigation plan shall remain in effect until such time all construction permits associated with the construction mitigation plan expire.~~

### 16.72.0980. Nonadministrative right-of-way tree activity permit.

- A. *Purpose.* The purpose of a nonadministrative right-of-way tree activity permit is to authorize removal or pruning of trees and vegetative cover in the ~~city~~ right-of-way consistent with Chapter 16.52 the Medina tree code.
- B. *Applicant.* Any owner, or any public or private agencies with authority to operate within the city right-of-way or their authorized agents who have written authorization to act on their behalf, may submit an application for a nonadministrative right-of-way tree activity permit.
- C. *Procedures.* Nonadministrative right-of-way tree activity permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to the pruning and removal of ~~city~~ trees in the right-of-way as set forth in MMC 16.52.160(D).
- E. *Criteria for approval.* The decision authority may approve a nonadministrative right-of-way tree activity permit only if the following criteria are satisfied:



1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
  4. Removal of a city tree is permitted pursuant to MMC 16.52.190(D);
  5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
  6. Tree trimming or pruning is done in accordance with the following:
    - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
    - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
    - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree.
  7. All other requirements set forth in MMC 16.52.190 are satisfied.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. A nonadministrative right-of-way tree activity permit shall expire within 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the nonadministrative right-of-way tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

16.72.4090. Nonadministrative tree activity permit.

- A. *Purpose.* The purpose of a nonadministrative tree activity permit is to authorize removal of ~~large a Landmark Tree with a DBH of 50 inches or greater~~ ~~significant trees consistent with the Medina tree code as set forth in MMC 16.52.160(E).~~
- B. *Applicant.* Any owner may submit an application for a nonadministrative tree removal permit.
- C. *Procedures.* Nonadministrative tree removal permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to removal of trees as set forth in MMC 16.52.160(D), excluding trees rated as hazard pursuant to MMC 16.52.120.
- E. *Criteria for approval.* The decision authority may approve a nonadministrative tree activity permit only if the following criteria are satisfied:
  1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;

2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree removal will have no materially detrimental effects on nearby properties;
  4. The tree has not been granted special protection pursuant to MMC 16.52.080;
  5. All requirements set forth in Chapter 16.52 MMC are satisfied;
  6. All other ordinances, regulations and policies applicable to tree removal are followed.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. A nonadministrative tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the nonadministrative tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

16.72.1400. Substantial development permit.

- A. *Purpose.* The purpose of a substantial development permit is to regulate development and uses of water bodies and associated upland areas consistent with the Medina shoreline master program.
- B. *Applicant.* Any owner may submit an application for a substantial development permit.
- C. *Procedures.* Substantial development permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to activities and uses defined as development pursuant to RCW 90.58.030(3)(a) and located within the shoreline jurisdiction as defined by the Shoreline Management Act, provided:
1. The development does not qualify for an exemption as set forth in MMC 16.70.040;
  2. The development does not qualify for an administrative substantial development permit as set forth in MMC 16.71.060.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a substantial development permit shall include the following:
1. A site plan containing the following:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:

- i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan;
    - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
  - f. Existing and proposed land contours with minimum two-foot elevation intervals;
  - g. A general description of the character of vegetation found on the site;
  - h. The dimensions and locations of all existing and proposed structures and improvements;
2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and
  6. Additional submittal information set forth in the Medina shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve a substantial development permit only if the following criteria are satisfied:
1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);
  2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and
  3. The proposed development is consistent with the provisions of the Medina shoreline master program.
- G. *Conditions of approval.* The decision authority may attach such conditions as to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a substantial development permit shall be consistent with WAC 173-27-100.
- I. *Lapse of approval.* Substantial development permit shall expire as set forth in WAC 173-27-090 and amendments thereto.

16.72.1210. Shoreline conditional use permit.

- A. *Purpose.* The purpose of a shoreline conditional use permit is to provide a system within the Medina shoreline master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020.
- B. *Applicant.* Any owner may submit an application for a shoreline conditional use permit.

- C. *Procedures.*
1. Shoreline conditional use permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and
  2. Shoreline conditional use permits approved by the city are transmitted to the Washington State Department of Ecology pursuant to WAC 173-27-200 for Ecology's approval, approval with conditions, or denial.
- D. *Applicability.* The following may be permitted if a shoreline conditional use permit is approved:
1. Uses listed as a conditional use in the Medina shoreline master program; or
  2. Uses which are not classified or specifically prohibited in the Medina shoreline master program provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the Medina shoreline master program.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a shoreline conditional use permit shall include the following:
1. The site plan shall include:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and

6. Additional submittal information set forth in the Medina shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve a shoreline conditional use permit only if the following criteria are satisfied:
1. That the proposed use is consistent with the policies set forth in RCW 90.58.020 and the Medina shoreline master program;
  2. That the proposed use will not interfere with the normal public use of public shorelines;
  3. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program;
  4. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
  5. That the public interest suffers no substantial detrimental effect.

In the granting of a shoreline conditional use permit, consideration shall be given to the cumulative impact of additional requests for like actions in the area.

- G. *Conditions of approval.* The decision authority and the Washington State Department of Ecology may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a shoreline conditional use permit shall be consistent with WAC 173-27-100 and amendments thereto.
- I. *Lapse of approval.* A shoreline conditional use permit shall expire as set forth in WAC 173-27-090.

#### 16.72.1320. Shoreline variance.

- A. *Purpose.* The purpose for a shoreline variance is to provide a mechanism strictly limited to granting relief where there are extraordinary circumstances relating to the physical character or configuration of property.
- B. *Applicant.* Any owner may submit an application for a shoreline variance.
- C. *Procedures.*
1. Shoreline variances are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and
  2. Shoreline variances approved by the city are transmitted to the Washington State Department of Ecology pursuant to WAC 173-27-200 for Ecology's approval, approval with conditions, or denial.
- D. *Applicability.* Shoreline variances may be granted for relief from specific bulk dimensional or performance standards set forth in the Medina shoreline master program where the requirement of such will impose unnecessary hardships on the applicant or thwart the policies set forth in RCW 90.58.020 and the Medina shoreline master program.

- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a shoreline variance shall include the following:
1. The site plan shall include:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location provided that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated or dredged material; and
  6. A site plan that clearly indicates where development may occur without approval of a variance, the physical features and circumstances on the property that provide a basis for the request, and the location of adjacent structures and uses.
- F. *Criteria for approval.* The decision authority may approve a shoreline variance only if the following criteria are satisfied:
1. Where the variance is for development landward of the ordinary high water mark the following approval criteria shall apply:
    - a. That the strict application of the bulk, dimensional or performance standards set forth in the Medina shoreline master program precludes, or significantly interferes with, reasonable use of the property;
    - b. That the hardship described in subsection (F)(1)(a) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot

- shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;
- c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program and will not cause adverse impacts to the shoreline environment;
  - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
  - e. That the variance requested is the minimum necessary to afford relief; and
  - f. That the public interest will suffer no substantial detrimental effect.
2. Where the variance is for development waterward of the ordinary high water mark the following approval criteria shall apply:
    - a. That the strict application of the bulk, dimensional or performance standards set forth in the Medina shoreline master program precludes all reasonable use of the property;
    - b. That the hardship described in subsection (F)(2)(a) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;
    - c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program and will not cause adverse impacts to the shoreline environment;
    - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
    - e. That the variance requested is the minimum necessary to afford relief;
    - f. That the public interest will suffer no substantial detrimental effect; and
    - g. That the public rights of navigation and use of the shorelines will not be adversely affected.
  3. In the granting of all variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a shoreline conditional use permit shall be consistent with WAC 173-27-100.
- I. *Lapse of approval.* A shoreline variance shall expire as set forth in WAC 173-27-090.

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**Chapter 16.80 – Project Permit Review Procedures**

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C. Table 16.80.050(C) sets forth project permits that are categorized as Type 3 decisions with the applicable corresponding review procedures.

**Table 16.80.050(C)—Type 3 Decisions**

Project Permit	Decision Authority	Procedure Requirements			
		DOC	NOA	NOH	NOD
Nonadministrative special use permit	HE	Yes	Yes	Yes	Yes
Conditional use permit	HE	Yes	Yes	Yes	Yes
Historical use permit	HE	Yes	Yes	Yes	Yes
Nonadministrative variance	HE	Yes	Yes	Yes	Yes
Site-specific rezone	PC/CC <sup>1</sup>	Yes	Yes	Yes	Yes
Reasonable use exception	HE	Yes	Yes	Yes	Yes
Nonadministrative right-of-way tree activity permit	HE	Yes	Yes	Yes	Yes
Nonadministrative tree activity permit	HE	Yes	Yes	Yes	Yes
Site plan review	<del>PG</del> HE	Yes	Yes	Yes	Yes
Preliminary subdivision	HE/CC <sup>2</sup>	Yes	Yes	Yes	Yes
Shoreline substantial development permit	HE	Yes	Yes	Yes	Yes
Shoreline variance	HE <sup>3</sup>	Yes	Yes	Yes	Yes
Shoreline conditional use permit	HE <sup>3</sup>	Yes	Yes	Yes	Yes

Notes:

"DOC"—determination of completeness required pursuant to MMC 16.80.100

"NOA"—notice of application required pursuant to MMC 16.80.110

"NOH"—notice of hearing required pursuant to MMC 16.80.120

"NOD"—notice of decision required pursuant to MMC 16.80.200

"HE" means the hearing examiner has authority to make the decision

"PC" means the Medina planning commission has authority to make the decision

"CC" means the city council makes the decision

<sup>1</sup> The planning commission holds the open-record hearing and makes a recommendation to the city council. The city council decides the rezone at a closed-record meeting.

<sup>2</sup> Hearing examiner holds the open-record hearing and makes a recommendation to the city council. The city council decides the preliminary subdivision at a closed-record meeting.

<sup>3</sup> If the hearing examiner's action on shoreline variances and shoreline conditional use permits is to approve the application, the approval shall be submitted to the Washington State Department of Ecology for approval, approval with conditions, or denial pursuant to WAC 173-27-200.



**Chapter 10.08 – Streets and Roads**

10.08.010 – Functional classification of the City of Medina’s streets and roads.

Applying the definitions as established by the Federal Highway Administration (FHWA), U.S. Department of Transportation, for a minor arterial, collector, and local access transportation route, the following designations are adopted for the City of Medina's streets and roads:

- A. *Minor arterial.*
  - 1. 84th Avenue NE, from NE 12th Street to NE 28th Street.
- B. *Collector.*
  - 1. Evergreen Point Road, from Overlake Drive West to 78th Place NE.
  - 2. Overlake Drive West, from Evergreen Point Road to Groat Point Drive.
  - 3. Overlake Drive East, from Groat Point Drive to Lake Washington Boulevard.
  - 4. NE 12th Street, from Evergreen Point Road to Lake Washington Boulevard.
  - 5. Lake Washington Boulevard, from NE 12th Street to the Medina city limit near Lake Washington Boulevard.
  - 6. NE 24th Street, from Evergreen Point Road to 84th Avenue NE.
- C. *Local access.*
  - 1. All other streets and roads within the City of Medina.

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**Chapter 12.44 – Street Vacations**

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12.44.050. - Petition by owners.

The owners of an interest in real estate abutting upon or underlying public ROW may petition the city council for vacation thereof in accordance with requirements of this chapter.

- A. The petitioner shall apply for a vacation by submitting the following to the city clerk:
  - 1. A vacation petition with supporting affidavits on forms provided by the city.
  - 2. A diagram of the location and a survey of the subject property and immediate area of the proposed vacation including the abutting and/or underlying properties, all prepared by a licensed surveyor registered in the State of Washington.
  - 3. A legal description of the subject property prepared by a licensed surveyor registered in the State of Washington.
  - 4. For each abutting and underlying property and petitioner, a title report indicating the extent and type of ownership and providing a legal description of the petitioner's property.
  - 5. The vacation fees and deposits as established by this chapter and city ordinance.
  - 6. Any additional information or material the city determines is reasonably necessary for the city council to understand, consider and evaluate the requested vacation.

B. The petition shall be filed with the city clerk and shall be signed by owners of more than two-thirds of the property abutting the subject property (based on front footage) or underlying the subject property (based on square footage).

C. The city clerk shall determine the petition's compliance with this chapter. For the purpose of determining the sufficiency of signatures of owners of private property on a petition or a consent to vacate determined by the city council, the following rules shall govern as applicable:

1. The signature of an owner of property shall be as set forth in the King County assessor records and confirmed by a title report.

2. In the case of a property subject to a contract of purchase, the signature of the contract grantor and grantee shall be required.

3. In the case of property ownership by corporation or similar entity, the signature of the officer authorized by the bylaws and resolution of the board of directors evidenced by an excerpt of the bylaws and copy of the resolution, each duly certified by the secretary of the corporation, and granting such authority.

4. In the case of property owned or controlled by an estate, guardian or conservator of a decedent or incompetent, the signature of the duly qualified administrator, executor or guardian accompanied by a duly certified copy of his/her judicial appointment or designation.

D. Each petitioner shall be responsible to reimburse the City for the full expenses and costs incurred by the City to process the petitioner's requested vacation, regardless of the outcome of the City's review and decision thereon or petitioner's withdrawal of the petition. In addition to any other provisions of the MMC or this chapter, the City Manager or designee shall keep account of all administrative time, costs and expenses incurred by City employees, contractors, consultants, legal counsel, appraisers, appointed officers and other individuals acting on behalf of or for the benefit of the City in the course of processing the petition. The City Manager or designee shall periodically compile such time, costs and expenses and invoice the petitioner for payment thereof, which shall be made by petitioner not more than fifteen (15) from the date of the invoice. Upon the City's final decision to grant, deny or otherwise act on the petition, the City Manager or designee shall compile a final invoice for all remaining unpaid time, costs and expenses and shall present such invoice to the petitioner for prompt payment. No vacation shall become final nor be recorded until all invoices have been paid in full by the petitioner. In the event the petitioner does not make timely payment as set forth herein, the City may suspend further review and processing of the petition.

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#### 12.44.080. - Petition fees and costs; compensation.

A. The petition, properly signed, shall be filed with the city clerk and accompanied by payment of the application fee and the estimated appraisal cost as set forth herein, which amounts shall be paid into the general fund of the city to defray the costs and expenses incurred by the city to: appraise the subject property, determine the sufficiency of the petition, evaluate and investigate the petition, and report the facts, circumstances and conclusions concerning the petition to the city council. Fees and costs shall not be returned or refunded to the petitioners regardless of the city council's action on the petition.

B. The amount of the fees and costs due upon filing shall be as follows:

1. The minimum application fee established by the city's then current fee schedule.

2. An appraisal fee deposit of \$2,500.00, which may be adjusted by the city manager up to the amount of the MAI appraisal bid or estimate submitted to the city.

C. In the event that the application fee, and/or the appraisal deposit set forth in subsection (B) of this section is insufficient to reimburse the city for all of the city's costs and expenses incurred in relation to the petition, the balance shall be determined and paid by the petitioner in accordance with MMC 12.44.050(D).

D. In the event the vacation is granted by the city council, the petitioner shall immediately pay upon receipt of an invoice the amount required by the city council as compensation for the area being vacated as provided in MMC 12.44.180 and all amounts payable in accordance with MMC 12.44.050(D). A vacation ordinance shall not be effective until such time as the petitioner pays all sums due to the city, including all compensation due to the city for the vacation and all costs and expenses of the city in processing the petition. The city shall not record an approved vacation ordinance until such time as all such compensation, fees, costs and reimbursements are paid in full. If any portion of such amount remains unpaid for 30 days after submittal of a final invoice to the petitioner, the city council shall rescind and vacate the approved vacation ordinance.

E. In the event that the city council initiates a vacation, fees shall not be required unless council directs otherwise.

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## Chapter 16.12 – Definitions

### 16.12.090. "H" definitions.

*Habitat conservation areas* means areas designated as fish and wildlife habitat conservation areas.

*Hardscape* means any inorganic decorative landscape materials, including but not limited to stones, boulders, cobbles, pavers, decorative concrete incorporated into an overall landscape design of the grounds. This definition includes, but is not limited to, patios, walkways, steps, and other paved areas on the ground.

*Hazard areas* means areas designated as geologically hazardous areas due to potential for erosion, landslide, seismic activity, or other geologic condition.

*Hazard tree* means a tree designated by the city arborist as having a high to extreme risk using the International Society of Arborists Tree Risk Assessment Qualification (TRAQ) system. A hazard tree must have a likely or very likely potential to fail and a target that might sustain injury or damage. Hazard trees are created through a variety of circumstances including human influences, disease, and weather.

*Hearing body* means the body designated by the city council to preside over an open-record hearing or closed-record appeal.

*Hearing examiner* means the person appointed pursuant to MMC 2.72.020 with the powers and duties prescribed in Chapter 2.72 MMC.

*Height* means a vertical distance measured between two points.

*Home business* means an economic enterprise to make a product or perform a service, or to undertake any activity that requires a business license from the State of Washington, that is conducted or operated pursuant to MMC 16.31.010 within a single family dwelling by the resident occupant or owner thereof, which use or activity shall be clearly incidental and secondary to the residential use of the dwelling, including the use of the dwelling as a business address in a directory or as a business mailing address.

*Horticulture* means the occupation of cultivating plants, especially flowers, fruit, and vegetables.

*Hot tub* means a hydro-massage pool, or tub for recreational or therapeutic use designed for immersion of users, and usually having a filter, heater, and motor-driven blower.

*Household staff* means individuals who spend more than 50 percent of their working time employed at the residence site and in no event work less than 20 hours per week, including caregivers.

*Hydraulic project approval (HPA)* means a permit issued by the State Department of Fish and Wildlife for modifications to waters of the state in accordance with Chapter 75.20 RCW.

*Hydric soil* means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements.

*Hydrophytic vegetation* means macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements.

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#### 16.12.200. "S" definitions.

*School* means a school operation with 13 or more attendees at any one time, not including immediate family members who reside in the school or employees.

*School operation* means any institution of learning, excluding those offering post-secondary education, offering instruction in the several branches of learning and study required by the Basic Education Code of the State of Washington to be taught in the public, private and parochial school.

*Scrub-shrub wetland* means a regulated wetland with at least 30 percent of its surface area covered by woody vegetation less than 20 feet in height as the uppermost strata as measured from existing grade.

*Security barrier* means an obstruction, such as fences, walls, vegetation and similar elements that restricts public access.

*Seismic hazard areas* means areas that are subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction, lateral spreading, or surface faulting.

*Sensitive areas.* See "critical areas."

*SEPA.* See definition of "State Environmental Policy Act (SEPA)."

*Service area* means the vicinity around a wireless communication facility that effectively receives signals from and transmits signals to the facility.

*Setback* means the minimum distance from the property line to where a structure may be built. (See MMC 16.22.030.)

*Setback area* means the area of a lot or building site between the property line and the limits set by the Medina Municipal Code within which no structure may intrude unless allowed otherwise by law.

*Shorelands or shoreland areas* means those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark or floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes and tidal waters which are subject to the provisions of the Washington State Shoreline Management Act of 1971 and the City of Medina shoreline master program, Chapters 16.60 through 16.67 MMC.

*Shorelines* means all of the water areas of the state as defined in RCW 90.58.030, including reservoirs and their associated shorelands, together with the lands underlying them except:

1. Shorelines of statewide significance;
2. Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less and the wetlands associated with such upstream segments; and
3. Shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes.

*Shorelines of statewide significance* means those areas defined in RCW 90.58.030 and limited in the City of Medina to Lake Washington.

*Sign* means any medium visible to the public including its structure and component parts which is used or intended to be used out of doors or is visible out of doors to attract attention from a public right-of-way to a building, use, business or event; or to promote the sale of products, goods or services; using graphics, written copy, letters, numbers, figures, symbols, logos, registered trademarks, or other such symbols. Painted wall designs or patterns which do not represent a product, service, or registered trademark, and which do not identify the user, are not considered signs.

*Sign, A-board* means a portable sign consisting of two sign faces hinged at the top and separated at the bottom to make it self-standing.

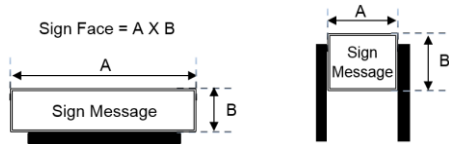
*Sign area* means the area of the face of the sign. When a dimensional sign contains information on two sides of the sign, only one side is counted in determining sign area, except A-board signs where the average area of the two faces shall be used to determine sign area.

*Sign, banner* means a sign made of lightweight fabric or similar material that is temporarily mounted to a pole or building by one or more edge. National, state or municipal flags, or the official flag of any institution, shall not be considered banners.

*Sign face* means the surface upon, against or through which the letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign is displayed or illustrated, not including the sign support structure, or architectural features of a building.

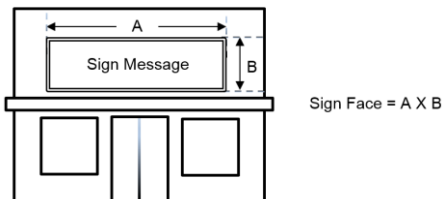
1. In the case of freestanding signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate including borders upon which the sign message is displayed or illustrated. See Figure 1.

**Figure 1**



2. In the case of signs displayed on or mounted to buildings or fences, the sign face shall include the area of the entire panel, cabinet or face substrate upon which the sign message is displayed including framed, painted or illuminated borders that contrast the sign from the background of the building or fence. See Figure 2.

**Figure 2**



3. In the case of signs consisting of individual letters and/or individual graphic elements painted or affixed to a building or structure, the sign face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn using connected straight lines closest to the edge of the letters or separate graphic elements comprising the sign message. See Figure 3.

**Figure 3**



*Sign, freestanding* means a sign attached to a self-supporting structure such as column, pole, or brace placed in or upon the ground and not attached to any other structure.

*Sign height* means the total vertical measurement of a sign including all components of the sign and the sign's support structure.

*Sign, illuminated* means a sign characterized using artificial light, either projecting through its surface (internally or trans-illuminated), or reflecting off its surface (externally illuminated).

*Sign, location identity* means signs that identify address numbers, property owners, and/or geographic areas such as neighborhoods and subdivisions.

*Sign, mounted* means a sign that is applied or affixed to a building, wall or fence.

*Sign, municipal* means a sign erected by the City of Medina, or its authorized representatives, for the safety, convenience or information of its citizens, including, but not limited to, traffic control signs, legal notices, city entrance signs, and signs announcing public and community events, meetings, and activities.

*Sign, off-site* means any sign that advertises or relates to an event, activity, use, good, product, or service that is not available on the premises upon which the sign is erected.

*Sign, on-site* means any sign that advertises or relates to an event, activity, use, good, product, or service that is lawfully permitted to be offered, sold, traded, provided, or conducted at the location or premises upon which the sign is erected.

*Sign, permanent* means any sign which is affixed to the ground or to any permanent structure or building, including walls, awnings and fences, in such a manner that it cannot be moved or transported with ease, and which is intended to remain in one location and position for an extended period of time.

*Sign support structure* means any structure designed specifically for the support of a sign and which does not form part of the sign proper or of the display.

*Sign, temporary* means a sign which is not permanently affixed to the ground or any permanent structure or building, which is capable of being moved or transported with ease, and which is only intended to be used for a limited period of time.

*Sign, window* means a sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

*Significant tree* means a tree of at least six-inch DBH size and of a species as identified on the "City of Medina List of Suitable Tree Species" as set forth in Chapter 16.52 MMC.

*Single-family dwelling* means a dwelling unit which is occupied as, or designed or intended for occupancy as, a residence by one family and may include family guests and/or household staff. The owner of the single-family dwelling may provide lodging to persons who are not guests and who are not part of a family provided the total number of persons, including nonfamily persons living in the dwelling, does not exceed three, excluding children with familial status within the meaning of Title 42 United States Code, Section 3602(k). The limitation on the number of nonfamily persons living in the dwelling shall not apply to adult family homes, family day-care providers' home facilities as prescribed by RCW 35A.63.215, and other living arrangements which would violate Title 42 United States Code, Section 3604.

*Single-family dwelling, detached* means a separate unconnected single-family dwelling surrounded by open space and yards and which contains one dwelling unit and up to one accessory dwelling unit. A detached single-family dwelling may have detached accessory buildings including, but not limited to, garages, accessory recreational facilities, cabanas and similar residential accessories having no more than one room plus a bathroom and otherwise not designed as an independent residence.

*Single Housekeeping Unit*, means one or more person who jointly have common access to and common use of all living, kitchen, and eating areas within the dwelling unit and household activities and responsibilities such as meals, chores, expenses and maintenance of the premises are shared or carried out according to a household plan or other customary method.

*Soil survey* means the most recent soil survey for the local area or county by the National Resources Conservation Service, U.S. Department of Agriculture.

*Spa*. See definition under "hot tub."

*Species* means any group of animals classified as a species or subspecies as commonly accepted by the scientific community.

*Species, endangered* means any fish or wildlife species or subspecies that is threatened with extinction throughout all or a significant portion of its range and is listed by the state or federal government as an endangered species.

*Species of local importance* means those species of local concern due to their population status or their sensitivity to habitat manipulation, or that are game species.

*Species, priority* means any fish or wildlife species requiring protective measures and/or management guidelines to ensure their persistence as genetically viable population levels as classified by the Department of Fish and Wildlife, including endangered, threatened, sensitive, candidate and monitor species, and those of recreational, commercial, or tribal importance.

*Species, threatened* means any fish or wildlife species or subspecies that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.

*Sport court* means an area of ground defined by permanent surfacing, equipment and/or fencing for the purpose of playing tennis, badminton, basketball and similar social games.

*State Environmental Policy Act (SEPA)* means environmental review procedures required under Chapter 43.21C RCW, Chapter 197-11 WAC, and Chapter 16.04 MMC.

*Steep slope* means any area with a slope of 40 percent or steeper and with a vertical relief of ten or more feet except areas composed of consolidated rock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least ten feet of vertical relief.

*Story* means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof.

*Stream* means a course or route, formed by nature or modified by humans and generally consisting of a channel with a bed, banks, or sides throughout substantially all its length, along which surface waters, with some regularity (annually in the rainy season), naturally and normally flow in draining from higher to lower lands. This definition does not include specially designed irrigation and drainage ditches, grass-lined swales, canals, stormwater runoff devices, or other courses unless they are used by salmonids or to convey watercourses that were naturally occurring prior to construction.

*Street* means a right-of-way, opened or unopened, that is intended for motor vehicle travel or for motor vehicle access to abutting property. "Street" includes all the area within the right-of-way, such as roadways, parking strips, and sidewalks. For the purposes of the zoning code, "street" shall not include private lanes.

*Street frontage* means the property line abutting streets.

*Structural coverage* means the area of a lot covered by structures. (See MMC 16.23.030.)

*Structure* means that which is erected, built or constructed, including an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

*Subdivision* means the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

*Subdivision, accumulative short* means multiple short subdivisions of contiguous existing lots held under common ownership, which would result in the creation of five or more lots within a five-year period of the initial short subdivision approval. "Ownership" for the purpose of this definition means ownership as established at the date of the initial short subdivision approval.



*Subdivision, short* means the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

*Substantial destruction* means damage of any origin that is voluntarily or involuntarily sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 60 percent of the fair market value of the structure before the damage occurred.

*Substantially* means significant in the size or amount and has a noticeable impact on the current situation to a degree that would satisfy a reasonable person as significant.

*Support structures* means the structure to which signs or antennas and other necessary associated hardware are mounted, including, but not limited to, lattice towers, monopoles, utility support structures, and existing nonresidential buildings.

*Swimming pool* means any artificially constructed water-holding device that has a minimum depth of 42 inches and is of sufficient size for swimming, wading, immersion, or therapeutic purposes.

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## Chapter 16.22 – Lot Development Standards

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### 16.22.040. Protrusions into setback areas.

The following structures may be located within a setback area, except setbacks from Lake Washington, which are subject to Chapter 16.63 MMC:

- A. Utilities which are located underground and accessory to a principal use, except the requirement for undergrounding is not required if the limitation in MMC 16.50.090(I)(6) applies;
- B. Walkways, stairs and steps, and driveways, not including parking spaces, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower;
- C. Uncovered decks and patios, provided:
  1. No part of the structure exceeds 30 inches in height above the existing or finished grade, whichever grade is lower; and
  2. The following setbacks are maintained:
    - a. A minimum 15-foot setback is maintained from the front property line;
    - b. A minimum 10-foot setback is maintained from the rear property line; and
    - c. A minimum side-yard setback equal to one-half the required distance pursuant to Table 16.22.030.
- D. Window wells that do not project more than six inches above the ground level and do not protrude more than four feet into the setback area;
- E. Fences and freestanding walls which comply with the requirements set forth in MMC 16.30.010;
- F. Irrigation systems at or below finished grade, including yard hydrants, sprinkler heads and similar features that do not exceed 36 inches above the finished grade;

- G. Ramps and similar structures installed to a single-family dwelling to provide ADA access.
- H. Foundation footings where the footing structure does not protrude more than two feet into the setback area and is located entirely below the ground surface.;
- I. Improved surface areas for off-street parking provided:
  - 1. The protrusion is limited to the front setback area and a minimum of 15-foot setback is maintained from a front property line; and
  - 2. The parking area is designed in a manner that is clearly distinguishable from the driveway; and
  - 4. The top of the parking surface does not exceed 30 inches above the existing or finished grade, whichever is lower.;
- J. A chimney provided:
  - 1. The protrusion is limited to the side setback area and does not exceed more than two-feet into the setback area; and
  - 2. The maximum horizontal width of the chimney inside the setback area is five feet.
- K. Accessory structures and outdoor mechanical equipment provided:
  - 1. The protrusion is limited to the rear setback area and a minimum 15-foot setback from the rear property line is maintained; and
  - 2. The highest point of the accessory structure or outdoor mechanical equipment does not exceed eight feet in height above the finished grade; and
  - 3. The accessory structure or outdoor mechanical equipment does not occupy a footprint greater than 100 square feet; and
  - 4. Solid landscape screening pursuant to MMC 16.30.070 is planted that screens the structure or mechanical equipment from adjoining properties; and
  - 5. For outdoor mechanical equipment, the following shall apply:
    - a. An existing unit may be replaced with a new unit in the same location regardless of setback requirements;
    - b. For existing legally nonconforming residences that do not conform to the current side yard setback requirements, a new unit may be installed in the side yard setback provide a minimum 5-foot setback is maintained from the side property line; and
  - 6. All mechanical equipment shall meet the sound requirements set forth in Chapter 8.06 MMC.
- L. Open play structures without roofs or walls provided:
  - 1. The protrusion is limited to rear setback areas and a minimum 10-foot setback from a rear property line is maintained; and
  - 2. The maximum height of the play structure does not exceed ten feet above the finished grade; and
  - 3. The play structure does not occupy a footprint greater than 100 square feet.
- M. Swimming pools, spas and hot tubs as provided for in MMC 16.34.040.
- N. Raised planting bed boxes, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.

- O. Low impact development best management practices or treatment best management practices provided:
1. The best management practice shall be designed, constructed, and maintained in accordance with the stormwater manual adopted under MMC 13.06.020.
  2. Best management practices, including associated vegetation, shall be located entirely on private property.
  3. The maximum height of any structural element associated with the best management practice shall not exceed 30 inches above the existing or finished grade, whichever grade is lower.
  4. The best management practice shall be designed to manage or treat stormwater runoff solely from the building site and from less than 5,000 square feet of impervious surface.
  5. Examples of acceptable best management practices, as those practices are defined in Chapter 16.12 MMC, include but are not limited to the following:
    - a. Rain garden;
    - b. Bioretention;
    - c. Dispersion; and
    - d. Biofiltration treatment.

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#### 16.30.020. Signs.

- A. *Purpose.* The purpose of this section is to recognize that signs have a strong visual impact on the character and quality of the community. As a part of the scenery, signs attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps set the tone for the neighborhood. The city recognizes the value of maintaining its high-quality residential character through the provision of appropriate and aesthetic signage. In addition, limiting the size, type and location of signs will minimize their distracting effect on drivers and thereby improve traffic safety and protect the public health, safety, and general welfare.
- B. *Intent.* The intent of this section is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral and nondiscriminatory sign standards and requirements. This section has also been adopted to:
1. To promote and accomplish the goals, policies and objectives of the city's comprehensive plan and zoning code; and
  2. To provide content-neutral design standards for signage; and
  3. To recognize the predominately high-quality, single-family residential setting and built-out character of the community by permitting signs that complement this character; and
  4. To establish regulations for the design, number, placement and size of exterior signs consistent with the city's high-quality residential character; and
  5. To provide business establishments the ability to identify themselves with signage consistent with the high-quality residential setting of the community; and

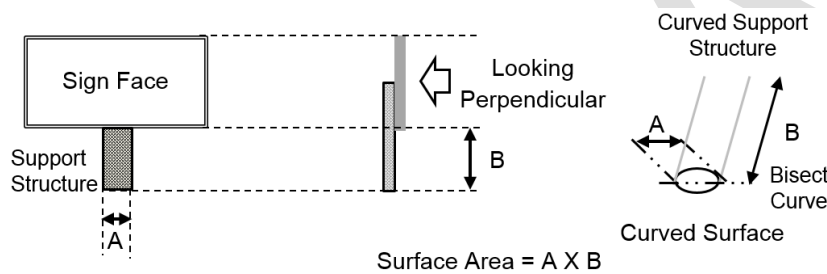
6. To promote public safety by controlling the amount of clutter and visual distractions caused by signs; and
  7. To establish minimum requirements for maintenance of signs.
- C. *Interpretations.* This chapter shall not be interpreted to restrict speech on the basis of its content, viewpoint, or message. Any classification of signs in this chapter which purports to permit speech by reason of the type of sign, identity of the sign user or otherwise, shall be interpreted to allow commercial or noncommercial speech on the sign. No part of this chapter shall be construed to favor commercial speech over noncommercial speech. To the extent that any provision of this chapter is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.
- D. *Applicability.*
1. *Applicability.* The requirements of this section shall apply to all signs including sign structures, unless exempt under subsection (D)(2) of this section. No sign shall be installed, erected and/or displayed within the jurisdiction of the City of Medina, except as provided for in this section and MMC 16.64.070 (shoreline master program).
  2. *Exemptions.* The following signs are exempt from the requirements of this section:
    - a. Signs required by federal or state statutes or regulations that are exempt from local regulations.
    - b. Signs placed inside of buildings or within the boundaries of a lot where the sign is not visible from other properties or city rights-of-way.
    - c. Wall graphics of an artistic nature which do not conform to the definition of a sign in MMC16.12.200.
    - d. Signs associated with a community event sanctioned by the city or with a special event where a special event permit is obtained pursuant to Chapter 9.40 MMC.
    - e. Signs meeting the definition of location identity sign as set forth in MMC 16.12.200, which meet the requirements set forth in MMC 16.30.030.
    - f. Flags that are not of a commercial nature, provided no more than three flags are displayed on the lot simultaneously.;
    - g. All signs having a sign area of 100 square inches or less, provided:
      - i. The sign is not located within city rights-of-way; and
      - ii. No more than two signs qualifying for this exemption are visible from city rights-of-way or nearby properties.;
    - h. Permanent signs having a sign area greater than 100 square inches, but not exceeding 144 square inches, provided:
      - i. The purpose of the sign is to warn against trespassing consistent with the restrictions on peddlers and solicitors in Chapter 5.12 MMC;
      - ii. The sign is not located within city rights-of-way; and
      - iii. No more than three signs per property qualifying for this exemption are visible from city rights-of-way or nearby properties.;
    - i. Signs circulating traffic on private property provided:
      - i. The sign is not located within city rights-of-way;
      - ii. The sign does not exceed two square feet in sign area; and

- iii. No more than two signs qualifying for this exemption are visible from city rights-of-way or nearby properties.
    - e. Signs that communicate operational information such as, but not limited to, hours of access and open/closed signs that do not exceed two square feet in sign area.
    - f. Municipal signs pursuant to the requirements in subsection (G) of this section.
  - 4. *Prohibited location for signs.* The following locations for signs are prohibited:
    - a. Public park or public property, except as specifically allowed by the Medina Municipal Code;
    - b. Private property without the express consent of the owner thereof;
    - c. On public traffic or safety sign posts;
    - d. On utility poles or light standards without the express consent of the entity that owns or controls the utility pole;
    - e. In or on vehicles or vessels visible from public property or city rights-of-way, unless the sign meets one of the following conditions:
      - i. The sign is an integral component of the vehicle or vessel and consists of magnetic, decal or is painted onto or attached to the vehicle or vessel provided the vehicle or vessel is in operational condition, and the vehicle or vessel is not a static display;
      - ii. Signs on vehicles or vessels meeting the requirements in subsection (D)(2)(c) of this section;
    - f. Locations that are determined by the director to be a hazard to public safety due to their design, materials, physical condition, or placement.
  - 5. *Prohibited signs.* Signs which bear or contain statements, words, or pictures which are obscene under the prevailing statutes or U.S. Supreme Court decisional law are prohibited.
- E. *General sign provisions.*
- 1. *How to apply the sign code.* The principal use of the property, or the principal use of the property abutting a city right-of-way, shall control the sign standards in subsection (F) of this section. The Medina Comprehensive Plan, Table 1: Land Use Inventory identifies nonresidential uses in the city.
  - 2. *Sign permits.* A building permit is required for the following:
    - a. Erecting, installing or replacing any permanent sign;
    - b. Erecting, installing or replacing any temporary sign located within any city right-of-way having greater than four square feet in sign area;
    - c. Erecting, installing or replacing any temporary sign unless exempt pursuant to subsection (D)(2)(b) of this section;
    - c. Repairs to any sign meeting the size requirements in subsection (E)(2)(a) or (b) of this section, excluding ordinary repairs as defined by the adopted building code set forth in Chapter 16.40 MMC.
  - 3. *Maintenance requirements.*

- a. Signs, including any and all components of the structures and/or supports thereof, shall be maintained in a proper state of repair; and
  - b. The director may order abatement by repair, rehabilitation, demolition or removal of any sign determined to be in a poor state of repair or dangerous due to likely structural failure or faulty wiring.
4. *Illumination.*
- a. If a sign is permitted to be illuminated pursuant to Table 16.30.020(F), then the following conditions shall apply:
    - i. The illumination shall be by a steady continuous light source only.
    - ii. No strobe, flashing, moving, or animated features are permitted.
    - iii. ~~b.~~ Outdoor signs may be illuminated only by an external light source, except in the neighborhood auto servicing zone signs may be internally illuminated.
    - iv. Illumination ~~Lighting~~ must be shielded to prevent direct glare and/or light trespass into adjoining lots.;
    - v. Illumination ~~Lighting~~ shall be designed, located, installed and directed in such manner as to prevent objectionable light at, and glare across, the property lines and disability glare at any location on or off the property.
    - vi. The recommendations set forth by the Illuminating Engineering Society of North America (IES) shall be used in evaluating lighting for consistency with these criteria.
    - vii. The luminance level shall not exceed five candelas per square foot (cd/ft<sup>2</sup>);
5. *Signs in a city right-of-way.* Placement of signs within a city right-of-way shall comply with the following:
- a. Signs shall be placed a minimum distance of ten feet from the edge of pavement, except:
    - i. The director may approve placement at a distance of less than ten feet on a case-by-case basis after considering public safety factors; or
    - ii. Where the edge of pavement includes raised curbs, a sign may be placed less than ten feet from the edge of pavement provided the sign does not cause unsafe conditions for the public's use of the right-of-way;
  - b. Consent by the abutting property owner is required before placement of any sign within a city right-of-way, excluding municipal signs; and
  - c. Applicable requirements in Chapter 12.28 MMC are followed.
6. *Measuring sign height.* The height of a sign is measured from the lowest point of the existing grade beneath the sign to the highest point of the sign and sign structure.
7. *Maximum number increased.* The maximum number of temporary large yard signs as defined in MMC Table 16.30.020(F) may be increased as follows:
- a. One additional sign may be posted on the waterfront side of a lot adjoining Lake Washington or on a side facing the golf course when a lot adjoins a golf course;
  - b. If a property does not adjoin a city right-of-way, one additional temporary sign may be placed at the entrance to a public lane serving the subject property.

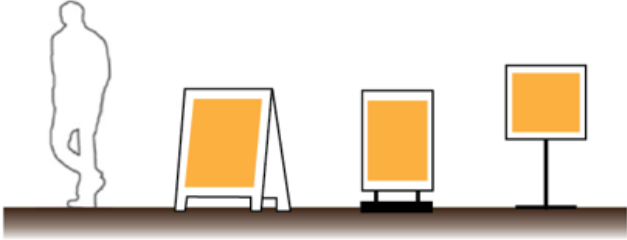
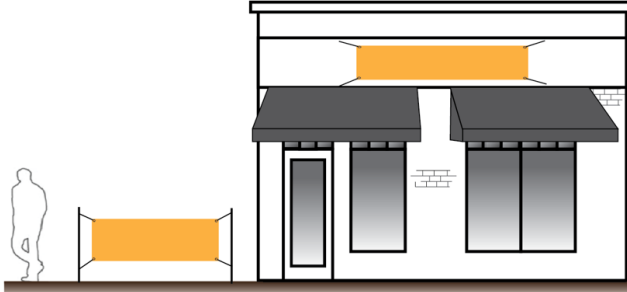
8. *Scenic Vista Act.* Signs that are visible from the SR 520 state highway or located within the state highway right-of-way may be subject to the Scenic Vista Act set forth in Chapter 47.42 RCW.
9. *Support structures for freestanding signs.*
  - a. The surface area of the support structure that is visible when looking perpendicular at the sign face shall not exceed 120 percent of the maximum sign area allowed for the sign.
  - b. When the surface area of a support structure is curved, the curve shall be projected onto an xy-plane to calculate the surface area.
  - c. When a sign contains information on two sides, only one side is counted in determining sign area, except A-board signs where the average area of the two surface areas shall be used to determine surface area.

**Diagrams 16.30.020(E)(9) Surface Area of Support Structure**




**Table 16.30.020(F): Sign Types and Standards**

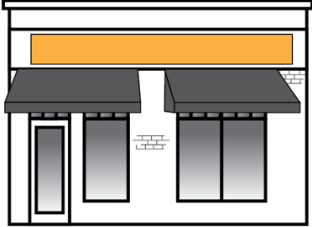
Sign Type	Small Yard Signs	
Examples include single pole or step-stake signs		
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential Allowed	Nonresidential Allowed
Permanence	Temporary Allowed	Permanent Prohibited
Time limit	Must be removed within 24 hours of related event ending, or within 26 weeks of being erected and/or displayed, whichever period is shorter	
Illumination	Prohibited	
Maximum Sign Area	4 square feet	



Maximum Height	4 feet		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Allowed	Allowed (see MMC 16.30.020(E)(5))
Maximum Number Permitted	Signs located on City Right-of-Way		All other permitted locations
	One per 50 feet plus one for any remaining fraction thereof abutting lineal street frontage		No restriction
Installation	Manually pushed or hammered into the ground		
<b>Sign Type</b>	<b>Portable Signs</b>		
Examples include small and large A-Board and free-standing pole signs			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential		Nonresidential
	Prohibited		Allowed
Permanence	Temporary		Permanent
	Allowed		Prohibited
Time Limit	Must be taken down during nonbusiness or event hours		
Illumination	Prohibited		
Maximum Sign Area	A-Board		8 square feet
	All Others		4 square feet
Maximum Height	4 feet		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Prohibited	Allowed adjacent to lot only (see MMC 16.30.020(E)(5))
Maximum Number Permitted	One (1) per each public street frontage to building and/or principal use adjacent to, not to exceed two (2)		
Installation	Stands free on ground, no foundation		
<b>Sign Type</b>	<b>Banner Signs</b>		
Examples include ground, and wall mounted signs			
	Residential		Nonresidential



Principle Use of Property or Property Adjacent to City Right-of-Way	Allowed	Allowed	
Permanence	Temporary	Permanent	
	Allowed	Allowed	
Time Limit	Temporary	Permanent	
	Must be removed within 24 hours of related event ending, or within 26 weeks after being erected and/or displayed, whichever period is shorter	Must be removed within 30 days after abandonment	
Illumination	Prohibited		
Maximum Sign Area	15 square feet		
Maximum Height	Ground Banner	Mounted Banner	
	4 feet	Not to exceed the height of the building, wall, or fence to which it is attached	
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Temporary Allowed	Prohibited
		Permanent Prohibited	
Maximum Number Permitted	One (1) banner sign exceeding 4 square feet in sign area		
Installation	Ground Banner	Mounted Banner	
	Manually pushed or hammered into the ground	Attached securely to a building, wall, or fence	
<b>Sign Type</b>	<b>Large Yard Signs</b>		
Examples include half sheet, and quarter sheet signs			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential	Nonresidential	
	Allowed	Allowed	
Permanence	Temporary	Permanent	
	Allowed	Prohibited	
Time Limit	Must be removed within 24 hours or the next business day, whichever time is longer, after the completion of the project, close of property sale, or conclusion of the event		
Illumination	Prohibited		
Maximum Sign Area	5 square feet		
Maximum Height	6 feet		
Placement	On-Site	Off-Site	City Right-of-Way

	Allowed	Prohibited, except as allowed in MMC 16.30.020(E)(7)	Allowed adjacent to lot only
Maximum Number Permitted	One (1) per lot, except as provided in MMC 16.30.020(E)(7)		
Installation	Permanent foundation prohibited; manually pushed or hammered into the ground		
<b>Sign Type</b>	<b>Pole Banner</b>		
Examples include banners attached to utility poles			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential	Nonresidential	
	Allowed (see MMC 16.30.020(D)(4)(d))	Allowed (see MMC 16.30.020(D)(4)(d))	
Category	Temporary	Allowed	
	Permanent	Prohibited	
Time Limit	Must be removed within 24 hours of related event ending, or within 26 weeks after being erected and/or displayed, whichever period is shorter		
Illumination	Prohibited		
Maximum Sign Area	4 square feet		
Maximum Height	Not to exceed the height of the pole to which it is attached. Must have 8 feet clearance under banner.		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Prohibited	Allowed (see MMC 16.30.020(E)(5))
Maximum Number Permitted	One (1) per pole		
Installation	Attached to utility support structures		
<b>Sign Type</b>	<b>Freestanding Signs</b>		
Examples include monument and pylon			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential	Nonresidential	
	Allowed <sup>1</sup>	Allowed	
Category	Temporary	Permanent	

	Prohibited	Allowed	
Time Limit	Must be removed within 30 days after abandonment		
Illumination	Permitted (see MMC 16.30.020(E)(4))		
Maximum Sign Area	24 square feet per sign		
Maximum Height	4 feet		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Prohibited	Prohibited
Maximum Number Permitted	One (1) per each public street frontage the building and/or principal use is adjacent to but not to exceed two (2)		
Installation	Permanent foundation		
<b>Sign Type</b>	<b>Wall Signs</b>		
Examples include a sign painted directly to a wall, attached to, or erected against a wall of a building or structure with the exposed face of the sign parallel to the plane of such wall			
Principle Use of Property or Property Adjacent to City Right-of-Way	Residential	Nonresidential	
	Prohibited	Allowed	
Category	Temporary	Permanent	
	Allowed	Allowed	
Time Limit	Temporary	Permanent	
	Must be removed within 24 hours or the next business day, whichever time is longer, after the completion of the project, close of property sale, or conclusion of the event	Must be removed within 30 days after abandonment	
Illumination	Permitted (see MMC 16.30.020(E)(4))		
Maximum Sign Area	24 square feet per sign		
Maximum Height	Not to exceed the height of the building		
Placement	On-Site	Off-Site	City Right-of-Way
	Allowed	Prohibited	Prohibited
Maximum Number Permitted	One (1) per each public street frontage the building and/or principal use is adjacent to but not to exceed two (2)		
Installation	Mounted directly to building		
<b>Sign Type</b>	<b>Awning Sign</b>		

<p>Examples include a sign either attached to, affixed to, or painted on an awning, marquee, or canopy</p>			
<p>Principle Use of Property or Property Adjacent to City Right-of-Way</p>	Residential		Nonresidential
	Prohibited		Allowed
<p>Category</p>	Temporary		Permanent
	Prohibited		Allowed
<p>Time Limitation</p>	<p>Must be removed within 30 days of abandonment</p>		
<p>Illumination</p>	<p>Permitted (see MMC 16.30.020(E)(4))</p>		
<p>Maximum Sign Area</p>	<p>24 square feet</p>		
<p>Maximum Height</p>	<p>Not to exceed the height of the building</p>		
<p>Placement</p>	On-Site	Off-Site	City Right-of-Way
	Allowed	Not applicable	Not applicable
<p>Maximum Number Permitted</p>	<p>One (1) per awning</p>		
<p>Installation</p>	<p>Directly onto awning attached to a building</p>		
<p><b>Sign Type</b></p>	<p><b>Window Sign</b></p>		
<p>Examples include a painted, etched, or vinyl sign placed directly onto a window</p>			
<p>Principle Use of Property or Property Adjacent to City Right-of-Way</p>	Residential		Nonresidential
	Prohibited		Allowed
<p>Category</p>	Temporary		Permanent
	Allowed		Allowed
<p>Time Limit</p>	Temporary		Permanent
	<p>Must be removed within 24 hours of related event ending, or within 26 weeks after being erected and/or displayed, whichever period is shorter</p>		<p>Must be removed within 30 days of abandonment</p>
<p>Illumination</p>	<p>Prohibited</p>		
<p>Maximum Sign Area</p>	<p>No more than 40 percent of the transparent surface area of the window</p>		
<p>Maximum Height</p>	<p>Limited to height of window</p>		
<p>Placement</p>	On-Site	Off-Site	City Right-of-Way

	Allowed	Not applicable	Not applicable
Maximum Number Permitted	Temporary	Permanent	
	One (1) sign that does not cover more than 40 percent of the transparent surface of the window(s)	In Lieu of a mounted or freestanding sign, one (1) permanent sign provided it does not cover more than 40 percent of the transparent surface of the window(s)	
Installation	Directly onto window glass		
Notes:			
<sup>1</sup> Permanent free standing signs are allowed for residential uses provided they meet the location identity standards in MMC 16.30.030			

G. *Municipal signs.*

1. The requirements for permits for permanent signs set forth in subsection (E)(2) of this section shall apply to municipal signs, excluding traffic control signs.
2. Nothing else in this section shall restrict the erecting or posting of signs by the city, or its authorized representatives, for the safety, convenience or information of its citizens.

H. *Nonconforming signs.*

1. All permanent signs that do not conform to the specific standards of the Medina Municipal Code that were erected in conformance with a valid permit or were erected in conformance with then applicable ordinances and regulations shall be considered legally nonconforming signs.
2. Nonconforming rights are not granted to temporary signs or signs that were in violation of previous versions of the Medina sign code.
3. Legally nonconforming signs may continue unless:
  - a. The sign is abandoned; or
  - b. The sign is changed as to the location, shape, or dimensions; or
- c. The sign is not kept in good repair consistent with the maintenance requirements imposed by this section. In such cases, the sign as changed or repaired must comply with all applicable provisions of this section.

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**Chapter 16.34 – Accessory Uses**

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16.34.020. Accessory dwelling units.

This section establishes the development criteria that apply to accessory dwelling units.

- A. Accessory dwelling units meeting the requirements of this section are excluded from density and minimum lot area requirements.
- B. Accessory dwelling units shall be fully contained within and attached to a single-family dwelling, or must be located within a detached accessory building.
- C. Only one accessory dwelling unit may be permitted on a lot per each single-family dwelling located on the same lot.
- D. Development standards.
  - 1. The accessory dwelling unit shall comply with the development standards of the zoning where the accessory dwelling unit is located;
  - 2. The accessory dwelling unit shall contain no more than the lesser of 1,000 square feet of gross floor area, or 40 percent of the total square footage of the gross floor area of the single-family dwelling and accessory dwelling unit combined;
  - 3. All of the structures on the property shall have the appearance of a single-family dwelling and any other permitted accessory structures;
  - 4. The entry door to the accessory dwelling unit shall be screened from the street by portions of the structure or by dense evergreen vegetation;
  - 5. There shall be no sign or other indication of the accessory dwelling unit's existence other than an address sign and a separate mail box; and
  - 6. A certification by City of Bellevue utilities is required indicating that water supply and sanitary sewage are available to adequately serve the accessory dwelling unit.
- E. There shall be one off-street parking space provided for the accessory dwelling unit, which shall be in addition to any off-street spaces required for the principal single-family dwelling.
- F. Garage space may be converted into an accessory dwelling unit only if the number of covered garage spaces eliminated by the conversion is replaced by the same number of covered garage spaces elsewhere on the property.
- G. An accessory dwelling unit must contain:
  - 1. Bathroom facilities that include a toilet, sink and a shower or bathtub; and
  - 2. Food storage and preparation facilities and a sink.
- H. A property owner seeking to establish a legal accessory dwelling unit shall apply to register the dwelling unit with the city pursuant to MMC 16.70.070. The application shall include an agreement, in a form approved by the City, by the property owner to maintain the accessory dwelling unit in compliance with the standards set forth in this section.
- I. After the accessory dwelling unit is approved, a registration form signed by the record holders of the property shall be recorded with the King County auditor's office. Said registration form shall contain:
  - 1. The street address and legal description of the property; and
  - 2. The requirement for maintaining the accessory dwelling unit in compliance with the requirements of this section.
- J. The registration of the accessory dwelling unit may be canceled pursuant to MMC 16.70.070 by the property owner by recording a certificate of cancellation in a form satisfactory to the city with the King County department of records and elections. The

city may record a notice of cancellation upon failure to comply with the standards set forth in this section.

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16.34.040. Accessory recreational facilities.

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C. Development standards.

1. Major recreational facilities shall comply with the development requirements of the zone in which the recreational facility is located, except as provided in subsection (C)(3) of this section.
2. Swimming pools, spas and hot tubs shall have the setback measured from the property line to the outside edge of the structural rim of the vessel (see Figure 16.34.040(C)(2)).
3. Major recreational facilities may protrude into setback areas provided:
  - a. At least a 15-foot setback is maintained from each rear and front property line; and
  - b. At least a 10-foot setback is maintained from each side property line.
4. The height of a swimming pool, hot tub or spa is measured from the lowest point of original grade or finished grade, whichever grade is lower, underneath the perimeter of the facility to the highest point of the structural rim of the vessel. (See Figure 16.34.040(C)(4).)

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**Chapter 16.52 – Tree Management Code**

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16.52.190 – Tree Protection Measures During Development

A. Tree protection measures shall be implemented and maintained before and during all development to ensure the preservation of significant trees that are planned to be retained. Tree protection measures shall be shown on grading and drainage plans, tree protection plans, and construction mitigation plans.

B. Tree protection measures shall include, but are not limited to, the following:

1. Establish tree protection zones and install protective fencing at the drip line or other barriers that are at least four feet in height, except where tree protection zones are remote from areas of land disturbance, and where approved by the director, alternative forms of tree protection may be used in lieu of tree protective fencing; provided, that the critical root zones of protected trees or stands of trees are clearly delineated and protected;
2. Limit grading levels around subject trees to not raise or lower grades within the larger of the following areas:

- a. The drip line area of the tree; or
- b. An area around the tree equal to one foot in diameter for each inch of tree diameter measured at DBH;
- 3. Installation of a tree well, but only where necessary and only with pre-approval of the city;
- 4. Designation of areas on site for parking, material and equipment storage, construction ingress and egress, and similar designated areas that do not negatively impact significant trees;
- 5. Locate trenches for utilities that minimize negative effects on the tree root structure with provisions for filling the trenches with a suitable growing medium in the vicinity of the trees;
- 6. Employ measures to protect critical root systems from smothering and compaction;
- 7. Implement a tree care program during construction to include watering, fertilizing, pruning and pest control; and
- 8. Measures for the disposal of potentially harmful items such as excess concrete, polluted water runoff, and other toxic materials.

C. The director may approve deviations to the tree protection measures set forth in subsection (B) of this section if the director determines that the deviation will provide equal or better tree protection than the required tree protection measure.

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**Chapter 16.70 – Administrative Approvals**

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16.70.030. Substantial development permit exemption.

- A. *Applicant.* Any owner may submit a request for a written exemption from the requirement for a substantial development permit.
- B. *Procedures.* An exemption from a substantial development permit is processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section shall apply to activities defined as development pursuant to RCW 90.58.030(3)(a), and located within the shoreline jurisdiction as defined by the Shoreline Management Act, and implements the provisions set forth in WAC 173-27-040 as they currently exist or are hereafter amended.
- D. *Limitations.*
  - 1. Exemptions are to be construed narrowly and only development that meets the precise terms of one or more of the listed exemptions may be granted an exemption; and



2. If any part of a proposed development is not eligible for one of the listed exemptions, then an exemption shall not be granted.

E. *Criteria for approval.*

1. The development for which the exemption is sought must meet one or more of the conditions set forth in WAC 173-27-040(2); and
2. The development must comply with and be consistent with the Medina shoreline master program (Chapters 16.60 through 16.67 MMC), Chapter 173-27 WAC (Shoreline Management Permit and Enforcement Procedures), and Chapter 90.58 RCW (Shoreline Management Act).

- F. *Conditions of approval.* The decision authority may attach conditions as necessary to prevent undesirable effects on the shoreline area and carry out the spirit and purpose of the regulations set forth in the Medina shoreline master program and the Shoreline Management Act.

16.70.040. Administrative tree activity permit.

- A. *Applicant.* Any owner may submit an application for an administrative tree activity permit.
- B. *Procedures.* Administrative tree activity permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to the activities associated with removing and planting trees set forth in MMC 16.52.160(B).
- D. *Criteria for approval.* The decision authority may approve an administrative tree activity permit only if the requirements set forth in Chapter 16.52 MMC are satisfied.
- E. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- F. *Lapse of approval.*
1. An administrative tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the administrative tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

16.70.050. Temporary use permit.

- A. *Applicant.* Any owner may submit an application for a temporary use permit.
- B. *Procedures.* Temporary use permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section shall apply to those uses authorized as temporary uses pursuant to Chapter 16.35 MMC.
- D. *Limitations.* Only one temporary use permit may be granted within a five-year time period from the date the original temporary use permit is issued, except a second temporary use permit may be granted if:

1. For temporary public facilities:
    - a. In the opinion of the director, a significantly different public facility will occupy the use of the property;
    - b. The second temporary use permit is consistent with the requirements set forth in this chapter; and
    - c. No additional temporary use permit is approved for at least five years following approval of the second temporary use permit.
  2. For temporary wireless communication facilities:
    - a. A complete nonadministrative special use permit application has been submitted to the city;
    - b. The extension of time, at the discretion of the director, is necessary to allow for the processing of permits and construction of facilities; and
    - c. No additional temporary use permit is approved for at least five years following approval of the second temporary use permit.
- E. *Criteria for approval.* The decision authority may approve a temporary use permit only when the following criteria are satisfied:
1. The temporary use will not materially be detrimental to the public health, safety, or welfare, or injurious to property or improvements in the immediate vicinity;
  2. For a temporary public facility, there is adequate parking within a sufficient proximity to the site for employees, city vehicles and customers;
  3. Except in the case of emergencies, the temporary use will not cause noise, light or glare which adversely impacts surrounding uses; and
  4. The temporary use shall comply with all codes applicable to development, such as zoning and building codes, except as otherwise provided for in MMC 16.35.040 and 16.35.050.
- F. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

16.70.060. Accessory dwelling unit registration.

- A. *Applicability.* Any owner installing an accessory dwelling unit (ADU) pursuant to MMC 16.34.020 shall apply for an accessory dwelling unit registration.
- B. *Review procedures.* Approval of an accessory dwelling unit is processed as a Type 1 decision pursuant to the requirements set forth in Chapter 16.80 MMC.
- C. *Approval criteria.* The decision authority may approve an ADU only when the following criteria are met:
  1. The ADU meets the requirements set forth in MMC 16.34.020; and
  2. The property owner agrees to maintain the ADU in compliance with the requirements in MMC 16.34.020.
- D. *Written agreement.*
  1. Before a certificate of occupancy is issued for the ADU, the property owner shall complete, sign, have notarized, and record an ADU registration form.

2. The contents of the ADU registration form shall include the following:
  - a. The street address and legal description of the property where the accessory dwelling unit is located;
  - b. The written agreement to maintain the ADU as prescribed in subsection (C)(2) of this section; and
  - c. Any other relevant information determined necessary by the decision authority.
3. The property owner shall record the ADU registration with King County recorder's office. A copy of the recorded document and recording number shall be provided to the city.
4. The ADU registration may be cancelled under the following conditions:
  - a. The property owner may cancel the ADU registration if:
    - i. The ADU is permanently removed from the property; or
    - ii. The property owner provides to the city evidence that the use has been removed and obtains approval from the city to cancel the ADU registration; and
    - iii. The property owner records a certificate of cancellation with King County recorder's office and provides a copy of the recorded certificate of cancellation to the city.
  - b. The city may cancel the ADU registration if the property owner fails to comply with the general requirements in MMC 16.34.020. Cancellation of the ADU registration shall be in accordance with the following procedures:
    - i. The city provides a notice of cancellation to the property owner who shall have a right to appeal the decision to cancel pursuant to MMC 16.80.220 for a Type 1 decision;
    - ii. Once a decision to cancel becomes final, the city shall record a certificate of cancellation with King County recorder's office;
    - iii. A copy of the recorded certificate of cancellation shall be provided to the property owner after which the use as an accessory dwelling unit shall cease.
- E. *Lapse of approval.* Approval of an accessory dwelling unit shall expire if the building permit for the accessory dwelling unit expires and substantial construction of the accessory dwelling unit has not started. Approval of an accessory dwelling unit shall also expire if the use is abandoned during its existence, or if a certificate of cancellation is recorded.

16.70.070. Grading and drainage permit.

- A. *Applicant.* Any owner may submit an application for a grading and drainage permit.
- B. *Procedures.* Grading and drainage permits are processed as a Type 1 decision, unless a SEPA threshold determination is required in which case the application is processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to all permits required under Chapter 16.43 MMC.
- D. *Criteria for approval.* The codes and standards referenced in Chapter 16.43 MMC and other applicable ordinances and regulations, as they currently exist or are hereafter amended, set forth the criteria for approving grading and drainage permits.

- E. *Conditions of approval.* The decision authority may attach such conditions as reasonably necessary to safeguard the public health, general welfare, and safety.
- F. *Lapse of approval.* Grading and drainage permits shall expire as prescribed for building permits in Chapter 16.40 MMC.

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## Chapter 16.71 – Administrative Discretionary Approvals

### 16.71.010. Minor deviation.

- A. *Purpose.* The purpose of a minor deviation is:
  1. To allow for minor departures from numeric development standards for remodeling projects; and
  2. To allow flexibility in design while preserving nonconforming conditions with respect to setback requirements and maximum building heights.
- B. *Applicant.* Any owner may submit an application for a minor deviation.
- C. *Procedures.* Minor deviations are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* A minor deviation may be approved for the following:
  1. Departures by five percent or less from any numeric development standard provided:
    - a. If the numeric development standard is expressed as a percentage, the five percent is calculated as the numeric percentage multiplied by 1.05; and
    - b. Requests for departures may include qualifying conditions such as structural coverage bonuses and height bonuses.
  2. Departures from building height and zoning setback standards to allow a building addition to match an existing nonconforming building height or setback that was legally established provided:
    - a. Matching a nonconforming building height means a building addition extending above the maximum zoning height applicable to the building, but the highest point of the addition does not exceed the highest point of the roof of the existing building; or
    - b. Matching a nonconforming zoning setback means a building addition extending into the setback area, but the addition does not extend closer to the property line than the closest point of the existing building, excluding gutters; and
    - c. The total above-ground bulk of the building located within the nonconforming height or setback envelope does not occupy more than 60 percent of the maximum possible above-ground bulk that could otherwise be built within the nonconforming building height or setback envelope with approval of a minor deviation.
- E. *Limitations.* A minor deviation shall not be approved for the following:
  1. Where the structures experiences substantial destruction as defined by MMC 16.12.200 or reconstruction as defined by MMC 16.12.190.
  2. Where the request is to obtain final approval of a structure that compliance with the numeric development standard was represented in the building permit application, but subsequent construction is noncompliant; or

3. Where the project consists of a building alteration or improvement that was completed at any time within the previous five years.
- F. *Criteria for approval.* The decision authority may approve a minor deviation only if the following criteria are satisfied:
1. The minor deviation does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and
  2. The granting of such minor deviation will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
  3. The proposed development will not substantially reduce the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code; and
  4. For departures set forth in subsection (D)(1) of this section, the minor deviation is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- H. *Lapse of approval.*
1. An approved minor deviation shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
  2. Expiration of the minor deviation is automatic and notice is not required; and
  3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension

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16.71.040. Administrative right-of-way tree activity permit.

- A. *Purpose.* The purpose of an administrative right-of-way tree activity permit is to authorize removal or pruning of trees and vegetative cover in the right-of-way consistent with Chapter 16.52 MMC.
- B. *Applicant.* Only owners enumerated in MMC 16.52.160(C) may submit an application for an administrative right-of-way tree activity permit.
- C. *Procedures.* Administrative right-of-way tree activity permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to the pruning and removal of trees as set forth in MMC 16.52.160(C).
- E. *Criteria for approval.* The decision authority may approve an administrative right-of-way tree activity permit only if the following criteria are satisfied:

1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
  4. Removal of the city tree is permitted pursuant to MMC 16.52.190(D);
  5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
  6. Tree trimming or pruning is done in accordance with the following:
    - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
    - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
    - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree;
  7. All other requirements set forth in MMC 16.52.190 are satisfied.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. An administrative right-of-way tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the administrative right-of-way tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

16.71.050. Administrative substantial development permit.

- A. *Purpose.* The purpose of an administrative substantial development permit is to regulate developments and uses of water bodies and associated upland areas to protect human health and the natural environment, but by the scope of the development warrant a less cumbersome approval process.
- B. *Applicant.* Any owner may submit an application for an administrative substantial development permit.
- C. *Procedures.* Administrative substantial development permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to activities within the meaning of the term "development" as defined in RCW 90.58.030(3)(a), and located within the shoreline jurisdiction as defined by the Shoreline Management Act, provided:
  1. The development is not exempt from a substantial development permit pursuant to WAC 173-27-040 as it currently exists or is hereafter amended; and

2. The development does not include any dredging waterward of the ordinary high water mark; and
  3. The development does not include grading activity involving more than 500 cubic yards of material within the shoreline jurisdiction, excluding fill material used specifically for fish and wildlife habitat restoration; and
  4. The total cost or fair-market value of the entire proposed development does not exceed \$50,000.00 provided:
    - a. The calculation for total cost or fair-market value shall include all costs, excluding permit fees and taxes, associated with development on the property during a period beginning from the date an application for the administrative substantial development permit is submitted and ending 18 months after the date all permits issued by the city for the property are finalized; and
    - b. Development may not be divided into phases for the purpose of avoiding a higher designation of decision type, except as provided in subsection (D)(4)(a) of this section.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.080, the applicant shall provide the following with an administrative substantial development permit:
1. A site plan containing the following:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;

4. Quantity, source, and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and
  6. Additional submittal information set forth in the shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve an administrative substantial development permit only if the following criteria are satisfied:
1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);
  2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and
  3. The proposed development is consistent with the requirements of the Medina shoreline master program.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to an administrative substantial development permit shall be consistent with WAC 173-27-100 as it currently exists or is hereafter amended.
- I. *Lapse of approval.* Administrative substantial development permit shall expire as set forth in WAC 173-27-090 and amendments thereto.

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**Chapter 16.72 – Quasi-Judicial Approvals**

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16.72.080. Nonadministrative right-of-way tree activity permit.

- A. *Purpose.* The purpose of a nonadministrative right-of-way tree activity permit is to authorize removal or pruning of trees and vegetative cover in the right-of-way consistent with Chapter 16.52.
- B. *Applicant.* Any owner, or any public or private agencies with authority to operate within the city right-of-way or their authorized agents who have written authorization to act on their behalf, may submit an application for a nonadministrative right-of-way tree activity permit.
- C. *Procedures.* Nonadministrative right-of-way tree activity permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to the pruning and removal of trees in the right-of-way as set forth in MMC 16.52.160(D).
- E. *Criteria for approval.* The decision authority may approve a nonadministrative right-of-way tree activity permit only if the following criteria are satisfied:
  1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;



2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
  4. Removal of a city tree is permitted pursuant to MMC 16.52.190(D);
  5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
  6. Tree trimming or pruning is done in accordance with the following:
    - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
    - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
    - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree.
  7. All other requirements set forth in MMC 16.52.190 are satisfied.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. A nonadministrative right-of-way tree activity permit shall expire within 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the nonadministrative right-of-way tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

16.72.090. Nonadministrative tree activity permit.

- A. *Purpose.* The purpose of a nonadministrative tree activity permit is to authorize removal of a Landmark Tree with a DBH of 50 inches or greater as set forth in MMC 16.52.160(E).
- B. *Applicant.* Any owner may submit an application for a nonadministrative tree removal permit.
- C. *Procedures.* Nonadministrative tree removal permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to removal of trees as set forth in MMC 16.52.160(D), excluding trees rated as hazard pursuant to MMC 16.52.120.
- E. *Criteria for approval.* The decision authority may approve a nonadministrative tree activity permit only if the following criteria are satisfied:
  1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree removal will have no materially detrimental effects on nearby properties;
  4. The tree has not been granted special protection pursuant to MMC 16.52.080;

5. All requirements set forth in Chapter 16.52 MMC are satisfied;
  6. All other ordinances, regulations and policies applicable to tree removal are followed.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. A nonadministrative tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the nonadministrative tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

16.72.100. Substantial development permit.

- A. *Purpose.* The purpose of a substantial development permit is to regulate development and uses of water bodies and associated upland areas consistent with the Medina shoreline master program.
- B. *Applicant.* Any owner may submit an application for a substantial development permit.
- C. *Procedures.* Substantial development permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to activities and uses defined as development pursuant to RCW 90.58.030(3)(a) and located within the shoreline jurisdiction as defined by the Shoreline Management Act, provided:
1. The development does not qualify for an exemption as set forth in MMC 16.70.040;
  2. The development does not qualify for an administrative substantial development permit as set forth in MMC 16.71.060.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a substantial development permit shall include the following:
1. A site plan containing the following:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and

- the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan;
- ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
  - f. Existing and proposed land contours with minimum two-foot elevation intervals;
  - g. A general description of the character of vegetation found on the site;
  - h. The dimensions and locations of all existing and proposed structures and improvements;
2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and
  6. Additional submittal information set forth in the Medina shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve a substantial development permit only if the following criteria are satisfied:
1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);
  2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and
  3. The proposed development is consistent with the provisions of the Medina shoreline master program.
- G. *Conditions of approval.* The decision authority may attach such conditions as to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a substantial development permit shall be consistent with WAC 173-27-100.
- I. *Lapse of approval.* Substantial development permit shall expire as set forth in WAC 173-27-090 and amendments thereto.

16.72.110. Shoreline conditional use permit.

- A. *Purpose.* The purpose of a shoreline conditional use permit is to provide a system within the Medina shoreline master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020.
- B. *Applicant.* Any owner may submit an application for a shoreline conditional use permit.
- C. *Procedures.*

1. Shoreline conditional use permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and
  2. Shoreline conditional use permits approved by the city are transmitted to the Washington State Department of Ecology pursuant to WAC 173-27-200 for Ecology's approval, approval with conditions, or denial.
- D. *Applicability.* The following may be permitted if a shoreline conditional use permit is approved:
1. Uses listed as a conditional use in the Medina shoreline master program; or
  2. Uses which are not classified or specifically prohibited in the Medina shoreline master program provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the Medina shoreline master program.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a shoreline conditional use permit shall include the following:
1. The site plan shall include:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and

6. Additional submittal information set forth in the Medina shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve a shoreline conditional use permit only if the following criteria are satisfied:
1. That the proposed use is consistent with the policies set forth in RCW 90.58.020 and the Medina shoreline master program;
  2. That the proposed use will not interfere with the normal public use of public shorelines;
  3. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program;
  4. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
  5. That the public interest suffers no substantial detrimental effect.

In the granting of a shoreline conditional use permit, consideration shall be given to the cumulative impact of additional requests for like actions in the area.

- G. *Conditions of approval.* The decision authority and the Washington State Department of Ecology may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a shoreline conditional use permit shall be consistent with WAC 173-27-100 and amendments thereto.
- I. *Lapse of approval.* A shoreline conditional use permit shall expire as set forth in WAC 173-27-090.

#### 16.72.120. Shoreline variance.

- A. *Purpose.* The purpose for a shoreline variance is to provide a mechanism strictly limited to granting relief where there are extraordinary circumstances relating to the physical character or configuration of property.
- B. *Applicant.* Any owner may submit an application for a shoreline variance.
- C. *Procedures.*
1. Shoreline variances are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and
  2. Shoreline variances approved by the city are transmitted to the Washington State Department of Ecology pursuant to WAC 173-27-200 for Ecology's approval, approval with conditions, or denial.
- D. *Applicability.* Shoreline variances may be granted for relief from specific bulk dimensional or performance standards set forth in the Medina shoreline master program where the requirement of such will impose unnecessary hardships on the applicant or thwart the policies set forth in RCW 90.58.020 and the Medina shoreline master program.

- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a shoreline variance shall include the following:
1. The site plan shall include:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location provided that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated or dredged material; and
  6. A site plan that clearly indicates where development may occur without approval of a variance, the physical features and circumstances on the property that provide a basis for the request, and the location of adjacent structures and uses.
- F. *Criteria for approval.* The decision authority may approve a shoreline variance only if the following criteria are satisfied:
1. Where the variance is for development landward of the ordinary high water mark the following approval criteria shall apply:
    - a. That the strict application of the bulk, dimensional or performance standards set forth in the Medina shoreline master program precludes, or significantly interferes with, reasonable use of the property;
    - b. That the hardship described in subsection (F)(1)(a) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot

- shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;
- c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program and will not cause adverse impacts to the shoreline environment;
  - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
  - e. That the variance requested is the minimum necessary to afford relief; and
  - f. That the public interest will suffer no substantial detrimental effect.
2. Where the variance is for development waterward of the ordinary high water mark the following approval criteria shall apply:
    - a. That the strict application of the bulk, dimensional or performance standards set forth in the Medina shoreline master program precludes all reasonable use of the property;
    - b. That the hardship described in subsection (F)(2)(a) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;
    - c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program and will not cause adverse impacts to the shoreline environment;
    - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
    - e. That the variance requested is the minimum necessary to afford relief;
    - f. That the public interest will suffer no substantial detrimental effect; and
    - g. That the public rights of navigation and use of the shorelines will not be adversely affected.
  3. In the granting of all variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a shoreline conditional use permit shall be consistent with WAC 173-27-100.
- I. *Lapse of approval.* A shoreline variance shall expire as set forth in WAC 173-27-090.

\*\*\*      \*\*\*      \*\*\*      \*\*\*

**Chapter 16.80 – Project Permit Review Procedures**

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C. Table 16.80.050(C) sets forth project permits that are categorized as Type 3 decisions with the applicable corresponding review procedures.

**Table 16.80.050(C)—Type 3 Decisions**

Project Permit	Decision Authority	Procedure Requirements			
		DOC	NOA	NOH	NOD
Nonadministrative special use permit	HE	Yes	Yes	Yes	Yes
Conditional use permit	HE	Yes	Yes	Yes	Yes
Historical use permit	HE	Yes	Yes	Yes	Yes
Nonadministrative variance	HE	Yes	Yes	Yes	Yes
Site-specific rezone	PC/CC <sup>1</sup>	Yes	Yes	Yes	Yes
Reasonable use exception	HE	Yes	Yes	Yes	Yes
Nonadministrative right-of-way tree activity permit	HE	Yes	Yes	Yes	Yes
Nonadministrative tree activity permit	HE	Yes	Yes	Yes	Yes
Site plan review	HE	Yes	Yes	Yes	Yes
Preliminary subdivision	HE/CC <sup>2</sup>	Yes	Yes	Yes	Yes
Shoreline substantial development permit	HE	Yes	Yes	Yes	Yes
Shoreline variance	HE <sup>3</sup>	Yes	Yes	Yes	Yes
Shoreline conditional use permit	HE <sup>3</sup>	Yes	Yes	Yes	Yes

Notes:

"DOC"—determination of completeness required pursuant to MMC 16.80.100

"NOA"—notice of application required pursuant to MMC 16.80.110

"NOH"—notice of hearing required pursuant to MMC 16.80.120

"NOD"—notice of decision required pursuant to MMC 16.80.200

"HE" means the hearing examiner has authority to make the decision

"PC" means the Medina planning commission has authority to make the decision

"CC" means the city council makes the decision

<sup>1</sup> The planning commission holds the open-record hearing and makes a recommendation to the city council. The city council decides the rezone at a closed-record meeting.

<sup>2</sup> Hearing examiner holds the open-record hearing and makes a recommendation to the city council. The city council decides the preliminary subdivision at a closed-record meeting.

<sup>3</sup> If the hearing examiner's action on shoreline variances and shoreline conditional use permits is to approve the application, the approval shall be submitted to the Washington State Department of Ecology for approval, approval with conditions, or denial pursuant to WAC 173-27-200.





# MEDINA, WASHINGTON

## AGENDA BILL

Monday, November 14, 2022

**Subject:** Medina City Council 2023 Goals and Priorities

**Category:** City Business

**Staff Contact:** Stephen R. Burns, City Manager

### **Summary**

On Monday October 24, 2022 the Medina City Council met to set goals and priorities for 2023. Retreat facilitator Una McAlinden facilitated discussion amongst Council and staff on Council's top five priorities:

1. Financial Stability and Accountability,
2. Quality Infrastructure,
3. Efficient and Effective City Government,
4. Public Safety and Health, and
5. Neighborhood Character.

Council discussed current realities, success indicators, and projects they would like accomplished in the next 12 to 18 months in each of the five categories. Council identified the following priorities for staff to work on in 2023:

1. Create clear timeline and protocols for Council projects to include no new code without an enforcement plan.
2. Strategy for creative revenue sources, relook at fine structure and compare or calibrate with other cities.
3. Implement a full HR system that covers employee lifecycle.
4. Add each department's business lines and service levels on website.
5. Research and develop a plan for undergrounding utilities; and
6. Research available options for reducing ghost homes.

**Attachment:** None

**Budget/Fiscal Impact:** None

**Recommendation:** Approve.

**City Manager Approval:**

**Proposed Council Motion:** "I move to approve the Medina City Council 2023 Goals and Priorities."



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | www.medina-wa.gov

**Date:** November 14, 2022

**To:** Honorable Mayor and City Council

**From:** Stephen R. Burns, City Manager

**Subject:** Gas-Powered Leaf Blower – Follow-up

At the October 10, 2022, Medina Council Meeting, staff was given direction to research several questions from Council regarding gas-powered leaf blowers.

This memo will address those issues.

Council directed staff to come back to Council at a future meeting with the following:

1. How is the current code working?
  - a. Were noise complaints received?
    - i. *City staff has received noise complaints specific to gas-powered leaf blowers and lawn equipment. Complaints have been after-hours and equipment exceed noise restrictions. The complaints have involved work done by landscapers and the golf course.*
    - ii. *In 2021, the Medina Police Department responded to 42 noise complaints – statistics are not broken down so these include lawn equipment, loud parties, barking dogs, music, etc.*
    - iii. *Through October 2022, police had responded to 33 noise complaints - statistics are not broken down so these include lawn equipment, loud parties, barking dogs, music, etc.*
  - b. What is the city doing (or what did the city do) to educate the public on the updated noise ordinance?
    - i. *In November 2020, City Manager Michael Sauerwein sent a letter to all the landscaping companies working in Medina notifying them of the changes in hours.*
    - ii. *An ordinance summary was published in the Seattle Times on October 19, 2020, and the updated code amendment was posted on the city's website on October 28, 2020*
    - iii. *Staff met with Overlake Golf and Country Club to ensure they knew of the new noise restrictions at the end of 2020.*
2. What is the current market for electric equipment?

- a. What is the lifecycle for such equipment?
    - i. Staff researched commercial grade battery-powered leaf blowers technology as directed. It is still too new to fully determine how long they will last. Current battery equipment should last roughly five years but with advancements it is expected to last longer. The batteries will need to be replaced after three to four years.
  - b. Can it be financially neutral for the city to move to electric equipment?
    - i. Medina Public Works does not have immediate need to replace gas-powered leaf blowers. Purchasing battery-powered leaf blowers would be additional equipment costing the City approximately \$4,000 to \$5,000 per unit for commercial grade. Replacement batteries cost around \$1,800 per unit.
  - c. What are the long-term impacts?
    - i. The technology is still too new to have an accurate study on the long-term impacts.
  - d. Will entities and residents move towards electric equipment naturally because the market is shifting that way anyways?
    - i. *According to tool manufacturer Stanley Black & Decker, 85 percent of personal-use blowers on the market now are electric. "That's been pretty steady over the last five years," says Christine Potter, president of the company's outdoor business unit.*
    - ii. *Surrounding cities, like Mercer Island and Tukwila, are discussing the move toward battery powered leaf blowers and banning gas-powered leaf blowers.*
3. For jurisdictions that have adopted restrictions on blowers, what has the impact been on residents and businesses?
- Staff contacted the following agencies: San Clemente, CA; Santa Monica, CA; Aspen, CO; Highland Park, IL; Bronxville, NY and Dobbs Ferry, NY.
- a. Are neighbors fighting?
    - i. Each jurisdiction is in different stages of having an ordinance banning gas-powered leaf blowers but there haven't been any reported fights because most complainants call the City to report the violations on their neighbors.
  - b. How effective is enforcement?
    - i. In all the jurisdictions that were contacted, enforcement is handled by code enforcement officers and not police officers. It is complaint driven and, when after hours, it is generally handled the next day as follow-up with either the violating resident or landscaping company.
    - ii. In two jurisdictions, police will contact the violator to stop the action and provide the information to code enforcement for follow-up.

- iii. In one jurisdiction, they ask for photos of the violation and a photo of the landscaping company.
- iv. Most jurisdictions use education at first with limited enforcement. All contacted jurisdictions have issued tickets for multiple violations – most have been landscaping companies.
- v. Most jurisdictions felt that compliance was high, especially with landscapers.
- vi. In New York and Illinois, they allow gas-powered equipment for City parks and golf courses year-round because of the size of the property.

#### 4. Environmental/health impacts

- a. Is there a public health emergency related to the noise and air pollution from blowers? (Would need to have an expert speak to the public health concerns)
  - i. There are not any public health emergencies specifically to gas-powered leaf blowers.
  - ii. State of Washington Department of Health does not have a health emergency regarding gas-powered leaf blowers but recognizes the emissions from this type of equipment has indicated substantial contributions of volatile organic compounds (VOCs) and fine particulate matter (PM2.5), and it is well-documented the air pollutants are generally associated with health impacts along with varying noise impacts to the user.
  - iii. The EPA has reported that leaf blowers and other gas-powered lawn and garden equipment expose workers and the public to high levels of toxic and carcinogenic emissions such as benzene, butadiene, formaldehyde and fine particulates.
  - iv. The American Lung Association, American Heart Association, World Health Organization and the Center for Disease Control and Prevention have reports on the dangerous health risks associated with exposure to high levels of toxic and carcinogenic emissions including cancer, lung disease, respiratory illnesses, and dementia.
  - v. Gas blowers produce high levels of noise which have been shown to pose serious health risks including hearing loss, hypertension, and productivity loss. Not a high priority in enforcement for them.
- b. What is the environmental impact from creating/developing batteries and then throwing away old batteries as well as throwing away gas-powered blowers?
  - i. While studies vary, the main concern with replacing fossil fuels in the transportation and electric generating sector with electric vehicles and renewable energy where lithium, cobalt and other critical metals are needed to produce these

technologies. Mining, processing, and disposing of these metals can contaminate drinking water, land and the environment if done improperly as seen from several studies.

## 5. State/County Level

- a. Is there any state funding available for businesses impacted by blower restrictions?
  - i. Currently there is no funding available at the State or County level for businesses impacted by banning gas-powered leaf blowers.
  
- b. Is the state/county taking any action to restrict or prohibit gas-powered blowers?
  - i. There is no legislation to restrict gas-powered leaf blowers.
  - ii. CORRECTION from my previous statement at the October 10, 2022, City Council meeting – the City of Seattle did pass a resolution on September 6, 2022, to phase out gas-powered leaf blowers – see attached.
  - iii. SCA City Manager/City Administrator Meeting – currently, there are no cities moving forward with an ordinance. The issue has come up in nearby jurisdictions but have been tabled for a variety of reasons – impacts to small businesses, waiting until the State acts, waiting for technology to get better, etc.
  - iv. Municode’s online ordinance bank check of Washington cities and towns did not find any ordinances banning gas-powered leaf blowers in Washington state.
  - v. I checked with King County Council Chair Claudia Balducci’s office, there are no immediate plans to pass restrictions on gas-powered leaf blowers at the county level.
  - vi. SCA reported there aren’t any specific agenda items at the state level for gas-powered leaf blower restrictions, but a bill did get started last session that did not make it out of committee. They expect it will be brought up again in 2023 session but don’t have any idea where it will end up.

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**CITY OF SEATTLE**

**RESOLUTION 32064**

A RESOLUTION declaring the City Council’s intent to phase out gas-powered leaf blowers; establishing goals and identifying actions to meet these goals.

WHEREAS, The City of Seattle (“City”) has the authority to adopt policies to protect and promote public health, safety, and welfare; and

WHEREAS, in 2021, the City Council (“Council”) adopted Statement of Legislative Intent OSE-003-B-001 requesting that City departments develop a plan to phase out the use of gas-powered leaf blowers in Seattle within two years and submit this plan to the Council by September 2, 2022; and

WHEREAS, the Council is seeking to reinforce and elevate this request through this resolution by establishing goals and articulating specific actions the City should take to gradually phase out the use of gas-powered leaf blowers; and

WHEREAS, in 2014, the City’s Department of Planning and Development (now the Seattle Department of Construction and Inspections) considered strategies to reduce or eliminate the use of gas-powered leaf blowers in their response to Statement of Legislative Intent SLI 70-1-A-1 and recommended no new regulations or changes to City practices due to the lack of equivalent electric alternatives and other considerations at that time; and

WHEREAS, since then, new data have revealed more of the environmental and public health impacts of gas-powered leaf blowers; electric leaf blowers technology has improved; and other jurisdictions have moved to eliminate the use of gas-powered leaf blowers; and

WHEREAS, gas-powered leaf blowers most commonly have two-stroke internal combustion engines that incompletely combust their fuel, resulting in the emission of toxic and

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1 carcinogenic substances, such as carbon monoxide, nitrogen oxides, and volatile organic  
2 compounds, which contribute to the formation of ozone, smog, and acid rain; and

3 WHEREAS, best available data indicate that the use of gas-powered leaf blowers can cause  
4 direct harm to people within the vicinity by contributing to localized air pollution,  
5 creating excessive noise, and causing other negative health impacts to their operators,  
6 who disproportionately identify as Latinx or Hispanic (46 percent) relative to overall  
7 workplace demographics (18 percent); and

8 WHEREAS, operating a leaf blower results in particulate matter lifting into the air, which has  
9 been shown to degrade localized air quality by increasing coarse and fine particles by  
10 more than 60 percent relative to ambient air, and the smallest particles can remain in the  
11 air for up to a week; and

12 WHEREAS, studies from the United States Environmental Protection Agency (EPA) indicate  
13 that fugitive dust (i.e., particulate matter) and exhaust emissions from gas-powered leaf  
14 blowers can pose significant health risks to operators and the public, including  
15 “cardiovascular disease, stroke, respiratory disease, cancer, neurological conditions,  
16 premature death, and effects on prenatal development”; and

17 WHEREAS, gas-powered leaf blowers with two-stroke engines emit particularly low-frequency  
18 sound waves, including ultra-low frequency, which cause the sounds to travel longer  
19 distances and more easily penetrate walls and other barriers, magnifying the impacts of  
20 nuisance noise; and

21 WHEREAS, the California Air Resources Board determined that operators of gas-powered leaf  
22 blowers may be exposed to an average sound of 88–101.3 decibels (dBs), which exceeds  
23 acceptable thresholds set by the World Health Organization, the United States

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1 Department of Labor’s Occupational Safety and Health Administration, and Washington  
2 State; and

3 WHEREAS, regular exposure to sound levels higher than 70 dBs can cause hearing damage and  
4 loss to operators, and studies have shown that high environmental noise pollution can  
5 contribute to the incidence of arterial hypertension, myocardial infarction, tinnitus, and  
6 stroke; and

7 WHEREAS, the City’s Race and Social Justice Initiative (RSJI) established a Racial Equity  
8 Toolkit (2012) analysis process, wherein the City committed to racial equity and justice  
9 principles, including prioritizing stakeholder engagement throughout policy development,  
10 especially stakeholders who are directly affected by a policy’s implementation; and

11 WHEREAS, in response to the considerable negative impacts from gas-powered leaf blowers,  
12 over 100 cities across the nation have instituted policies limiting or banning them from  
13 use, and California has passed Assembly Bill 1346, which requires the California Air  
14 Resources Board to create a plan to phase out the sale of gas-powered leaf blowers in  
15 California by 2024; and

16 WHEREAS, electric leaf blowers are quieter than gas-powered versions and do not emit low-  
17 frequency sound waves or toxic emissions, reducing harm to operators and other people  
18 nearby; and

19 WHEREAS, several City departments continue to use gas-powered leaf blowers, including  
20 Seattle Parks and Recreation, the Seattle Department of Transportation, and Seattle City  
21 Light; and



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1 WHEREAS, transitioning away from fossil fuel-powered leaf blowers is consistent with the  
 2 City's electrification plans to phase out the use of fossil fuels for transportation and  
 3 buildings; and

4 WHEREAS, while Seattle Parks and Recreation has already committed to transition ten percent  
 5 of its gas-powered leaf blowers to electric models each year to reach 50 percent leaf  
 6 blower electrification by 2026, the harms to workers, residents, and the environment and  
 7 the wider availability of equivalent electric alternatives warrant a faster and more  
 8 thorough implementation; NOW, THEREFORE,

9 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:**

10 Section 1. The City Council recognizes that the use of gas-powered leaf blowers causes  
 11 significant adverse environmental and health impacts, including noise and air pollution, and  
 12 establishes the following goals to support an expeditious transition away from their use:

13 A. By January 2025, or later if necessary, the City and its contractors will phase out the  
 14 use of gas-powered leaf blowers; and

15 B. By January 2027, or later if necessary, institutions located in Seattle, businesses  
 16 operating in Seattle, and Seattle residents will phase out the use of gas-powered leaf blowers.

17 Section 2. To accomplish the goals in Section 1 of this resolution, the Council requests  
 18 that City departments (as suggested below) pursue the following actions:

19 A. Seattle Parks and Recreation, the Department of Finance and Administrative Services  
 20 (FAS), Seattle City Light, the Seattle Department of Transportation, and other departments as  
 21 appropriate, are requested to:

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1                   1. Evaluate their current practices related to the use of leaf blowers and explore  
2 options to reduce reliance on leaf blowers, both gas-powered and electric, either by allowing  
3 leaves to naturally decompose or clearing them using non-motorized methods; and

4                   2. Develop and implement plans to ensure that City facilities and employees are  
5 adequately equipped with infrastructure and equipment to use electric-powered leaf blowers  
6 rather than gas-powered leaf blowers.

7                   B. Seattle Public Utilities, the Seattle Department of Construction and Inspections  
8 (SDCI), the Office of Labor Standards, and the Department of Neighborhoods are requested to  
9 design a culturally- and linguistically-appropriate education and outreach strategy that informs  
10 City employees, businesses, and the general public of the negative health and environmental  
11 impacts of gas-powered leaf blowers, and encourages residents to adopt alternatives that are  
12 safer, quieter, and more environmentally friendly.

13                  C. FAS, SDCI, and other departments, as appropriate, are requested to develop a proposal  
14 that would phase out and ban the use of gas-powered leaf blowers within Seattle. The proposal  
15 should include, but not be limited to, the following:

16                   1. A Racial Equity Toolkit analysis to identify benefits or burdens of the proposal  
17 and gather feedback from key stakeholders, such as landscaping businesses that operate in  
18 Seattle;

19                   2. Whether the City should offer incentives, such as a buyback program or  
20 rebates, to landscaping businesses that operate in Seattle and low-income Seattle residents;

21                   3. What regulatory mechanism (e.g., amendment to the Noise Code) is most  
22 appropriate to support enforcement of the ban; and

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1                   4. The potential benefits and reasonably quantifiable net costs (if any) to the City  
2 of implementation and enforcement of the actions requested by this resolution.

3                   Section 3. The Council requests that the Executive provide to the City Council’s  
4 Sustainability & Renters’ Rights Committee or other committee as appropriate by December 2,  
5 2022, a proposed work program, timeline, and budget to achieve the goals of this resolution.

6                   Section 4. Nothing in this resolution should be construed to preclude or impede the City’s  
7 ability to more quickly phase out gas-powered leaf blowers.

