



# CITY OF KIRKLAND CITY COUNCIL

Joan McBride, Mayor • Penny Sweet, Deputy Mayor • Dave Asher • Jessica Greenway  
Doreen Marchione • Bob Sternoff • Amy Walen • David Ramsay, City Manager

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## AGENDA KIRKLAND CITY COUNCIL MEETING City Council Chamber Tuesday, February 2, 2010 6:00 p.m. – Study Session – Peter Kirk Room 7:30 p.m. – Regular Meeting

COUNCIL AGENDA materials are available on the City of Kirkland website [www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us), at the Public Resource Area at City Hall or at the Kirkland Library on the Friday afternoon prior to the City Council meeting. Information regarding specific agenda topics may also be obtained from the City Clerk's Office on the Friday preceding the Council meeting. You are encouraged to call the City Clerk's Office (587-3190) or the City Manager's Office (587-3001) if you have any questions concerning City Council meetings, City services, or other municipal matters. The City of Kirkland strives to accommodate people with disabilities. Please contact the City Clerk's Office at 587-3190, or for TTY service call 587-3111 (by noon on Monday) if we can be of assistance. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Council by raising your hand.

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION, Peter Kirk Room*
  - a. Joint Meeting with Planning Commission
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
  - a. Kirkland Founders Week Proclamation
6. *COMMUNICATIONS*
  - a. *Announcements*
  - b. *Items from the Audience*
  - c. *Petitions*
    - (1) Off Leash Dog Parks, Kirkland, Washington
7. *SPECIAL PRESENTATIONS*
8. *CONSENT CALENDAR*
  - a. *Approval of Minutes:* January 19, 2010
  - b. *Audit of Accounts:*

<i>Payroll</i>	\$
<i>Bills</i>	\$

**EXECUTIVE SESSIONS** may be held by the City Council to discuss matters where confidentiality is required for the public interest, including buying and selling property, certain personnel issues, and lawsuits. An executive session is the only type of Council meeting permitted by law to be closed to the public and news media

**ITEMS FROM THE AUDIENCE** provides an opportunity for members of the public to address the Council on any subject which is not of a quasi-judicial nature or scheduled for a public hearing. (Items which may not be addressed under Items from the Audience are indicated by an asterisk\*.) The Council will receive comments on other issues, whether the matter is otherwise on the agenda for the same meeting or not. Speaker's remarks will be limited to three minutes apiece. No more than three speakers may address the Council on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the Council.

P - denotes a presentation from staff or consultant

**GENERAL CORRESPONDENCE**

Letters of a general nature (complaints, requests for service, etc.) are submitted to the Council with a staff recommendation. Letters relating to quasi-judicial matters (including land use public hearings) are also listed on the agenda. Copies of the letters are placed in the hearing file and then presented to the Council at the time the matter is officially brought to the Council for a decision.

**ORDINANCES** are legislative acts or local laws. They are the most permanent and binding form of Council action, and may be changed or repealed only by a subsequent ordinance. Ordinances normally become effective five days after the ordinance is published in the City's official newspaper.

**RESOLUTIONS** are adopted to express the policy of the Council, or to direct certain types of administrative action. A resolution may be changed by adoption of a subsequent resolution.

**PUBLIC HEARINGS** are held to receive public comment on important matters before the Council. You are welcome to offer your comments after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment and the Council proceeds with its deliberation and decision making.

**NEW BUSINESS** consists of items which have not previously been reviewed by the Council, and which may require discussion and policy direction from the Council.

*c. General Correspondence*

- (1) David and Anna Aubry, Regarding Anonymous Complaints

*d. Claims*

- (1) Roland Bahr
- (2) Houghton Partners, LLC
- (3) David Russell Myrland
- (4) Puget Sound Energy

*e. Award of Bids**f. Acceptance of Public Improvements and Establishing Lien Period*

- (1) 2009 Slurry Seal Project, Intermountain Slurry Seal, Inc., Watsonville, California

*g. Approval of Agreements**h. Other Items of Business*

- (1) Cabaret Music License
- (2) Procurement Activities
- (3) ARCH Work Program and Administrative Budget

*9. PUBLIC HEARINGS**10. UNFINISHED BUSINESS*

- a.* Kirkland Teen Union Building Operating Options
- b.* Park Lane Pedestrian Corridor Enhancements

*11. NEW BUSINESS*

- a.* ARCH Housing Trust Fund Recommendation
- b.* ARCH Interlocal Agreement
- c.* Ethics Policy Process

*12. REPORTS**a. City Council*

- (1) Regional Issues

*b. City Manager*

(1) 2010 Legislative Update 3

(2) Calendar Update

*13. ADJOURNMENT*



**CITY OF KIRKLAND**  
**Planning and Community Development Department**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
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## MEMORANDUM

**Date:** January 21, 2010

**To:** David Ramsay, City Manager

**From:** Paul Stewart, Deputy Planning Director  
Eric Shields, Planning Director

**Subject:** City Council/Planning Commission Joint Meeting and 2010 –  
2012 Planning Work Program (File MIS09-00010)

## RECOMMENDATION

Staff recommends the following:

- Conduct the annual joint meeting with the Planning Commission
- Review the proposed 2010 - 2012 Planning Work Program and direct staff to bring back a final work program for adoption
- Discuss other items as appropriate

## BACKGROUND

Each year the City Council and Planning Commission conduct a joint meeting. The primary purpose of this meeting is to review the proposed Planning Work Program. It is also an opportunity to review the progress on major long range planning projects and to discuss other topics as appropriate. Following the joint meeting with direction from the Council, staff will bring back for Council's consideration at a regular meeting a resolution adopting the work program.

The Planning Commission held their annual retreat on December 10<sup>th</sup>, 2009. At the retreat the Planning Commission reviewed the Draft 2010-2012 Planning Work Program. At the January 14th Planning Commission meeting the Commission reviewed a revised work program and recommended it to the City Council. The Commission also discussed other items of interest which is noted in the Planning Commission's transmittal memo.

Attachment 1 is the transmittal memo from the Planning Commission to the City Council. Attachment 2 is the *Draft 2010 - 2012 Planning Work Program* as reviewed and recommended by the Planning Commission. Attachment 3 is a summary of the tasks noted in the work program. (Note: For background purposes, Attachment 4 is the previous 2009-2011 work program adopted by the City Council in May 2009).

In 2009, the Commission addressed several major issues. Attachment 5 is the list of the meeting topics that were on the Planning Commission's agenda for 2009. The major

projects the Commission worked on in 2009 included updates to the City's Shoreline Master Program, Tree Regulations and Affordable Housing Regulations – all which were reviewed and adopted by the City Council.

## **Proposed 2010 – 2012 Planning Work Program**

### Introduction

The draft Planning Work Program as recommended by the Planning Commission is shown in Attachment 2. The work program outlines the major long range tasks for the next three years with the focus on 2010. It shows a general schedule for each task along with a project manager and the staffing levels (noted as FTE – full time equivalent staff).

The major projects to be addressed in 2010 include:

- Updating the Comprehensive Plan including the capital facilities element and, where appropriate, general amendments as a result of annexation.
- Preparing a Supplemental EIS and revising the Planned Action Ordinance for the Touchstone (Park Place) project to comply with the decision from the Central Puget Sound Growth Management Hearings Board.
- Completing work on the Lakeview and Central Houghton Neighborhood Plans.
- Consolidating the City's code enforcement provisions and undertaking another bundle of miscellaneous Zoning Code amendments.
- Completing work on the Shoreline Master Program (currently being reviewed by DOE) and incorporating the annexation area SMP into the City's program.
- Conducting the tree canopy analysis and initiating work on the urban forestry management plan.
- Incorporating new standards to promote low impact development and green codes.
- Annexation related projects and tasks.

For a more detailed description of these tasks and the other projects noted in the work program, please see Attachment 3: *Summary of Tasks*. Some of the key projects and policy issues are highlighted below.

### Comprehensive Plan (Task 1)

Under the current state schedule per the GMA, the City is required to update its Comprehensive Plan and Critical Area Regulations (Task 6) by December 1, 2011. Due to state budget shortfalls, the WA Department of Commerce has withdrawn all GMA grant funding to update comprehensive plans and development regulations. With the legislature in session there is already a draft bill to extend the deadline for these updates to 2014.

Staff believes there is support for this bill and there will likely be an extension (although never guaranteed). In addition, the City has experienced significant budget reductions. Annexation will also require staff resources and attention over the next couple years and beyond. Staff is suggesting that work on the GMA Comprehensive Plan update be

scheduled beginning in 2013 which then would also include the annexation area. This would be a major effort addressing a new planning horizon year (2031), new growth targets for housing and employment, a revised Transportation Plan, new level of service standards and an updated Capital Facilities Element. We would also want to prepare a new Environmental Impact Statement since the last EIS was prepared in 2004.

In 2010, however, we would still need to update the Comprehensive Plan to incorporate the next capital improvement program into the Capital Facilities Element. Staff is also looking at general elements to determine if there are some needed amendments to be in place with annexation.

#### Neighborhood Plans (Task 2)

In late 2009, staff initiated work on the Lakeview and Central Houghton Neighborhood Plans. An open house was held on October 29, 2009 and citizen advisory groups have been appointed and will have met for the first time on January 26<sup>th</sup>. Since both neighborhoods are within the jurisdiction of the Houghton Community Council (HCC), the HCC is taking the lead and guiding the preparation of the neighborhood plans. Expected completion date is by the end of 2010. Attachment 7 is a memo providing a status update on the neighborhood plan process.

With the major update to the Comprehensive Plan deferred, this opens up the availability of staff to undertake the next round of neighborhood plans beginning in late 2010 with completion by 2011. The current schedule has Bridle Trails and South Rose Hill in the queue. Attachment 6 shows the schedule of neighborhood plans and the most recent completion dates of previous neighborhood plans.

Another consideration is the timing of preparing the neighborhood plans for the annexation area. An initial step would be to confirm or redefine the neighborhood boundaries. This process will occur in 2010 for inclusion in the Comprehensive Plan and is part of the annexation work program. Staff is recommending that the neighborhood plans for the newly annexed neighborhoods occur sometime following the effective date of annexation due to budget and staffing considerations. This would also enable those neighborhoods to be more fully engaged as part of the City. This could occur prior to either the Everest/Moss Bay or North Juanita/South Juanita plans or afterwards. The Council should discuss their preferences regarding the neighborhood plan schedule.

Staff would also suggest that since the GMA Comprehensive Plan update (which is scheduled to occur in 2013/2014 pending legislative action) is such a major citywide planning effort, that it take precedence over other long range tasks (including neighborhood plans) for that two-year period.

#### Code Amendments (Task 3)

Task 3 consists of two subtasks. The first one is underway and would consist of consolidating our code enforcement regulations and processes. Part of this is a follow-up to the tree regulations. The second task is our annual miscellaneous code amendment project. Attachment 8 is the list of potential Zoning Code amendments that

would occur in 2010. At a future meeting, staff will be discussing with the Commission those priority amendments to consider this year.

#### Housing (Task 4)

The City Council adopted affordable housing requirements at their December 15<sup>th</sup> meeting. As part of the ordinance, the City Council exempted the area within the jurisdiction of the HCC from the mandatory provisions. The HCC will review the City Council's ordinance and will have taken action on January 26<sup>th</sup> (staff will report on this at the joint meeting). The City Council expressed a strong interest in the HCC revisiting this issue possibly as part of the Lakeview and Central Houghton neighborhood plan updates which are underway. (Note: the City Council and Houghton Community Council will hold a joint meeting on February 16<sup>th</sup>).

While there is still interest from King County in looking at the South Kirkland Park & Ride as a transit oriented development, the economic downturn and lack of interest from Bellevue has resulted in a slowdown on this effort. The County is exploring the potential for a "Kirkland-only" project. At the appropriate time, staff will continue the discussions with King County and the City Council Housing Committee.

With work on the affordable housing regulations completed, staff would like to focus on two items in 2010. One item is preservation housing which staff will be discussing with the Housing Committee. Secondly, staff is preparing handouts and guidelines on the City's housing regulations (e.g. cottage housing, affordable housing, etc.). Staff will also continue to work with ARCH on its overall housing strategies.

#### Natural Environment/Environmental Stewardship (Task 5)

There are a variety of sub-tasks here that reflect the City's commitment to sustainability and environmental stewardship.

Work on the Shoreline Master Program (SMP) continues. The Council approved the SMP on December 1<sup>st</sup> and it has been transmitted to the State Department of Ecology (DOE). They will hold a public hearing on February 9<sup>th</sup> at City Hall and will have a public comment period open from February 1 through March 5, 2010. Following this comment period, DOE will request responses from city staff. DOE will then either approve the SMP (which then becomes effective) or request changes. Depending on DOE's action this could come back to the City in late spring of 2010.

As a result of annexation, the City will need to incorporate the annexed area into the City's SMP. Staff is recommending this occur following final approval of the City's SMP by DOE. The County is currently in the process of updating their SMP for its entire jurisdiction (including Finn Hill). Staff will need to meet with the County to determine the level of effort the City needs to undertake to integrate the area into the City's SMP. While this will take some work, it will not need the same level of effort that was required for the recent City update process.

Memo to David Ramsay  
January 21, 2009  
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Under the current deadline, revisions to the City's Critical Area Regulations (wetland, streams, etc.) would need to be completed by December, 2011. However, this would fall under the same standard as the GMA Comprehensive Plan update. As noted, this schedule will likely be extended to 2014.

On December 15<sup>th</sup>, 2009 the City Council adopted revised tree regulations. By the time the February 2 joint meeting occurs, the Houghton Community Council will have taken action on this ordinance. Staff will report on this at the joint meeting. The regulations will go into effect on April 1, 2010. Over the next couple of months the Urban Forester will be updating forms, preparing educational brochures and meeting with staff and interested parties to ensure a smooth transition.

With the adoption of the updated regulations, staff will turn its attention to conducting the canopy analysis that was discussed by the City Council. This will be a several month process and will take close coordination with the City's GIS staff and require consulting services. Staff is suggesting the City's forestry account be the funding source for this project. Staff will also be exploring the potential for grants, cost sharing or other sources.

In 2010, the City's Urban Forester will also initiate work on a voluntary "landmark" or "heritage" tree recognition program. At the appropriate time, staff will provide the Council with options and request direction of the approach to this program.

Efforts to adopt new standards to promote low impact development techniques and green codes have been deferred in the past due to staffing resources. It has been Kirkland's intent to move forward when feasible. Staff is available in 2010 to undertake this task in conjunction with the Public Works Department.

#### Annexation (Task 8)

Annexation will result in a fundamental shift in resources and effort over the next several years. With approval of annexation, there are a number of long range tasks that will need to be undertaken prior and subsequent to the effective date (June 1, 2011).

Planning staff is still determining the tasks, schedule and resources. We are working with an interdepartmental team to strategize on the approach and overall effort. Some tasks involve the Planning Commission while others are administrative. Task 8 shows a general list of the major tasks: updating base maps, amending some of the general elements of the Comprehensive Plan, looking at neighborhood boundaries, conducting a census, and updating our regulations as appropriate.

#### **Conclusion and Policy Questions**

Staff resources are available in 2010 to accomplish the planning work program as proposed. However, the annexation related work program tasks is still being determined which could affect the timing and staffing levels for other projects. Due to budget considerations the work program as drafted will not have funding for special studies, public outreach or professional analysis with three exceptions:

- The Shoreline Master Program: Additional costs for environmental analysis depend on the response from DOE to the City's submittal and on the level of effort needed to incorporate the annexed area into the City's master program. While we have some limited available funds, we may need to discuss additional funding with the Council once we have a response from DOE and when we have more information on the County's SMP.
- Tree canopy analysis: Cost estimates need to be developed. Funding could come from the City's forestry account, grants, cost sharing with other jurisdictions or other sources.
- Annexation: Work program tasks and costs related to annexation are in the process of being determined. The annexation service packages are currently being prepared.

Policy questions on the proposed Planning Work Program for the City Council are:

- Do these projects reflect the priority for the City Council?
- Is the timing and sequence of neighborhood plans appropriate?
- Are there other work program tasks or projects that should be considered?

#### Attachments

1. Planning Commission Transmittal Memo
2. Draft 2010 – 2012 Planning Work Program
3. Summary of Work Program Tasks
4. Adopted 2009-2011 Planning Work Program
5. Planning Commission Agenda Topics
6. Neighborhood Plan Schedule
7. Memo On Lakeview and Central Houghton Neighborhood Plans
8. Potential Zoning Code Amendment List

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**MEMORANDUM**

**Date:** January 21, 2010

**To:** Kirkland City Council

**From:** Andy Held, Chair  
Kirkland Planning Commission

**Subject:** Joint Meeting with the City Council and Planning Work Program

**Introduction**

On behalf of the Planning Commission we look forward to our annual joint meeting with the City Council on February 2, 2010. The joint meeting is an opportunity for the Commission to check in with the Council, review the proposed 2010 – 2012 Planning Work Program and to discuss other topics of interest.

On December 10<sup>th</sup>, 2009 we held our annual retreat to reflect on our work over the past year as well as to review the draft planning work program as proposed by staff. The Commission met again on January 14<sup>th</sup> to review a revised work program. The revisions were a result of two changes in the planning landscape – annexation and the increasing likelihood of the legislature extending the deadline for the City to update its Comprehensive Plan to 2014 (instead of 2011 as it currently stands). Staff and the Commission agreed on the revisions to the work program and we are recommending the City Council adopt the Planning Work Program as proposed.

Of special note is recognition for outgoing Commission Member Carolyn Hayek. Her term will expire in March. Carolyn has been a member of the Commission since January 2002. She has been an exemplary member of the Commission and has been involved in many of the major planning efforts affecting the City. Not only has Carolyn been on the Planning Commission, but she has contributed her personal time to numerous other city activities (e.g. the Downtown Advisory Committee) and events. She will be missed and the Commission would like to extend our sincere appreciation to her for her time and commitment to the city.

At the joint meeting we would propose the following agenda format:

- Staff Overview
- Introductory Comments (Andy Held)
- Planning Work Program Comments (C. Ray Allshouse)
- Neighborhood Plans (Byron Katsuyama and Jay Arnold)
- Other Discussion Topics

### **2009 Projects**

The Council may recall that in 2008, the Commission had a demanding workload schedule with the Touchstone private amendment request dominating our Commission agendas. In 2009, the meeting schedule was more reasonable. As noted in Attachment 5 we met twenty times in 2009 (compared to twenty-eight in 2008). The majority of these meetings in 2009 were devoted to three main topics: the Shoreline Master Program, an update to the Tree Regulations and revisions to the City's affordable housing regulations.

The City Council reviewed all of these in October, November, and December, and on December 1st, the Council approved the Shoreline Master Program and on December 15<sup>th</sup> adopted ordinances on trees and housing. With the exception of a couple of issues (primarily in response to the Houghton Community Council), the City Council approved these projects consistent with the Planning Commission's recommendations.

In 2009, we also completed work on minor amendments to the Comprehensive Plan, conducted a threshold review of a couple of private amendment requests and initiated work on two neighborhood plans – Lakeview and Central Houghton.

### **Proposed 2010 – 2012 Planning Work Program**

The Commission reviewed the work program at our retreat and again on January 14<sup>th</sup>. We concurred with the list of projects and general schedule. For 2010, the Planning Commission will be focusing on the following projects:

- Updates to the Comprehensive Plan (including the Capital Facilities Element and initial changes as a result of annexation).
- Supplemental EIS and revisions to the Touchstone Planned Action Ordinance.
- The Lakeview and Central Houghton Neighborhood Plans.
- Zoning Code amendments.
- Incorporating the annexed area into our shoreline master program.
- Low Impact Development and Green Codes
- Annexation related tasks as appropriate

As staff noted in their cover memo, it is likely that the deadline for the GMA required update to the City's Comprehensive Plan will be extended by the legislature from December 2011 to 2014. This will work nicely with the City's schedule; it will enable the City to include the annexation area into that major update.

In addition, the postponement of the GMA mandated updates presents the opportunity to take on the next round of neighborhood plans which, under the current schedule, would be Bridle Trails/South Rose Hill (see Attachment 6).

Annexation raises the question of when to undertake the neighborhood plans for the annexation area. There are two significant items here: designating neighborhood boundaries and inserting the new neighborhoods in the neighborhood plan update schedule. Neighborhood boundaries are established in the Comprehensive Plan. Our

recommendation is for the Planning Commission to consider and review these in 2010 through a public process that has yet to be designed. The results will come to you in a recommendation along with other Comprehensive Plan updates.

Following the designation of the neighborhood boundaries, we will recommend a schedule for the development of the neighborhood plans. We recognize the timing as a significant policy issue. Our current thoughts are indicated in the attached schedule; this schedule reflects our recommendation that we update the very out-of-date existing neighborhood plans if they can be underway before annexation, and then move to the annexation area neighborhoods as soon as they are in the City. We would appreciate any guidance you may have at this time.

A final item on neighborhood plans: as the City grows, it may be appropriate to more broadly revisit neighborhood boundaries. Fewer, larger neighborhoods, may lead to more frequent updates. Here, too, we would appreciate any direction you may choose to give at this time. We can discuss the possibility of reviewing all the neighborhood boundaries as one of our tasks in preparation for annexation.

We also want to let you know about our enthusiasm for the Transportation Commission's effort to engage the community in the "transportation conversations". A representative from the Transportation Commission was at the January 14<sup>th</sup> Planning Commission meeting to provide an overview on this approach. We had a highly interactive discussion with Public Works staff and the Transportation Commission representative.

The Planning Commission is supportive of this approach and is interested in this process. We would like to work closely with the Transportation Commission since the link between transportation and land use is fundamental to good planning. Joint work on transportation and land use will lead to improvements in our Comprehensive Plan and development regulations.

### **Other Topics**

#### Planning Commission/City Council Interaction

The Commission wanted to check in with the Council to see if the Commission is meeting the expectations of the Council. The Commission spends a considerable amount of time on planning projects that often involve complex or controversial issues prior to making our recommendations to you. We appreciate the opportunity to transmit our recommendations and rationale to the Council either at regular meetings or at study sessions.

The Shoreline Master Program is a good example. We think it was very helpful for the Planning Commission to meet with the Council during your study sessions on this topic in order to provide you with background and the Commission's discussion for your consideration when it comes to adoption. We would encourage this process to continue on future projects and would request any feedback or comments on our process or on how we transmit our recommendations to you.

The SMP also allowed us to try some innovative approaches to public involvement. We hope to continue exploring more opportunities for the public to be involved in our processes and to provide input and comment. We will continue to use different techniques and strategies including electronic methods (e.g. on-line surveys, etc.) and we will update you on their effectiveness.

#### Houghton Community Council

An area of concern for the Commission is the potential for conflicting or separate standards within Houghton's jurisdiction. This became an issue with the tree regulations, affordable housing regulations and to some extent the shoreline master program. The City Council was faced with significant differing recommendations from the Planning Commission and the HCC. While we recognize the current statutory authority, we would hope that the City would strive to have consistent standards on some of the major issues that have citywide applicability – particularly with annexation on the horizon.

#### Board and Commission Training

The Planning Commission would suggest the Council again consider providing training opportunities for board and commission members - perhaps annually. As new members come on and with the city facing annexation, it is important for board and commission members to have a good understanding of their roles and responsibilities, participating in and running meetings, rules of conduct, and appearance of fairness/ethic issues.





## **2010-2012 PLANNING WORK PROGRAM**

### **Summary of Tasks**

#### **Planning & Community Development**

**January, 2010**

## **POLICIES, PLANS & REGULATIONS**

### **Task 1: Comprehensive Plan Update (1.8 FTE)**

#### Comprehensive Plan

In 2009 we initiated a number of amendments to the Comprehensive Plan including minor housekeeping amendments, an updated Capital Facilities Plan and policies regarding the Totem Lake Urban Center. The amendments were adopted in October 2009.

The Growth Management Act (RCW 36.70A.130) (GMA) requires cities and counties to review and if needed, revise their comprehensive plans and development regulations every seven years. Under the existing GMA the schedule for King County and all cities in the County (including Kirkland) is December 1, 2011. In order to meet this time frame, this task would need to begin in mid 2010. However, due to the state's budget shortfall, GMA grants to update Comprehensive Plans have been cancelled. There is a draft bill that will likely be considered by the 2010 legislature to extend the time frame to Dec. 1, 2014. Staff is supporting a time extension. This will also give us a chance to better incorporate the annexation area into the Comprehensive Plan.

The City is currently engaged in a process to allocate new housing and employment targets for 2031 to all the cities and King County through the countywide planning process. As part of the plan update, Kirkland will need to determine how and where to accommodate the targets in the land use plan. As a result we would also be considering a revised transportation plan based on the new horizon year of 2031 along with possible amendments to our level of service standards for capital facilities. Depending on the scope of the update, this could include a revised vision statement, a new Environmental Impact Statement and updated land use, transportation and capital facilities plans.

With the major update to the Comprehensive Plan potentially deferred to 2014, we would still need to undertake an annual Comprehensive Plan process in 2010 to incorporate the revised capital improvement program into the Capital Facilities Element.

#### Transportation Principles and Policies

Public Works has indicated an interest on the part of the Transportation Commission to explore a new direction on transportation that does not focus on the automobile. The initial effort would be to establish principles to form the basis decision-making and recommended policy changes. These principles are:

- Move people
- Be sustainable
- Create partnerships
- Link to land use

Once these principles are agreed upon, amendments to the City's Comprehensive Plan and concurrency system would occur. This would also guide CIP projects and

transportation funding. The Transportation Commission met with the Planning Commission on January 14<sup>th</sup> to discuss this approach in more detail.

Private Amendment Requests

December 1, 2010 is the deadline for private amendment requests applications to be submitted (every two years).

Touchstone SEIS and Planned Action Ordinance

Davidson Serles & Associates filed two appeals and challenges on the Park Place project – one to King County Superior Court and the other to the Central Puget Sound Growth Management Hearings Board (the Board). Both matters are described below.

1. Davidson Serles & Assoc. v. City of Kirkland, et al., King County Superior Court No. 09-2-02204-6:

This was an action for declaratory and injunctive relief. The action challenged the adequacy of the Environmental Impact Statement (EIS) prepared for the Planned Action Ordinance, Master Plan, Comprehensive Plan amendments, and Zoning Code related to the Touchstone and Altom private amendment requests. The action alleged that the EIS failed to identify, consider, and evaluate a full range of alternatives for the proposed action.

The plaintiff sought to have the Court declare that the EIS was inadequate and to have the City enjoined from taking action to implement the ordinances referenced above. Touchstone filed a motion seeking the dismissal of the Superior Court action in which the City joined. A hearing on the motion was held May 1, 2009. On June 4, 2009, the Judge issued her decision granting summary judgment and dismissing the case. The plaintiff filed a motion to ask the Judge to reconsider her decision which was denied. The plaintiff has filed an appeal with the Court of Appeals.

2. Davidson Serles & Assoc. v. City of Kirkland, et al., Central Puget Sound Growth Management Hearings Board No. 09-3-0007c:

This is the petition before the Central Puget Sound Growth Management Hearings Board (Board). The petitioners, Davidson Serles and Continental Plaza, sought review of Ordinance Nos. 4170 and 4171 which amended the Comprehensive Plan and Zoning Code, respectively, in association with the private amendment request for the Parkplace project. Among other grounds, the petitioners challenged the ordinances for: lack of compliance with the State Environmental Policy Act; inadequate service by transportation and other public facilities; lack of financing plans for capital improvements; intensity of development inconsistent with the County-wide Planning Policies for King County; and inadequate public facilities. A hearing was held before the Board on August 10, 2009.

The Board issued its Final Decision and Order (Order) on October 5, 2009. While it upheld the ordinances with respect to a number of the petitioners' objections, the Board found that the City should have considered additional alternatives to

the Parkplace project and that it needed to more specifically address how necessary traffic improvements would be financed. The Board did not invalidate the ordinances; rather, it remanded them to the City for the purpose of correcting the issues identified by the Board. The Board established April 5, 2010, as the deadline for the City to take appropriate legislative action to comply with the Board's Order. [Need to describe here.]

Ordinances No. 4170 and 4171 remain valid during the remand period. RCW 36.70A.300(4) provides:

Unless the board makes a determination of invalidity as provided in RCW 36.70A.302, a finding of noncompliance and an order of remand shall not affect the validity of comprehensive plans and development regulations during the period of remand.

The City requested that the Board reconsider the portion of its decision finding the City's environmental review for Ordinance Nos. 4170 and 4171 was insufficient for failure to assess reasonable alternatives to the Touchstone Parkplace proposal, including additional alternatives. The Board denied the reconsideration. Both the City and Davidson Serles have also filed an appeal to some parts of the Board's decision to Superior Court.

Staff is currently developing a scope of work and schedule to prepare a Supplemental EIS and revise the Planned Action Ordinance to comply with the Board's decision. This will likely take several months with the Planning Commission reviewing the proposed SEIS and making a recommendation to the City Council following a public hearing.

### **Task 2: Neighborhood Plans (2.0 FTE)**

The City initiated work on the Lakeview and Central Houghton Neighborhood Plans in late 2009. The Planning Work Program calls for completing those plans by the end of 2010. The work program anticipates that the GMA deadline will be extended beyond 2011 to 2014. If that is the case, the City could undertake two additional neighborhood plans. Next in line under the current schedule are Bridle Trails and South Rose Hill. The timing and priority for the annexed neighborhoods should also be considered. Even though the Potential Annexation Area identified three neighborhoods (Kingsgate, North Juanita and Finn Hill) there is interest in looking at the neighborhood boundaries more closely and perhaps revising them. The work program calls for establishing neighborhood boundaries as part of the 2010 Comprehensive Plan update.

### **Task 3: Code Amendments (.4 FTE)**

#### Code Enforcement Consolidation

The City is currently working to consolidate all of the City's code enforcement regulations, including tree code enforcement, into the Kirkland Municipal Code. Background information is being gathered by staff on how other jurisdictions regulate and process code enforcement actions. This project is currently underway with

proposed changes coming before the Planning Commission and City Council in early 2010.

#### Miscellaneous Code Amendments

We continue to maintain an extensive list of potential amendments and, as new issues arise, we are constantly adding to and updating the list. We strive to have an on-going code update task each year. The work program shows this beginning in February.

### **Task 4: Housing (.6 FTE)**

#### Affordable Housing Regulations

Affordable housing is a priority for the City. The City Council created a Council Committee on housing which continues to meet. In 2004, the City adopted a package of incentives including density bonuses, tax exemptions and fee waivers, however to date the voluntary incentives have not been used. In 2009 the Planning Commission recommended ordinances establishing mandatory affordable housing requirements. The City Council reviewed these on December 1 and took action to adopt on December 15<sup>th</sup>.

#### Transit Oriented Development (TOD) at Park and Ride Facilities

In December 2008, the City Council adopted amendments to the Comprehensive Plan that support "transit oriented development" including affordable housing at the South Kirkland Park and Ride facility. On January 26<sup>th</sup>, 2009 the Houghton Community Council approved the amendments but expressed strong interest in ensuring that their concerns and issues are addressed to their satisfaction with the zoning and design regulations. Part of the park and ride lot is located in Bellevue. Bellevue has indicated they are not interested in pursuing this issue; however staff is continuing to explore the potential for a Kirkland-only project.

#### Housing Preservation

For 2010 staff would like to focus specifically on preservation housing. This would entail an inventory of potential properties, contacting property owners to gauge interest and exploring options for preservation of existing housing.

#### Affordable Housing Strategies

There are a number of other on-going staff efforts on housing including working with ARCH (A Regional Coalition for Housing) on the Housing Trust Fund, preservation of affordable housing, funding programs, and education.

### **Task 5: Natural Resources/Environmental Stewardship (2.7 FTE)**

#### Shoreline Master Program (SMP)

On December 1, the City Council approved the Shoreline Master Program generally in accordance with the Planning Commission's recommendation. The City will be transmitting the SMP to the Department of Ecology along with a required checklist that shows how the SMP meets the adopted State guidelines. DOE will then have a public comment period and will hold a public hearing. Following the hearing, DOE will review the SMP and prepare a decision letter with their findings along with any recommended or required changes. These are transmitted to the City for consideration. If changes

are necessary, the City Council could take action in response to DOE and either agree to the proposed changes or submit an alternative proposal for DOE's approval. This will likely take several months.

In addition, with annexation, Kirkland will need to incorporate the annexed area into the SMP. We anticipate that this will take some work but will not be nearly as extensive as the current effort. The work program anticipates undertaking this task once we have completed the current SMP process with the Department of Ecology.

#### Critical Area Regulations

In accordance with state law, the City will need to amend its Critical Area Regulations by 2011. However, similar to the deadline for the Comprehensive Plan update, this timeline will likely be extended in the next legislative session. As a result this effort would occur in 2013-2014. Based on experiences in other jurisdictions and comments from the Department of Ecology, our regulations will need to be revised particularly to address buffer widths and our wetland classification system. This may require funding resources to assist in this update due to the technical, scientific and environmental issues that need to be addressed. This project may also be the appropriate time to review our slope regulations.

#### Urban Forestry Program

The Planning Commission completed work on the tree regulations in November and transmitted a recommendation of approval to the City Council. The City Council reviewed the proposed regulations at their meeting of December 1 and took action to adopt on December 15<sup>th</sup>.

In 2010, the focus will shift away from regulations to urban forestry management and education. With City Council's approval staff will undertake a canopy analysis as well as exploring a landmark tree program. The Urban Forester will also begin work on a citywide urban forestry management plan.

#### Low Impact Development (LID) and Green Codes

Efforts to adopt new standards to promote low impact development techniques and green codes have been deferred in the past due to staffing resources. It has been Kirkland's intent to move forward when feasible. Staff is available in 2010 to undertake this task in conjunction with the Public Works Department.

#### Green Building Program

In late 2007 the Council approved a green building program. The first phase entailed providing priority processing for certified "green" single family homes that have to meet either a Built Green or LEED standard (Leadership in Energy and Environmental Design). To date, six homes have been reviewed through this process and the City has 5 staff trained and accredited as LEED AP. Staff would like to continue this program. In the fall of 2008, staff provided a report to the Council and received direction to continue the program and to expand it to include multi-family and commercial buildings.

### Natural Resource Management Plan and Environmental Stewardship

In 2003 the City adopted a Natural Resources Management Plan. The City has in place a "Green Team" consisting of representatives from several City departments that meet on a regular basis. Over the past year, the team has been coordinating its efforts on implementation actions (education, funding, and programs). We have also broadened our role to address greenhouse emissions in response to the US Mayors Climate Protection Agreement, of which the City is participating. The City Council adopted a climate action plan in April 2009.

<http://www.ci.kirkland.wa.us/Assets/Kirkland+Green/Kirkland+Green+PDFs/Climate+Protection+Action+Plan.pdf>

In 2009, our staff team focused on a variety of environmental stewardship efforts including sustainable communities, green buildings, green businesses and community outreach. In January, we held a "community conversation" on environmental stewardship and sustainability. A second "conversation" on the climate action plan was held on February 24, 2009. The Green Team is currently working on its priorities for 2010.

### **Task 6: Database Management (.2 FTE)**

Database management consists of a number of sub-tasks such as our Community Profile, land use inventory, capacity analysis, housing data, etc. that are used for a variety of purposes including neighborhood plans and the Comprehensive Plan. In addition we are required to provide data on buildable lands and benchmarks to King County. The upcoming 2010 decennial census will require additional staff work over the next couple of years.

### **Task 7: Regional Coordination (.1 FTE)**

This task involves participating on a variety of countywide and regional forums including the Puget Sound Regional Council, the King County Growth Management Planning Council, the Suburban Cities Association and Sound Transit.

### **Task 8: Annexation (1.5 FTE)**

With approval of annexation, there are a number of long range tasks that will need to be undertaken prior and subsequent to the effective date (June 1, 2011). Staff is still determining the tasks, schedule and resources. Some tasks involve the Planning Commission while others are administrative. Task 8 shows a general list of the major tasks such as updating base maps, amending some of the general elements of the Comprehensive Plan, looking at neighborhood boundaries, conducting a census, and updating our regulations as appropriate. Of issue (as noted previously) is when to do the neighborhood plans. Staff would suggest these neighborhood plan updates be undertaken following annexation.



**Attachment 5**  
**Planning Commission Agenda Topics for 2009**

Meeting Date	Topic	Meeting Type
January 8	Kirkland's Shoreline Master Program Update Non-Motorized Active Transportation Plan Discussion Topics – February 12, 2009 Retreat	Study Session Study Session Study Session
January 22	Kirkland's Shoreline Master Program Update	Study Session
February 12	Planning Commission Retreat and Planning Work Program	
March 12	Kirkland's Shoreline Master Program Update	Study Session
March 26	Bridle Trails Shopping Center PAR Plaza at Yarrow Bay PAR Affordable Housing Regulations TL6 Zone	Study Session Study Session Study Session Study Session
April 9	Kirkland's Shoreline Master Program Update – Focus Group Topics	Study Session
April 23	Kirkland's Shoreline Master Program Update	Study Session
May 14	Draft Amendments to Zoning Code for Affordable Housing – TL6A Affordable Housing Regulations Tree Regulation Amendments	Hearing Study Session Study Session
May 28	Kirkland's Shoreline Master Program Update	Study Session
June 11	Tree Regulation Amendments 2009 CPA Projects	Study Session Study Session
June 25	Kirkland's Shoreline Master Program Update	Study Session
July 9	Kirkland's Shoreline Master Program Update	Study Session
July 23	Kirkland's Shoreline Master Program Update	Hearing
August 13	Kirkland's Shoreline Master Program Update Tree Regulations Affordable Housing Regulations	Hearing Study Session Study Session
August 27	Kirkland's Shoreline Master Program Update	Hearing
September 10	Kirkland's Shoreline Master Program Update Comprehensive Plan Amendments (CPA's) 2009 Central Houghton and Lakeview Neighborhood Plans	Hearing Hearing Study Session
September 24	Tree Regulation Update Affordable Housing Regulations	Study Session Study Session
October 8	Lakeview and Central Houghton Neighborhood Plans	Study Session
November 5	Tree Regulation Update Affordable Housing Regulations	Hearing Hearing
November 16	Affordable Housing Regulations	Hearing
December 10	Planning Commission Retreat	

## COMPREHENSIVE PLAN & NEIGHBORHOOD PLAN UPDATE SCHEDULE

January, 2010

**Note: Schedule Subject to Change**

NEIGHBORHOOD	STATUS	WORK PROGRAM SCHEDULE	NOTES
Lakeview	Completed –1985	2009 – 2010	Plan process underway
Central Houghton	Completed –1985	2009 – 2010	Plan process underway
Bridle Trails	Completed –1986	2010 - 2011	Could combine as one plan with South Rose Hill
South Rose Hill	Completed – 1991 Partial update in 2002	2010 - 2011	
Everest	Completed –1988	2011 - 2012	
Moss Bay	Completed –1989	2011 - 2012	
Annexation Neighborhoods	Boundaries to be determined in 2010.	Could occur prior to Everest/Moss Bay or after North/South Juanita	.
North & South Juanita	Partial Updated Completed –1990	2012 - 2013	Boundaries may be adjusted due to annexation
GMA Comp Plan Update	Major update completed - 2005	2013 - 2014	Time line depends on legislative action
Totem Lake	Completed – 2002	2015	Some Amendments occurred in 2008 & 2009
NE 85 <sup>th</sup> Street Corridor Plan	Completed - 2001	2016	
North Rose Hill	Completed - 2003	2017	
Highlands	Completed - 2005	2018	Could combine with Market & Norkirk schedule
Market & Norkirk	Completed - 2007	2019	



**CITY OF KIRKLAND**  
Planning and Community Development Department  
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## MEMORANDUM

**Date:** January 20, 2010

**To:** David Ramsay, City Manager

**From:** Janice Soloff, AICP, Senior Planner  
Angela Ruggeri, AICP, Senior Planner

**Subject:** **STATUS REPORT ON LAKEVIEW AND HOUGHTON NEIGHBORHOOD PLAN  
UPDATES FILES ZON07-00032 and ZON09-00016**

## BACKGROUND

The Planning Commission (PC) takes the lead in the neighborhood plan update process in most cases. They usually appoint an advisory group and after receiving that group's recommendation, the PC holds study sessions, takes public comment, and ultimately makes a recommendation to the City Council. A unique planning process has been developed for the Lakeview and Central Houghton neighborhoods however, because they are both under the jurisdiction of the Houghton Community Council (HCC).

The following approach has been developed after discussions between staff and both the PC and HCC.

- There will be a separate public participation process for each neighborhood.
- An advisory group has been formed for each neighborhood. These groups will explore the issues for their neighborhood and make recommendations to the HCC and the PC.
- The HCC will take the lead in the neighborhood plan process. Staff will work with HCC to prepare draft plans.
- The PC will review the draft plans prepared by HCC.
- For each neighborhood, a joint public hearing between the PC and HCC will be held at the end of the process so that both the PC and the HCC will get a chance to hear all public comment. The PC and the HCC will then deliberate separately.
- The PC and the HCC will make recommendations on the plans to the City Council. After reviewing the recommendations, the City Council will forward its decision on the amendments back to the HCC for final approval.

## UPDATE ON THE PROCESS

### OPEN HOUSE

Staff held a public open house to kick off the neighborhood planning process on Thursday night, October 29 from 7:00 to 9:00 at Northwest University. The neighborhood update process was introduced and staff got some initial ideas for topics of interest and the vision statements from those

attending. This was done through a unique exercise known as a World Café that involved simultaneous group conversations about the future land use, transportation, housing and retail features, and the 10-20 year vision for each neighborhood. The questions that were asked and participants' responses are included as Attachment A to this memo. Citizens interested in being a part of the advisory groups were also recruited.

### ADVISORY GROUPS

Potential members to the advisory groups were asked to submit a brief paragraph to the HCC explaining why they were interested in being a part of the advisory group and what they felt they would contribute to the group. The HCC then appointed the following members to the two groups.

#### Central Houghton Advisory Group

#### **Houghton Community Council**

Betsy Pringle, Chair of Advisory Group

Elsie Webber – alternate

#### **Planning Commission**

Byron Katsuyama

#### **Park Board**

Colleen Cullen – through March 2010

#### **Transportation Commission**

Transportation Commission will send a member to meetings where transportation issues are discussed.

#### **Neighborhood Association**

Lisa McConnell

#### **Planning Department Staff**

Angela Ruggeri

Dorian Collins

Paul Stewart

Eric Shields

#### **Group Members appointed by the Houghton Community Council**

Tom Markl

Frank Rossi

Susan Busch

Rachel Mikulec

Mike Burdo

Steve Sankey

Jeff Nouwens

Carol Buckingham

Spring Vitus

Shawn Etchevers

Brian Staples

Lakeview Advisory Group

**Houghton Community Council**

John Kappler, Chair of Advisory Group

Elsie Webber – alternate

**Planning Commission**

Jay Arnold

**Park Board**

Shelley Kloba

**Transportation Commission**

Transportation Commission will send a member to meetings where transportation issues are discussed.

**Neighborhood Association**

Stephen Jackson

Susan Thornes

**Planning Department Staff**

Janice Soloff

Paul Stewart

Eric Shields

**Group Members appointed by the Houghton Community Council**

Georgine Foster

Sally Mackle

Robert Style

Nina Peterson

Melinda Skogerson

Dick Skogerson

Karen Levenson

Doug Waddell

NEIGHBORHOOD UNIVERSITY

Staff held two KAN Neighborhood U sessions to discuss neighborhood plans in general including what the expectations are from both the neighborhoods' and the City's perspectives December 8<sup>th</sup> and 9<sup>th</sup>. Several of the new advisory group members attended these sessions along with other interested Kirkland residents.

ADVISORY GROUP MEETINGS

There will be series of advisory group meetings to discuss key issues and form draft policies to be written by staff. These advisory group meetings will act as study sessions for the plan amendments. The groups will take public comment and give staff recommendations on the plan policies. When all these meetings have been completed, the recommendations from the advisory groups will be brought back to the HCC for review. The advisory groups' role will be to make recommendations to the HCC and PC, but the PC and HCC will make the final recommendation to the City Council.

A tentative schedule of dates and topics for the advisory group meetings is shown below. The agenda for the January 26 meeting is included as Attachment B.

January 26: Introduction, Visioning

February 23: Environment, Parks, Schools

March 30: Land Use, Housing, Commercial Areas

April 27: Land Use - continued

May 25: Transportation

June 29: Review and comment on concept policies

Tentative location for meetings will be at Kirkland City Hall from 7-9 PM

- Lakeview group will meet in the Rose Hill Room
- Central Houghton group will meet in the Peter Kirk Room

#### ATTACHMENTS

- A. Word Café questions and comments
- B. Agenda for January 26 advisory group meetings

Cc: Project Files:  
ZON07-00032  
ZON09-00016

**Lakeview and Central Houghton Open House  
October 29, 2009  
World Café Exercise Public Comments**

**Central Houghton Neighborhood Participants**

**Table #1**

**1. *What do you like best about your neighborhood?***

Diversity  
 People concentration (pedestrians, runners, boaters, etc.)  
 Sense of activity  
 Can see out across the lake  
 Pedestrian access/walk able  
 Rental kayaks  
 Public transportation (good bus access/convenient routes)  
 Schools  
 Public beaches  
 Parks  
 Grocery store in neighborhood  
 Sound of water  
 Carillon Point  
 Great demographics  
 Low density  
 Single family  
 Greenery  
 Proximity to major freeways  
 Potential  
 Family oriented  
 Watershed Park  
 Not a lot of traffic (except on 108<sup>th</sup>)  
 Convenient to Bellevue and Downtown Seattle  
 NW College  
 Restaurants in the neighborhood (coffee, treats, etc. available within walking distance)  
 Low crime  
 Attention to recycling  
 People are amazing  
 Quiet (feels like an old neighborhood)  
 That 108<sup>th</sup> is designated a minor arterial  
 Starbucks  
 Can walk to the essentials/many of the things you need in a few miles (grocery store, drugstore, university, etc.)  
 Access to water and recreation  
 Full range of lifestyles (good for kids and seniors)  
 Old houses and new houses, various sizes (not too many big houses)  
 Like existing height limits  
 Fire Station in the neighborhood  
 Children's School (have both public and private schools)  
 Trees and lots of people who like their gardens

**2. *What character would you like your neighborhood to have 10 to 20 years from now?***

If have to increase density – enhance what have and create “village” at 68<sup>th</sup>.

Want to see a market at 68<sup>th</sup> with diversity of retail

A trail all the way to Totem Lake that connects the parks

Discourage cars and enhance alternative modes of transportation

Keep the views

More LEED construction (more green)

Preserve green areas

Not like Bellevue

Keep it like it is now (continue appeal that it has today)

Don't want to lose the character

Keep open space and green (greener)

People able to age in the neighborhood

Traffic won't increase from how it is now

More transit options (more reliable and also better transit within Kirkland)

Trail and greenway in Burlington Northern right-of-way

Clean

Stay current, but keep the character (charming)

Minimum of mega houses

More public art

More attractive bus stops

Hardware store

Quality SF housing

Friendly to seniors

Competitive schools (good ratings/reputation)

Active community – citizens engaged

More cultural events

More diversity

Physically active community (pedestrians, bikes, etc.)

Dog park- one person wants one; one person does not

**Table #2**

**1. *Describe your vision for the future concerning land use, including parks and recreation in your neighborhood.***

A community garden

BNSFR is a pedestrian and bicycle corridor integrated with shopping connecting to Downtown and transit center

Maintain retail in the existing commercial areas; don't expand

Increase parks and tennis courts

More green space

Increase planting of native trees

Preserve single family homes

Maintain single family character with subtle density increases such as cottage housing

Preserve views as well as vegetation

At South Kirkland Park and Ride provide retail, housing integrated with shopping and transit center; TOD connects to downtown

At South Kirkland Park and Ride no housing only transit

Current uses are preserved

At Houghton shopping center improve center don't expand boundaries

Allow mixed use, higher density development compatible with neighborhoods  
 Preserve Watershed Park; consider adding a pea patch  
 Increase parks  
 Need off leash dog park  
 Add a police satellite station at Fire Station

**2. *What would you like to see happen at the Houghton Shopping Center (types of uses and role in the neighborhood)?***

Mixed use, more density, structured parking  
 Family friendly retail  
 Encourage uses such as: grocery store, access to medical needs, drug store, grocery, post office, café for gathering; no bar, a gym.  
 Architectural design is in scale with neighborhood; break up the large surface parking lot with buildings but not over developed; provide underground parking; bring buildings to the street.  
 Shopping center enhances the community  
 Increase art  
 Reduce need to drive to shopping center  
 Cultural events- maybe use NW University as a resource  
 Concerned about 108<sup>th</sup> Avenue traffic

**Table #3**

**1. *Describe your vision for the future concerning transportation in your neighborhood.***

More frequent bus service and better bicycle connections to work  
 Improve bus service to Bellevue  
 Enhance alternative transportation routes such as wider bike lanes  
 Address potential parking of transit riders in the neighborhood  
 At International School there is concern regarding traffic associated with parents dropping off students  
 Less reliance on autos  
 Bus rider friendly bus stops with lighting, trash collection, shelters  
 BNSFR- use for bike and pedestrian trail; no rail; link from Houghton to Totem Lake and Downtown;  
 provide pedestrian crossings along the route  
 Increase in pedestrian connections through developments and through neighborhood  
 Increase sidewalk lighting  
 Complete school walk routes around schools  
 Improve 108<sup>th</sup> Avenue  
     Don't widen; keep as a minor arterial  
     Improve traffic management  
     Improve pedestrian crossings such as provide flashing crosswalks  
     Widen sidewalks and include landscape strip along curb  
     Improve intersection at 108<sup>th</sup> Avenue and NE 68<sup>th</sup> streets for pedestrians  
     Remove center median; use space to improve sidewalk separation.

**2. *Describe your vision for the future concerning housing in your neighborhood.***

Mixed use residential and commercial development along NE 68<sup>th</sup> St  
 Balance and diversity of housing  
 Primarily single family residential  
 Higher density residential is okay in commercial areas  
 Increase detached small housing or cottage housing  
 Discourage affordable housing; it is giving away an asset  
 Increase housing for aging population

Housing is energy and water efficient, is solar powered or provide sod roofs  
 Maintain existing height limits  
 Allow transit oriented development only when there are jobs and retail for the residents or users to support the TOD  
 People to beautify property with native plant varieties  
 Avoid mega houses; explore limiting floor area ratio  
 Stagger windows on houses that are located close to each other  
 Plant shorter trees  
 Maintain historic houses  
 Discourage gated developments  
 Low scale diversity of houses  
 Redevelop Laurel Park multifamily development located north of NE 68<sup>th</sup> Street

#### **Table #4**

**1. *List any neighborhood concerns that you feel should addressed as part of the neighborhood plan.***

Traffic congestion/management @ 108<sup>th</sup> and 68th  
 Pedestrian/bike safety: Safe crosswalks in business district and to schools; Visibility concerns  
 Park maintenance on-going  
 Retain SF density/residential  
 Retain Houghton Center size as is  
 No transit oriented design at the Park and Ride  
 Where is growth going to go?  
 Sprawl  
 Transit access  
 Local transit needed  
 The threat of NW University expansion into the surrounding neighborhood would change the neighborhood's character and impact single family homeowners if the university expands its PLA 1 boundaries.  
 Other institutional expansion  
 Traffic to ICS  
 Scale of redevelopment of Houghton Center  
 Impact of changes in Everest Neighborhood (6<sup>th</sup> Street S)  
 More parking at the Park and Ride  
 Expand bus routes  
 Access from out of town

**2. *What techniques would work best to keep you engaged in the neighborhood update process?***

Resources on-line, no paper  
 Questions on a blog  
 Summaries of thoughts  
 Agenda ahead of time for meetings (post on website)  
 Productive meetings  
 Give synopsis of progress at CHNA meetings  
 Educational materials re: neighborhood planning  
 Meeting notes on website (summaries/digests)  
 E-mail  
 Kirkland Reporter (miss neighborhood sections)  
 Questions to answer before committee meetings  
 Water at meetings

Telephone call  
 On-line information  
 Reminder notice of meetings 2 weeks/then 2 days in advance  
 Seeing people I know  
 Stay on schedule  
 Meet at NW University

### Lakeview Neighborhood Participants

#### Table #1

**1. *What do you like best about your neighborhood?***

Low density – single family  
 Safe  
 Pedestrian friendly/lots of things to walk to (lots of nice things: stores, shopping, lake, parks – convenient)  
 Elementary school in walking distance  
 Good freeway access  
 Parks  
 Located close to different transit options  
 Useful to have shops close by  
 Just enough services, but not too much.  
 The kids! Family friendly/kid friendly  
 Like all the schools and pre-schools  
 Views of the lake (Lake View!)

**2. *What character would you like your neighborhood to have 10 to 20 years from now?***

Keep it like it is.  
 No mega houses/ no increased density

#### Table #2

**1. *Describe your vision for the future concerning land use, including parks and recreation in your neighborhood.***

Preserve expansive views  
 BNSFR becomes a park corridor  
 BNSFR is designed and functions like the Iron Horse Trail in Danville CA  
 LK WASH BLV is a pedestrian corridor  
 Safe for pedestrians and bikes  
 Keep trees

**2. *Do you see a need for increased retail/neighborhood services in the Lakeview Neighborhood?***

No expansion of retail in neighborhood; keep retail uses in existing commercial areas  
 Allow retail only at South Park and Ride

#### Table #3

**1. *Describe your vision for the future concerning transportation in your neighborhood.***

BNSFR is a pedestrian –bike trail connecting directly to Downtown; includes crossings  
 Traffic congestion helps keep traffic moving slowly, keeps traffic volumes down and increases safety  
 Ability to move smaller groups of people

**2. Describe your vision for the future concerning housing in your neighborhood.**

No specific comments from Lakeview residents.

**Table #4****1. List any neighborhood concerns that you feel should be addressed as part of the neighborhood plan.**

Plant the right type of tree in the right place so that views (private and public) of Lake Washington are kept open i.e. Marsh Park they are planted all in a row to block view and cause shade

The proposed SMP tree planting requirement of 3/1 is ridiculous because they will ruin the views of the Lake

Pedestrian safety

Access to Lake

Crosswalk safety

Fast traffic

Connections to lake access

Visitors' parking

Safety on public docks – rescue equipment needed

**2. What techniques would work best to keep you engaged in the neighborhood update process?**

On-line access

Bring one person to next meeting

Attention getters

Want to know that City Council will pay attention; Meet with 3 during the process

# Central Houghton and Lakeview Advisory Groups

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**First Meeting**  
**January 26, 2010**  
**7-9 pm**  
**Kirkland City Hall**  
**123 Fifth Avenue**

Central Houghton group meets in the Peter Kirk Room (lower level).  
Lakeview group in the Rose Hill Room (upper level).

**Prior to Meeting:**

Advisory Group members are asked to do a self guided walking or driving tour of your neighborhood to become familiar with your areas. Prior to your tour, review the preliminary key issues list, neighborhood maps, and neighborhood plan contained in your meeting packet to become familiar with the issues you will be studying.

**Agenda**

- |         |  |
|---------|--|
| 7:00 pm | Introduction (Chairs Betsy Pringle and John Kappler) <ol style="list-style-type: none"><li>1. Introduction of members</li><li>2. Advisory Group's Role, Mission, Process</li><li>3. Agreement on ground rules for participants, meetings and decision making</li><li>4. Tentative meeting schedule, topics, meeting location</li></ol> |
| 7:30 pm | Neighborhood Overview (staff)  |
| 7:45 pm | Review of Existing Neighborhood Plans and Update Tasks (staff)   |
| 8:00 pm | Visioning Exercise to begin developing a vision statement (Marie Stake and Scott Guter)  |
| 8:50 pm | Next steps   |

Three ring binders will be available at the meeting to store your meeting packets.

## POTENTIAL ZONING CODE AMENDMENTS - Updated 1/12/10

Section #            Description

### 2010 PROJECTS:

#### CODE ENFORCEMENT

Chapter 170	Consolidate enforcement procedures for all development services departments
170.40.5.d.1	Change to HE hearing notice period from 17 to 14 days to be consistent with all other notice periods in the code

#### MISCELLANEOUS CODE AMENDMENTS

##### Multiple Zones

	Use consistent terminology to regulate gas stations and auto repair.
	Use term "maximum horizontal façade" in all zones where standards appear.
	Amend special regulations for Mini-School/Mini-Daycare use to reference requirements of the State rather than DSHS.
	Clarify ground floor limits for non commercial uses (e.g. residential & assisted living) - allow lobbies, clarify how much nonresidential is OK on ground floor, etc.
	Do we need minimum lot area for certain commercial uses? Eg: neighborhood retail in RM & PR (requires 3600 sf, but office has no requirement); restaurant in WDI; office use in PLA 6B; service station in BC (ES e-mail 9/9/96 and AR).
	Review standards for zero lot line.
	Consider simplification of certain appeal processes. See matrix prepared by Nancy.
	Reduce parking for Assisted Living Facilities from 1.7 stalls/independent unit. Could be chart buster.
	Add parking standard for shopping centers in appropriate zones.

##### Chapter 5 Definitions

	Define shopping center - for purpose of adding shopping center parking standards.
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##### Chapters 15 & 17 - RS & RSX Zones

RS & RSX zones	Make special regulation 5 applicable to lots east of Bridle Trails Park - not just north.
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##### Chapter 25 - PR zone

25.10.050 - .80	Make side yards for all these nonresidential uses the same - 10'?
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##### Chapter 48 - LIT Zone

48.15.190	Delete Special Regulation 1 which requires special buffering for outdoor auto repair.
	Should dance & martial arts training be added as permitted use? Now allowed only if non-profit community facility.
	Add schools as permitted uses.

##### Chapter 50 - CBD Zone

	CBD 1A & B: Should we eliminate ground floor retail requirement for Parks or Public Utility... uses?
	Codify interpretation 09-1
50.10 +	Change CBD parking requirement for multi-family to one stall per bedroom.

##### Chapter 53 - Rose Hill Business District Zone

53.59	RH 5C: Eliminate references to 95.25 and 95.43. Revise to reflect original buffer standard (per J Regala),
53.84	RH 8 - Eliminate the special regulations that prohibit retail & restaurant uses above the first floor.

##### Chapter 60 - Planned Area Zones

60.10	PLA 1: Eliminate references to 95.25. Revise to reflect original buffer standard (per J Regala),
60.180	PLA 16: Eliminate General Reg. 3 which requires installation of a trail, since a trail already exists nearby. See Teresa.

<b>Chapter 90 - Drainage Basins</b>	
Various	Review and reduce approval processes - consistent with reasonable use level of decision.
90.140.8	Eliminate or revise so that lapse of approval is the same as required with underlying review process (Process I or IIA).
<b>Chapter 100 - Signs</b>	
	Eliminate different restrictions for real estate signs than for other commercial signs. Consider restricting location, number, hours.
<b>Chapter 105 - Parking, etc.</b>	
105.103.2.a	Remove DRB from modifications to required number of parking stalls. Should be Planning Official for DR projects.
105.103.3.b	Add modification option for 105.19 - Public Pedestrian Walkways.
105.18.1.d	Clarify or limit the requirement to provide pedestrian connections to all adjacent properties, or provide a modification option.
<b>Chapter 115 - Miscellaneous</b>	
115.08	Move the last sentence to be the third sentence and add at the end "which may further limit its size." - David
115.08	Accessory Structures – Consider eliminating 25' height restriction for detached ADU above a garage in RSX zone.
115.07 and .08	If ADU height in RSX is not increased, reference in 115.07 the ADU height restrictions found in 115.08 - Angela
115.20 Sp Reg 6	Make applicable to lots east of Bridle Trails Park - not just north
115.2	Numerous corrections and reformatting per Teresa Swan
115.95.2	Allow leaf blowers before 8:00 am if associated with public street sweeping.
115.115.5.b & d	Parking in front yards is different for different uses. Why should office and MF be different in same zone? (ES e-mail 08/02/06)
115.95.1.b	Refers to WAC 173-70 for watercraft noise standards. WAC section doesn't exist. Delete entirely or do further research.
115.85.2	Review/ revise Rose Hill Business District lighting standards and consider city-wide.
115.95	Consider not adopting residential to residential noise standards
	Prohibit living in RVs
	Add regulations for electronic vehicle infrastructure per new state law.
<b>Chapter 117 - Wireless</b>	
117	Check review processes for co-location to assure 90 day review time per FCC ruling.
117.65.8	Revise to allow antennas at historic sites & clarify "design requirements." Perhaps add Plng. Official review. See Sean or Nancy
<b>Chapter 120 - Variances</b>	
120.12	Ask HCC to allow administrative variances in Houghton. See Susan or Jeremy for examples.
<b>Chapter 135 - Rezone Process</b>	
135.15 & 25,160.15	Determine best approach for the public to request changes to the Zoning Code (PS)
<b>Chapter 142 - Design Review</b>	
142.35.3.c	Add NRHB (& other design districts?) as subject to design principals in Appendix C. Clarify whether Appendix C is only for stand alone MF or mixed use? (JLB)
<b>Chapter 150 - Process IIA</b>	
150.85	Change "verbal" to "written."
<b>Chapter 155 - Process III</b>	
	Eliminate
<b>Chapter 180 - Plates</b>	
Plates 1- 4 & 8A	Clarify how posts in parking garages are calculated in width of stalls
<b>Municipal Code Title 19 - Street Vacations</b>	
19.16.040	Make application requirements consistent with Zoning Code requirements
<b>Municipal Code Title 22 - Subdivisions</b>	
22.28.040	When lot sizes averaged, prohibit over-sized lots from being later subdivided.

**Municipal Code Title 27 - Impact Fees**

	Establish single rate for uses in shopping centers. Treat all of downtown as a shopping center
	Consider reduced impact fees for smaller dwelling units (similar to ADUs and cottages).

**LOW IMPACT DEVELOPMENT**

115.90	Clarify when to give lot coverage credit for semi-pervious materials. Also, consider greater restrictions on use of brick pavers (8/2/06 e-mail)
105.18	Exempt SF walkways from lot coverage requirements. Require pervious paving.
	Standards for green parking lots - per Seattle?
	Should pools/pool covers be exempt from lot coverage calculations. Should pool covers be included in FAR? (TS)
	Potential code amendments for solar and green roofs (and wind?).

**NEIGHBORHOOD PLAN ISSUES****Lakeview Neighborhood**

Chapter 35	Eliminate or revise FC III zone.
Chapter 45	Rename BC zone to Houghton Business District Zone
Chapter 45	Consider deleting storage services and auto sales from BC zone - or require retail frontage?

**POTENTIAL PROJECTS FOR 2011+  
MISCELLANEOUS CODE AMENDMENTS****Multiple Zones**

	Consider allowing transfer of development rights (City Council 1/2/08)
	Comprehensively examine parking standards
	Review parking requirements for mixed use developments (e.g. medical office/regular office; business park; strip retail /restaurant/office (ES))

**Chapter 48 - LIT Zone**

	Re-examine the requirement that uses be limited to 2 stories (PS, 8/20/04 e-mail)
	Delete automobile sales use in Norkirk neighborhood - unless this also requires a Comprehensive Plan amendment

**Chapter 115**

	Consider allowing the keeping of chickens
115.07	Consider allowing ADUs in SF houses not on individual lots: i.e. condominium lots
115.23 & 5.150	Review common open space. Should it apply to detached & zero lot line attached units? Should there be maximum slope (see interpretation)
115.3	Allow more flexibility or modification option for horizontal façade general regulations in many zones.
115.45	Distinguish decks and porches from other enclosed (but open) areas that should be counted in FAR
115.125	Change rounding of fractions of dwelling units from .66 to .50

**Chapter 142 - Design Regulations**

	Consider making design principles for MF housing in Appendix C applicable to MF zones (not just business districts.)
--	--

**Chapter 170 - Code Enforcement**

	Consider more formal approach to interpretations, with comment and appeal process.
--	--

**Subdivision Ordinance**

22.28.080.b	Should lots be able to be subdivided if they access from an easement across another lot & therefore make the servient lot nonconforming because the easement area would have to be deducted from the area of the servient lot? (8/11/04 SC e-mail).
	Consider design standards to avoid awkward lots served from pipe stems. See e-mail from Houghton resident.

**CHAPTERS 85 & 90: CRITICAL AREAS****Chapter 85 - Geologic Hazard Areas**

	Review to determine if standards are adequate
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**Chapter 90 - Drainage Basins**

90.20.5	Clarify intended meaning of "normal or routine maintenance or repair."
90.55.4	Allow off-site mitigation in another drainage basin for essential public facilities
90.45.3	Allow stormwater outfalls to extend into wetlands
	Eliminate definitions that are common with with definitions applicable throughout entire code
90.140.5	Add criterion that limits disturbance of Type 1 wetlands (per Dave Asher)
	Allow reduced setbacks with minimal process where necessary to reduce wetland/ stream impacts.
?	If improved environmental conditions are created that would result in greater buffer requirements on neighboring properties, could those greater requirements be reduced?

**Subdivision Ordinance**

22.08.200	References Class A, B & C wetlands rather than Type 1, 2 & 3. Need to define the types. Also, section references lake classification which we do not have.
22.08.190	definition in 2004.

**CHAPTER 100: SIGN REGULATIONS****Chapter 5 - Definitions**

5.10.550	Clarify "multi-use complex" for consistency with 100.4.3.b. Delete requirement for exterior entrance.
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**Chapter 100 - Signs**

	Create criteria to allow for deviations from sign code to be reviewed at a planner level.
100.115	Interp 95-4 - Temporary commercial sign - Add to definition of temporary sign?
	Interp 95-3R - Colors as signs, sign area - Add to definition of sign area?
	Allow electronic readerboards for schools and fire stations
5.115, 100.85	Interp 94-1 - Changing message center and similar signs. Additional criteria? Allow with Master Sign Plan.
100.115	Interp 92-4 - Fuel price signs
	Interp 86-17-100 and 115 - Temp. commercial signs when related to permitted temporary activities.
100.65	Interp 86-16 - Signs above rooflines
100.85(2)	Interp 86-13 - Sign regulations regarding holiday decorations
100.30, 100.75	Interp 86-11 - Window signs. Need to reexamine.
	Interp 85-8 - 5 and 100 - Status of neon lighting and lighted awnings as signs. Add to definition?
5.108, 100.15	Interp 85-6R - Sign regulations
	Real estate signs (on- and off-site) - review regulations to reduce number of signs (ES)
100.115	Interp 88-19 - Off-site real estate signs. Rethink rules on temporary off site signs. Private advertising signs - restrict size. Temporary commercial signs - limit to 30 days plus size limitation. Real estate signs - redraft to allow (2) 32 sf advertisement signs and (1) 6 sf per lot (not now clear); and revise to conform with Supreme Court Decision on Redmond signs.
	Address political signs duration and size (DG) - review temp sign chart with Rod Kaseguma.
	Under marquee signs - allow to be larger (AR). Allow 6 sq. ft.
	Reduce height of monument signs. Liberalize dimensions for sign base.
	Special signage for auto dealers? Probaly no, but may want to increase signage for large sites.
	Add cabinet signs in CBD and JBD - tie to "major nonconforming"
	Prohibit cabinet signs in Rose Hill and other business districts (citizen suggestion)

	Major nonconforming signs & amortization (e.g. billboards). Need to address constitutional issues
100.115	Allow under marquee signs for sign category A (and probably B). (8/11/04 ES e-mail)
100.55	Allow signs for commercial uses in mixed-use buildings to be calculated separately (8/11/04 ES e-mail)
100.5	Change "NE 106th St" to "Forbes Creek Drive" (SUpdegrave 04/12/05)
	Temporary advertising signs for public events (Csalzman 12/16/04)
	Allow reduced setback for ground mounted signs, subject to criteria.
100.52	Section needs to include NRHBD for consistency with design guidelines.

### Chapter 125 - PUDs

	Comprehensively review and revise regulations.
	Consider way to establish quantifiable way to value of public benefits.

### NONCONFORMANCE REGULATIONS - Chaper 162

	Interp 83-11 - (may also affect 115.80) - Nonconforming lots held in common ownership.
162.30, 162.35.7	Damaged improvements - What happens if damage exceeds 50% (P. 430)? Conflict with 162.35.7. Can damage be reconstructed under repair and maintenance clause?
162.35.2.a	Look at definition of "use" (e.g. office use). See JMCM.
162.35.2.b.1)	Be less restrictive on structural alterations for non-conforming uses. See "master list" for more info.
162.35.2.b.2)	Clarify time to cease use. Provide reasonable time for owner to seek new tenant per case law. See interpretation 85-4.
162.35.2.b.3)	Develop criteria for allowing change of nonconforming use. Alternatively, consider not allowing change of nonconforming use. (8/10/04 PS e-mail). Group with 162.9 and 10.
162.35.3	Clarify criteria for structure expansion: measured by all structures on property per interpretation 90-4
162.35.5.b	Minor Nonconforming Signs - Is a new sign a "structural alteration"? Is a new, less non-conforming sign permitted (p. 433)? Delete "minor" in first paragraph in b.3 (see P. 433 in file with DC comments). Incorporate interpretation 90-3
162.35.5.d	Delete 10 years time period and replace with Director discretion with criteria (p. 434)
162.35.7	Do not limit all structural alterations as we do now. When can windows and doors be installed without a variance (see Angela's e-mail) (P. 435). (maintenance & repair, etc)
162.35.8.a	Clarify improvement that 50% replacement threshold applies: the improvement to which alteration is being done per int. 85-4
162.60,90,135	Clarify continued provisions per 9/20/05 e-mail from Dawn Nelson.
	Classify cabinet signs in zones where cabinet signs not allowed as <b>major</b> nonconformance.
	Should City owned property be exempt from nonconformance rules? (Desiree)

### NEIGHBORHOOD PLAN ISSUES

#### Moss Bay Neighborhood

50.32	Change buffering (reduce) in consideration of reduced setback - See e-mail from Lauri Anderson.
60.29-60.52	Consider including all or portions of PLA 5 in CBD (TSwan 04/11/05).
	Evaluate appropriate ground floor uses. Don't require retail S. of 2nd on Lake St.
	Consider so-called "parking lot list" from CC in early 2009.

#### South Rose Hill/ Bridle Trails Neighborhood

Chapter 47	Consider deleting storage services from BCX zone - or require retail frontage?
Chzpter 47	Rename BCX zone to Bridle Trails Business District Zone



**CITY OF KIRKLAND**

**City Manager's Office**

**123 Fifth Avenue, Kirkland, WA 98033 425.587.3001**

**[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)**

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**MEMORANDUM**

**To:** David Ramsay, City Manager

**From:** Marie Stake, Communications Program Manager

**Date:** January 26, 2010

**Subject:** Kirkland Founders Week

RECOMMENDATION:

Council authorizes the Mayor to sign the Kirkland Founders Week Proclamation.

BACKGROUND DISCUSSION:

Kirkland Founders Week coincides with Peter Kirk's birthday and celebrates the founding of the City of Kirkland. The Kirkland Heritage Society has furthered public awareness of our founders, along with collecting, preserving, exhibiting, and interpreting all other aspects of the history and heritage of Kirkland and its people. Bob Burke and other representatives of the Kirkland Heritage Society will be present at the February 2nd City Council meeting to receive the Kirkland Founders Week proclamation.



## A PROCLAMATION OF THE CITY OF KIRKLAND

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### Designating February 13 – 20, 2010 as "Kirkland Founders Week" in the City of Kirkland, Washington

**WHEREAS**, Peter Kirk, Walter Williams, John Kellett, Leigh Hunt, Reginald Collins and Joshua Montgomery Sears are recognized as the founders of Kirkland, Washington; and

**WHEREAS**, In the late 1880's and 1890's these early settlers began to build a community with a steel empire unrivaled on the Western Coast of the United States; and

**WHEREAS**, these pioneers brought forth the beginnings of the present city, which would come to bear the name of Peter Kirk who's birthday is on February 15th; and

**WHEREAS**, the City of Kirkland recognizes the vital role these frontiersmen played in its early history, and the impact on the City including its incorporation in 1905; and

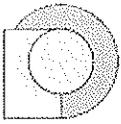
**WHEREAS**, the Kirkland Heritage Society has furthered public awareness of Kirkland's founders, along with collecting, preserving, exhibiting, and interpreting all other aspects of the history and heritage of Kirkland and its people;

**NOW, THEREFORE**, I, Joan McBride, Mayor of the City of Kirkland, do hereby proclaim February 13th to the 20th, 2010, as *Kirkland Founders Week* in Kirkland, Washington and urge all the citizens of Kirkland to honor the memory of those who helped found our city.

Signed this 2nd day of February, 2010

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Joan McBride, Mayor



Dogs on the Hill  
Good Dogs Deserve Great Walks! Capitol Hill- Downtown-Fremont-UW  
www.dogsonthehill.com

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## Kirkland WA Off Leash Dog Parks

[View Current Signatures](#) - [Sign the Petition](#)

To: City of Kirkland WA Government

WE the undersigned, support the development of Kirkland Off-leash Dog parks. The actual sites to be determined by working with the Parks Department  
Kirkland is a city with a great sense of community. The dog owners in those communities appreciate the quality of life in Kirkland and the sense of neighborhood. They would like to get to know their dog-owning neighbors in a safe legal setting for their dogs to socialize in.

- Taxpaying dog owners and non-dog owners want local dog park where dogs can lawfully be off leash.
- Volunteer stewards can effectively help run local dog parks in Kirkland with the city as their partner
- Kirkland is a city of neighborhoods and off-leash areas would provide our communities with a local venue where both the people and the dogs could enjoy socializing .

Thank you for your consideration.

Sincerely,

The Undersigned

[Click Here to Sign Petition](#)

[View Current Signatures](#)

The Kirkland WA Off Leash Dog Parks Petition to City of Kirkland WA Government was **created by and written by Jean Guth** (djuguth@yahoo.com). This petition is hosted here at [www.PetitionOnline.com](http://www.PetitionOnline.com) as a public service. There is no endorsement of this petition, express or implied, by Artifice, Inc. or our sponsors. For technical support please use our simple Petition Help form.

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<http://www.PetitionOnline.com/guth716/petition.html>

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**We endorse the [Kirkland WA Off Leash Dog Parks](#) Petition to City of Kirkland WA Government.**

[Read the Kirkland WA Off Leash Dog Parks Petition](#)

[Sign the Kirkland WA Off Leash Dog Parks Petition](#)

Name	Full Name (First, Last)	City	I am willing to volunteer
648. Maria	Humphries	Kirkland	Yes
647. Linda	Muller, Linda	Kirkland	Yes
646. Amy Lamb	Amy, Lamb	Kirkland	No
645. jennie klein	jennie klein	kirkland	No
644. Carol S. Ullis	Carol S. Ullis	Kenmore, WA	Yes
643. Karen Shepard	Karen Shepard	Kirkland	Yes
642. Ken Martin	KEN MARTIN	KIRKLAND	No
641. Michelle Luders	Michelle Luders	Bothell	No
640. Melissa Bowen	Melissa Bowen	Kirkland	Yes
639. Leah Ward	Leah Ward	Kirkland	
638. John Seren	John, Seren	Kirkland	Yes
<a href="#">637. Celeste A Erickson</a>	<a href="#">Celeste Erickson</a>	<a href="#">Kirkland</a>	<a href="#">No</a>
<a href="#">636. Alicia</a>	<a href="#">Alicia McCaslin</a>	<a href="#">Kirkland</a>	<a href="#">No</a>
<a href="#">635. Margaret Strong</a>	<a href="#">Margaret Strong</a>	<a href="#">Kirkland</a>	<a href="#">Yes</a>
<a href="#">634. LuAnne Zaeske</a>	<a href="#">LuAnne Zaeske</a>	<a href="#">Kirkland</a>	<a href="#">Yes</a>
<a href="#">633. teri holden</a>	<a href="#">teri holden</a>	<a href="#">kirkland</a>	<a href="#">No</a>
<a href="#">632. leanne kennedy</a>	<a href="#">Leanne Kennedy</a>	<a href="#">Kirkland</a>	-
<a href="#">631. paula foley</a>	<a href="#">paula foley</a>	<a href="#">kirkland</a>	-
<a href="#">630. Leslie Keller</a>	<a href="#">Leslie Keller</a>	<a href="#">Kirkland</a>	<a href="#">No</a>
<a href="#">629. Keri</a>	<a href="#">Keri Osterlund</a>	<a href="#">Kirkland</a>	<a href="#">Yes</a>
<a href="#">628. Doyle Ravnaas</a>	<a href="#">Doyle, Ravnaas</a>	<a href="#">Kirkland</a>	<a href="#">No</a>

Name	Full Name (First, Last)	City	I am willing to volunteer
627. <u>Liberty Failor</u>	<u>Failor, Liberty</u>	<u>Kirkland</u>	<u>Yes</u>
626. <u>Karen Rasmussen</u>	<u>Karen Rasmussen</u>	<u>Kirkland, WA</u>	<u>No</u>
625. <u>Marianne Smernis</u>	<u>Marianne Smernis</u>	<u>Kirkland</u>	-
624. <u>tracey</u>	<u>tracey hamblin</u>	<u>kirkland</u>	<u>No</u>
623. <u>sharan tisdell</u>	<u>Sharan Tisdell</u>	<u>kirkland</u>	<u>Yes</u>
622. <u>Margaret Chorlton</u>	<u>Margaret Chorlton</u>	<u>Kirkland, WA 98033</u>	<u>No</u>
621. <u>Katherine Kehrli</u>	<u>Katherine Kehrli</u>	<u>Kirkland</u>	<u>No</u>
620. <u>Lisa</u>	<u>Lisa Wakida</u>	<u>Kirkland</u>	<u>Yes</u>
619. <u>Carl</u>	<u>Carl Anselmi</u>	<u>Kirkland</u>	-
618. <u>Lynn Anselmi</u>	<u>Lynn Anselmi</u>	<u>Kirkland</u>	-
617. <u>Karen Tollefson</u>	<u>Karen Tollefson</u>	<u>Kirkland</u>	-
616. <u>Robert Koehler</u>	<u>Robert Koehler</u>	<u>Kirkland</u>	<u>No</u>
615. <u>Sandy Dain</u>	<u>Sandra, Dain</u>	<u>Kirkland</u>	<u>Yes</u>
614. <u>Lynda Haneman</u>	<u>Lynda Haneman</u>	<u>Kirkland</u>	<u>Yes</u>
613. <u>gerardo</u>	<u>gerardo, farias</u>	<u>kirkland</u>	<u>No</u>
612. <u>Arturo</u>	<u>Arturo Magana</u>	<u>Juanita</u>	<u>No</u>
611. <u>Ashley</u>	<u>Ashley Vereeke</u>	<u>Kirkland/juanita</u>	<u>Yes</u>
610. <u>Cindy</u>	<u>Cindy Lemos</u>	<u>Kirkland</u>	<u>Yes</u>
609. <u>Erik</u>	<u>Erik Gordon</u>	<u>Kirkland</u>	<u>Yes</u>
608. <u>Ruth Strok</u>	<u>Ruth Strok</u>	<u>Kirkland</u>	<u>Yes</u>
607. <u>Michelle Martin-Shaw</u>	<u>Michelle Martin-Shaw</u>	<u>Kirkland</u>	<u>Yes</u>
606. <u>Maryann</u>	<u>Maryann Jackson</u>	<u>Kirkland</u>	-
605. <u>Heather Bright</u>	<u>Heather Bright</u>	<u>Kirkland</u>	-
604. <u>Krista</u>	<u>Hawes</u>	<u>Kirkland</u>	<u>Yes</u>
603. <u>Connie Taylor</u>	<u>Connie Taylor</u>	<u>Kenmore</u>	<u>No</u>

Name	Full Name (First, Last)	City	I am willing to volunteer
602. <u>Donna Burch</u>	<u>Donna Burch</u>	<u>Kirkland</u>	-
601. <u>chris cesano</u>	<u>Chris Cesano</u>	<u>Kirkland</u>	<u>Yes</u>
600. <u>chris cesano</u>	<u>Chris Cesano</u>	<u>Kirkland</u>	<u>Yes</u>
599. <u>Priya Venkat</u>	<u>Priya Venkat</u>	<u>Kirkland</u>	<u>Yes</u>
598. Andrew	Andrew von pinnon	kirkland	Yes
597. Robin Lapham	Robin Lapham	Kirkland	Yes
596. Ben Highsmith	Highsmith, Ben	Kirkland	
595. Christina Zagroba	Christina, Zagroba	Bothell	Yes
594. Yolanda	Yolanda Garces	Federal Way	
593. Patience	O'Donnell	Woodinville	Yes
592. Jennifer Beeman	Jennifer Beeman	Kirkland	Yes
591. Lucy	susan nava	kirkland	Yes
590. Mike Hendrickson	Mike Hendrickson	Kirkland	No
589. Brandy Craig	Brandy Craig	Kirkland	Yes
588. Marianne Bearson	Marianne, Bearson	Kirkland	Yes
587. <u>Scott Kenops</u>	<u>Scott, Kenops</u>	<u>Kirkland</u>	-
586. <u>Hilary Kenops</u>	<u>Hilary, Kenops</u>	<u>Kirkland</u>	<u>No</u>
585. <u>Patrick</u>	<u>Patrick Thornquist</u>	<u>Kirkland</u>	<u>No</u>
584. <u>Sandra</u>	<u>Sandra Thomas</u>	<u>Kirkland</u>	<u>No</u>
583. <u>Joyce Eve</u>	<u>Joyce Eve</u>	<u>Bothell</u>	<u>No</u>
582. <u>Jadine Thom</u>	<u>Jadine, Thom</u>	<u>Kirkland</u>	<u>Yes</u>
581. <u>Dennis DeVere</u>	<u>Dennis DeVere</u>	<u>Kirkland</u>	-
580. <u>Rebecca Bruffey</u>	<u>Rebecca Bruffey</u>	<u>Kirkland</u>	-
579. <u>Nancy sleeth</u>	<u>Nancy Sleeth</u>	<u>Bothell</u>	-
578. <u>kathleen rocha</u>	<u>Kathleen Rocha</u>	<u>Kirkland</u>	<u>Yes</u>

	Name	Full Name (First, Last)	City	I am willing to volunteer
577.	<u>Kathryn Hengesteg</u>	<u>Kathryn Hengesteg</u>	<u>Kirkland</u>	<u>No</u>
576.	<u>Leanne</u>	<u>Leanne Rivers</u>	<u>Kirkland</u>	<u>No</u>
575.	<u>Jocelyn Ewert</u>	<u>Jocelyn Ewert</u>	<u>Kirkland</u>	<u>No</u>
574.	<u>Mary Ellen Tuttle</u>	<u>Mary Ellen Tuttle</u>	<u>Kirkland</u>	<u>Yes</u>
573.	<u>Joy</u>	<u>Joy Yeager</u>	<u>Kirkland</u>	<u>-</u>
572.	<u>Dottie Delaney</u>	<u>Dottie Delaney</u>	<u>Kirkland</u>	<u>-</u>
571.	<u>SHARON KETTLER</u>	<u>SHARON, KETTLER</u>	<u>KIRKLAND</u>	<u>No</u>
570.	<u>PAUL ZASADNY</u>	<u>PAUL DAVID ZASADNY</u>	<u>KIRKLAND</u>	<u>Yes</u>
569.	<u>Erin Shimada</u>	<u>Erin, Shimada</u>	<u>Kirkland</u>	<u>No</u>
568.	<u>Sasha Parsley</u>	<u>Sasha, Parsley</u>	<u>Kirkland</u>	<u>No</u>
567.	<u>Veronica Reyes</u>	<u>Veronica Reyes</u>	<u>Kirkland</u>	<u>-</u>
566.	<u>The Tail Wagger's Club</u>	<u>Florence Bernhard</u>	<u>Kirkland</u>	<u>-</u>
565.	<u>Jolene Winter</u>	<u>Jolene, Winter</u>	<u>Kirkland</u>	<u>No</u>
564.	<u>Field</u>	<u>Field Winslow</u>	<u>Kirkland</u>	<u>-</u>
563.	<u>Victoria</u>	<u>Victoria Princeton</u>	<u>Kirkland</u>	<u>-</u>
562.	<u>Amy Larson</u>	<u>Amy Larson</u>	<u>Kirkland</u>	<u>Yes</u>
561.	<u>Les</u>	<u>Les Kinney</u>	<u>Redmond</u>	<u>Yes</u>
560.	<u>Sharon</u>	<u>Sharon Morgan</u>	<u>Kirkland</u>	<u>Yes</u>
559.	<u>TAYLOR</u>	<u>Taylor Green</u>	<u>Kirkland</u>	<u>-</u>
558.	<u>MARTIN</u>	<u>MARTIN MORGAN</u>	<u>KIRKLAND</u>	<u>Yes</u>
557.	<u>Molly Larabee</u>	<u>Molly Larabee</u>	<u>kirkland</u>	<u>-</u>
556.	<u>Laurie Clawson</u>	<u>Laurie Clawson</u>	<u>Kirkland</u>	<u>Yes</u>
555.	<u>Lee Palo</u>	<u>Lee, Palo</u>	<u>Kirkland</u>	<u>Yes</u>
554.	<u>Gaila Palo</u>	<u>Gaila, Palo</u>	<u>Kirkland</u>	<u>Yes</u>
553.	<u>Kami Johnson</u>	<u>Kami Johnson</u>	<u>Kirkland</u>	<u>Yes</u>

	Name	Full Name (First, Last)	City	I am willing to volunteer
552.	<u>Dena</u>	<u>Dena Combs</u>	<u>kirkland</u>	<u>Yes</u>
551.	<u>Mike</u>	<u>peters, mike</u>	<u>kirkland</u>	<u>Yes</u>
550.	<u>Lisa Wakida</u>	<u>Lisa Wakida</u>	<u>Kirkland</u>	<u>-</u>
549.	<u>valerie goldberg</u>	<u>valerie goldberg</u>	<u>juanita</u>	<u>No</u>
548.	<u>Karl</u>	<u>Karl Volkle</u>	<u>Kirkland</u>	<u>Yes</u>
547.	Jackie	Jackie Volkle	Kirkland	Yes
546.	Laura Slusher	Laura Slusher	Kirkland	No
545.	Julie Barnett	Julie Barnett	Kirkland	Yes
544.	Marizen B Gapud	Marizen B Gapud	Kirkland	No
543.	Melissa Canales	Melissa Canales	Kirkland	Yes
542.	Karee Korell	Karee Korell	Kirkland	No
541.	charles mitchell	charles mitchell	kirkland	No
540.	Rebecka Hoppins	Rebecka Hoppins	Kirkland	Yes
539.	Linda Hapgood	Hapgood, Linda	Kirkland	Yes
538.	aaron	aaron pabon	kirkland	Yes
537.	<u>elaine cena</u>	<u>elaine, cena</u>	<u>kirkland</u>	<u>Yes</u>
536.	<u>Brendan Aye</u>	<u>Brendan, Aye</u>	<u>Kirkland</u>	<u>No</u>
535.	<u>Natalia Litchev</u>	<u>Natalia Litchev</u>	<u>Kirkland</u>	<u>§</u>
534.	<u>Brooke Salisbury</u>	<u>Brooke Salisbury</u>	<u>Kirkland</u>	<u>Yes</u>
533.	<u>Prabhu</u>	<u>Prabhu Kannan</u>	<u>Kirkland</u>	<u>Yes</u>
532.	<u>Jennifer Singer</u>	<u>Jennifer, Singer</u>	<u>Kirkland</u>	<u>Yes</u>
531.	<u>sandra williams</u>	<u>sandra, williams</u>	<u>kirkland</u>	<u>Yes</u>
530.	<u>Tim Nott</u>	<u>Tim Nott</u>	<u>Kirkland</u>	<u>Yes</u>
529.	<u>Becca Honcoop</u>	<u>Rebecca Honcoop</u>	<u>Kirkland</u>	<u>Yes</u>

Name	Full Name (First, Last)	City	I am willing to volunteer
528. <u>Brandon Honcoop</u>	<u>Brandon Honcoop</u>	<u>Kirkland</u>	<u>Yes</u>
527. <u>Michael Schwager</u>	<u>Michael, Schwager</u>	<u>Kirkland</u>	<u>No</u>
526. <u>Melissa Kelly</u>	<u>Melissa Kelly</u>	<u>Kirkland</u>	<u>No</u>
525. <u>Ruth</u>	<u>Ruth Strok</u>	<u>Kirkland</u>	<u>Yes</u>
524. <u>Andrew Gormley</u>	<u>Andrew Gormley</u>	<u>Kirkland</u>	<u>-</u>
523. <u>Michael Miller</u>	<u>Michael Miller</u>	<u>Kirkland</u>	<u>No</u>
522. <u>Seana Murray</u>	<u>Seana Murray</u>	<u>Kirkland</u>	<u>No</u>
521. <u>Barbara Doane</u>	<u>Barbara Doane</u>	<u>Kirkland</u>	<u>No</u>
520. <u>Kathleen B. Morris-Adams</u>	<u>Kathleen B. Morris-Adams</u>	<u>Kirkland</u>	<u>-</u>
519. <u>Robert J Rodgers</u>	<u>Robert, Rodgers</u>	<u>Kirkland</u>	<u>No</u>
518. <u>renee Brickman</u>	<u>Renee Brickman</u>	<u>Redmond</u>	<u>No</u>
517. <u>stormi</u>	<u>stormi danis</u>	<u>kirkland</u>	<u>Yes</u>
516. <u>Liz Millner</u>	<u>Elizabeth Millner</u>	<u>kirkland</u>	<u>No</u>
515. <u>sharon whitson</u>	<u>sharon whitson</u>	<u>kirkland</u>	<u>-</u>
514. <u>Erin Howard</u>	<u>Erin Howard</u>	<u>Kirkland</u>	<u>Yes</u>
513. <u>Les Utley</u>	<u>Les Utley</u>	<u>Kirkland</u>	<u>Yes</u>
512. <u>Kelley Stryer</u>	<u>Kelley Stryer</u>	<u>Bothell</u>	<u>No</u>
511. <u>Robert</u>	<u>Perry</u>	<u>Seattle</u>	<u>No</u>
510. <u>Katie</u>	<u>Kathryn, Korslund</u>	<u>Kirkland</u>	<u>-</u>
509. <u>Marty</u>	<u>Martin, McCullough</u>	<u>Kirkland</u>	<u>-</u>
508. <u>Kate</u>	<u>Kate Holder</u>	<u>Kirkland</u>	<u>-</u>
507. <u>Julie Metteer</u>	<u>Julie Metteer</u>	<u>Kirkland</u>	<u>-</u>
506. <u>Bryan Brennan</u>	<u>Bryan Brennan</u>	<u>Kirkland</u>	<u>Yes</u>
505. <u>Teresa Gjendem</u>	<u>Teresa Gjendem</u>	<u>Kirkland</u>	<u>Yes</u>
504. <u>Adam J. Anderson</u>	<u>Adam J. Anderson</u>	<u>Kirkland</u>	<u>No</u>

Name	Full Name (First, Last)	City	I am willing to volunteer
503. <u>Susan Munro</u>	<u>Susan Munro</u>	<u>Kirkland</u>	<u>Yes</u>
502. <u>Jon Munro</u>	<u>Jonathan Munro</u>	<u>Kirkland</u>	<u>Yes</u>
501. <u>Shannon McCumber</u>	<u>Shannon McCumber</u>	<u>Kirkland</u>	<u>Yes</u>
500. <u>Sara</u>	<u>Sara Taniguchi</u>	<u>Kirkland</u>	<u>Yes</u>
499. <u>Deanne Gilbert</u>	<u>Deanne Gilbert</u>	<u>Kirkland</u>	<u>-</u>
498. <u>Warner Smith</u>	<u>Warner, Smith</u>	<u>Kirkland</u>	<u>Yes</u>

497. Diane Rich	Diane Rich	Kirkland	Yes
496. Juli Harvey	Juli Harvey	Kirkland	No
495. Molly McMurray	Molly, McMurray	Seattle	No
494. Brandy	Brandy Rutledge	Kirkland	Yes
493. Amissa Cormier	Amissa Cormier	Kirkland	No
492. PJ DeCamp	PJ DeCamp	Kirkland	Yes
491. Greg	Greg Neudorfer	Kirkland	No
490. Kristin	kristin Neudorfer	Kirkland	No
489. Debra Loft	Debra Loft	Kirkland	Yes
488. Gary Fujioka	Gary A. Fujioka Sr.	Kirkland	Yes
487. <u>Celia</u>	<u>Celia Milota</u>	<u>Kirkland</u>	<u>Yes</u>
486. <u>Susan Raunig</u>	<u>Susan Raunig</u>	<u>Kirkland</u>	<u>No</u>
485. <u>Greg Roeben</u>	<u>Greg Roeben</u>	<u>Kirkland</u>	<u>-</u>
484. <u>Tracey Roche</u>	<u>Tracey Roche</u>	<u>Kirkland</u>	<u>-</u>
483. <u>Karen</u>	<u>Karen Schneider</u>	<u>Issaquah</u>	<u>-</u>
482. <u>Marian Hackl</u>	<u>Marian Hackl</u>	<u>Seatac</u>	<u>No</u>
481. <u>Bonnie Brodd</u>	<u>Bonnie Brodd</u>	<u>Kirkland</u>	<u>No</u>
480. <u>Dawn L. Bremner</u>	<u>Dawn Bremner</u>	<u>Kirkland</u>	<u>No</u>

Name	Full Name (First, Last)	City	I am willing to volunteer
<u>479. Janet</u>	<u>Janet Irving</u>	<u>Kirkland</u>	<u>Yes</u>
<u>478. LORINE DUNAVANT</u>	<u>LORINE DUNAVANT</u>	<u>REDMOND</u>	<u>Yes</u>
<u>477. Suzi</u>	<u>Suzanne, Wylie</u>	<u>Clyde Hill</u>	<u>No</u>
<u>476. Megan McNeilly</u>	<u>Megan McNeilly</u>	<u>Kirkland</u>	<u>-</u>
<u>475. Dorothy</u>	<u>Dorothy Freeman</u>	<u>Kirkland</u>	<u>Yes</u>
<u>474. Sydne Rataushk</u>	<u>Sydne Rataushk</u>	<u>Kirkland</u>	<u>No</u>
<u>473. Wendy Doane</u>	<u>Wendy Doane</u>	<u>Kirkland</u>	<u>No</u>
<u>472. John</u>	<u>John Rudolph</u>	<u>Kirkland</u>	<u>Yes</u>
<u>471. nicole showalter</u>	<u>nicole showalter</u>	<u>kirkland</u>	<u>No</u>
<u>470. Lisa Altig</u>	<u>Lisa Altig</u>	<u>10025 111 Av NE Kirkland, Wa</u>	<u>-</u>
<u>469. Linda Lambert</u>	<u>Linda Anne Lambert</u>	<u>Kirkland</u>	<u>No</u>
<u>468. Lianne</u>	<u>Lianne Leewens</u>	<u>Kirkland</u>	<u>No</u>
<u>467. Brian Hughes</u>	<u>Brian Hughes</u>	<u>Kirkland</u>	<u>No</u>
<u>466. Anna Rising</u>	<u>Anna, Rising</u>	<u>Kirkland</u>	<u>Yes</u>
<u>465. Michelle Becker</u>	<u>Michelle Becker</u>	<u>Kirkland</u>	<u>Yes</u>
<u>464. Heather</u>	<u>Heather Richardson</u>	<u>Kirkland</u>	<u>Yes</u>
<u>463. Kerstin Anderson</u>	<u>Kerstin Anderson</u>	<u>Kirkland</u>	<u>Yes</u>
<u>462. Everett Tsang</u>	<u>Everett Tsang</u>	<u>Redmond</u>	<u>No</u>
<u>461. Julia K Helget</u>	<u>Julia K Helget</u>	<u>Kirkland</u>	<u>-</u>
<u>460. Carolyn Burrows</u>	<u>Carolyn Burrows</u>	<u>Kirkland</u>	<u>-</u>
<u>459. Shauna Temple</u>	<u>Shauna Temple</u>	<u>Kirkland</u>	<u>Yes</u>
<u>458. sasha</u>	<u>sasha parsley</u>	<u>Kirkland</u>	<u>No</u>
<u>457. amy schimmel</u>	<u>amy schimmel</u>	<u>kirkland</u>	<u>Yes</u>
<u>456. Stephanie Leckness</u>	<u>Stephanie Leckness</u>	<u>Kirkland</u>	<u>Yes</u>

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<u>455. Matthew Muller</u>	<u>Matthew Muller</u>	<u>Kirkland</u>	<u>No</u>
<u>454. Karen &amp; Rhett Tollefson</u>	<u>Karen &amp; Rhett Tollefson</u>	<u>Kirkland</u>	<u>Yes</u>
<u>453. val pollard</u>	<u>valerie pollard</u>	<u>kirkland</u>	<u>Yes</u>
<u>452. Curt Blake</u>	<u>Curt, Blake</u>	<u>Kirkland</u>	<u>Yes</u>
<u>451. Kelli Curtis</u>	<u>Kelli Curtis</u>	<u>Kirkland</u>	-
<u>450. Leah Kliger</u>	<u>Leah, Kliger</u>	<u>Kirkland</u>	<u>No</u>
<u>449. Mary Jane Vinella</u>	<u>Mary Jane Vinella</u>	<u>Kirkland</u>	<u>Yes</u>
<u>448. Pam Phillips</u>	<u>Pam Phillips</u>	<u>Kirkland</u>	-

Name	Full Name (First, Last)	City	I am willing to volunteer
447. Cathy Ezra	Cathy Ezra	Kirkland	Yes
446. Allison Quick	Allison, Quick	Kirkland	No
445. Christopher Donohue	Christopher Donohue	Kirkland	Yes
444. Kristin Moynihan	Krisitn Moynihan	Kirkland	No
443. Barbara Stolz	Barbara, Stolz	Kirkland	Yes
442. Janet Varney	Janet Varney	Kirkland	Yes
441. Scott Rethke	Scott, Rethke	Kirkland	Yes
440. Joni Grepo	Joni Grepo	Seattle	No
439. Alison Bryant	Alison Bryant	Kirkland	No
438. Mark Lehman	Mark Lehman	Kirkland	Yes
<u>437. Frances Lin</u>	<u>Frances Lin</u>	<u>Kirkland</u>	<u>No</u>
<u>436. Christian Wylde</u>	<u>Christian Wylde</u>	<u>Kirkland</u>	-
<u>435. Mike Moronczyk</u>	<u>Mike Moronczyk</u>	<u>Kirkland</u>	<u>No</u>
<u>434. Paul Carlstrom</u>	<u>Paul Carlstrom</u>	<u>Kirkland</u>	<u>Yes</u>
<u>433. Amy Tovel</u>	<u>Amy Tovel</u>	<u>Kirkland</u>	<u>Yes</u>

	Name	Full Name (First, Last)	City	I am willing to volunteer
432.	<u>Josiah</u>	<u>Josiah Laferty</u>	<u>Kirkland</u>	<u>No</u>
431.	<u>Sarah</u>	<u>Sarah Dogwood</u>	<u>Kirkland</u>	<u>No</u>
430.	<u>Joshua</u>	<u>Joshua Scurry</u>	<u>Lynnwood</u>	<u>No</u>
429.	<u>Anna</u>	<u>Anna Scurry</u>	<u>Lynnwood</u>	<u>No</u>
428.	<u>Karen</u>	<u>Karen Ford</u>	<u>Kirkland</u>	<u>No</u>
427.	<u>Kelly Carmichael</u>	<u>Kelly Carmichael</u>	<u>Bothell</u>	<u>Yes</u>
426.	<u>Per-Ola Selander</u>	<u>Per-Ola Selander</u>	<u>Kirkland</u>	<u>Yes</u>
425.	<u>Heather</u>	<u>Heather Montag</u>	<u>Kirkland</u>	<u>Yes</u>
424.	<u>Garry Montag</u>	<u>Garry Montag</u>	<u>Kirkland</u>	<u>No</u>
423.	<u>Joanne</u>	<u>Joanne Moen</u>	<u>Bothell</u>	<u>Yes</u>
422.	<u>Tamara Bean</u>	<u>Tamara Bean</u>	<u>Shoreline</u>	<u>No</u>
421.	<u>Karma Huber</u>	<u>Karma Huber</u>	<u>Kirkland</u>	<u>Yes</u>
420.	<u>Joan Friedrich</u>	<u>Joan Friedrich</u>	<u>Seattle</u>	<u>Yes</u>
419.	<u>Heather Waters</u>	<u>Heather Waters</u>	<u>Bothell</u>	<u>Yes</u>
418.	<u>Amber</u>	<u>Amber Hershey</u>	<u>Kirkland</u>	<u>Yes</u>
417.	<u>Gabriel Bigger</u>	<u>Gabriel Bigger</u>	<u>kirkland</u>	<u>Yes</u>
416.	<u>Laurie</u>	<u>Laurie Corrin</u>	<u>Kirkland</u>	<u>No</u>
415.	<u>Gayle</u>	<u>Gayle Sordetto</u>	<u>Kirkland</u>	<u>-</u>
414.	<u>Katherine Rice</u>	<u>Katherine Rice</u>	<u>Kirkland</u>	<u>-</u>
413.	<u>Joshua</u>	<u>Joshua West</u>	<u>Juanita</u>	<u>No</u>
412.	<u>elaine montgomery</u>	<u>elaine montgomery</u>	<u>kirkland</u>	<u>Yes</u>
411.	<u>Matt</u>	<u>Matt, Galbraith</u>	<u>Kirkland</u>	<u>No</u>
410.	<u>scott</u>	<u>scott gold</u>	<u>kirkland</u>	<u>Yes</u>
409.	<u>Ilse Braun</u>	<u>Ilse Braun</u>	<u>Kirkland</u>	<u>Yes</u>
408.	<u>Markus Kirsch</u>	<u>Markus kirsch</u>	<u>Kirkland</u>	<u>-</u>

	Name	Full Name (First, Last)	City	I am willing to volunteer
407.	<u>Joyce Simons</u>	<u>Joyce Simons</u>	<u>Kirkland</u>	-
406.	<u>Darren Johnson</u>	<u>Darren Johnson</u>	<u>Kirkland</u>	<u>No</u>
405.	<u>Cathy Johnson</u>	<u>Cathy Johnson</u>	<u>Kirkland</u>	<u>Yes</u>
404.	<u>Lindsay King</u>	<u>Lindsay King</u>	<u>Kirkland</u>	<u>Yes</u>
403.	<u>Lynda Goodwin King</u>	<u>Lynda Goodwin King</u>	<u>Kirkland</u>	<u>Yes</u>
402.	<u>Amy Schimmel</u>	<u>Amy Schimmel</u>	<u>Kirkland</u>	<u>Yes</u>
401.	<u>Angela Ware</u>	<u>Angela Ware</u>	<u>Kirkland</u>	<u>No</u>
400.	<u>Robin</u>	<u>Robin Wolcott</u>	<u>Kirkland</u>	<u>Yes</u>
399.	<u>brian lurie</u>	<u>brian lurie</u>	<u>kirkland</u>	<u>Yes</u>
	Name	Full Name (First, Last)	City	I am willing to volunteer
398.	Ajoy	Ajoy R Raj	Kirkland	Yes
397.	Tammy Frear	Tammy Frear	Spokane	
396.	Debbie Nelson	Debbie Nelson	Kirkland	Yes
395.	Genevieve Orchard	Genevieve Orchard	Kirkland	
394.	Jerimiah Smith	Jerimiah Smith	Kirkland	No
393.	Amanda Smith	Amanda Smith	Kirkland	No
392.	Doreen Henrichsen	Doreen Henrichsen	Bothell	No
391.	sarah ryen	Sarah Ryen	Kirkland	Yes
390.	Brett Hopkins	Brett Hopkins	Redmond	Yes
389.	Jessica	Jessica Hansen	Kirkland	Yes
388.	Sheryl	Sheryl Redding	Kirkland	Yes
387.	<u>Erin Price</u>	<u>Erin Price</u>	<u>Kirkland</u>	<u>Yes</u>
386.	<u>Thomas Price</u>	<u>Thomas Price</u>	<u>Kirkland</u>	<u>Yes</u>
385.	<u>Susan Gann</u>	<u>Susan Gann</u>	<u>Kirkland</u>	<u>No</u>

Name	Full Name (First, Last)	City	I am willing to volunteer
<u>384. Jeff Marshall</u>	<u>Jeff Marshall</u>	<u>Kirkland</u>	<u>Yes</u>
<u>383. Karen Baker</u>	<u>Karen Baker</u>	<u>unincorporated King County</u>	<u>Yes</u>
<u>382. Belinda Jensen</u>	<u>Belinda Jensen</u>	<u>Kirkland</u>	<u>Yes</u>
<u>381. Vera Lillig</u>	<u>Vera Lillig</u>	<u>Kirkland</u>	<u>No</u>
<u>380. elaine</u>	<u>elaine, cena</u>	<u>kirkland</u>	<u>Yes</u>
<u>379. Lesley Robert</u>	<u>Lesley Brown Robert</u>	<u>Kirkland</u>	<u>Yes</u>
<u>378. Mario A. Morales</u>	<u>Mario A. Morales</u>	<u>Kirkland</u>	-
<u>377. Jason Hewitt</u>	<u>Jason, Hewitt</u>	<u>Kirkland</u>	<u>No</u>
<u>376. jackie j evans</u>	<u>jackie j evans</u>	<u>kirkland</u>	<u>No</u>
<u>375. kasey</u>	<u>kasey mott</u>	<u>kirkland</u>	<u>No</u>
<u>374. Christine</u>	<u>Christine Borja</u>	<u>Kirkland</u>	<u>Yes</u>
<u>373. Greta</u>	<u>Greta Climer</u>	<u>Kirkland</u>	<u>Yes</u>
<u>372. Luke Cole</u>	<u>Luke Cole</u>	<u>Kirkland</u>	<u>Yes</u>
<u>371. Mark Nassutti</u>	<u>Mark Nassutti</u>	<u>Kirkland</u>	<u>Yes</u>
<u>370. Dan</u>	<u>Dan Carta</u>	<u>DDO</u>	<u>No</u>
<u>369. Jennifer Ransom</u>	<u>Jennifer Ransom</u>	<u>Kirkland</u>	<u>Yes</u>
<u>368. Patty Riesberg</u>	<u>Patricia, Riesberg</u>	<u>Kirkland</u>	<u>No</u>
<u>367. Jaime</u>	<u>Jaime Miskell</u>	<u>Kirkland</u>	<u>Yes</u>
<u>366. Elizabeth</u>	<u>Simpson</u>	<u>Kirkland</u>	<u>Yes</u>
<u>365. Tracee Fukuma</u>	<u>Tracee Fukuma</u>	<u>Kirkland</u>	-
<u>364. guy</u>	<u>guy young</u>	<u>kirkland</u>	-
<u>363. diane young</u>	<u>diane young</u>	<u>kirkland</u>	-
<u>362. michael</u>	<u>michael hightower</u>	<u>kirkland</u>	<u>Yes</u>
<u>361. nicole hightower</u>	<u>nicole hightower</u>	<u>kirkland</u>	<u>Yes</u>
<u>360. Josh</u>	<u>Josh Teague</u>	<u>Kirkland</u>	<u>No</u>

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359. <u>emmanuel</u>	<u>Emmanuel pleshe</u>	<u>Kirkland</u>	<u>Yes</u>
358. <u>Breven Zahn</u>	<u>Breven Zahn</u>	<u>Kirkland</u>	<u>No</u>
357. <u>LuAnne</u>	<u>LuAnne Zaeske</u>	<u>Kirkland</u>	<u>Yes</u>
356. <u>Natashia Carter</u>	<u>Natashia Carter</u>	<u>Kirkland</u>	<u>Yes</u>
355. <u>Adam Anderson</u>	<u>Adam, Anderson</u>	<u>Kirkland</u>	-
354. <u>Kelly Anderson</u>	<u>Kelly, Anderson</u>	<u>Kirkland</u>	<u>No</u>
353. <u>Victoria Plummer</u>	<u>Victoria Plummer</u>	<u>Kirkland</u>	<u>No</u>
352. <u>Katie</u>	<u>katie keophila</u>	<u>kirkland</u>	<u>No</u>
351. <u>Outhorn Keophila</u>	<u>Outhorn Surasen Keophila</u>	<u>Kirkland</u>	<u>No</u>
350. <u>William</u>	<u>William Stirling</u>	<u>Kirkland</u>	-
349. <u>Carolyn Stirling</u>	<u>Carolyn Stirling</u>	<u>Kirkland</u>	<u>Yes</u>
348. <u>Kristin Gopal</u>	<u>Kristin Gopal</u>	<u>Issaquah</u>	<u>No</u>

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347. <u>Kelly Cooper</u>	<u>Kelly, Cooper</u>	<u>Kirkland</u>	<u>Yes</u>
346. <u>Nalini Iyer</u>	<u>Nalini Iyer</u>	<u>Kirkland</u>	<u>No</u>
345. <u>Terry</u>	<u>Terry Swain</u>	<u>Kirkland</u>	<u>No</u>
344. <u>Jeanne Anne</u>	<u>Jeanne Anne Craig</u>	<u>Kirkland</u>	<u>No</u>
343. <u>Paul Zasadny</u>	<u>Paul David Zasadny</u>	<u>Kirkland</u>	<u>Yes</u>
342. <u>Sabrina</u>	<u>Klein</u>	<u>Kirkland</u>	<u>Yes</u>
341. <u>Rob Stern</u>	<u>Robert Stern</u>	<u>Kirkland</u>	<u>Yes</u>
340. <u>Anne Derry</u>	<u>Anne Derry</u>	<u>Kirkland, WA</u>	<u>No</u>
339. <u>Jyotika</u>	<u>jyotika Dua</u>	<u>Renton</u>	<u>No</u>
338. <u>Lynn Erckmann</u>	<u>Lynn Erckmann</u>	<u>Kirkland</u>	<u>No</u>
337. <u>Wendy</u>	<u>Wendy Israel</u>	<u>Kirkland</u>	-
336. <u>Angela Harney</u>	<u>Angela, Harney</u>	<u>Issaquah</u>	<u>No</u>
335. <u>Diane</u>	<u>Diane Vogt</u>	<u>Shoreline</u>	-
334. <u>Jennifer</u>	<u>Dong</u>	<u>Edmonds</u>	<u>No</u>
333. <u>Sheryl</u>	<u>Sheryl Redding</u>	<u>Kirkland</u>	<u>Yes</u>
332. <u>Molly Scutt</u>	<u>Molly Scutt</u>	<u>Kirkland</u>	-

	Name	Full Name (First, Last)	City	I am willing to volunteer
331.	<u>Linda</u>	<u>Linda Hayhurst</u>	<u>Kirkland</u>	-
330.	<u>Delloney Wallyce</u>	<u>Delloney Wallyce</u>	<u>Kirkland</u>	<u>Yes</u>
329.	<u>Nicole Smith</u>	<u>Nicole, Smith</u>	<u>Kirkland</u>	<u>No</u>
328.	<u>Pamela</u>	<u>Telkamp, Pamela</u>	<u>Bothell</u>	-
327.	<u>Amber Gschwend</u>	<u>Amber, Gschwend</u>	<u>Kirkland</u>	<u>No</u>
326.	<u>Victoria</u>	<u>Victoria DeWinter</u>	<u>Kirkland</u>	<u>No</u>
325.	<u>Steven</u>	<u>Steven Wertz</u>	<u>Kirkland</u>	<u>No</u>
324.	<u>Ashley</u>	<u>Ashley Gray</u>	<u>Kirkland</u>	<u>No</u>
323.	<u>Katherine Lawyer</u>	<u>Katherine Lawyer</u>	<u>Kirkland</u>	<u>Yes</u>
322.	<u>Scott Gold</u>	<u>Scott Gold</u>	<u>Kirkland</u>	<u>Yes</u>
321.	<u>Jamie</u>	<u>Williams</u>	<u>Kirkland</u>	<u>Yes</u>
320.	<u>Pamela</u>	<u>Pamela, Haynes - Petry</u>	<u>Kirkland</u>	<u>No</u>
319.	<u>Bonnie</u>	<u>Bonnie, dela Cruz Hoener</u>	<u>Kirkland</u>	<u>Yes</u>
318.	<u>julianne jepson</u>	<u>julianne jepson</u>	<u>kirkland</u>	<u>Yes</u>
317.	<u>ERICA</u>	<u>ERICA DICKINSON</u>	<u>KIRKLAND</u>	<u>Yes</u>
316.	<u>Janet Huston</u>	<u>Janet Huston</u>	<u>Kirkland</u>	<u>Yes</u>
315.	<u>Julie A</u>	<u>Julie Alexander</u>	<u>Kirkland</u>	<u>Yes</u>
314.	<u>William</u>	<u>William Sechrist</u>	<u>Kirkland</u>	-
313.	<u>Calandra Falacy</u>	<u>Falacy, Calandra</u>	<u>Kirkland</u>	-
312.	<u>nancy bauchman</u>	<u>nancy bauchman</u>	<u>kirklnad</u>	-
311.	<u>Arlene Kettering</u>	<u>Arlene Kettering</u>	<u>Kirkland</u>	<u>No</u>
310.	<u>Diem</u>	<u>Diem Nguyen</u>	<u>seattle</u>	<u>No</u>
309.	<u>Michele</u>	<u>Michele Dryer</u>	<u>Kirkland</u>	<u>No</u>
308.	<u>Greg Reith</u>	<u>Greg Reith</u>	<u>Kirkland</u>	<u>No</u>
307.	<u>Pamela Reith</u>	<u>Pamela Reith</u>	<u>Kirkland</u>	<u>Yes</u>
306.	<u>Laura</u>	<u>Laura Tennison</u>	<u>Kirkland</u>	<u>No</u>
305.	<u>John Ringbloom</u>	<u>John Sanger Ringbloom</u>	<u>Bothell</u>	<u>Yes</u>
304.	<u>Katherine Williams</u>	<u>Williams, Katherine</u>	<u>Bothell</u>	-
303.	<u>Heidi Constantine</u>	<u>Heidi Constantine</u>	<u>Bothell, WA</u>	<u>Yes</u>
302.	<u>Debbie Miller</u>	<u>Deborah Miller</u>	<u>Kirkland</u>	<u>No</u>
301.	<u>Lea Lonnberg-Hickling</u>	<u>Lea, Lonnberg-Hickling</u>	<u>Kirkland</u>	-
300.	<u>Mark</u>	<u>Mark E. Hickling</u>	<u>Kirkland</u>	-
299.	<u>Lena</u>	<u>Lena Lonnberg-Hickling</u>	<u>Kirkland</u>	-
298.	<u>Judy Nicastro</u>	<u>Judy, Nicastro</u>	<u>Kirkland</u>	<u>Yes</u>

	Name	Full Name (First, Last)	City	I am willing to volunteer
297.	Stephanie Krantz	Stephanie Krantz	Kirkland	Yes
296.	lauret ballsun	lauret ballsun	kirkland	Yes
295.	Gretchen Carlson	Gretchen Carlson	Kirkland	Yes
294.	janine	Janine	Kirkland	No
293.	Sabrina Horton	Sabrina Horton	Everett	No
292.	byron	peterson	kirkland	No
291.	John Delvecchio	John Delvecchio	Kirkland	No
290.	Katherine Proffitt	Katherine. Proffitt	Kirkland	No
289.	Jennipher Jones	Jennipher Jones	Kirkland	No
288.	Monica	Monica Lochrie	Kirkland	No
<u>287.</u>	<u>Matt</u>	<u>Matthew S. Harsch</u>	<u>Kirkland</u>	<u>No</u>
<u>286.</u>	<u>Joey Dominick</u>	<u>Joey, Dominick</u>	<u>Kirkland</u>	<u>No</u>
<u>285.</u>	<u>Tracy Wahl</u>	<u>Tracy Wahl</u>	<u>Kirkland</u>	<u>No</u>
<u>284.</u>	<u>Eric Nelson</u>	<u>Eric, Nelson</u>	<u>Kirkland</u>	<u>No</u>
<u>283.</u>	<u>Bridgid Nelson</u>	<u>Bridgid, Nelson</u>	<u>Kirkland</u>	<u>Yes</u>
<u>282.</u>	<u>Chelsea</u>	<u>Chelsea, Rall</u>	<u>Kirkland</u>	<u>Yes</u>
<u>281.</u>	<u>Tag</u>	<u>Ann Tagland</u>	<u>Kirkland, WA 98033</u>	<u>Yes</u>
<u>280.</u>	<u>Gary</u>	<u>Gary Masnica</u>	<u>Kirkland</u>	<u>Yes</u>
<u>279.</u>	<u>Jessica</u>	<u>Jessica Masnica</u>	<u>Kirkland</u>	<u>-</u>
<u>278.</u>	<u>Darin Koob</u>	<u>Darin, Koob</u>	<u>Kirkland</u>	<u>No</u>
<u>277.</u>	<u>Michael Thomas Callahan</u>	<u>Michael, Callahan</u>	<u>Kirkland</u>	<u>Yes</u>
<u>276.</u>	<u>susan bates</u>	<u>bates</u>	<u>Bellevue</u>	<u>No</u>
<u>275.</u>	<u>Ambrose</u>	<u>Ambrose Lee</u>	<u>Kirkland</u>	<u>Yes</u>
<u>274.</u>	<u>Julie</u>	<u>Julie Garren</u>	<u>Kirkland</u>	<u>No</u>
<u>273.</u>	<u>Heidi Hawkins</u>	<u>Heidi Hawkins</u>	<u>Kirkland</u>	<u>No</u>
<u>272.</u>	<u>Leslie Killpatrick</u>	<u>Leslie Killpatrick</u>	<u>Bothell</u>	<u>Yes</u>
<u>271.</u>	<u>Mara</u>	<u>Mara Burnell</u>	<u>Kirkland</u>	<u>No</u>
<u>270.</u>	<u>Rhett</u>	<u>Rhett Harper</u>	<u>Kirkland</u>	<u>Yes</u>
<u>269.</u>	<u>frank</u>	<u>frank price</u>	<u>kirkland</u>	<u>Yes</u>
<u>268.</u>	<u>cindi</u>	<u>cindi price</u>	<u>kirkland</u>	<u>Yes</u>
<u>267.</u>	<u>Chrystal</u>	<u>Chrystal Hanni</u>	<u>Kirkland</u>	<u>Yes</u>
<u>266.</u>	<u>Marcelle Amira</u>	<u>Marcelle Amira</u>	<u>Kirkland</u>	<u>Yes</u>
<u>265.</u>	<u>Les Rowe</u>	<u>Leslie Rowe</u>	<u>Kirkland</u>	<u>Yes</u>
<u>264.</u>	<u>brianlurie</u>	<u>brian lurie</u>	<u>kirkland</u>	<u>No</u>
<u>263.</u>	<u>karen moskowitz</u>	<u>karen moskowitz</u>	<u>bellevue</u>	<u>No</u>
<u>262.</u>	<u>Darren Warner</u>	<u>Darren Warner</u>	<u>Kirkland</u>	<u>Yes</u>

	Name	Full Name (First, Last)	City	I am willing to volunteer
261.	<u>Jennifer Rane Lederer</u>	<u>Jennifer, Lederer</u>	<u>Kirkland</u>	<u>Yes</u>
260.	<u>Amy Griffin</u>	<u>Amy Griffin</u>	<u>Kirkland</u>	<u>No</u>
259.	<u>Tara Howard</u>	<u>Howard, Tara</u>	<u>Kirkland</u>	<u>Yes</u>
258.	<u>Travis</u>	<u>Travis Keys</u>	<u>Kirkland</u>	<u>Yes</u>
257.	<u>Jennifer Waters</u>	<u>Jennifer Waters</u>	<u>Kirkland</u>	<u>No</u>
256.	<u>Shawn Milligan</u>	<u>Shawn Milligan</u>	<u>Kirkland</u>	-
255.	<u>Andrew Botts</u>	<u>Andrew Botts</u>	<u>Kirkland</u>	<u>No</u>
254.	<u>Jennifer Botts</u>	<u>Jennifer Botts</u>	<u>Kirkland</u>	<u>No</u>
253.	<u>Lynette Milligan</u>	<u>Lynette Milligan</u>	<u>Kirkland</u>	<u>Yes</u>
252.	<u>Helen O'Crotty</u>	<u>Helen O'Crotty</u>	<u>Lynnwood</u>	<u>Yes</u>
251.	<u>Marilyn Keys</u>	<u>Marilyn Keys</u>	<u>Kirkland</u>	<u>Yes</u>
250.	<u>Bruce Archer</u>	<u>Bruce, Archer</u>	<u>Kirkland</u>	<u>No</u>
249.	<u>Bridget Jendro</u>	<u>Bridget Jendro</u>	<u>Kirkland</u>	<u>No</u>
248.	<u>Wendy Koob</u>	<u>Wendy JR Koob</u>	<u>Kirkland</u>	<u>No</u>
	Name	Full Name (First, Last)	City	I am willing to volunteer
247.	Angela Gomez	Angela Gomez	Kirkland	No
246.	Sandra Dain	Sandra Dain	Kirkland	No
245.	Lee J. Obrzut	Lee J. Obrzut	Kirkland	No
244.	jeremy Meadows	Jeremy Meadows	Kirkland	Yes
243.	Juliet	Juliet Murphy	Redmond	No
242.	Ken	Ken Phillips	Kirkland	
241.	Molly Larkin	Molly Larkin	Kirkland	Yes
240.	ashley rumsey	ashley rumsey	seattle	No
239.	sherry towey	sharlene towey	kirkland	Yes
238.	Matt Collins	Matt Collins	Kirkland	No
237.	<u>Rachael Hamm Plett</u>	<u>Rachael Hamm Plett</u>	<u>Kirkland</u>	<u>No</u>
236.	<u>leonardo</u>	<u>oliveira</u>	<u>são paulo</u>	-
235.	<u>Aleksandr</u>	<u>Aleksandr Babadzhanov</u>	<u>Kirkland</u>	<u>No</u>
234.	<u>Scott Adams</u>	<u>Scott Adams</u>	<u>Kirkland</u>	<u>No</u>
233.	<u>Kathleen B. Adams</u>	<u>Kathleen B. Adams</u>	<u>Kirkland</u>	-
232.	<u>Carrie</u>	<u>Carrie Foy</u>	<u>Kirkland</u>	-
231.	<u>Amy Cantando</u>	<u>Amy Cantando</u>	<u>Kirkland</u>	-
230.	<u>Lisa Osse</u>	<u>Lisa Osse</u>	<u>Kirkland</u>	-
229.	<u>sara venn</u>	<u>Sara Venn</u>	<u>Seattle</u>	<u>Yes</u>

	Name	Full Name (First, Last)	City	I am willing to volunteer
<u>228.</u>	<u>lisa Rudolph</u>	<u>lisa rudolph</u>	<u>kirkland</u>	<u>No</u>
<u>227.</u>	<u>ddd</u>	<u>ddd</u>	<u>dd</u>	<u>No</u>
<u>226.</u>	<u>Barry</u>	<u>Johnson</u>	<u>Kirkland</u>	<u>No</u>
<u>225.</u>	<u>Michael-Ellyn</u>	<u>Schetzle</u>	<u>Kirkland</u>	<u>-</u>
<u>224.</u>	<u>Tuuli &amp; Joe Holman</u>	<u>Tuuli Holman</u>	<u>Kirkland</u>	<u>Yes</u>
<u>223.</u>	<u>Cameron McKinley</u>	<u>Cameron McKinley</u>	<u>Kirkland</u>	<u>No</u>
<u>222.</u>	<u>Kimberly Long</u>	<u>Kimberly, Long</u>	<u>Kirkland</u>	<u>No</u>
<u>221.</u>	<u>Haris Majeed</u>	<u>Haris Majeed</u>	<u>Kirkland</u>	<u>No</u>
<u>220.</u>	<u>Tracy Doering</u>	<u>Tracy Doering</u>	<u>Kirkland</u>	<u>Yes</u>
<u>219.</u>	<u>Elizabeth Jones</u>	<u>Elizabeth Jones</u>	<u>Kirkland</u>	<u>Yes</u>
<u>218.</u>	<u>Laura Ingalls</u>	<u>Laura Ingalls</u>	<u>Kirkland</u>	<u>Yes</u>
<u>217.</u>	<u>SA Larsen</u>	<u>S..A. Larsen</u>	<u>Kirkland</u>	<u>No</u>
<u>216.</u>	<u>Dana</u>	<u>Dana, Seydel</u>	<u>Bothell</u>	<u>Yes</u>
<u>215.</u>	<u>Robert Bersin</u>	<u>Robert Bersin</u>	<u>Kirkland</u>	<u>Yes</u>
<u>214.</u>	<u>Michelle Sailor</u>	<u>Michelle Sailor</u>	<u>Kirkland</u>	<u>Yes</u>
<u>213.</u>	<u>Lynda Edwards</u>	<u>Lynda Edwards</u>	<u>Bellevue</u>	<u>Yes</u>
<u>212.</u>	<u>Alicia</u>	<u>Alicia Miner</u>	<u>Kirkland</u>	<u>-</u>
<u>211.</u>	<u>Jeff Miner</u>	<u>Jeff Miner</u>	<u>Kirkland</u>	<u>-</u>
<u>210.</u>	<u>Dennis</u>	<u>Dennis Dole</u>	<u>Redmond</u>	<u>-</u>
<u>209.</u>	<u>Stephen Rattner</u>	<u>Stephen Rattner</u>	<u>Kirkland</u>	<u>-</u>
<u>208.</u>	<u>Derek Fialho</u>	<u>Derek Fialho</u>	<u>Kirkland</u>	<u>No</u>
<u>207.</u>	<u>Kathy Branshaw</u>	<u>Kathy, Branshaw</u>	<u>Kirkland</u>	<u>Yes</u>
<u>206.</u>	<u>Fred</u>	<u>Frederick Dear</u>	<u>Kirkland</u>	<u>Yes</u>
<u>205.</u>	<u>John</u>	<u>John Helmon</u>	<u>Kirkland</u>	<u>No</u>
<u>204.</u>	<u>Anja Wase</u>	<u>Anja, Wase</u>	<u>Kirkland</u>	<u>Yes</u>
<u>203.</u>	<u>Tina Neal</u>	<u>Tina Neal</u>	<u>Kirkland</u>	<u>Yes</u>
<u>202.</u>	<u>Jo</u>	<u>Jo Bradbury</u>	<u>Kirkland</u>	<u>No</u>
<u>201.</u>	<u>Justin Marks</u>	<u>Justin, Marks</u>	<u>Kirkland</u>	<u>No</u>
<u>200.</u>	<u>Kyle Anderson</u>	<u>Kyle Anderson</u>	<u>Kirkland</u>	<u>No</u>
<u>199.</u>	<u>Alana McGee</u>	<u>Alana McGee</u>	<u>Kirkland</u>	<u>Yes</u>

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198.	Leanna Thomajan	Leanna Thomajan	Kirkland	No
197.	Brandon Bazemore	Brandon Bazemore	Kirkland	No
196.	Julie	Julie Hinton	Kirkland	
195.	Arisa	Arisa, Scott	Kirkland	
194.	Mike	Mike Myers	Kirkland	Yes
193.	Natasha Chavez	Natasha Chavez	Kirkland	
192.	Todd Perrault	Todd Perrault	Kirkland	No
191.	Tabetha Perrault	Perrault, Tabetha	Kirkland	No
190.	Carol Satre	Carol Satre	Kirkland	Yes
189.	Holly	Holly Bernstrom	Kirkland	No
188.	Allison Oakes	Allison Oakes	Kirkland	Yes
187.	James	james, bernstrom	kirkland	-
186.	Tammy Widmyer	Tammy, Widmyer	Kirkland	Yes
185.	William Stegall	William Stegall	Kirkland	No
184.	savid long	david k long	kirkland	No
183.	Allan Grosvenor	Allan, Grosvenor	Kirkland	No
182.	Jeremy Greenberg	Jeremy Greenberg	Kirkland	-
181.	Katharine	Katharine, Herkelrath	Kirkland	Yes
180.	Stacy	Stacy Ratcliffe	Kenmore	Yes
179.	Daniel	Daniel Heller	Kirkland	-
178.	Trina Paquette	Paquette, Trina	Kirkland	Yes
177.	Teresa Harding	Harding	Kirkland	Yes
176.	Rob	Robert, Turner	Kirkland	No
175.	Judie Atkins	Judie Atkins	Kirkland	No
174.	laure anderson	Laure	Kirkland	Yes
173.	Heidi Weston	Heidi Weston	Kirkland	-
172.	Rachel	Rachel Ablacinski	Kenmore	-
171.	Tina Ebelt	Tina Ebelt	Everett, WA	Yes
170.	Kendra Long	Kendra, Long	Kirkland	No
169.	Brandon Clark	Brandon C Clark	Kirkland	No
168.	Jennifer Clark	Jennifer J Clark	Kirkland	No
167.	Joslyn	joslyn Taylor	Woodinville	Yes
166.	Camelia Squirrel	Camelia Ruby Squirrel	Cork, Ireland	No
165.	Nikki Johnson	Nikki Johnson	Kirkland	Yes
164.	Robert Bullock	Robert Bullock	Kirkland	-
163.	Lisa Baker	Lisa Baker	Kirkland	No
162.	Nicole	Brown	Kirkland	Yes

	Name	Full Name (First, Last)	City	I am willing to volunteer
161.	<u>Victor Tang</u>	<u>Victor Tang</u>	<u>Kirkland</u>	<u>No</u>
160.	<u>Justin Caton</u>	<u>Justin, Caton</u>	<u>Kirkland</u>	<u>No</u>
159.	<u>Juliana Elton</u>	<u>Juliana, Elton</u>	<u>Kirkland</u>	<u>Yes</u>
158.	<u>Joy Broderick</u>	<u>Joy Broderick</u>	<u>Kirkland</u>	<u>Yes</u>
157.	<u>Suzanne McCauley</u>	<u>Suzanne McCauley</u>	<u>Kirkland</u>	<u>No</u>
156.	<u>Lauren Reynolds</u>	<u>Lauren Reynolds</u>	<u>Kirkland</u>	<u>No</u>
155.	<u>jaime koll</u>	<u>jaime koll</u>	<u>kirkland</u>	<u>No</u>
154.	<u>Don</u>	<u>Don Price</u>	<u>Kirkland</u>	<u>Yes</u>
153.	<u>Jewlie</u>	<u>Jewlie Price</u>	<u>Kirkland</u>	<u>-</u>
152.	<u>Benjamin</u>	<u>Benjamin Wobker</u>	<u>Kirkland</u>	<u>Yes</u>
151.	<u>Jody Sise</u>	<u>Jody Sise</u>	<u>Kirkland</u>	<u>No</u>
150.	<u>Nichole Swanger</u>	<u>Nichole Swanger</u>	<u>Kirkland</u>	<u>-</u>
149.	<u>Ken McCabe</u>	<u>Ken McCabe</u>	<u>Kirkland</u>	<u>No</u>

	Name	Full Name (First, Last)	City	I am willing to volunteer
148.	Malia McCabe	Malia McCabe	Kirkland	No
147.	Sally Bair	Sally, Bair	Kirkland	Yes
146.	Phyllis Seren	Phyllis Seren	Kirkland	Yes
145.	Andrew	Andrew, Montero	Kirkland	Yes
144.	Rita Izhaky	Rita,Izhaky	Kirkland	No
143.	Delaine	Delaine Godin	Kirkland	Yes
142.	Megen Opsahl	Margaret M Opsahl	Kirkland	
141.	Margie Schmutz	Margie Schmutz	Kirkland	Yes
140.	Karla Richardson	Karla Richardson	Kirkland	
139.	Jan	Jan Ebi-Deprey	Kirkland	
138.	Karyn Taggart	Karyn Taggart	Kirkland	
137.	<u>Lynda Jammerman</u>	<u>Lynda Jammerman</u>	<u>Kirkland</u>	<u>-</u>
136.	<u>Theresa Jeske</u>	<u>Theresa Jeske</u>	<u>Kirkland</u>	<u>No</u>
135.	<u>Mary</u>	<u>Mary Rutledge</u>	<u>Kirkland</u>	<u>Yes</u>
134.	<u>Jimmy</u>	<u>Cooper, James</u>	<u>Krikland</u>	<u>No</u>
133.	<u>Adele Hall</u>	<u>Adele Hall</u>	<u>Kirkland</u>	<u>Yes</u>
132.	<u>Amy</u>	<u>Amy Introligator</u>	<u>Kirkland</u>	<u>Yes</u>
131.	<u>Shahin</u>	<u>Shahin Nezam-Tehrani</u>	<u>Kirkland</u>	<u>Yes</u>
130.	<u>Alison Ramirez</u>	<u>Alison Ramirez</u>	<u>Kirkland</u>	<u>No</u>

Name	Full Name (First, Last)	City	I am willing to volunteer
129. <u>Kirsten</u>	<u>Kirsten Robertson</u>	<u>Kirkland</u>	<u>Yes</u>
128. <u>laureen miki</u>	<u>laureen miki</u>	<u>kirkland</u>	<u>No</u>
127. <u>Teessa Kirschbaum</u>	<u>Teessa Kirschbaum</u>	<u>Kirkland</u>	<u>Yes</u>
126. <u>Michael McDaniel</u>	<u>Michael Michael</u>	<u>Kirkland</u>	<u>No</u>
125. <u>Victoria Princeton</u>	<u>Victoria Princeton</u>	<u>Kirkland</u>	-
124. <u>Per-Ola</u>	<u>Per-Ola Selander</u>	<u>Kirkland</u>	<u>Yes</u>
123. <u>Debra Sinick</u>	<u>Debra Sinick</u>	<u>Kirkland</u>	<u>Yes</u>
122. <u>Jeanette Van Belle</u>	<u>Jeanette Van Belle</u>	<u>Kirkland</u>	<u>Yes</u>
121. <u>Michael Callahan</u>	<u>Michael Callahan</u>	<u>kirkland</u>	<u>Yes</u>
120. <u>Don</u>	<u>Donald Cranshaw</u>	<u>Kirkland</u>	<u>Yes</u>
119. <u>Terry</u>	<u>Coonan</u>	<u>Kirkland</u>	<u>No</u>
118. <u>Elise Cranshaw</u>	<u>Elise Cranshaw</u>	<u>Kirkland</u>	-
117. <u>Judy</u>	<u>Judy Shedd</u>	<u>Kirkland</u>	<u>Yes</u>
116. <u>Ravi</u>	<u>Ravi Subramanian</u>	<u>Kirkland</u>	<u>No</u>
115. <u>Lynn Pinkoske</u>	<u>Lynn Pinkoske</u>	<u>Kirkland</u>	<u>No</u>
114. <u>Cora</u>	<u>Cora Bradshaw</u>	<u>kirkland</u>	<u>No</u>
113. <u>Gina Isaacs</u>	<u>Gina Isaacs</u>	<u>Kirkland</u>	<u>No</u>
112. <u>Jared Jordan</u>	<u>Jared Jordan</u>	<u>Kirkland</u>	<u>Yes</u>
111. <u>Amy Drackert</u>	<u>Amy Drackert</u>	<u>Kirkland</u>	<u>Yes</u>
110. <u>Tina McDade</u>	<u>Tina McDade</u>	<u>Kirkland</u>	<u>Yes</u>
109. <u>Paul and Beri Geraci</u>	<u>Paul F. and Judith B. Geraci</u>	<u>Kirkland</u>	<u>No</u>
108. <u>Tara Darrow</u>	<u>Tara Darrow</u>	<u>Kirkland</u>	<u>No</u>
107. <u>Maya</u>	<u>Maya Stevens</u>	<u>Kirkland</u>	-
106. <u>Joseph Condon</u>	<u>Joseph Condon</u>	<u>Kirkland</u>	<u>Yes</u>
105. <u>Sunil Sanghani</u>	<u>Sunil Sanghani</u>	<u>Kirkland</u>	<u>Yes</u>
104. <u>Laura</u>	<u>Laura Devin</u>	<u>Bothell (soon to be Kirkland)</u>	<u>No</u>
103. <u>Catherine Madson</u>	<u>Catherine Madson</u>	<u>Kirkland</u>	<u>No</u>
102. <u>jeff</u>	<u>charles, Jeffrey Miner</u>	<u>kirkland</u>	<u>Yes</u>
101. <u>alicia miner</u>	<u>Alicia Miner</u>	<u>kirkland</u>	-
100. <u>Todd</u>	<u>Todd Guyette</u>	<u>Kirkland</u>	<u>No</u>
99. <u>Tracy</u>	<u>Tracy Couvillion</u>	<u>Kirkland</u>	<u>No</u>
98. <u>ELEANOR</u>	<u>ELEANOR ORTH</u>	<u>KIRKLAND</u>	<u>No</u>

	Name	Full Name (First, Last)	City	I am willing to volunteer
97.	Brooke Lindeman	Brooke Lindeman	Kirkland	Yes
96.	Molly Mac Ban	Molly Mac Ban	Kirkland	No
95.	Angela Ware	Angela Ware	Kirkland	Yes
94.	karin hill	karin hill	Monroe	No
93.	Robin Wolcott	Robin Wolcott	Kirkland	Yes
92.	Gloria	Gloria Sanchez	Kirkland	No
91.	Rosalie Lhen	Rosalie Lhen Tolentino	Kirkland	Yes
90.	Fang	Yu-Fang, Sung	Kirkland	
89.	Brandon	Brandon Spitzenberg	Kirkland	Yes
88.	Will Hayes	Will Hayes	Kirkland	Yes
87.	<u>Angela Rao</u>	<u>Angela Rao</u>	<u>Kirkland</u>	<u>Yes</u>
86.	<u>Marta Asa</u>	<u>Asa, Marta</u>	<u>Kirkland</u>	<u>Yes</u>
85.	<u>Carol Kester</u>	<u>Carol Ann Kester</u>	<u>Kirkland</u>	<u>Yes</u>
84.	<u>Graham Comley</u>	<u>Graham Comley</u>	<u>Kirkland</u>	<u>Yes</u>
83.	<u>Michelle Pham</u>	<u>Michelle Pham</u>	<u>kirkland</u>	<u>No</u>
82.	<u>Ariel</u>	<u>Ariel Hudson</u>	<u>Kirkland</u>	<u>Yes</u>
81.	<u>Melissa A Loreth</u>	<u>Melissa A Loreth</u>	<u>Kirkland</u>	<u>No</u>
80.	<u>Elizabeth Bakenhus</u>	<u>Elizabeth Bakenhus</u>	<u>Kirkland</u>	<u>Yes</u>
79.	<u>Robin Lin</u>	<u>Robin Lin</u>	<u>Kirkland</u>	<u>No</u>
78.	<u>Cindy Lyon</u>	<u>Cynthia P Lyon</u>	<u>Kirkland</u>	<u>No</u>
77.	<u>Nathan</u>	<u>Nathan Brandal</u>	<u>Kirkland</u>	<u>Yes</u>
76.	<u>Chia Chia Lin</u>	<u>Yu-Chia Lin</u>	<u>Kirkland</u>	<u>No</u>
75.	<u>Tom Hollatz</u>	<u>Tom Hollatz</u>	<u>Kirkland</u>	<u>Yes</u>
74.	<u>Chloe Hollatz</u>	<u>Hollatz</u>	<u>Kirkland</u>	<u>Yes</u>
73.	<u>Theresa Niesten</u>	<u>Theresa R. Niesten</u>	<u>Kirkland</u>	<u>Yes</u>
72.	<u>Gloria</u>	<u>Gloria Hadley</u>	<u>Kirkland</u>	<u>No</u>
71.	<u>Kathy Crotts</u>	<u>Kathryn G Crotts</u>	<u>Kirkland</u>	<u>Yes</u>
70.	<u>Vicki Kettle &amp; Mable The Dog</u>	<u>Vicki Kettle</u>	<u>Kirkland</u>	<u>Yes</u>
69.	<u>Rich Hundley</u>	<u>Rich Hundley</u>	<u>Kirkland</u>	<u>No</u>
68.	<u>katie</u>	<u>katie kepler</u>	<u>kirkland</u>	<u>No</u>
67.	<u>Ryan Thompson</u>	<u>Ryan Thompson</u>	<u>Kirkland</u>	<u>No</u>
66.	<u>John A. Brickey</u>	<u>John Brickey</u>	<u>Kirkland</u>	<u>Yes</u>
65.	<u>Justin</u>	<u>Justin Richards</u>	<u>Kirkland</u>	<u>No</u>
64.	<u>Sarah L. Reed</u>	<u>Sarah L. Reed</u>	<u>Kirkland</u>	<u>Yes</u>
63.	<u>christina</u>	<u>christina mendenhall</u>	<u>seattle</u>	<u>Yes</u>
62.	<u>Jessica Rushton</u>	<u>Jessica Rushton</u>	<u>Seattle</u>	<u>No</u>
61.	<u>Angie Bentler</u>	<u>Angie Bentler</u>	<u>Seattle</u>	<u>No</u>

	Name	Full Name (First, Last)	City	I am willing to Volunteer
60.	<u>Brent</u>	<u>Miller</u>	<u>kirkland</u>	<u>Yes</u>
59.	<u>Richard Pierce</u>	<u>Richard Pierce</u>	<u>Kirkland</u>	<u>No</u>
58.	<u>Rosalie L Tolentino</u>	<u>Rosalie Lhen Tolentino</u>	<u>Kirkland</u>	<u>Yes</u>
57.	<u>carol Pierce</u>	<u>Carol Pierce</u>	<u>Kirkland, wa 98033</u>	<u>Yes</u>
56.	<u>Jocelyn Roberts</u>	<u>Jocelyn Roberts</u>	<u>Kirkland</u>	<u>No</u>
55.	<u>Eric</u>	<u>Eric G Holtz</u>	<u>Kirkland</u>	<u>No</u>
54.	<u>Jonathan Wang</u>	<u>Wang, Jonathan</u>	<u>Kirkland</u>	<u>No</u>
53.	<u>Teresa</u>	<u>Teresa Smith</u>	<u>Kirkland</u>	-
52.	<u>Debbie Covey</u>	<u>Deborah Covey</u>	<u>Seattle</u>	-
51.	<u>Cynthia A. Fye`</u>	<u>Cynthia A. Fye</u>	<u>Kirkland</u>	<u>No</u>
50.	<u>Colleen E Hamilton</u>	<u>Colleen, Hamilton</u>	<u>Kirkland</u>	<u>Yes</u>
49.	<u>Robert Hood</u>	<u>Robert D. Hood</u>	<u>Kirkland</u>	<u>No</u>
48.	Jon Eric deGooyer	Jon Eric deGooyer	Kirkland	No
47.	Emily	Emily Hutchinson	Woodinville	Yes
46.	Susan Short	Susan Short	Seattle	No
45.	Linda Atkinson	Linda Atkinson	Seattle	No
44.	balerie	balerie goldberg	kirkland	No
43.	Valerie goldberg and tova	Valerie goldberg	Kirkland	
42.	Jessica Jansen	Jessica Jansen	Kirkland	
41.	Tanya E Huggins	Tanya E Huggins	Kirkland Juanita	
40.	Barbara McConnell	Barbara, McConnell	Kirkland,	Yes
39.	Mark Lehman	Mark Lehman	Kirkland	Yes
38.	Grace	Grace Ruiz	Kirkland	Yes
37.	<u>teresa wornstaff</u>	<u>teresa wornstaff</u>	<u>kirkland</u>	<u>No</u>
36.	<u>Teresa Quinlan</u>	<u>Teresa Quinlan</u>	<u>Everett</u>	<u>Yes</u>
35.	<u>Elizabeth</u>	<u>Elizabeth Olsen</u>	<u>Bothell</u>	<u>No</u>
34.	<u>Betsy</u>	<u>Alexander</u>	<u>Kirkland</u>	<u>No</u>
33.	<u>Sylvia McClelland</u>	<u>Sylvia McClelland</u>	<u>Kirkland</u>	<u>No</u>
32.	<u>Ian Cooke</u>	<u>Ian Cooke</u>	<u>Kirkland</u>	<u>Yes</u>
31.	<u>Larry Morrell</u>	<u>Larry Morrell</u>	<u>Kirkland</u>	<u>Yes</u>
30.	<u>Kathleen Morrell</u>	<u>Kathleen Morrell</u>	<u>Kirkland</u>	<u>Yes</u>
29.	<u>Tushna Lehman</u>	<u>Tushna Lehman</u>	<u>Kirkland</u>	<u>Yes</u>
28.	<u>Heather</u>	<u>Heather Brickey</u>	<u>Kirkland</u>	<u>Yes</u>
27.	<u>Araceli Amaya</u>	<u>Araceli Amaya</u>	<u>Unincorporated Kirkland (98034)</u>	-
26.	<u>Elizabeth Navarro</u>	<u>Elizabeth Navarro</u>	<u>Kirkland</u>	<u>Yes</u>

Name	Full Name (First, Last) City	I am willing to volunteer
25. <u>Linda Thackeray</u>	<u>Linda Thackeray</u> <u>Kirkland</u>	-
24. <u>Niall King</u>	<u>Niall King</u> <u>Kirkland</u>	<u>Yes</u>
23. <u>Mindy King</u>	<u>Mindy King</u> <u>Kirkland</u>	<u>Yes</u>
22. <u>Ryan Murphy</u>	<u>Ryan Murphy</u> <u>Kirkland</u>	-
21. <u>Colleen Hild</u>	<u>Colleen Marie Hild</u> <u>Kirkland</u>	<u>Yes</u>
20. <u>Mara Murphy</u>	<u>Mara Murphy</u> <u>Kirkland</u>	-
19. <u>Maura Roberts</u>	<u>Maura, Roberts</u> <u>Kirkland</u>	<u>Yes</u>
18. <u>Stephen Beeman</u>	<u>Stephen Beeman</u> <u>Kirkland</u>	<u>Yes</u>
17. <u>Ellen Beeman</u>	<u>Ellen Beeman</u> <u>Kirkland</u>	<u>Yes</u>
16. <u>Dottie Shaw</u>	<u>Dottie Shaw</u> <u>Redmond</u>	<u>No</u>
15. <u>Karolina Letunova</u>	<u>Karolina Letunova</u> <u>Kirkland</u>	-
14. <u>Holly</u>	<u>Holly Hosley</u> <u>Kirkland</u>	<u>Yes</u>
13. <u>Caryn</u>	<u>Caryn, Twombly</u> <u>Kirkland</u>	<u>Yes</u>
12. <u>Mireille Baumoeel</u>	<u>Mireille Baumoeel</u> <u>Kirkland</u>	<u>Yes</u>
11. <u>Sharon Elkins</u>	<u>Sharon Elkins</u> <u>Kirkland</u>	<u>Yes</u>
10. <u>Jeff</u>	<u>Jeff McComb</u> <u>(Unincorporated King County)</u>	<u>Yes</u>
9. <u>Eve Rallo</u>	<u>Eve,Rallo</u> <u>Kirkland</u>	<u>Yes</u>
8. <u>Jan</u>	<u>Janis Martinka</u> <u>Kirkland</u>	<u>Yes</u>
7. <u>Charles Day</u>	<u>Charles Day</u> <u>Kirkland</u>	<u>No</u>
6. <u>Alison Fischer</u>	<u>Alison Fischer</u> <u>Redmond, WA</u>	<u>Yes</u>
5. <u>Oakley Day</u>	<u>Oakley Day</u> <u>Kirkland</u>	<u>Yes</u>
4. <u>Megan</u>	<u>Megan Fischer</u> <u>Redmond</u>	<u>No</u>
3. <u>Tina Marie McDade</u>	<u>Tina McDade</u> <u>Kirkland</u>	<u>Yes</u>
2. <u>Erin Vey</u>	<u>Erin Vey</u> <u>Kirkland</u>	<u>Yes</u>
1. <u>Jean Guth</u>	<u>Jean Guth</u> <u>Kirkland</u>	<u>Yes</u>

JOIN THE KIRKLAND DOG PARK MOVEMENT! SIGN OUR PETITION  
To: The City of Kirkland

YES, I support the development of dog parks in Kirkland. We want a legal, safe place for our dogs to play.

NAME	ADDRESS	E-MAIL	Available to volunteer?
CAROL Bowman	14002 81 <sup>st</sup> PL NE Bathell	carbow@gmail.com	No
T. Frias	1309 101st Lane NE #2	tnf22@yahoo.com	maybe
Juanita Brown	625-17 <sup>th</sup> Ave	pacwestmetamsn.com	
Marilyn Hendrickson	10523 NE 183rd Ct	akh9804@aol.com	No
Karen + Jim Styner	544 7th Ave	symondsays@msn.com	after 1/1/09
Duncan Wilson	416 4th Ave	DuncanW@Pigeo.com	No
Jan Klusman	732 20th Ave W	klusmaria@yahoo.com	Maybe
Debi Hoffman	602 E 3rd Ave 'A' Post Falls ID 83854	By CDL ID	No! visiting!
Linh Yegge	410 2nd Street Unit D Kirkland	linh.yegge@gmail.com	no
Karen Baker	13622 Red-Wood Rd Redmond		maybe
Betz Bernhard	10 Bridlewood Cir Kirkland	betzbernhard@msn.com	
Carol Kraber	13222 91 <sup>st</sup> PL NE Kirkland 98034	ckraber@yahoo.com	
Debra Packin	11913 9 <sup>th</sup> Ln NE #302	gratefultoo@earthlink.net	maybe what do we do?
Ken Inoue	8602 113th Ln NE	kinoue3@gmail.com	
Jan Brauch	8205 126th AV. NE		

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## JOIN THE KIRKLAND DOG PARK MOVEMENT! SIGN OUR PETITION

To: The City of Kirkland

We want a legal, safe place for our dogs to play.

YES, I support the development of dog parks in Kirkland.

NAME (print)	Address or City	E-MAIL	Available to volunteer?
FRANCESCA LYMAN	11819 73rd Kirkland	cbnichal19@comcast.net	
MARY BRISSON	1906 4th PL ..	m.redmeyer@gmail.com	No
Robert Olsow	8117 NE 110th P/	Robert OLSOW	maybe
Mary Ballantine	643 14th Ave W	maryjb10@comcast.net	yes
Jennifer Davis	11520 112th PL NE	jennondavis@comcast.net	yes
Michelle Scandalis	18038 NE 116th St <small>Redmond 98052</small>	michelleScandalis@yahoo.com	
Chris Bayless	11402 NE 95th St.	christine.bayless@nocalstar.com	Yes
Kristi Imple	12846 81st Ave NE, Kirkland	Chepaka@yahoo.com	Maybe
Melissa Aton	530 13th Ave West	mel.aton@verizon.net	maybe
Ellen Weiss	<small>Kirkland, WA</small> 19223 37th AVE NE	eweiss@comcast.net	maybe
Mary A. Gibbs	1915 3rd St	mgibbs@idd.zodiac.com	no
Robin Scrist	204 10th Ave	rbinscrist@gmail.com	no, sorry!
Philip Hui	14516 81st Ave NE, Kenmore	primb@comcast.net	Maybe
Juanita Brand	625-17th Ave	juanita.brand@hotmail.com	maybe
Debbie Gordon	16-194 Ave	debbie.gordon@comcast.net	maybe
Scott Gordon	" " "	S-gordon214@hotmail.com	

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# JOIN THE KIRKLAND DOG PARK MOVEMENT! SIGN OUR PETITION

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NAME	ADDRESS	E-MAIL	Available to volunteer?
ANDREW ZUCCHOTTI	4612 105 <sup>TH</sup> AVE	—	NO
MIKE FREAL	504 7 <sup>TH</sup> AVE	MFREAL@COMCAST.NET	NO
Deborah Still	6736 104 <sup>TH</sup> AVENUE	debstill@realestatekan.net	NO
Linda Robson	9531 NE 140 <sup>TH</sup> ST. <sup>Bothell WA</sup>	linda.robson@comcast.net	NO
Rebecca Willow	348 7 <sup>TH</sup> AV-K	parkplacebooks@integra.net	
Peggy Adams	422 13 <sup>TH</sup> West K	adamskirkland@hotmail.com	NO
TROY COLEMAN	510 1/2 13 <sup>TH</sup> AVE W	Tcolem@HOWLINGBEAGLE.NET	(Y)
Lisa Ravener	1414 6 <sup>TH</sup> Street W	Lisaravener@msn.com	
FRANCESCA		chucka19@comcast.net	
Meg Perkins	10226 NE 104 <sup>TH</sup> ST	megalicious@comcast.net	
Leonard Andrew Handcock	2520 NE 145 <sup>TH</sup> ST EYO	Domyds.35@gmail.com	
<del>Neena Cannon</del>	600 10 <sup>TH</sup> Ave W <sup>98033</sup>		
DICK VALLEY	219 MAIN ST. <sup>98033</sup>	TASKS@COMCAST.COM	NO
DEBORAH WOODLEN	16812 Forbes Creek Dr. V305	e2deborah@gmail.com	maybe
John Mullins	11109 105 <sup>TH</sup> Ave NE	JohnJayMullins@westmail.com	Maybe

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**JOIN THE KIRKLAND DOG PARK MOVEMENT! SIGN OUR PETITION**

To: The City of Kirkland

**YES, I support the development of dog parks in Kirkland. We want a legal, safe place for our dogs to play.**

NAME (print)	Address or City	E-MAIL	Available to volunteer?
LEE GROVE	13013 79 <sup>th</sup> PL NE	Kirkland WA	not at this time
JASON KINGSBURY	10815 101 <sup>st</sup> PL NE	J.KINGSBURY@COMCAST.NET	
JACK BELAY	12707 89 PL NE	-	yes
MONA NETERFIELD	REDMOND, WA	malachi.831@yahoo.com/yes	
Michelle HUBBARD	KIRKLAND, WA	M.HUBBARD10118@hotmail	
Peggy Nell	2409 55 <sup>th</sup> Ave SW	peggy@homewardpet.org	
Nora Korg	Kirkland	norkorg@h	
Jill Marlett	12010 Saker Ave NE #E5 Kirkland	jillwastravels@msn	Sure
Carol Baker	905 1 <sup>st</sup> St S Kirkland	regismyco.pilot1@verizon.net	yes

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To: The City of Kirkland

**YES, I support the development of dog parks in Kirkland. We want a legal, safe place for our dogs to play.**

NAME (print)	Address or City	E-MAIL	Available to volunteer?
Jessica Lucas	33605 115 <sup>th</sup> Ave NE Bellevue	seckald1@yahoo.com	
HANA POROBIC	10230 NE POINTS DR.	HPorobic@FHArch.com	Yes
Matt Bishop			No
Adan Zaitz			
Tiffany Acker	Bothell		no
RYAN SHEPARD	Bothell	SHEP211@msn.com	NO
Sve Ludmann	Bothell		NO
Jessica Wallace	10824 NE 147 <sup>th</sup> LN Bothell		NO
SHER RECTOR	BOTHELL		NO
NORM VENER	11948 SANDALINE KIRKLAND 98034	—	NO
Chris Acker	10822 NE 148 <sup>th</sup> Ln J202 Bothell, WA 98011		
NOEL S. PHILIP	10842 NE 148 <sup>th</sup> Ln A2 Bothell, WA 98011		
Melissa Bolstad	10830 NE 148 <sup>th</sup> LN B2 Bothell, WA 98011	melissahoney2003@yahoo.com	NO

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Section No. G-10-218  
 Petition To: The City of Kirkland

YES, I live in Kirkland and I support the development of off-leash parks in Kirkland for residents and our dogs to gather and play.

FULL NAME (Please PRINT)	ADDRESS, CITY, STATE, ZIP	VOLUNTEER?: Y/N	EMAIL Address
Marianne Francis	1250 3rd ST, Kirkland 98033		
Jamie Sparlin	9301 Avondale rd NE Redmond WA Apt 12121		
William Setten	11215 CHAMPAGNE POINTS NE		bsetten@comcast.net
Juan C Ayrault	7105 NE 135th	Yes!	Sayraulta@comcast.net
Megan Ayrault	7105 NE 135th St Kirkland 98034	No	
Ted Marx	11646 73rd PL NE Kirkland 98034		TedMarx@yahoo.com
Jackie Bennett	9900 NE 126th St K 3 Kirkland 98034		jackiegrso@msn.com
Linda Davidson	13215 Holmes Pt. Dr.	No	Linda wd79@aol.com
Roxanne Kennedy	Champaign Pt P1	Maybe	missroxanne@gmail.com
Jared Wood	"	"	jared_wood@rsn.com
Rita Luttrell	P.O. Box 188	Yes	rluttrell@wsn.com
Bev Bakeman	8129 NE 156th Pl	Yes	
Barry Markley	12026 76th Ave NE, Kirkland	YES	barrymarkley@hotmail.com
Melanie Morford	8107 NE 122nd Pl Kirk	yes	drmelanie@comcast.net
Steve Moore	11855 108th Ave NE Kirkland,	No	SAVEMORE@comcast.net
Stephanie Tschanz	8523 NE 137th Pl. Kirkland 98034	No	TschanzS@yahoo.com
Tyson Jensen	8523 NE 137th Pl Kirkland 98034	No	chance_113@hotmail.com

Organizer - Kirkland Off Leash Dog Group. Find out more about us on [www.kdog.org](http://www.kdog.org) Volunteer to help get off leash areas established in Kirkland.

Privacy Policy: we will not re-sell or distribute your name, email or other address provided.

Station No. 6-10-218 To: The City of Kirkland

YES, I live in Kirkland and I support the development of off-leash parks in Kirkland for residents and our dogs to gather and play.

FULL NAME (Please PRINT)	ADDRESS, CITY, STATE, ZIP	VOLUNTEER?: Y/N	EMAIL Address
Alice Chun	14715 7TH PINE	Y	alicec30@yplco.com
Edward Eve	8330 NE 140TH ST Bothell		
STEVE BOYCE	6951-NE 139 <sup>TH</sup> ST KIRKLAND	Y	STEVE@COLOASOUND.NET
Kevin Bodbe	11615 Holmes Pt. Dr. NE Kirkland		kjb-bop@yahoo.com
Laurel Brown	5408F Lakeview Kirkland	?	laurelseed@yahood.com
Wolff Puls	314 10 <sup>th</sup> AVE WEST, KIRKLAND		WolffPuls@verizon.net
Lynne Eskil	15662 NE 70 <sup>th</sup> Ct, Redmond 98052	Y	lynne.d.eskil@boeing.com
Donna Nealy	7542 Jord Ave NE Seattle 98115	N	
Kay Myers	10132 NE 112 <sup>th</sup> PLACE	N	K.Myers@Comcast.net
Anna Bohman	742 Kirkland Circle E106, Kirkland WA 98033	N	annaboehman@hotmail.com
Michael R MYERS	10132 NE 112 <sup>th</sup> PL KIRKLAND 98033	N	M.MYERS@COMCAST.NET
Susan Seiden	7060 NE 161ST Kenmore 98028	N	2wheatons@comcast.net
Lisa Siegfried	12819 95th PL NE Kirkland 98033	Y	Lisa.Siegfried@ymetras.com
Liz McQueen	1536 3rd Street Kirkland 98033	Y	Liz@McQueen1a.com
JOHN M'QUEEN	" " " " "	N	John@McQueen1a.com
KARRIE DUTTON	3316 264 <sup>th</sup> AVE SE KIRKLAND	Y	Karriedutton@yplco.com
LUKE STANBACH	18311 NE 25 <sup>th</sup> ST. REDMOND, WA	Y	LUKE.STANBACH@outlook.com

Organizer - Kirkland Off Leash Dog Group. Find out more about us on [www.kdog.org](http://www.kdog.org) Volunteer to help get off leash areas established in Kirkland.  
 Privacy Policy: we will not re-sell or distribute your name, email or other address provided.

SECTION 18 To: The City of Kirkland

YES, I live in Kirkland and I support the development of off-leash parks in Kirkland for residents and our dogs to gather and play.

FULL NAME (Please PRINT)	ADDRESS, CITY, STATE, ZIP	VOLUNTEER?: Y/N	EMAIL Address
Jeri Lucas	23709 NE 63 <sup>rd</sup> Pl.		Jeri@EastWindsor.com
PAT TRUDALL	9915 112 <sup>TH</sup> AVE NE		<del>pattrudall</del> pattrudell@gmail.com
Lisa Heath	12812 NE 102nd PL		Lisa_Rusby@comcast
BILL FORES	11609 NE 111 <sup>TH</sup> KIRKLAND		billfish4@verizon.net
Sue Fores	" "		sue@nwvision.com
Dan Yeh	11307 NE 57th Place, Kirkland		dgyeh101@yahoo.com
Kathy Bare	2233 112 <sup>th</sup> Ave NE Bellevue		twocrazypoodles@verizon.com
Connie Thayer	4550 111 <sup>th</sup> Ave S.E. Bell.		cthayer@awlnk.com

**JOIN THE KIRKLAND DOG PARK MOVEMENT! SIGN OUR PETITION**

To: The City of Kirkland

**YES, I support the development of dog parks in Kirkland. We want a legal, safe place for our dogs to play.**

NAME	ADDRESS	E-MAIL	Available to volunteer?
Colleen Widen	3026th Ave Kirkland	colleenholder@aol.com	Yes
Dara Weinand	18126 84th Ave NE 98034	imaskifreer@hotmail.com	Sure
Pamela Ridgway	10015 NE 129th Rd.	pamela@software	Si. Com No
JILL ALEXANDER	13740 94th Ave NE KIRKLAND	Jill.Christina@comcast.net	Yes
Judy Nicastro	524 14th Ave W <sup>Kirk</sup> 98033	judynicastro@hotmail.com	Yes
JANET HUSTON	10233 NE 129th <sup>98034</sup> Lane	janetchuston@aol.com	Yes
Elaine Montgomerz	645 14th Ave W	montaw@comcast.net	Yes
Amber Melna	13227 NE 139th Pl, 98034	talkofdreams@gmail.com	Yes
Michael Jarrett	13227 NE 139th Pl, 98034	lownewulf@gmail.com	Yes

Organizer – Kirkland Off Leash Dog Group. Find out more about us on [www.meetup.com](http://www.meetup.com) Privacy Policy: we will not re-sell or distribute your name, email or other address provided. Volunteer to help get off leash areas established in Kirkland.





KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
January 19, 2010

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

Members Present: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

Members Absent: None.

3. STUDY SESSION

a. Annexation Update

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay were Assistant City Manager Marilynne Beard, Director of Finance and Administration Tracey Dunlap, Director of Planning and Community Development Eric Shields and Intergovernmental Relations Manager Erin Leonhart.

4. EXECUTIVE SESSION

a. To Discuss Pending Litigation

Council reconvened their regular meeting at 7:40 p.m. following an executive session.

Motion to waive attorney-client privilege on the Sherman report and to take no further action on the the report.

Moved by Councilmember Doreen Marchione, seconded by Deputy Mayor Penny Sweet  
Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

5. HONORS AND PROCLAMATIONS

None.

6. COMMUNICATIONS

Assistant City Manager Marilynne Beard shared information about an upcoming Community Meeting on January 26th soliciting public input on the City Manager selection process.

a. Items from the Audience

Bob Style  
JonErik Johnson  
Jean Guth  
Chuck Bartlett  
Karen Story  
Bob Kamuda  
Janet Pruitt  
John Gilday  
Katherine Winder  
Tara Wilkins

b. Petitions

None.

7. SPECIAL PRESENTATIONS

None.

8. CONSENT CALENDAR

a. Approval of Minutes: January 5, 2010

b. Audit of Accounts:

Payroll \$ 2,146,081.92  
Bills \$ 1,453,582.31  
run # 882 check #'s 514317 - 514444  
run # 883 check #'s 514448 - 514564  
run # 884 check #'s 514565 - 514572

c. General Correspondence

None.

d. Claims

(1) Terry Higbee

(2) Emmanuel Ramos

e. Award of Bids

(1) The 116th Avenue NE Sidewalk (Highlands) Project was awarded to Kamins Construction, Bothell, Washington, in the amount of \$424,139.58.

f. Acceptance of Public Improvements and Establishing Lien Period

(1) 2009 Emergency Sewer Program, Universal Land Construction Company, Woodinville, Washington

g. Approval of Agreements

None.

h. Other Items of Business

(1) Resolution R-4798, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND, DESIGNATING PENNY SWEET AS REPRESENTATIVE TO SERVE ON THE CASCADE WATER ALLIANCE (CASCADE) BOARD AND DOREEN MARCHIONE AS ALTERNATE TO SERVE ON THE CASCADE BOARD."

(2) Human Services Advisory Committee Resignation

Youth member Nicholas Peder's resignation was acknowledged.

Motion to Approve the Consent Calendar.

Moved by Councilmember Amy Walen, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

a. Budget Update

Finance and Administration Director Tracey Dunlap provided an update on the budget status and upcoming processes.

11. NEW BUSINESS

- a. Draft 2009 Comprehensive Solid Waste Management Plan Update

Kirkland Public Works Solid Waste Coordinator John MacGillivray and King County Solid Waste Division Director Kevin Kiernan provided a briefing on the details of the Comprehensive Plan and the City's corresponding performance relative to the Plan's goals.

Council recessed for a short break.

- b. Resolution R-4799, Establishing Policies and Procedures for the Naming of Public Parks and Facilities

Motion to Approve Resolution R-4799, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ESTABLISHING POLICIES AND PROCEDURES FOR THE NAMING OF PUBLIC PARKS AND FACILITIES."

Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

- c. Naming of Cotton Hill Park

Motion to accept the Park Board recommendation to officially name the park site at NE 100th and 110th Avenue NE as Cotton Hill Park.

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

- d. Resolution R-4800, Setting Forth the Current Rules of Procedure for the Conduct of Kirkland City Council Meetings

Motion to Approve Resolution R-4800, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SETTING FORTH THE

CURRENT RULES OF PROCEDURE FOR THE CONDUCT OF  
KIRKLAND CITY COUNCIL MEETINGS."

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica  
Greenway

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway,  
Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember  
Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

e. Providing Local Preference for City Purchasing

Purchasing Agent Barry Scott reviewed the development of the City's  
current purchasing practices and suggested enhancements, and discussed the  
potential impacts of implementing a local preference policy.

12. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding a recent Growth  
Management Planning Board meeting; Economic Development  
roundtable; Washington State Environmental Council report;  
Metropolitan Solid Waste Advisory Committee meeting; and the  
Greater Kirkland Chamber of Commerce meeting.

(2) Eastside Business Association Membership

Council agreed to defer consideration of this offer and the larger issue  
of membership choices until such time as budget discussions occur.

b. City Manager

(1) 2010 Legislative Update 2

(2) 2010 City Council Retreat Topics

(3) Teen Center

(4) Calendar Update

(5) Public Works Director resignation

13. ANNOUNCEMENTS

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of January 19, 2010 was adjourned at 10:13 p.m.

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City Clerk

Mayor

**CITY OF KIRKLAND****Planning and Community Development Department**  
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225  
www.ci.kirkland.wa.us

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**MEMORANDUM**

**To:** David Ramsay, City Manager

**From:** Eric Shields, AICP Planning Director  
Nancy Cox, AICP Development Review Manager

**Date:** January 21, 2010

**Subject:** AUBRY LETTER REGARDING ANONYMOUS COMPLAINTS

**RECOMMENDATION**

City Council approve the attached response letter to David and Anna Aubry regarding anonymous complaints.

**BACKGROUND DISCUSSION**

The City Council received a letter from the Aubrys who are concerned about allowing anonymous complaints with regard to suspected code violations. They stated that this might lead to, "...setting up a culture of 'tattling' among neighbors about small infractions." In addition, they state that, "If neighbors with an axe to grind can complain anonymously, there will be no way to reign in their behavior."

There is a difference between "anonymous complaints" and "protecting confidentiality." It is difficult to file a truly anonymous complaint; one in which no name or address is attached. It cannot be submitted electronically, for example, because the possibility of an electronic trail to the person who wrote it always exists. If someone submitted a hardcopy and did not leave their name at the counter, then it might be anonymous. Kirkland's practice has been to not investigate anonymous complaints, except in emergency situations.\*

Protecting confidentiality, however, was the City's past practice in code enforcement. Until recently, complainants were able to indicate on the form that they would like their identity to remain confidential. Staff supports this approach for several reasons: 1) Code Enforcement Officers (CEO's) can confirm details and get more information and do a better job of investigating the complaint; 2) "frivolous" complaints are avoided because the CEO can determine the connection between the complainant and the potential violation; and 3) CEO's can provide the complainant with status reports.

Staff is not protecting confidentiality at this time (since early January 2010) but is still requiring complainant's names and contact information.\* The reason for the change is that the City Attorney's Office has advised that there is no clear exemption in the Public Records Act (PRA) that would authorize withholding a code enforcement complainant's name in response to a public records request. The City Attorney's Office recommended that the City's code enforcement complaint form be revised to indicate that a complainant's name may be released in response to a public records request.

The Aubrys mention Toby Nixon in their letter and his statement at a Council meeting on January 5<sup>th</sup>, 2010 where he expressed support for a bill on the City's legislative agenda that is currently in front of the Senate. Senate Bill 6428 would provide for an exemption for identifying information about complainants from the Public Records Act (RCW 42.56.230). Staff recommends that the Council support the legislation so that the City can return to its past practice of keeping the identity of a complainant confidential when the complainant requests confidentiality.

\* In limited circumstances, staff does investigate anonymous complaints or complaints instigated by staff members. Such complaints are investigated when there are potential life/safety issues or environmental violations such as tree cutting, or wetland/stream/lake degradation.

January 11, 2010

City Council  
City of Kirkland  
123 5<sup>th</sup> Ave  
Kirkland, WA 98033

**RECEIVED**

**JAN 13 2009**  
CITY OF KIRKLAND  
CITY MANAGER'S OFFICE

We both attended the first part of the City Council meeting of January 5<sup>th</sup>, and enjoyed the 'changing of the guard' as the new members were sworn in. We look forward to a new day in Kirkland as the Council addresses the many issues before it.

While in attendance, former State Representative Toby Nixon addressed the Council, suggesting, as we understand it, that citizens who file zoning and land-use complaints with the City should be allowed anonymity. Mr. Nixon seemed to say that there were sufficient legal deterrents already in place to discourage false reports from being made. We have serious concerns about the suggestion of allowing complainants to remain anonymous both from a practical and philosophical viewpoint.

False reports are not our concern. Our concern is setting up a culture of 'tattling' among neighbors about small infractions. No one obeys the law strictly – the law provides behavioral boundaries for everyday life. Look at the traffic laws – do we ALL drive at or below the speed limit? In land use issues, the trees that our contractor planted in our parking strip were supposed to be 2" in diameter. They are not. If we allow anyone with an inclination to file a complaint about something like this anonymously, the City would be required to direct us to remove the trees and install trees that meet the requirements, rather than waiting for them to grow. Does any agency really want to be put into such a position?? The City would constantly have to evaluate and render judgment about any issue that any citizen wanted to anonymously raise.

Public knowledge about our civil behavior, otherwise known as peer pressure, is the real enforcer of good behavior in most matters. The law and the associated enforcement agencies exist to catch and punish wrongdoers, not to prevent the behavior in the first place. If neighbors with an axe to grind can complain anonymously, there will be no way to reign in their behavior. There are many behaviors that the law does not address but which, if indulged in, would quickly make society a difficult place to live in. Common courtesy and respectful behavior make all of our lives more pleasant. Allowing anonymous complaints to

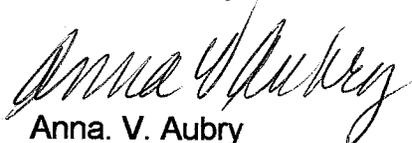
government can lead not just to a breakdown of civility, but to an ominous trend in the relationship between citizens and between citizens and government.

We are prepared to listen to arguments for the opposite position and to discuss this further, but at this time we see this as an idea that is not typical of Mr. Nixon's usually well-reasoned approach to issues.

Respectfully,



David L. Aubry



Anna V. Aubry  
341 8<sup>th</sup> St S.  
Kirkland  
827-3811

cc: City Manager

February 2, 2010

**D R A F T**

David and Anna Aubry  
341 8<sup>th</sup> St. S.  
Kirkland, WA 98033

Re: Anonymous complaints

Dear Mr. and Ms. Aubry:

Thank you for your letter to the Kirkland City Council expressing concerns about allowing citizens to file anonymous complaints.

It has been the City's policy not to accept anonymous complaints unless a life/safety hazard or an environmental violation such as tree cutting or wetland/stream/lake degradation is occurring. Due to recent research of the State Public Records Act, the City has changed its practice of ensuring confidentiality to the extent possible when it is requested by someone who has filed a code enforcement complaint. We have determined that the identity of a code enforcement complainant may be subject to the disclosure under the Public Records Act. Compliant forms have been modified to reflect this change.

At the January 5, 2010 City Council meeting, Toby Nixon commented on Senate Bill 6428 which is pending before the state legislature. The Bill would create an exemption to the Public Records Act that would allow a complainant's identity to remain confidential if the complainant requests confidentiality. The City Council supports the proposed Bill as it has been the City's experience that allowing confidential complaints is a helpful tool in assuring that codes are fairly enforced.

Thank you for sharing your concerns with the City Council. Should you have further questions about code enforcement complaints, please contact Nancy Cox, Development Review Manager at (425) 587-3228 or [ncox@ci.kirkland.wa.us](mailto:ncox@ci.kirkland.wa.us)

Sincerely,  
KIRKLAND CITY COUNCIL

by Joan McBride  
Mayor



**CITY OF KIRKLAND**  
Department of Finance and Administration  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100  
www.ci.kirkland.wa.us

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**MEMORANDUM**

**To:** David Ramsay, City Manager  
**From:** Kathi Anderson, City Clerk  
**Date:** January 21, 2010  
**Subject:** CLAIM(S) FOR DAMAGES

**RECOMMENDATION**

It is recommended that the City Council acknowledge receipt of the following Claim(s) for Damages and refer each claim to the proper department (risk management section) for disposition.

**POLICY IMPLICATIONS**

This is consistent with City policy and procedure and is in accordance with the requirements of state law (RCW 35.31.(040)).

**BACKGROUND DISCUSSION**

The City has received the following Claim(s) for Damages from:

- (1) Roland Bahr  
4702 N. Island Dr.  
Sumner, WA 98391

**Amount:** \$3,500.00

**Nature of Claim:** Claimant states damage to business resulted from water meter being left on.

- (2) Houghton Partners, LLC  
500 108<sup>th</sup> Ave. NE Suite 2400  
Bellevue, WA 98004

**Amount:** \$5,844.49

**Nature of Claim:** Claimant states damage to residence resulted from a clogged culvert.

- (3) David Russell Myrland  
6619 132<sup>nd</sup> Avenue NE #100  
Kirkland, WA 98033

**Amount:** \$200,000,000.00

**Nature of Claim:** Claimant states damages result from false imprisonment, conspiracy, libel and fraud.

- (4) Puget Sound Energy  
10885 NE 4<sup>th</sup> Street  
Bellevue, WA 98004

**Amount:** \$1,068.05

**Nature of Claim:** Claimant states damage to distribution circuit resulted from being hit by a banner.



**CITY OF KIRKLAND**  
**Department of Public Works**  
 123 Fifth Avenue, Kirkland, WA 98033 425.828.1243  
 www.ci.kirkland.wa.us

## MEMORANDUM

**To:** David Ramsay, City Manager

**From:** Daryl Grigsby, Public Works Director  
Ray Steiger, P.E., Capital Projects Manager

**Date:** January 20, 2010

**Subject:** 2009 STREET PRESERVATION PROGRAM (PHASE 1 - SLURRY SEAL PROJECT)  
ACCEPT WORK

### RECOMMENDATION:

It is recommended that City Council accept the construction work for the 2009 Slurry Seal Project, as completed by Intermountain Slurry Seal, Inc. of Watsonville, California and establish the statutory 45-day lien period.

### BACKGROUND DISCUSSION:

The Slurry Seal Project is Phase 1 of the 2009 Annual Street Preservation Program and consisted of applying a very thin layer of liquid asphalt slurry over low volume residential streets that are showing light to moderate surface wear. This year's Project sealed approximately 12 lane miles of roadway in three areas throughout the City (Attachment A). Phase 2 of the Annual Street Preservation Program is the Street Overlay Project which is currently being completed under a separate construction contract.

At their regular meeting of June 16, 2009, Council awarded the 2009 Slurry Seal Project to Intermountain Slurry Seal, Inc. in the amount of \$196,196. Construction began on August 10, 2009 and was physically complete on December 14, 2009. Total payments made to the contractor came to \$174,181.50. The reduction in the total contract amount was due to preparation work completed in-house by the City's Public Works Street Division and was no longer necessary for the contractor to complete.

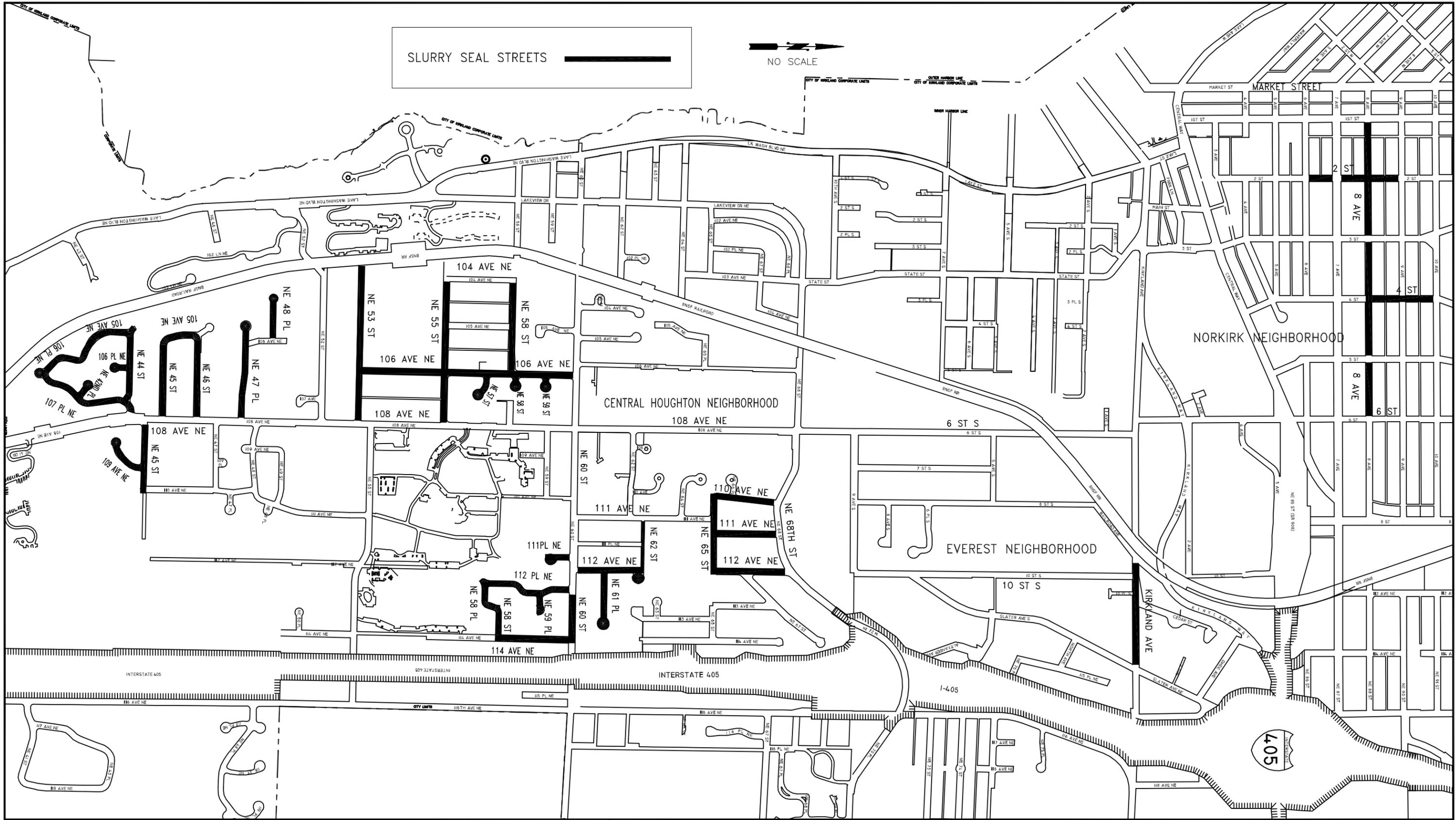
The last slurry seal program was constructed in 2004 and, at that time, the cost of slurry seal was \$1.30/square yard. The cost per square yard of slurry seal in the 2009 Slurry Seal Project was \$1.49. This results in approximately a 15% increase in costs between 2004 and 2009 (Attachment C).

Funding for the slurry seal project comes from the Annual Street Preservation Project which has a current annual CIP budget of \$2.0 million (Attachment B). Staff anticipates the completion of Phase 2 by early February and project acceptance shortly thereafter.

Attachments: (3)



SLURRY SEAL STREETS




**CITY OF KIRKLAND**  
 DEPARTMENT OF PUBLIC WORKS  
 123 FIFTH AVENUE KIRKLAND, WA 98033  
 (425) 587-3800 www.ci.kirkland.wa.us

NO.	DATE	BY	APPR.	REVISION

APPROVED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_

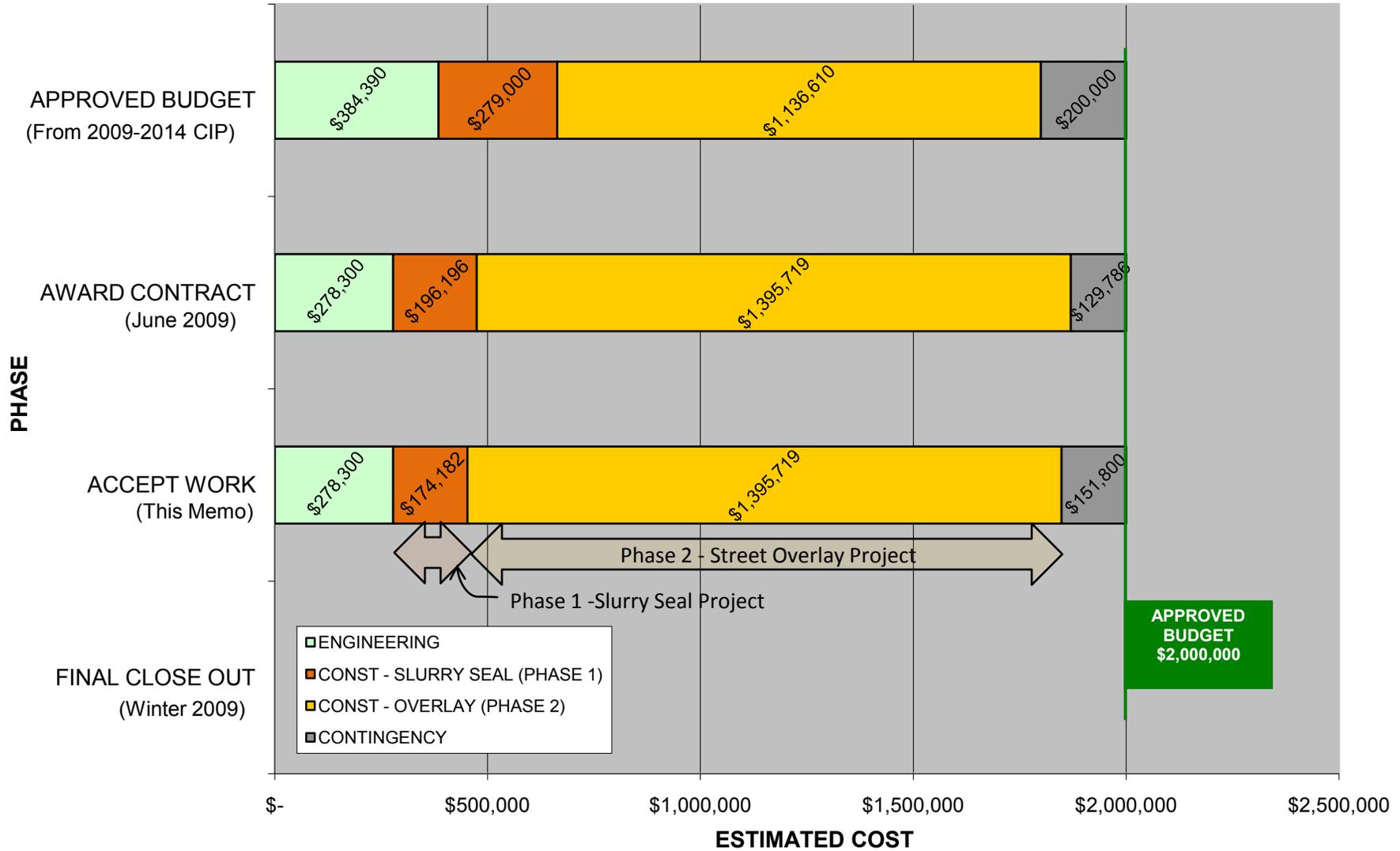
DESIGNED BY: ANDREA MAST/JIM JENNINGS 4/2009 DATE  
 DRAWN BY: JIM JENNINGS 4/2009 DATE  
 CHECKED BY: \_\_\_\_\_ DATE

**2009 SLURRY SEAL PROJECT**  
 VICINITY MAP

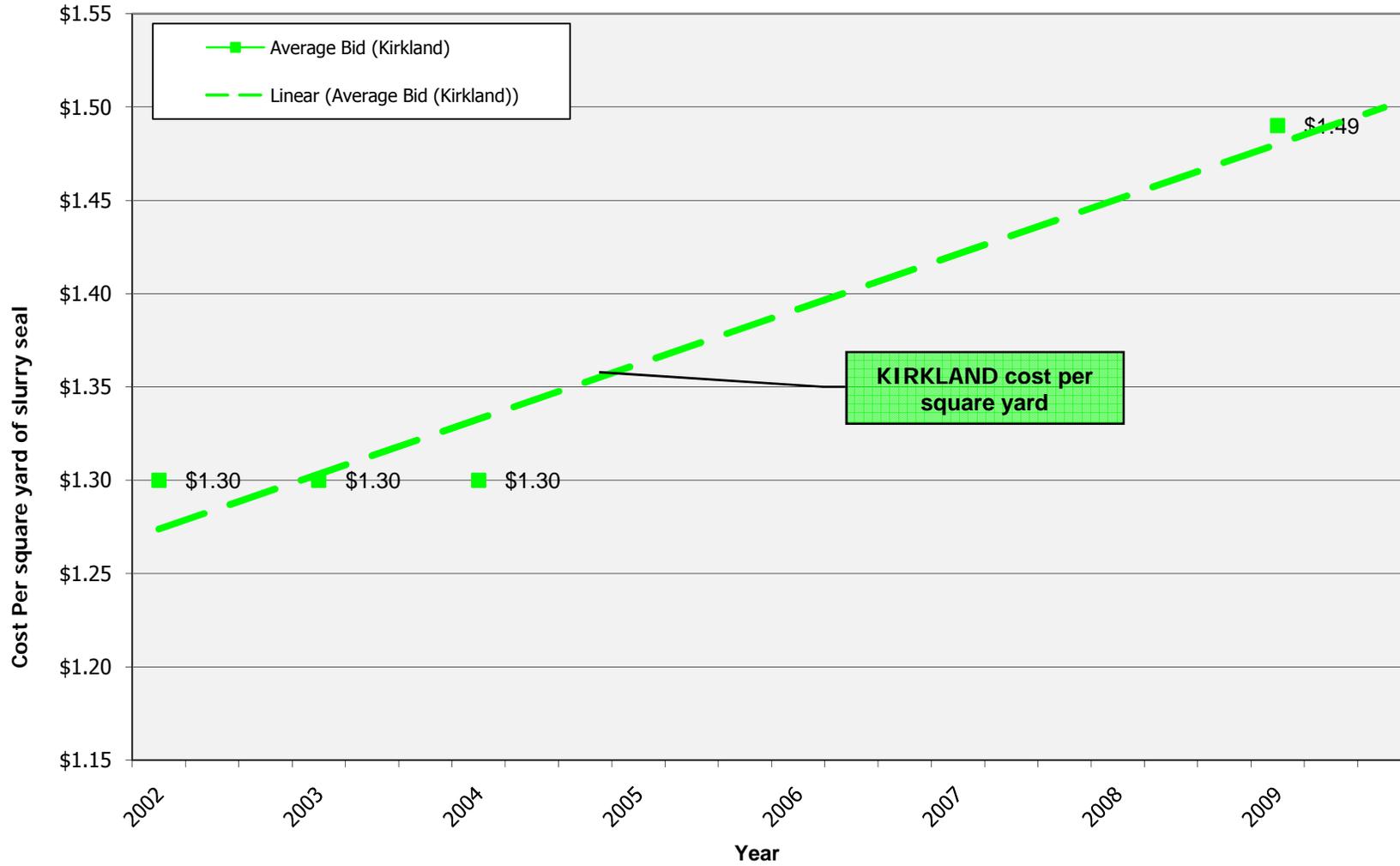
SHEET: 2/2  
 SCALE: N.T.S.  
 FILENAME: 2009\_SS\_VICIN.DWG

## PROJECT BUDGET REPORT

### 2009 Street Preservation Project (CST-0906)



### Kirkland Slurry Seal Program Cost Comparison





**CITY OF KIRKLAND**  
**Department of Finance & Administration**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100  
[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

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## **MEMORANDUM**

**To:** David Ramsay, City Manager  
**From:** Tracey Dunlap, Director of Finance and Administration  
**Date:** January 19, 2010  
**Subject:** Cabaret Music License

### **RECOMMENDATION:**

City Council authorizes the issuance of a Cabaret Music License to Tiki Bar and Grill.

### **BACKGROUND DISCUSSION:**

The request and recommended action being presented to the City Council is consistent with the Municipal Code and City Council practice.

### **BACKGROUND DISCUSSION:**

The Tiki Bar and Grill, located at 106 Kirkland Avenue, has made application for a Cabaret Music License. Staff has completed its review/investigation and the above referenced establishment has met the requirements of the Municipal Code. Staff recommends the issuance of a Cabaret Music License be granted.

The restrictions contained within KMC 7.20.030 are the standards by which the police department representatives reviewing applications are legally allowed to approve or deny the issuance of a license. The City's application form was last updated in 2006 and was updated to include a perjury statement and waiver to allow a more stringent background check. These checks are completed prior to approval by the police department representative assigned to complete the investigation. The application form was also updated to include wording allowing approval by the designee of the Chief of Police, as has been past practice.



# CITY OF KIRKLAND

123 FIFTH AVENUE KIRKLAND, WASHINGTON 98033-6189 425.587.3140

## KIRKLAND POLICE DEPARTMENT DETECTIVE DIVISION LICENSE INVESTIGATION REPORT

PLEASE PRINT OR TYPE

I. TYPE OF LICENSE APPLYING FOR Cabaret Music

II. PERSONAL INFORMATION

2A. Name: Micah O'Malley

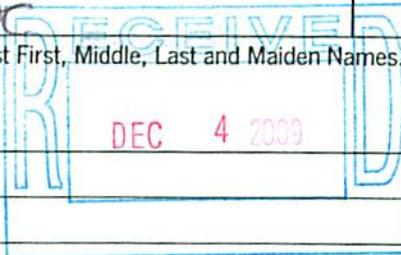
2B. Age <u>31</u>	2C. Date of Birth <u>4/1/78</u>	2D. Sex <u>M</u>	2E. Race <u>C</u>	2F. Height <u>6'1"</u>	2G. Weight <u>220</u>	2H. Eye color <u>Blue</u>	2I. Hair color <u>Brown</u>
2J. Married/Single <u>S</u>	2K. Marks/Scars, etc.	Driver's License Number <u>OMALLMS221JA</u>			State DL issued in <u>WA</u>		
2L. Present Address: <u>725 9th AVE S #207 Kirkland WA</u>					2M. Telephone Number: <u>425 736 9585</u>		
2N. Business Address: <u>106 Kirkland Ave Kirkland WA</u>					2O. Telephone Number: <u>425 827 8300</u>		
2P. Home Owner: <u>yes</u>		2Q. How Long at Present Address: <u>22 months</u>			2R. Citizenship: <u>US</u>		

III. THIS SECTION FOR BUSINESS INFORMATION ONLY

3a. Name of Business <u>Tiki's Bar &amp; Grill</u>	3b. Type of Business: <u>Bar</u>
3c. Name and Address of Owner or Manager: <u>same as above</u>	3d. Telephone Number:

3e. List All Partnerships (if Husband and Wife, List First, Middle, Last and Maiden Names. List ALL Silent Partners or Persons with Financial Interests.).

None



IV. PAST EMPLOYMENT

	Employed By	Address	Type of Work
1.	<u>The Harbor</u>	<u>700 Bellevue way</u>	<u>Bar Manager</u>
2.			
3.			
4.			

V. CRIMINAL RECORD

	<u>Where Arrested</u>	<u>When Arrested</u>	<u>Charge</u>	<u>Disposition</u>
1.	N/A			
2.				
3.				

VI. MISCELLANEOUS INFORMATION\*

Have you ever been bonded? NO Have you ever been through bankruptcy? NO  
 Have you ever been licensed before? NO Have you ever been denied a license: NO  
 If "yes", list all previous.  
 Have you ever been warned, cited, or charged in connection with license violation for which applying? \_\_\_\_\_

\* USE THIS PAGE FOR ANY ADDITIONAL INFORMATION:

DECLARATION:

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

V. SIGNATURE Muel Melby DATE 11/30/09

<b>DO NOT WRITE IN THIS AREA: (Investigator's Remarks)</b> <u>NO SIGNIFICANT BACKGROUND.</u>			
Investigating Officer: <u>[Signature]</u>			
License Number	Original or Renewal	I.D. Number	Finger Print Classification
Name of Bonding Company		Name of Insurance Company	



**CITY OF KIRKLAND**  
 Department of Finance & Administration  
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3100  
 www.ci.kirkland.wa.us

## MEMORANDUM

**To:** David Ramsay, City Manager

**From:** Barry Scott, Purchasing Agent

**Date:** January 21, 2010

**Subject:** REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF FEBRUARY 2, 2010

This report is provided to apprise the Council of recent and upcoming procurement activities where the cost is estimated or known to be in excess of \$50,000. The "Process" column on the table indicates the process being used to determine the award of the contract.

The City's major procurement activities initiated since the last report, dated November 4, 2009, are as follows:

	Project	Process	Estimate/Price	Status
1.	GIS Senior Level Project and Technical Management Services	Request for Qualifications	\$150,000 - \$200,000 (2 year contract)	Advertised on 1/25. Qualifications due on 2/5.
2.	Avamar Back-up System Hardware, Software and Maintenance	Cooperative Purchase	\$155,913	Purchase made off of State Dept. of Information Services Master Contract with Dell.

Please contact me if you have any questions regarding this report.



## **CITY OF KIRKLAND**

**Department of Planning and Community Development**  
123 Fifth Avenue, Kirkland, WA 98033 425-587-3225  
www.ci.kirkland.wa.us

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### **MEMORANDUM**

**To:** David Ramsay, City Manager

**From:** Dawn Nelson, AICP, Planning Supervisor

**Date:** January 21, 2010

**Subject:** ARCH 2010 WORK PROGRAM AND ADMINISTRATIVE BUDGET, FILE MIS10-00001

### RECOMMENDATION

Staff recommends that the City Council approve the 2010 ARCH Work Program and Administrative Budget.

### BACKGROUND DISCUSSION

The ARCH Executive Board has reviewed and approved the 2010 Work Program and Administrative Budget (see Attachments 1 and 2). Pursuant to the ARCH Interlocal Agreement, these are being forwarded to the member Councils for their review and approval.

This year, ARCH will assist the City of Kirkland with follow up work related to the priorities established by the City Council in 2008. This will include preserving existing affordable housing and continuing to explore the feasibility of mixed use transit oriented development at the South Kirkland Park & Ride. They will also provide assistance with the housing portion of the Lakeview and Central Houghton neighborhood plan updates. A complete list of activities to be undertaken by ARCH in 2010 is contained in Attachment 1.

The proposed 2010 Administrative Budget for ARCH, which totals \$498,231, is itemized in Attachment 2. A comparison with the 2009 Budget is provided and shows that the cost to each city remains the same as last year. The expenditure of \$59,768 for Kirkland's share was approved as part of the City's budget for 2010.

**Cc:** Arthur Sullivan, ARCH, 16225 NE 87<sup>th</sup> Street, Suite A-3, Redmond, Washington 98052

ATTACHMENT 1  
ARCH WORK PROGRAM & BUDGET  
FEBRUARY 2, 2010 CITY COUNCIL

12/15/09

**ARCH WORK PROGRAM: 2010**

**I. PROJECT ASSISTANCE**

**A. Oversight of Local Monetary Assistance**

ARCH Trust Fund. Review applications and make recommendations for requests of local monetary funds through the ARCH Housing Trust Fund process. Includes helping to coordinate the application process and use of funds for various programs. Also assist with preparing contracts for awarded projects and do quarterly progress reports on funded projects.

Objective: Allocation of \$1,000,000 or more through the ARCH Housing Trust Fund Process.

Funding commitments to create or preserve a minimum of 75 units.

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

Provide a variety of types of affordable housing as specified in the ARCH Trust Fund Criteria.

Evaluation of ARCH Trust Fund: Dedicated Funding Source. As follow up to the ARCH Workshops in 2007, explore and evaluate the feasibility of a dedicated funding source.

Objective: Develop a sustainable strategy for the HTF to meet increasing project costs and the reduction of federal housing funds.

Centralized Trust Fund Account. See Section IV Administration.

Funded Projects Follow-up. Monitor progress of funded projects and assist local staff with contracting and distributing funds, and ongoing monitoring of loans.

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

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

**B. Special Projects** This includes a range of activities where ARCH staff assist local staff with specific projects. Activities can range from feasibility analysis, assisting with requests for proposals, to preparation of legal documents (e.g. contracts, covenants). Following is a list of several specific projects that are already underway. One of ARCH's priorities is to be available to assist cities as they assess other potential special projects that arise.

Surplus Property/Underdeveloped Property. Assist as needed member cities' evaluation of potentially surplus public property or underutilized private property for suitability of affordable housing. One potential use of surplus property is for the HomeChoice Way ownership initiative. This task is consistent with one of the priority strategies identified at the ARCH Workshops in 2007. In 2010 this effort would be expanded to also seek opportunities that may become available due to the unique market conditions resulting from the economic downturn.

Objective: Identify one or more specific sites on the eastside to be made available for housing.

HUD Initiatives. ARCH will continue to monitor and actively pursue efforts to directly assist developments in order to preserve existing HUD assisted affordable housing as well as new HUD initiatives such as the Sustainable Communities Initiative.

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

Work with members of ARCH to seek opportunities to participate in new HUD programs such as the Sustainable Communities Initiative.

Issaquah Master Planned Development Sites. The Issaquah Highlands master planned developments (MPD) includes 'land set-aside' parcels that are reserved for the development of affordable housing for a specified period of time. ARCH will work with City staff to assist as needed with specific aspects of these parcels, including negotiate and track covenants and resale restrictions to guarantee long term affordability.

Objective: Assist City with work related to development of the 'TOD site in Issaquah Highlands by the YWCA, and Parcel 95 by Habitat for Humanity. Work in 2010 will focus around issues that come up during construction and initial lease-up / sales of units on both these sites.

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Eastside Homebuyer Assistance Program. In late 2005 the House Key Plus ARCH down payment assistance program was launched with funding from many East King County cities, King County and the Washington Housing Commission and in 2006 a second round of funding was received from the same initial funders. In 2009/2010, the goal is to seek a third round of funding for the program and to implement updates to the program suggested by the review completed in 2008.

Objective: Receive sufficient additional funding to extend the program another 2 years.

Implement updates to the program based on the conclusions of the program evaluation completed in 2008.

Reserve Fund Innovative Program. In the past, ARCH has used its reserve funds to provide unsecured predevelopment loans for innovative projects being sponsored by communities (e.g. Greenbrier (Woodinville), Coast Guard Site (Redmond)). ARCH will work with local staff and the broader community to identify other potential new innovative projects.

Objective: On an as needed basis, assist members with doing feasibility, community outreach and other predevelopment activity on specific sites or programs to assess their potential to provide affordable housing.

## II. HOUSING POLICY PLANNING

Work in this section falls into several basic areas of activity:

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

### A. Local Planning Activities

ARCH Housing Strategy Program. ARCH members have identified a number of Priority Housing Strategies as well as an ongoing education program for members. There are a number of work items in both of these areas including:

Objective: Continue Housing 101 Workshops for staffs and new local officials. Includes updating information in the Housing 101 Workbook as needed and annual study sessions with member councils to review current issues and activities. This includes preparing annual fliers profiling current programs and housing trends.

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Objective: Assist cities that incorporate any of the priority strategies into their local work program. (Note: See Local Housing Efforts below for specific activities by members.)

Objective: Several of the Priority Strategies have been identified as being more appropriate to approach in a more collective manner by members. In 2010, initial analysis on one or two of these priority strategies- a dedicated funding source for the Trust Fund, and potentially employer assisted housing program. Includes preparing a work program for review by the Executive Board and work on the initial steps identified for each.

Legislative Items. ARCH staff will track state and federal legislative items that relate to affordable housing and could impact members' ability to address affordable housing. As needed staff will report back to the Executive Board and members, and when directed coordinate with other organizations (e.g. AWC, Prosperity Partnership, WLIHA) to contact legislators regarding proposed legislation. Potential pending legislation consistent with the Housing Priorities Strategies include:

- State Housing Trust Fund. This fund source has been a primary funding source for almost all affordable housing created in the last 15 years in east King County.
- Waiver of Impact Fees. Potential legislation would give discretion to cities to waive impact fees without replacing with other public funds. This is an area where ARCH may take a more proactive role in the legislative process.
- The federal government authorizing funds for a new National Housing Trust Fund.

Housing Background Information/ Housing Needs Assessment. Historically, ARCH has provided a range of housing and demographic information for its members. On an annual basis, ARCH will continue to provide updated housing data information as available. This updated housing information will be incorporated into the education fliers developed as part of the ongoing Housing Education Program developed as a result of the ARCH Workshops. In 2010 this effort will be expanded. Members will need to do updates to their Comprehensive Plans by 2011, which includes updating the Housing Needs Assessment part of the Housing Element. Based on input from members, ARCH will develop a needs assessments in behalf of all members of ARCH that will be completed toward the beginning of the updates to local Comprehensive Plans.

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

Continue to keep member jurisdictions and the broader community aware of local housing conditions to assist in their efforts to evaluate current and future efforts to meet local housing objectives.

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Include research on recent housing trends, and responses to these trends, in order to inform members of potential issues and local responses (e.g. , foreclosure activity).

Accessory Dwelling Units (ADU). Continue to provide information to the broader community on ADUs through fliers and the ARCH website. As needed, ARCH staff will assist local staff with assessing and modifying existing local ADU regulations

Objective: Increase general community awareness and utilization of ADU's .

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

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

**Bellevue**

Assist City staff as needed with Bellevue's planning initiatives included in Bellevue's Housing Element update and in the Two-Phase Housing Work Program identified by the Council. (e.g. updates to ADU regulations, update city-wide housing incentives, more innovative forms of housing, MF tax exemption.)

Assist City staff with developing and implementing incentives to encourage affordable housing, work force housing, and housing choice citywide (Phase II).

Assist with Council evaluation of a MF Tax exemption program in Bel-Red and potentially other areas of the City. In the event Council provides direction to develop a program, assist City Staff to develop code language for a program.

Assist in land use planning in identified ST2 corridors where transit oriented housing and mixed income housing development is an important component of the initial planning work.

Assist City staff to evaluate long term options for the Landmark property (purchased in 2002 by the King County Housing Authority) or other properties identified by the City.

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**Bothell**

Assist City staff with implementing elements of the downtown plan to encourage affordable housing.

Assist City staff with implementation of any housing strategies identified by City Council as part of the 2010 Docket process.

**Clyde Hill**

Assist City staff with a general review of housing regulations.

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

**Issaquah**

Assistance is anticipated for the following projects:

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

Issaquah Highlands: Monitor the implementation of the Issaquah Highlands affordable housing development agreement. This includes monitoring individual projects by private developers, and assisting City staff with the implementation of the Block 9, YWCA affordable housing project.

**Kenmore**

Downtown Plan: Assist, as needed, City staff to implement the requirement to provide affordable units in the downtown area.

TOD Regulations: Assist City staff and Downtown Taskforce with reviewing policies and regulations as they relate to housing and housing affordability.

Tax Exemption Program: Develop reporting forms, procedures and other necessary actions as requested by the City related to the property tax exemption program.

**Kirkland**

Assist City staff with an examination of existing non-conforming multifamily

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densities and how that might relate to the preservation of existing affordable housing.

Continue to assist staff with exploring the feasibility of mixed-use transit oriented development on a portion of the South Kirkland Park & Ride property, including coordination with Metro and for profit or non-profit housing developers, and development of regulations for project development and affordability requirements.

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

**Mercer Island.**

Assist City staff and council with evaluating and, if appropriate, implementing a tax incentive program for affordable housing in the Mercer Island Town Center, as allowed under RCW 84.14.

Assist City staff and City Council with a community evaluation of the potential for considering innovative housing within the community.

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

**Newcastle**

Assist City staff in reviewing and adding clarifying language to the affordable housing requirements for the downtown, Community Business Center. Also assist with agreements for any project that would include an affordable housing requirement, including those related to the Community Business Center.

**Redmond**

Assist with update of housing regulations related to the update of the City's overall development regulations.

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

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

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Provide assistance as needed in updating neighborhood plans (e.g. Bear Creek Neighborhood) with respect to housing, including periodic attendance at CAC meetings to help identify housing issues within the neighborhood and develop policy responses.

Assist with the refinement of existing incentive programs to create affordable housing, especially related to methods for alternative compliance and bonus area in downtown projects.

Assist in implementing and preliminary analysis of the City's innovative housing ordinance and pilot program.

**Sammamish**

Assist City staff with Council review of Town Center regulations related to diverse housing opportunities and innovative design techniques.

Assist with evaluating and potentially implementing a demonstration program for cottage housing and/or other innovative housing projects that meet changing population needs and preferences.

Assist with initial implementation of high priority strategies identified in the Housing Strategy Plan, including efforts to encourage Accessory Dwelling Units (ADUs), and processes and standards for homeless encampments.

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

**Woodinville**

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

Continue work to assist City staff and Planning Commission with ways to encourage housing in the Downtown/Little Bear Creek Master Plan area.

**King County** See Regional/Planning Activities below.

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

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

**B. Regional/Countywide Planning Activities**

Affordable Housing Tracking System. The Growth Management Act/Countywide Affordable Housing Policies call for jurisdictions to track the development/preservation of housing affordable to low and moderate income families. This work is being coordinated through the Benchmarks Task Force. ARCH staff will continue to assist cities and the County with collecting data needed for Benchmarks.

Objective: Collection and analysis of data as specified in Benchmark Task Force report.

Maintain an eastside housing database for storing benchmark and related housing data. The database should allow the creation of standardized reports, yet be flexible enough to also meet the individual reporting needs of members.

**Information collected for this will be incorporated into the annual updates prepared as part of the ongoing ARCH Housing Education program.**

County-Wide Housing Committees. Support local staff by providing staff support as needed to 'regional'/statewide working groups/committees, and disseminating key information back to local staffs. Groups include the Growth Management Planning Council (GMPC), the McKinney review team, and DOC Housing Trust Fund Policy Advisory Team.

Committee to End Homelessness (CEH)/ Eastside Homeless Advisory Committee (EHAC). Anticipated work of the CEH in the coming year include: more coordinated allocation of resources; and initiating several specific proposals (e.g. Landlord Liaison program). Role for ARCH staff is expected to include participating in the CEH Funders group and its efforts to coordinate funding, and develop strategies for delivering and funding services on an ongoing basis to homeless housing; and inform ARCH members and the general public of CEH/EHAC activities. Also continue to participate in efforts to implement homeless efforts within East King County through EHAC.

Objective: Keep member jurisdictions informed of significant regional issues and pending

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legislation that could affect providing housing in East King County.

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

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

### III. HOUSING PROGRAM IMPLEMENTATION

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

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

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

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

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

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foreclosures).

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

Mailing List of Low/Moderate Income Households. Maintain a list of families potentially interested in affordable housing (both rental and ownership) created through the efforts of the participating jurisdictions.

Objective: Maintain lists of affordable housing in East King County, and making that available as needed to people looking for affordable housing.

Maximize use of the ARCH web site to assist persons looking for affordable housing.

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

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

#### IV. SUPPORT/EDUCATION/ADMINISTRATIVE ACTIVITIES

Education/Outreach. Education efforts should tie into efforts related to public outreach/input on regional housing issues. However, much of ARCH's outreach/education work will occur through work with individual members on local housing efforts. Potential outreach tools include the Housing 101 workbook and related brochures, housing tours, a portfolio of successful projects, and ARCH brochure.

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

Objective: **Consistent with the Education program discussed at the ARCH Workshops**, on a regular basis, conduct education sessions for new local officials and staffs on local housing conditions and programs (Housing 101 East King County, East King County Plan to End Homelessness), and hold annual discussion with member councils on recent housing trends and efforts.

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

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

ARCH Web site. Currently this site is primarily geared to those utilizing programs administered through ARCH (e.g. listing of available rental and ownership affordable units, application for Trust Fund, consumer information on Accessory Dwelling Units, linkages to other housing related services in the community). In addition, information will be added to the website regarding general needs for affordable housing. In the last year this has primarily involved adding material from the Housing 101 Workbook. In the coming year, opportunities will be looked at to add information to this part of the website.

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

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

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

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

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

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

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

Administrative Procedures. Maintain administrative procedures that efficiently provide services to both members of ARCH and community organizations utilizing programs administered through ARCH. Prepare quarterly budget performance and work program progress reports.

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Prepare the Annual Budget and Work Program. Staff the Executive and Citizen Advisory Boards.

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

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

Update the ARCH Interlocal Agreement to incorporate updates to ARCH's administrative structure related to administering the Housing Trust Fund and ARCH Sphere of Influence, and if adopted, implement provisions approved in the Interlocal Agreement

Workprogram 2010 12-15-09 Final.Doc

## 2010 ARCH Administrative Budget

Dec-09

### I. ANNUAL OPERATING EXPENSES

Item	2009 Budget	2010 Budget	Change Budget	Percent Change
Sub-total	\$ 453,190	\$ 451,931	\$ (1,259)	0%
Rent	\$ 12,052	\$ 12,750	\$ 698	6%
Utilities	Incl^	Incl^	Incl^	Incl^
Telephone	\$ 2,575	\$ 2,704	\$ 129	5%
Operating				
Travel/Training	\$ 2,000	\$ 2,000	\$ -	0%
Auto Mileage	\$ 3,650	\$ 3,650	\$ -	0%
Copier Costs	\$ 2,750	\$ 2,750	\$ -	0%
Office Supplies	\$ 2,068	\$ 2,068	\$ -	0%
Office Equipment Service	\$ 4,000	\$ 3,750	\$ (250)	-6%
Fax/Postage	\$ 2,060	\$ 2,060	\$ -	0%
Periodical/Membership	\$ 3,588	\$ 3,588	\$ -	0%
Misc. (e.g. events,etc.)	\$ 1,840	\$ 1,680	\$ (160)	-9%
Insurance	\$ 8,420	\$ 8,650	\$ 230	3%
Reorganization Admin	\$ -	\$ 650	\$ 650	
Sub-total	\$ 30,376	\$ 30,846	\$ 470	2%
TOTAL	\$ 498,193	\$ 498,231	\$ 38	0.01%

\* Actual salary increases based on Bellevue's approved Cost of Living Adjustment

III. ARCH ADMINISTRATIVE BUDGET: RESOURCE DISTRIBUTION

A. Cash Contributions	2009		2010 Change		Percent Change	
Bellevue	\$	-	\$	-	\$	-
Bothell	\$	39,191	\$	39,191	\$	-
Issaquah	\$	14,698	\$	14,698	\$	-
King County	\$	43,466	\$	43,466	\$	-
Kirkland	\$	59,768	\$	59,768	\$	-
Mercer Island	\$	29,882	\$	29,882	\$	-
Newcastle	\$	9,960	\$	9,960	\$	-
Redmond	\$	59,768	\$	59,768	\$	-
Woodinville	\$	11,898	\$	11,898	\$	-
Beaux Arts Village	\$	1,569	\$	1,569	\$	-
Clyde Hill	\$	2,660	\$	2,660	\$	-
Hunts Point	\$	1,569	\$	1,569	\$	-
Medina	\$	2,660	\$	2,660	\$	-
Yarrow Point	\$	1,569	\$	1,569	\$	-
Sammamish	\$	46,188	\$	46,188	\$	-
Kenmore	\$	25,195	\$	25,195	\$	-
Other*	\$	11,400	\$	11,400	\$	-
<b>TOTAL</b>	\$	361,442	\$	361,442	\$	-
B. In-Kind Contributions	2008		2009 Change		Percent Change	
Bellevue	\$	136,791	\$	136,792	\$	1.10
<b>TOTAL</b>	\$	136,791	\$	136,792	\$	1.10
C. Total Contributions						
Bellevue	\$	136,791	\$	136,792	\$	1.10
Bothell	\$	39,191	\$	39,191	\$	-
Issaquah	\$	14,698	\$	14,698	\$	-
King County	\$	43,466	\$	43,466	\$	-
Kirkland	\$	59,768	\$	59,768	\$	-
Mercer Island	\$	29,882	\$	29,882	\$	-
Newcastle	\$	9,960	\$	9,960	\$	-
Redmond	\$	59,768	\$	59,768	\$	-
Woodinville	\$	11,898	\$	11,898	\$	-
Beaux Arts Village	\$	1,569	\$	1,569	\$	-
Clyde Hill	\$	2,660	\$	2,660	\$	-
Hunts Point	\$	1,569	\$	1,569	\$	-
Medina	\$	2,660	\$	2,660	\$	-
Yarrow Point	\$	1,569	\$	1,569	\$	-
Sammamish	\$	46,188	\$	46,188	\$	-
Kenmore	\$	25,195	\$	25,195	\$	-
Other*	\$	11,400	\$	11,400	\$	-
<b>TOTAL</b>	\$	498,233	\$	498,234	\$	1.10
<b>TOTAL COSTS</b>	\$	498,193	\$	498,231	\$	38.32
<b>BALANCE</b>	\$	39	\$	2		

\* This is the administrative fee collected from Redmond Ridge East (\$250 / initial sale).



**CITY OF KIRKLAND**  
Department of Parks & Community Services  
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www.ci.kirkland.wa.us

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## MEMORANDUM

**To:** David Ramsay, City Manager

**From:** Jennifer Schroder, Director of Parks and Community Services  
Carrie Hite, Deputy Director of Parks and Community Services

**Date:** February 2, 2010

**Subject:** KTUB Operations

### **Recommendation:**

City Council be briefed on options for KTUB operations. Staff recommend City Council consider option five.

### **Background**

The Parks and Community Center Youth Services section and the Youth Council adopted a work plan item in 1995 to develop a teen center for Kirkland. After extensive work with the Park Board, City Council, and public, the decision was made to build the teen center in Peter Kirk Park. Additionally, staff researched options for the operations of the teen center, and it was decided to publish a request for proposal to determine interest and feasibility for third party operations. In June of 2001, the City of Kirkland opened the Kirkland Teen Union Building, and signed a ten year Use and Occupancy Agreement with Friends of Youth. At full term, this lease would expire on May 31, 2011. However, the termination clause allows either party to initiate an early termination of the lease. Friends of Youth opted to terminate early, and have given the required notice.

Friends of Youth has been an excellent partner, continuing to satisfy the scope of work, and often providing additional services to Kirkland youth. Their decision to terminate the agreement was based on redefining their mission, and concentrating on their core services. Friends of Youth intends to operate the KTUB until July 1, 2010. After this date, they would like to continue providing youth outreach services at the KTUB. These services provide case management for some of the most vulnerable, at risk for homeless youth in Kirkland.

The current scope of service includes:

- Staffing the Teen Center a minimum of 36 hours a week, 5 days a week
- Maintaining an Advisory Board of youth and adults
- Develop, promote, and implement a diverse array of programs that anticipate and meet the needs and interests of Kirkland teens.
- Develop and implement a comprehensive evaluation plan to access the effectiveness of programs and operations.

## **Current City Resources for KTUB**

Currently, the City allocates a total of \$220,120 to the operations of KTUB. This is divided among operations, facility, and services. The City funds Friends of Youth for the operations of the KTUB for \$160,000. In addition, the City spends \$32,689 for facility operations and maintenance and facility sinking fund charges. The City also funds \$27,431 to Youth Eastside Services to provide half time counseling services on-site at the KTUB through human services contract funding.

## **Options for Operation**

Since July, staff have researched various options for operation of the KTUB. Attachment A outlines each option, some considerations, pros and cons, and budgetary information.

The options include:

1. Close KTUB.
2. RFP operations to a third party.
3. City assists in operations of KTUB for 1-3 years, contracting with current staff, while the current KTUB Director works to establish a 501c3 organization.
4. Discuss possibility with Friends of Youth to continue operations through May, 2011.
5. City operates KTUB.

Staff is recommending the City Council consider option five. There are several reasons this makes good sense for the city at this time of budget difficulties. Attachment B outlines a proposed budget for the operation of KTUB. As Council can determine from the spreadsheet, the operating costs for the city, compared to Friends of Youth are increased about \$20,000. This is due mostly to the fact that salary and benefits charges are more expensive for the city. However, even though the costs are higher, implementing several different program strategies would allow the city to operate the KTUB without a deficit, and with future potential.

In order to develop a balanced budget for operating the KTUB, we can implement several strategies:

- Reallocate \$27,431 from the human services per capita fund to support youth development at the KTUB. Youth development includes providing opportunities for youth to be engaged, active, and part of their community, thus deterring them from mischief and crime. Currently, the city has a contract with Youth Eastside Services to provide counseling services for 15 hours per week at the KTUB. This is a great model, and has been successful for working with youth in crisis. Currently, Friends of Youth also offers crisis intervention services through their Outreach program, located at KTUB. Friends of Youth would like to remain on site, as the program is part of a larger program funded by a Federal homeless prevention grant. In addition, the city just completed a project to offer the Forbes house to Youth Eastside Services to provide expanded counseling for youth and families in Kirkland. We currently provide an additional \$30,000 to YES to provide this counseling for youth and families in Kirkland. We could certainly work with the KTUB staff and the Friends of Youth staff to refer youth to YES for further counseling if warranted.
- Currently, Friends of Youth raises \$30,000 annually in revenue from KTUB activities. Part of the budget proposal is to increase revenues by \$5000 to help balance the

budget. This increase is very conservative; because of annexation, there is a need for more recreation program space to serve the increased need, thus increasing revenues. If we are able to program fitness and preschool programs during the daytime, before the KTUB opens at 3:00 p.m., there could be significant revenue potential.

- Part of the proposed budget uses existing funds that are currently used to support the KTUB, including Youth Services (\$100,000), Facilities (\$32,689), and Outside Agency ongoing funds (\$60,000). With the Human services funds, we currently have \$220,120 dedicated to KTUB operations.
- There would be some city overhead charges that need to be added, but these would not contribute to any new net increase, but would be reallocated.

In addition to proposing a balanced budget for operation of the KTUB, this model also has additional benefits. There may be less staff turnover, thus more stability and consistency in operations. The City can continue operations with a youth advisory board, and create more of a connection to the Youth Council. The City Youth Services could help promote and market KTUB, help with programming for the needs of youth. With annexation being implemented, taking over operations of this facility will add to the city's facility inventory, thus giving the city the opportunity to maximize the use of space, programming more services during the daytime hours when youth are still in school, and will help to meet the needs of the recreation goals for annexation.

**Kirkland Teen Union Building Operations**

Options	Questions/Considerations	Pros	Cons	Budget
1. Close KTUB	Impact to youth community? Impact to police interventions?	Save \$100,000 in Youth Services, \$60,000 in Outside agency ongoing funds, \$32,689 in facilities, \$27,431 in human services for a total of \$220,120 in budget. Free up facility for other use.	No youth center, opportunities, recreational space, gathering place, music, computers, etc. Possible increase in crime, loitering, youth mischief, etc.	Budget savings to the city of \$220,120 less the cost to mothball facility.
2. RFP to third party. Possibilities include Kirkland Boys and Girls club, YMCA. Continue to grant \$160,000. Continue to grant \$27,431 for counselor. Continue internal services funds of 32,689 for facility. Friends of Youth continue outreach program.	Are there other nonprofits that will emerge during the RFP process that have not been identified? Will the ones that emerge be able to offer the same level of service for this amount of funding?	Both potential partners are supported by national initiatives, larger organization, more infrastructure. Large scale organizations, experienced in fund development, and potential to bring existing partners to the operations. Fixed cost of \$220,120 for the City.	Mission based programming could be limiting. Will Kirkland youth have a voice? Will KTUB lose identity? Will there still be opportunity for youth decision making, self expression? Will KTUB continue to serve all youth, or only those that are members of the BGClub, YMCA? Not a seamless transition. FOY staff laid off, new agency will bring their staff, or hire back FOY staff. Is \$160,000 operational funds be enough to attract respondents, providing same service level?	Fixes cost at current level: \$220,120
3. City assists KTUB in operations for 1-3 years, while establishing a 501 c3. Contract with current Director and staff for services, assist in transitioning KTUB into a separate 501(c) 3.	What kind of assistance can we offer? Can we help them establish business relationships to help them fundraise, staff an advisory board? Would need to work through any Human resource issues in regards to contract staff.	Current director willing/able/interested, but limited experience in forming a nonprofit. Keeps local identity. Community could "own" it. This would be a fixed cost of \$220,120 for the city. If model doesn't work for some reason, still have the option to RFP after a year, or take over operations.	Takes time to establish strong board. Risk in fundraising: if it is not successful, who is going to bear the burden? Would this new nonprofit be competing for funds of existing nonprofits providing services to Kirkland citizens? Is it too difficult to start a new nonprofit in this economy?	Similar costs to city operational model for one year, with the goal of reducing costs to a fixed amount after 1-3 years (\$220,120).
4. Discuss possibility with Friends of Youth to operate to full term, giving economy time to recover, consider possibilities with 2011-12 biennial budget.	Friends of Youth has indicated that they would consider this option if the City of Kirkland would provide funding to fill their deficit on the KTUB.	Gives us time to ride out recession, there may be more options in the next 6 months to a year, other non profits may emerge that are more financially stable to start new operations.	Delay the inevitable? What if economy doesn't get better, we are still back to the same scenario.	Cost the city an additional \$30,000 through December 31, 2010(end of budget year). Cost the city an additional \$55,000 through May 31, 2011 (end of lease term).
5. City operates KTUB.	Budget concerns, there will be an increased expense from \$220,120. Can city operate within current funding?	More quality control, youth voice, empowerment model. Connection to KYC, possibly having them take more of a leadership role. Less time overseeing and forming partnership model. Lower staff turnover rate ( there have been three directors in 9 years of operation ). Infrastructure, facilities, can afford to keep it up better, help with the community relationship. Gives the City the opportunity to maximize the use of the facility, programming more services during the daytime hours when teens are in school. With Annexation, and space being scarce, this would add space to the city's inventory to increase services. Current recreation staff could program in KTUB for the morning, early afternoon hours.	Limited on what we can do as a government running? Not as many controversial issues? More expensive. Increased costs each year ( i.e. salary, benefits, IT, etc). Redirecting human services per capita for Counseling to be used for youth development program. Youth development includes providing opportunities for youth to be engaged, active, and part of their community, thus deterring them from mischief and crime.	Cost of operations is higher than current allocation, but within the current funding proposal. Budget analysis provide on attached spreadsheet

## Proposed Kirkland Teen Union Building Budget

	Friends of Youth Current	City of Kirkland Current	City of Kirkland Proposed
<b>Expenditures</b>			
<b>Salaries/Benefits</b>			
Admin Salary % Overhead FOY	46,669		
Salaries/Benefits (dir/coord + hourly)	192,484		
Regular Sal/Ben (dir/coord)			124,851
Hrly Wages/Ben (hourly only)			67,176
Training	1,850		1,500
Subtotal Salaries/Benefits	241,003	0	193,527
<b>Professional Services</b>			
	5,000		
Subtotal Professional Services	5,000	0	0
<b>Supplies</b>			
Office Supplies			600
Program Supplies	5,300		11,000
Recruitment/Printing	250		1,200
Postage (non dept)	25		
Subtotal Supplies	5,575	0	12,800
<b>Interfund Charges (IT &amp; Fleet)</b>			
Interfund - IT Rental	300		12,422
Interfund - IT Rsv			580
Telecom	4,046		518
Transportation (van oper/no replace)	500		635
Subtotal Interfund Charges (IT & Fleet)	4,846	0	14,155
<b>Facilities</b>			
Repairs & Maintenance	14,500	3,300	5,627
Professional Svcs - janitorial	4,000	4,770	8,810
Admin staff Overhead		2,052	5,690
Maintenance Staff			9,743
Operating Supplies		325	2,111
Repair Supplies		435	945
Communication			2,000
Insurance	4,858	3,168	3,168
Utilities - electric/internet	9,269		5,757
Utilities - WSG		2,400	2,400
Misc	290	50	355
Facilities Sinking Fund		16,189	16,189
Subtotal Facilities	32,917	32,689	62,795
<b>Current City Support</b>			
Youth Services		100,000	
Outside Agency/Ongoing general fund		60,000	
Counselor (YES) HS per capita		27,431	
Subtotal Current City Support	0	187,431	0
<b>Total Expenditures</b>	<b>\$ 289,341</b>	<b>\$ 220,120</b>	<b>\$ 283,277</b>
<b>Revenue</b>			
Café Revenue	2,400		2,400
Program Revenue	30,000		35,000
Business Contribution	9,996		10,000
Subtotal Revenue	42,396	0	47,400
<b>Current City Support</b>			
Facilities paid by general fund		32,689	32,689
Youth Services	100,000	100,000	100,000
Outside Agency/Ongoing general fund	60,000	60,000	60,000
Human Services per capita		27,431	27,431
Reallocated costs			16,299
Subtotal Current City Support	160,000	220,120	236,419
<b>Total Revenue</b>	<b>\$ 202,396</b>	<b>\$ 220,120</b>	<b>\$ 283,819</b>
<b>Net</b>	<b>\$ (86,945)</b>		<b>\$ 542</b>

**CITY OF KIRKLAND****Department of Public Works**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

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**MEMORANDUM**

**To:** David Ramsay, City Manager

**From:** Daryl Grigsby, Public Works Director  
Gina M. Hortillosa, Project Engineer

**Date:** January 25, 2010

**Subject:** Park Lane Pedestrian Corridor Enhancements - Project Update

**Recommendation:**

It is recommended that the City Council provide input and feedback on the Park Lane project.

**Background and Discussion:**

The Park Lane Pedestrian Corridor Enhancement Study was funded beginning in 2008 as a part of the 2008-2013 Capital Improvement Program. The Study was the first step in developing an overall strategy for addressing various issues along Park Lane. The Study's primary objective was to explore and develop a corridor concept for enhancements along Park Lane between Lake Street and Third Street, and a second objective was to identify various funding alternatives to accomplish the enhancements.

Primary drivers of the Study were failing sidewalks between Main Street and Lake Street where significant mature tree roots are impacting sidewalks, infrastructure is aging and deteriorating (pavement, surface water conveyance systems, and lighting), and a number of redevelopment opportunities exist along the eastern end of the corridor including the Kirkland Transit Center and King County's replacement of the existing sanitary sewer pump station at Third Street and Park Lane.

*Study Chronology***Summer 2008**

Due in part to their experience implementing low impact development in projects in the Northwest, the City hired SvR Design Company to work with adjacent property owners, businesses, and interested citizens in creating a community vision for the future of Park Lane.

**August 2008**

A survey was mailed to all property and business owners along Park Lane and to other key stakeholders to obtain baseline information regarding attitudes and perceptions of Park Lane as it looks and feels today and their aspirations of where it could be in the future.

January 25, 2010

Page 3

September 2008

Stakeholders convened to discuss opportunities presented with the new Downtown Transit Center and to create a shared vision for the corridor. Stakeholders participated in a design charrette to learn how Park Lane was first created through a Local Improvement District in 1974, and then to develop concepts that could then be circulated for public comment. Three design concepts emerged from the stakeholder's long term vision for Park Lane and over the next weeks, staff and their consultants developed the concepts further. Concurrent with the development of the design concepts, Gilles Consulting (arborist) prepared a detailed tree inventory of all trees along Park Lane from Lake Street to Third Street.

October/November 2008

The three design concepts were presented to the public in a number of public meetings and venues including online information and comment forms. Over one hundred comments regarding the concepts were collected from the public.

February 2009

The City Council reviewed and endorsed the Stakeholder's recommendation of what emerged as the preferred design option: the Festival Street concept (Attachment A).

July 2009

Gilles Consulting, the City's Urban Forester, SVR Consulting, and staff met at Park Lane to re-assess trees and refine the Festival Street concept.

October 2009

Tree 'report cards' were prepared and attached to 41 trees along Park Lane (see sample as Attachment E). The report cards were part of the ongoing community outreach plan to inform and engage stakeholders and other Park Lane users about the City's design process. The report cards included a "grade" and tree specific information such as: its species, diameter, comments on vigor, structure, health, and long term viability. On October 27th, Stakeholder's were invited to tour Park Lane with the City's Urban Forester, Gilles Consulting, SVR and other City Staff. During the tour, the tree report cards were explained, trees were compared among each other for purposes of educating the Stakeholders on tree health/structure/vigor. Potential impacts to trees as a result of construction and root pruning were also discussed. Trees with diseases such as *verticillium wilt* were identified and signs of the disease were explained in detail by the City's Urban Forester and Brian Gilles (Gilles Consulting).

The tour also offered the opportunity to discuss and explain the process of sidewalk buckling due to tree roots. Further, the proposed locations for surface water run-off collection and treatment using a new product known as Silva Cell (Attachment D) were shown on the tour. At the conclusion of the tour, Stakeholders, consultants and staff reconvened at Zeek's Pizza to review the preferred design option and discuss the proposed Phase 1 implementation plan (Attachments B, C and D). The Park Lane tour and the following meeting at Zeek's were also videotaped as a part of the community outreach process, and the video will be made available in the project's webpage by January for the general public to view.

### *Study Recommendations*

The 2009-2014 CIP (revised) includes an allocation of \$119,000 for Phase 1 of the Park Lane Pedestrian Corridor Enhancement Project; these funds are proposed to be combined with a portion of

the funding from the annual sidewalk replacement programs of 2009 and 2010. Phase 2, unfunded at this time, is also included in the CIP. Phase 1 of the Park Lane improvements consists of:

- A) Installation of Terrewalk panels (made out of recycled rubber and plastic) at approximately twenty critical locations along the corridor where the sidewalk is buckling as a result of root uplifting impacting approximately 4,000 SF of sidewalk repair. In these locations, tree roots will be carefully pruned concurrent with the new sidewalk panels.
- B) Removal and replacement of one tree. This tree, a nearly 14 inch diameter sweetgum, is located in front of the Lakeshore Gallery (Attachment B). It received a D- grade and is causing severe sidewalk buckling. Staff is recommending the use of a Silva Cell unit at this location in order to prevent future sidewalk buckling as the replacement tree roots grow. Silva Cell units are stacked one, two or three frames high depending on space, budget and site needs. The unit acts as "suspended pavement" and requires less soil compaction than conventional tree wells. This pilot use of the Silva Cell technology will be monitored for its application in other Kirkland locations.

The Phase 1 immediate objectives are to address the most severe potential tripping hazards along the corridor consistent with the overall development of the Festival Street concept. Additionally, the tree information that will be learned by exposing and pruning roots during the panel replacement will enable more appropriate solutions as to how to incorporate as many existing trees as possible into the overall project. Staff and consultants will be able to visually assess the location and condition of the roots and better gauge how the trees will respond to the installation of the Festival Street concept using standard concrete sidewalk (in future Phase 2 improvements). Once funding is secured and construction is undertaken on future improvements, the Terrewalk panels can either be incorporated into the project or removed and reused in other locations.

Concurrent with the implementation of Phase 1 this winter, SVR Consulting is proceeding with the complete Festival Street storm drainage design of Park Lane and the street frontage adjacent to the King County Pump Station; reconstruction of this portion of Park Lane will be performed by King County during the completion of the Pump Station and the associated utilities. The design of the remaining portions of the Park Lane Corridor will be advanced to 30% (preliminary) design and will be performed at a later time once additional funding is secured.

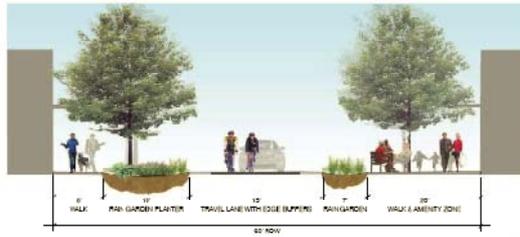
A complete funding strategy is being recommended and has been outlined in this memo (Attachment F). Grants, CIP, and private funding potentially through a local improvement district approach or development frontage improvements are all potential funding sources at this time.

Attachment: (6)

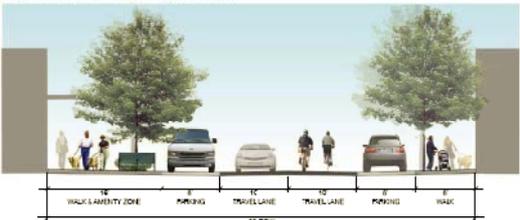
# Flexible Festival Street Concept

## PREFERRED CONCEPT | FLEXIBLE FESTIVAL STREET | PLAN AND SECTIONS

SECTION A-A: WEST BLOCK (NOT TO SCALE)



SECTION B-B: EAST BLOCK (NOT TO SCALE)



- EXISTING TREE
- PROPOSED TREE
- RAIN GARDEN
- PEDESTRIAN AMENITY ZONE
- ROADWAY
- PEDESTRIAN WALKWAY
- PARKING BAND





### Phase 1 Implementation



## Phase 1 – Terrewalk Rubber Walkway Panels



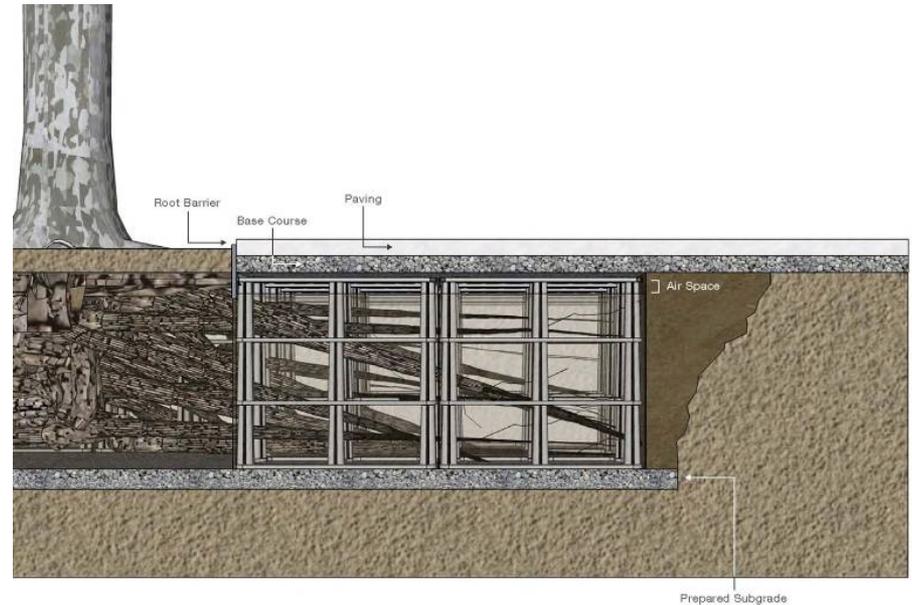
**Issaquah, WA 2009**



**Spokane, WA 2008**

- Easy interlocking
- Made out of recycled rubber and plastic
- Panels can be removed and reused at other locations
- Storm water can percolate to tree at panel edges

# Phase 1 – Silva Cell Units



Silva cell units act as “suspended pavement”. The soil within the units requires less compaction. Hence, they provide more void space for roots to grow.

# PARK LANE TREE INVENTORY

## TREE REPORT CARD

Tree Number: 427  
Species: Armstrong Red Maple  
Diameter: 8.4"

# A

Grade Definition:

A(Retain) B(Retain/Monitor) C(Monitor) F(Remove/Replace)

Tree Criteria:

- Vigor: Good
- Structure: Good
- Health : Very Good
- Impact on other trees/infrastructure: sidewalk/curb
- Long term viability: Very Good
- Notes: 4x4 cutout

Working to restore, enhance and protect the City of Kirkland's Tree Assets

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### Tour of Park Lane Trees with City Urban Forester

Tuesday October 27<sup>th</sup> (8:30 am – 9:15 am); Meet at Park Lane and Lake Street

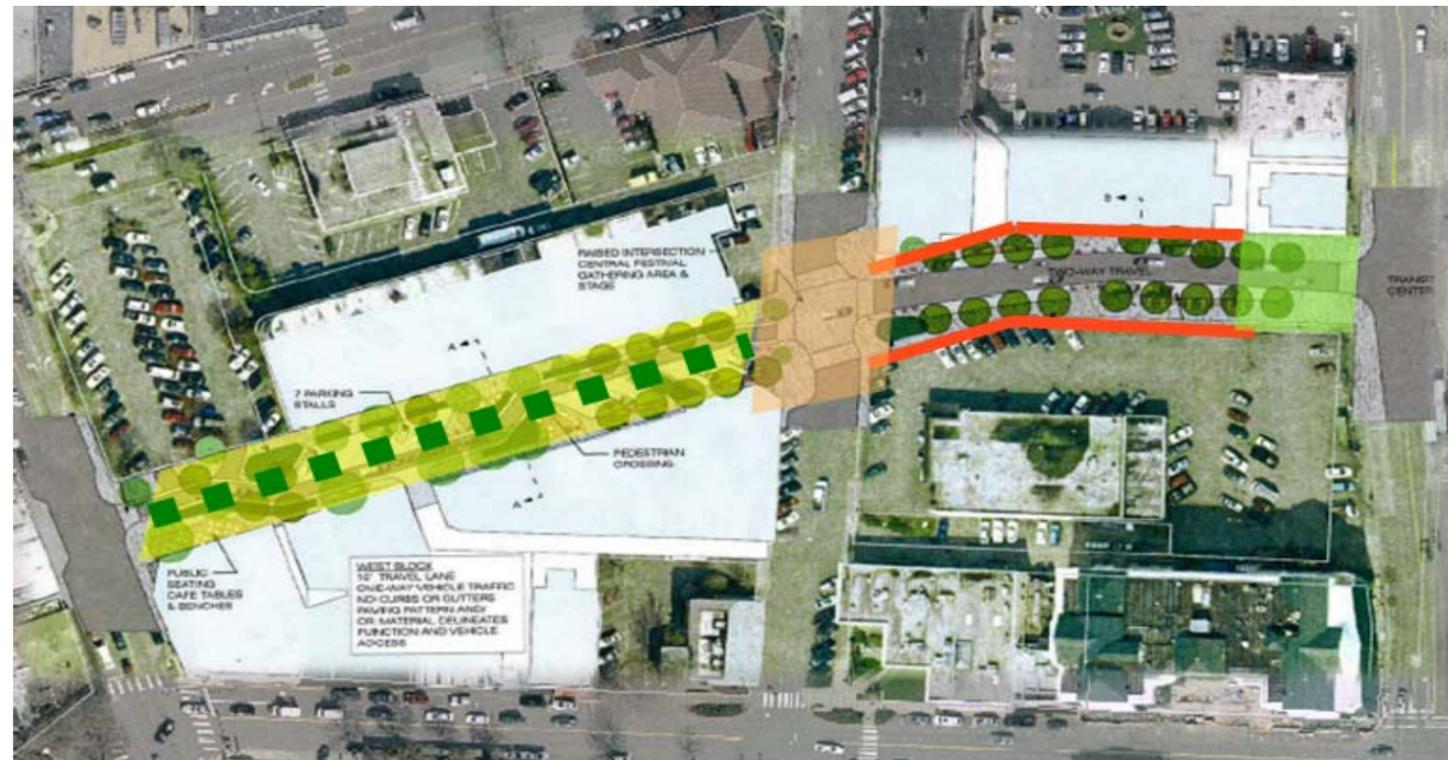
### Phase I Implementation Plan

9:15 am – 10:15 am; Zeek's Pizza (124 Park Lane)

For more information, contact Kari Page 425-587-3011 [kpage@ci.kirkland.wa.us](mailto:kpage@ci.kirkland.wa.us)

# Proposed Park Lane Pedestrian Corridor Funding Strategy

PHASE	DESCRIPTION	Frontage (linear feet)	Design fees	Construction Estimate (*)	Total Estimate (2009)	Design (**)	Construction	Funding source	Secured Funds	Shortfall
1	Replacement of damaged infrastructure (Terwalk rubber walkway panels, Silva Cell units, root pruning, conduit)	various	\$ 5,000	\$ 114,000	\$ 119,000	2009	2010	\$100K from 2009 Sidewalk Program, \$58K from Surface Water, \$61K from Reserve -- Project identified in the 2009-2014 CIP (revised)	\$119,000	\$0
2	King County DNR pump station street frontage Improvements	150	\$ 17,300	\$ 110,700	\$ 128,000	2009	2010	Design funding is included in Phase 1. Construction will be completed by KCDNR; Park Lane crosswalk along west side of Third Street will be constructed with Downtown Transit Center.	\$128,000	\$0
3	Festival Street Implementation: Installation of porous concrete sidewalks, new roadway, street furniture, patterned concrete, storm drainage and rain gardens.	800	\$ 128,600	\$ 590,400	\$ 719,000	2010	TBD	\$200K from 2010 Sidewalk Program, \$164K from Surface Water Program, \$20K from Centennial Program, \$16K donated benches. Project is identified in the 2009-2014 CIP (revised)	\$400,000	\$319,000
4	Festival Street Implementation: Raised intersection at Main Street and Park Lane.	100	\$ 16,200	\$ 73,800	\$ 90,000	TBD	TBD	Staff will be applying for grants: 2010 TIB sidewalk, 2010 TIB UCP, 2011 Countywide Non Motorized and LID grants	\$0	\$90,000
5 S	Antique Mall Redevelopment right of way improvements per Festival Street Concept	275	\$ 44,050	\$ 202,950	\$ 247,000	TBD	TBD	Private development	\$0	\$247,000
5 N	Kirkland Square Redevelopment right of way improvements per Festival Street Concept	275	\$ 44,050	\$ 202,950	\$ 247,000	TBD	TBD	Private development	\$0	\$247,000
<b>TOTAL</b>		<b>1600</b>	<b>\$ 255,200</b>	<b>\$ 1,294,800</b>	<b>\$ 1,550,000</b>				<b>\$647,000</b>	<b>\$903,000</b>



(\*) Does not include water, sewer nor art improvements

(\*\*) 2009/2010 design will include:

- 1) Phase 1 Terwalk rubber walkway panels and one Silva Cell unit
- 2) Phase 2 100% design for King County Pump Station street frontage
- 3) 100% Storm Drainage for Park Lane (Lake Street to 3rd Street)
- 4) 30% street design for Park Lane (Lake Street to west end of KC improvements)

**CITY OF KIRKLAND**

Department of Planning and Community Development  
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**MEMORANDUM**

**To:** David Ramsay, City Manager  
**From:** Dawn Nelson, AICP, Planning Supervisor  
**Date:** January 21, 2010  
**Subject:** ARCH HOUSING TRUST FUND RECOMMENDATION FOR FALL 2009, FILE MIS10-00001

**RECOMMENDATION**

Staff recommends that the City Council approve the recommendations and conditions of approval of the ARCH Executive Board to allocate Kirkland funds as part of the Fall 2009 ARCH Housing Trust Fund:

- \$382,190 to the St. Andrew's Housing Group (SAHG) Totem Lake Family Apartments;
- \$60,000 to the Foundation for the Challenged (FFC) Group Home project; and
- \$30,000 to the House Key Plus ARCH Down Payment Assistance program.

**BACKGROUND DISCUSSION**

As in previous funding rounds, general funds set aside by the Council for low and moderate income housing development projects are administered through the ARCH Housing Trust Fund application process. The ARCH Executive Board has recommended that awards be made to the following projects using Kirkland funds.

***St. Andrew's Housing Group (SAHG) Totem Lake Family Apartments***

This project includes land acquisition and construction of 60 units of affordable family rental housing on the south side of NE 124<sup>th</sup> Street in Totem Lake. It includes a mix of studio, one and two bedroom units that will be affordable at 30%, 40% and 60% of King County median income. Forty-six of the units will be set aside for those coming out of homelessness. The award would be made in the form of a deferred loan. A second phase of the project could include an additional 100 units of senior housing. Committed public funding for this project totals \$5.5 million, including \$1.5 million from ARCH, \$1.5 million from King County and \$2.5 million from the Washington State Housing Trust Fund. SAHG is also seeking \$8 million in Federal Tax Credits.

***Foundation for the Challenged (FFC) Group Homes***

This project will acquire and remodel two houses to serve eight individuals with developmental disabilities who earn no more than 30% of King County median income. Each house will have four bedrooms. Specific homes will be identified once all funding is committed and will be located in the northern area of east King County. The award would be made in the form of a secured grant.

***House Key Plus ARCH Down Payment Assistance***

This will allow continuation of a program launched in September of 2005 to provide down-payment assistance for first time homebuyers who earn up to 80% of the King County median income. The program is administered by the Washington State Housing Finance Commission and is partnered with the Commission's House Key First Mortgage Program. The first two rounds of funding of this program have enabled 53 loans and included contributions from ARCH, King County and the State Housing Finance Commission. This award would add funds to the revolving loan pool, with loans being repaid when an owner sells, refinances or pays off the first mortgage.

A summary of the Executive Board recommendation for these projects is included in Attachment 1 to this memorandum. Additional information about the projects and their financing is included as Attachment 2. ARCH staff will be available to answer questions at the February 2<sup>nd</sup> City Council meeting.

Cc: Arthur Sullivan, ARCH, 16225 NE 87<sup>th</sup> Street, Suite A-3, Redmond, Washington 98052

**MEMORANDUM**

TO: City of Bellevue Council Members  
City of Clyde Hill Council Members  
City of Issaquah Council Members  
City of Kenmore Council Members  
City of Kirkland Council Members  
City of Mercer Island Council Members  
City of Newcastle Council Members  
City of Redmond Council Members  
City of Sammamish Council Members  
City of Woodinville Council Members

FROM: Steve Anderson, Chair, and ARCH Executive Board

DATE: December 22, 2009

RE: Fall 2009 Housing Trust Fund (HTF) Recommendation

The ARCH Executive Board has completed its review of the three applications applicable to the Fall funding round of the 2009 Housing Trust Fund. The ARCH Executive Board recommends funding for all three projects. Recommendations total \$2,000,000 as summarized in the attached table, Proposed Funding Sources.

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

**1. St. Andrew's Housing Group (SAHG) – Totem Lake Family Apartments**

Funding Request:	\$1,500,000 (Contingent Loan) 60 affordable rental units
CAB Recommendation:	\$1,500,000 (Contingent Loan) See attached Funding Chart for distribution of City Funds

**Project Summary:**

SAHG is proposing to build 60 affordable family rental housing units located in the Totem Lake area of Kirkland. This proposal may be part of a larger two phase development of the site being done by the

SAHG that will have a total of approximately 165 residential units, the balance targeting seniors. That phase would likely not be funded for several years.

The first phase, family rental project, will have approximately 22% of its units targeting households with incomes at or below 30% AMI, 55% targeting those at or below 40% and 23% at or below 60%. The 30% and 40% units are being set aside for those coming out of homelessness. The unit mix includes 13% studio, 54% 1 bedroom and 33% 2 bedroom units. In addition there will be a non-income restricted 61<sup>st</sup> unit for an onsite manager.

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

Construction of the first phase is projected for Spring 2010, and finishing in late 2011.

#### Funding Rationale:

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

- There would be 60 units of affordable housing serving a range of income levels, including a large set aside for homeless households.
- The site is centrally located and located close to transit, retail and employment.
- Is a project the City of Kirkland has shown support for, including grandfathering impact fees, extending the building permit, and Council action to remove the land use requirement for non-residential first floor use for affordable housing.
- The project would be a pioneer project for the rezoned Totem Lake area.
- SAHG has a strong track record.
- The amount of ARCH funding in the sources is within normal proportions.

#### Potential Conditions:

##### Special / Revised Conditions:

1. The funding commitment shall continue for **twelve (12) months** from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to City Staff no later than sixty (60) days prior to the expiration date. At that time, the applicant will provide a status report on progress to date, and expected schedule for start of construction and project completion. City Staff will consider an extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion. At a minimum, the applicant will demonstrate that all capital funding has been secured or is likely to be secured within a reasonable period of time. City Staff will grant up to a 12 month extension. If necessary a second extension of up to 6 months may be requested by following the same procedures as the first extension.

2. Funds will be in the form of a deferred, contingent loan. Loan terms will account for various factors, including loan terms from other fund sources and available cash flow. Final loan terms shall be determined prior to release of funds and must be approved by City Staff. Based on the preliminary development budget, it is anticipated that loan payments will be based on a set repayment schedule, and

begin after repayment of deferred developer fee (approximately year 10), with 1% interest. The terms will also include a provision for SAHG (“the Agency”) to request a deferment of a payment if certain conditions are met (e.g. low cash flow due to unexpected costs). Any requested deferment of loan payment is subject to approval by City Staff, and any deferred payment would be repaid from future cash flow or at the end of the amortization period.

3. Until such time as the deferred developer fee is fully repaid, all cash flow after payment of operating expenses and debt service, shall be used to repay the deferred developer fee.

4. A covenant is recorded ensuring affordability for at least 50 years, with affordability as shown in the following table. Affordability levels will be defined using the requirements for tax credits, and utility costs will be based on King County Housing Authority allowances, unless otherwise approved by City Staff.

Median Income Level	Studio	1 Bedrm	2 Bedrm	Total
<b>Very Low Income 30% AMI</b>	<b>4</b>	<b>8</b>	<b>1</b>	<b>13</b>
<b>Low Income 31-40% AMI</b>	<b>4</b>	<b>22</b>	<b>7</b>	<b>33</b>
<b>Moderate Income 40-60% AMI</b>	<b>0</b>	<b>2</b>	<b>12</b>	<b>14</b>
<b>Total</b>	<b>8</b>	<b>32</b>	<b>20</b>	<b>60</b>

- **The manager’s unit will not be income restricted**

5. Based on the availability of adequate support services, up to 75% of the units will be set-aside for homeless, unless otherwise approved by City Staff. In the event a coordinated/centralized screening and referral system is adopted by the County, St Andrew’s Housing Group will participate in that program as a source for identifying homeless households for residency

6. Submit documentation of the City’s approval of the provision of parking for residents. Submit a copy of a parking management plan for City review and approval which will address issues such as: number of spaces (tenant and guest) likely required for proposed unit mix and affordability of development; if there will be leasing of surplus spaces, then a proposal of how parking will be managed.

7. Submit evidence of the Agency’s ability to access the funds necessary to complete this project, and any other projects in their pipeline.

8. Half of the project contingency will be funded through ARCH or other public funds. Prior to any use of the contingency funds, the Agency shall obtain approval for such use from the City. If any unused funds remain in this line item, up to the amount of City funds reserved for this line item, those funds will be returned to the City.

9. The Contractor selection process shall be by RFQ process acceptable to the County.

10. In order to assure that land acquisition is not above market, the Agency shall provide a revised appraisal in a format acceptable to ARCH prior to release of funds. The appraisal should assess the value of the entitlements coming with the property; consider a “highest and best use for number of residential units that can be developed and the market range for land on a per unit basis; and selecting from good comparables.

11. As a condition for funding, Agency shall provide a final development and operating budget for review and approval by the CAB at or prior to its March 2010 meeting.

12. The project shall include the resident amenities as represented in the funding application proposal such as arts and crafts room, exercise facilities, computer lab room, communal kitchen and dining room, and roof top garden.

Standard Conditions:

13. Funds shall be used by the Agency toward project, acquisition, construction contingency, appraisal, architecture and engineering design fees, permits, fees and hookups, bridge loan interest, as approved by City Staff. Funds may not be used for any other purpose unless City Staff has given written authorization for the alternate use.

14. The Agency shall submit evidence of funding commitments from all proposed public and private sources. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify City Staff, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to City Staff's review and approval. Prior to initiating construction, the Agency shall submit evidence of all public and private resources needed to complete the project.

15. The Agency shall provide a revised development budget based upon actual funding commitments, which must be approved by City Staff. If the Agency is unable to adhere to the budget, City Staff must be immediately notified and a new budget shall be submitted by the Agency for the City Staff's approval. The City shall not unreasonably withhold its approval to a revised budget, so long as such new budget does not materially adversely change the Project. This shall be a continuing obligation of the Agency. Failure to adhere to the budgets, either original, or as amended, may result in withdrawal of the City's commitment of funds.

16. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements.

17. Submit monitoring reports quarterly through completion of the project, and annually thereafter. Submit a final budget upon project completion. If applicable, submit initial tenant information as required by the City.

**2. Foundation for the Challenged (FFC) – 2 Group Homes for Developmentally Disabled**

Funding Request: \$300,000 (Grant)

CAB Recommendation: \$300,000 (Grant)  
See attached Funding Chart for distribution of City Funds

Project Summary:

The proposed project essentially replaces the Tessera project recommended in the Spring 2009 Round. Tessera withdrew their application in the late summer.

FFC is proposing to acquire and remodel 2 four-bedroom houses that will serve up to eight (8) low-income individuals with developmental disabilities. Specific homes will be identified once all funding is committed and will be located in the northern area of east King County within the ARCH sphere of influence. Tenants will be referred by the Division of Developmental Disabilities (DDD).

The residents will live in a shared living arrangement, and each of the tenants will have their own bedroom. All the tenants will receive 24/7 support services to ensure their health and safety. The support services are funded by and contracted through DDD. FFC will be the owner of the homes, and will use Scioto Management as property manager.

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

Funding Rationale:

The CAB supported this application for the following reasons:

- Serves a special needs population, an area in which we have not been achieving our long term goals.
- Provides housing for developmentally disabled in an underserved area of the County.
- Serves neediest developmentally disabled residents by relying on referrals from the State DDD for new residents.
- Utilizes existing housing.
- Applicant has a strong track record of working with the State and County.

Potential Conditions:

Special Conditions:

1. The funding commitment shall continue for **twelve (12) months** from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to City Staff no later than sixty (60) days prior to the expiration date. City Staff will consider an extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion.

2. Funds shall be used by FFC (“the Agency”) toward the acquisition and closing costs, construction, architectural design, developer fee, development period utilities. Funds may not be used for any other purpose unless City Staff has given written authorization for the alternate use.
3. Unless otherwise approved by City Staff the development budget shall include:
  - The development budget will include a minimum of \$12,500 of private sources provided by the applicant.
  - \$432,500 per home combined for acquisition and construction cost. In the event that total acquisition and rehab costs, including contingency, for either home exceeds \$432,500, additional costs shall be covered by private sources from the applicant.
  - Developer fee shall not exceed \$90,000 for both homes combined (\$45,000 per home).
4. Reserves will be funded out of operations at \$1,000 per home for the first year with an annual increase of 2.5% per year for replacement reserves and \$1,000 per home for the first year with an annual increase of 2.5% per year for operating reserves.
5. Funds will be in the form of a **secured grant** with no repayment, so long as affordability and target population is maintained, and the service/care providers have a contract with DDD for funds necessary to provide services to this population.
6. For each home, a covenant is recorded ensuring affordability for four (4) beds of special needs single family housing for at least fifty (50) years. The beds shall be affordable to tenants at the time of occupancy with incomes at or below 30% of median income, adjusted for household size, and including an appropriate utility allowance.
7. Residents referred from DDD will not receive Section 8 assistance.
8. All cash flow after payment of operating expenses, including payment of off-site management fees of up to \$4,800 annually for both homes combined (adjusted for CPI) shall be placed into a project reserve account that can be used by the applicant for project related operating, maintenance or services expenses. Any other use of these reserves funds must be approved by City Staff.
9. In the event that any operating support funding levels will be reduced, the Agency shall inform City Staff about the impacts the proposed reduction will have on the budget and plan for services to the DD clients, and what steps shall be taken to address the impacts. A new budget or services plan must be approved by City Staff.
10. The applicant shall conduct their search for the homes within the northern area of east King County within the ARCH sphere of influence. The Agency will notify City Staff when they enter into an option or purchase and sale agreement for any home, providing information on the location of the home and terms for acquiring the home. The Agency will indicate if the property is large enough to be subdivided into more than one lot pursuant to existing zoning. No home considered for acquisition will be within two blocks of another home owned by Agency unless otherwise approved by City Staff.
11. Prior to closing on a home, an individualized outreach plan will be submitted to City Staff for review and approval. The outreach plan will include provisions such as:

- Provide written notification to neighbors upon mutual acceptance of the P&S Agreement to include FFC's intention to purchase the house, description of the project, and information regarding FFC and the service provider that will include the website and contact number;
  - Provide an opportunity for neighbors to individually and/or as a group to meet with FCC and the service provider regarding the project; such as having an Open House after the tenants move-in and include invitations to the neighbors.
12. Once each home is selected the Agency shall include City Staff in the inspection of the property and development of the final scope of work for the rehab. The final scope of work for the basic construction budget shall include, at a minimum, all work necessary for licensing of the home and correction of substandard health and safety conditions. Prior to start of construction, the Agency shall submit the final scope of work for City Staff approval, along with evidence that construction costs have been confirmed by a qualified contractor and are within the basic construction budget. All uses of construction contingency funds must be approved by City Staff prior to authorization to proceed with such work.
13. Prior to release of funds, the Agency shall submit to City Staff for review and approval drafts of all documents related to the provision of services to residents and management of the property, including the Memorandum of Understanding with the service provider, form of lease agreement with residents, and services agreement between DDD and the Service Provider. These documents shall at a minimum address: tenant selection procedures through DDD; management procedures to address tenant needs; services provided for or required of tenants; management and operation of the premises; community and neighbor relations procedures; a summary of City's affordability requirements as well as annual monitoring procedure requirements.

#### Standard Conditions

14. The Agency shall provide revised development and operating budgets based upon actual funding commitments, which must be approved by City Staff. If the Agency is unable to adhere to the budgets, City Staff must be immediately notified and (a) new budget(s) shall be submitted by the Agency for the City's approval. The City shall not unreasonably withhold its approval to (a) revised budget(s), so long as such new budget(s) does not materially adversely change the Project. This shall be a continuing obligation of the Agency. Failure to adhere to the budgets, either original or as amended may result in withdrawal of the City's commitment of funds.
15. The Agency shall submit evidence of funding commitments from all proposed public sources. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify City Staff, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to City Staff's review and approval.
16. For each home, and prior to acquisition, the Agency shall submit an appraisal by a qualified appraiser. The appraisal shall be equal to or greater than the purchase price.

17. The Agency shall only purchase unoccupied homes or owner occupied homes in order to not trigger local and federal relocation regulations.
18. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements. CDBG funds may not be used to repay (bridge) acquisition finance costs.
19. The Agency shall maintain documentation of any necessary land use approvals and permits required by the city where the homes are located.

Submit monitoring reports quarterly through completion of the project, and annually thereafter. Submit a final budget upon project completion.

**3. A Regional Coalition for Housing (ARCH) –House Key Plus ARCH (down payment assistance)**

Funding Request: \$200,000 (Grant)

CAB Recommendation: \$200,000 (Grant)  
See attached Funding Chart for distribution of City Funds

**Project Summary:**

The House Key Plus ARCH/Eastside Homebuyer Assistance Program is a continuation of a program launched in late 2005, to provide a program of down-payment assistance for potential homebuyers who are up to 80% of median income in East King County. Its main components are:

**Eligible Homebuyers**

- First time homebuyer (has not owned a home during the past 3 yrs)
- Household Income at or below 80% of median income
- Household must have a demonstrated need for down payment assistance
- Home will be the buyers principal residence

**Down Payment Assistance Terms**

Downpayment assistance provides second mortgages of up to \$30,000 per home. Actual amount is based on need and availability of funds. Funds are used for down payment, closing costs, and pre-pays. The second mortgages have a deferred 4% interest rate. There are no monthly payments on the second mortgage. Balance is due when the owners sells, refinances or pays off the first mortgage. When the second mortgages are repaid, the funds return to the revolving loan pool, to fund new second mortgages on homeownership units. There are no resale restrictions for homes that are purchased, unless homes already have resale restrictions.

**Marketing / Education:**

Marketing is targeted to households working or living in East King County through locally distributed fliers, information distributed through City web-sites and newsletters, contacting residents of affordable rental housing and manufactured housing. All homebuyers must complete a general home ownership education program and a counseling session regarding the Downpayment Assistance Program.

The program is administered by the Washington State Housing Finance Commission. The program is mated with the Commission's House Key First Mortgage Program. In operating the program, the Commission uses its existing community of lenders and its current marketing and outreach strategies. All first mortgages will be issued under the House Key program.

In the first two rounds of funding of the Downpayment Assistance Program, included ARCH, County and State Housing Finance Program funds, totaling \$1,640,000, which funded approximately 53 loans. The proposed recapitalization by ARCH, County and State Housing Finance Commission would add another \$800,000 bringing the total funds in the program to \$2.4 million, plus any recycling of existing loans.

#### Funding Rationale:

The CAB supported this application for the following reasons:

- Funds are exhausted; Housing Finance Commission is currently taking reservations.
- Would fill a housing need not currently met in East King County, but identified by the community as an important issue. An evaluation of the first two rounds of the program indicates that overall it is achieving the original objectives of the program.
- It has been one of few ways that the Trust Fund has been able to be used to address ownership housing at this income level. At the proposed level, seems like a good balance for the overall Trust Fund Program
- Makes homeownership a viable option for households who would otherwise not have the resources to purchase a home. This could be even more important at this time because of changes in the broader ownership financing market which limits low/no downpayment programs.
- Strong leverage of other public funding.

#### Potential Conditions:

1. Funds shall be used by A Regional Coalition for Housing for down payment assistance, made available through the existing 'House Key Plus ARCH' program, administered by the Washington State Housing Finance Commission. Funds may not be used for any other purpose unless City Staff have given written authorization for the alternate use.
2. Provide annual monitoring reports that include: the number of households receiving down-payment assistance during the year, the jurisdictions homes were purchased within, the amount of down-payment assistance issued during the year, and the amount of education funds used during the year. The annual report shall include the total of repayments to the revolving loan fund during the year.

3. Update the education program in order to respond to the issues identified in the program evaluation. The primary update to consider is to complete the one on one counseling session earlier in the buying process.
4. Revisit the marketing program. Provide written marketing plan based on evaluating and seeking input from local groups serving the targeted population.
5. The Agency shall submit evidence of funding commitments from proposed public sources. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify City Staff, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to City Staff's review and approval. It must be noted that it is likely that in the current round, given available funding, the County will not be able to commit to providing additional funding at this time, but that the County has committed to the House Key Plus ARCH program being the number one contingency project in 2010 for under-expended or recaptured HOME funds, and very high priority in the 2010 funding round if the program is not able to be funded with under-expended or recaptured funds earlier in the year.
6. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements.

## ARCH HOUSING TRUST FUND (HTF) APPLICATIONS FALL 2009

Applicant	Funds Requested (Grant/Loan) / Recommendation	Housing Type/ # of units/ bdrms	Income Served	Project Location	Duration of benefit	Total cost per unit	HTF cost per aff. unit	Project completion
ARCH – House Key Plus ARCH (EKC) Down Payment Assistance Program	\$200,000 (Recoverable Grant)/ \$200,000 Recommended	27 Downpayment revolving loan, repaid at sale/refi	27 at 80%	ARCH Sphere of Influence	Up to 30 Years for each mortgage, in perpetuity for revolving loan program	\$30,000	\$7,404	June 2012
St. Andrew's Housing Group – Totem Lake Apartments	\$1,500,000 (Deferred Loan)/ \$1,500,000 Recommended	New Construction  60 plus 1 Mgr Unit	13 @ 30%, 33 @ 40 %, 14@ 60% 75% of all units for those transitioning out of homelessness	12055 Slater Avenue NE  Kirkland	50 Years	\$286,900	\$25,000	June 2012
Foundation for the Challenged – FFC Community Housing V (2 Group Homes)	\$300,000 (Grant)/ \$300,000 Recommended	2 Existing Homes – 8 beds total	8 @ <30% AMI, developmental disabilities	Northeastern portion of ARCH Sphere of Influence Area	50 Years	\$126,560 per bed	\$25,000 per bed	Acquisitions in June 2010, Occupancy, March 2011

FALL 2009 HOUSING TRUST FUND: PROPOSED FUNDING SOURCES

SOURCE	PROJECT			TOTAL
	SAHG Totem Lake	FFC DD Group Home	Down Payment Assistance III	
<b>Request</b>	\$ 1,500,000	\$ 300,000	\$ 200,000	
<b>CAB Recommendation</b>	\$ 1,500,000	\$ 300,000	\$ 200,000	
Current Funding				\$ -
				\$ -
<b>Current Funding</b>				
Sub-Regional CDBG	\$ 282,810			\$ 282,810
Bellevue				
CDBG				\$ -
General Fund	\$ 372,500	\$ 60,000	\$ 45,000	\$ 477,500
Issaquah				
General Fund	\$ 75,000	\$ 50,000	\$ 25,000	\$ 150,000
Kirkland				
General Fund	\$ 382,190	\$ 60,000	\$ 30,000	\$ 472,190
Mercer Is.				
General Fund	\$ 5,000			\$ 5,000
Redmond				
General Fund	\$ 85,000	\$ 55,000	\$ 28,500	\$ 168,500
Newcastle				
General Fund	\$ 60,000		\$ 12,500	\$ 72,500
Kenmore				
General Fund	\$ 160,000	\$ 55,000	\$ 25,000	\$ 240,000
Sammamish				
General Fund	\$ 75,000		\$ 25,000	\$ 100,000
Woodinville				
General Fund		\$ 20,000	\$ 9,000	\$ 29,000
Clyde Hill				
General Fund	\$ 2,500			\$ 2,500
Medina				
General Fund				\$ -
Yarrow Point				
General Fund				\$ -
Hunts Point				
General Fund				\$ -
<b>TOTAL</b>	\$ 1,500,000	\$ 300,000	\$ 200,000	\$ 2,000,000
CDBG	\$ 282,810	\$ -	\$ -	\$ 282,810
General Fund	\$ 1,217,190	\$ 300,000	\$ 200,000	\$ 1,717,190

## ARCH HOUSING TRUST FUND, FALL 2009

### Leveraging Funds - -

	ARCH House Key Plus ARCH (EKC)		SAHG Totem Lake Apartments		Fnd for the Challenged FFC Community Housing V		TOTAL
<b>ARCH</b>	\$ 200,000	25%	\$ 1,500,000	9%	\$300,000	30%	\$2,000,000
Local Public Loan Repayment - Historic							\$0 \$0
King County HOF/HOME/CDBG 2060/2163 Veterans/Human Services Other	\$300,000		\$1,500,000		\$ 200,000		
<b>KC TOTAL</b>	\$ 300,000	38%	\$ 1,500,000	9%	\$ 200,000	20%	\$2,000,000
WA HAP WA HTF WA HFC (Equity Fund) WSHFC Homeownership	\$300,000		\$2,500,000		\$ 500,000		
<b>WA TOTAL</b>	\$ 300,000	38%	\$ 2,500,000	15%	\$ 500,000	49%	\$3,300,000
Federal/HUD Section 811 McKinney Other (VA Per Diem)							
<b>FEDERAL TOTAL</b>	\$ -	0%	\$ -	0%	\$ -	0%	\$0
<b>Tax Credits</b>		0%	\$8,048,556	47%		0%	\$8,048,556
<b>TCAP</b>		0%		0%		0%	\$0
<b>Bonds</b>		0%		0%		0%	\$0
<b>Bank Loans</b>		0%	\$ 2,985,000	17%		0%	\$2,985,000
<b>Deferred Developer Fee</b>		0%	\$ 680,000	4%		0%	\$680,000
<b>Private</b>		0%		0%	\$12,500	1%	\$12,500
<b>Other</b>		0%					\$0
<b>TOTAL COST</b>	\$ 800,000	100%	\$ 17,213,556	100%	\$ 1,012,500	100%	\$19,026,056

## ARCH HOUSING TRUST FUND, FALL 2009

	<b>SAHG – Totem Lake</b>	<b>FFC – DD Homes</b>
<b>Public Benefit:</b>		
1. Affordability	At/below 30%, 40%, and 60% of area median income. 75% of units for homeless	At or below 30% of area median income. 8 beds for developmentally disabled
2. Rehabilitation	New Construction	Acquisition and rehabilitation, including accessibility.
3. Duration of affordability	50 years	50 years
4. Capacity building	SAHG is an established organization.	State has had very good results from FFC. Expands their efforts to East King County
5. Repayment of funds	Contingent Loan with deferral for 10 years, repayment based on positive cash flow.	Secured Grant
6. Other	Includes green roof garden. Pioneer project in rezoned Totem Lake area.	Target north King County to create more equitable distribution of ARCH funded DD homes.
Timeliness of Application	Permit process started, grandfathered fees. ARCH support enhances success with other public funding.	Can take advantage of Tessera awards for State O&M and capital funding.
HTF is needed for viable project	Small proportion of funding for the number of units proposed.	Local support. Local funding needed given overall costs, and income level served.
Services provided (if needed)	Services provided for by referring agencies – not funded out of property operations	Yes, Separate, unrelated services provider under separate State contract.
Leverages other funds/realistic leverage	ARCH is 9% of the total development cost. Other funding requests reasonable. City grandfathering certain fees	ARCH is 30% of total development cost. Other funding requests seem reasonable.
Sound development budget	Construction costs seem toward high end of range. Other costs within normal range.	Overall lower than Tessera proposal. Combined acquisition/ construction costs make sense.
Sound operating budget	On site management costs include on-site Resident Manager. Budget somewhat lower than previous SAHG projects – but new, private management firm proposed.	Budget includes generous per house reserves contributions, escalating with cpi. O&M from State less than allocated to Tessera, but still providing comparable protection and upkeep of the asset.
Appropriately sited	Near transit, major highway, shopping, services, recreation and employment.	Northern East King County, sites selection influenced by State, residents and their reps.

	<b>House Key Plus ARCH Downpayment Assistance</b>
<u>Public Benefit:</u>	
1. Affordability	At or below 80% of area median income for first time homebuyers
2. Rehabilitation	N/A
3. Affordability	Homes not restricted. Is a revolving loan program so funds recaptured w/interest and then again loaned to other homeowners.
Duration	Helps move to goal of having a large enough program that is self sustaining
4. Capacity building	Yes, mortgage repaid at time of resale, or refinancing, or end of 30 year term when funds no longer needed – can then go to making new loans
5. Repayment of funds	Expands existing program
6. Other	
Timeliness of Application	Funds have been fully subscribed, no ability to make new loans – recapitalization would keep the program in place for about 2 more years. Also, buyer opportunities exist, can match up with Federal homebuyer credits
HTF is needed for viable project	HTF needed to recapitalize fund, and to leverage other funders
Services provided (if needed)	Mandatory Homebuyer education and loan counseling
Leverages other funds/realistic leverage	ARCH will be approximately 25% of new capitalization, which brings fund to 3/4ths of the way to sustainability as a revolving fund. Similar proportion of funding as in previous funding rounds.
Sound development budget	County portion of funds may not be available until late 2010. If so, need to decide if able to proceed with just state and local with hope for County funds
Sound operating budget	N/A
Appropriately sited	TBD. Locations scattered in East King County

**ECONOMIC SUMMARY: St. Andrew's Housing Group – Totem Lake Family Apartments**

1. Applicant/Description: Kirkland – Totem Lake / New construction of 60 affordable rental units – 75% targeting those coming out of homelessness.
2. Project Location: Parcel 2826059044 NE 124<sup>th</sup> St. Kirkland (Between Slater and 124<sup>th</sup> Ave NE)
3. Financing Information:

Funding Source	Funding Amount	Commitment
ARCH	\$1,500,000	Applied for Fall 2009
King County	\$1,500,000	Committed
State HTF	\$2,500,000	Applied for in 2009
Tax Credits	\$8,048,556	Applied for in 2009
Bank Loan	\$2,985,000	Pending
Deferred Developer Fee	\$680,000	Committed
<b>TOTAL</b>	<b>\$17,213,556</b>	

4. Development Budget:

ITEM	TOTAL	PER UNIT	HTF
Acquisition *	\$2,000,000	\$33,333	\$1,000,000
Construction	\$11,305,953	\$188,433	
Design	\$282,220	\$4,704	\$147,120
Consultants	\$173,040	\$2,884	\$35,800
Developer fee	\$1,231,943	\$20,532	
Finance costs	\$626,633	\$2,119	\$26,250
Reserves	\$71,740	\$1,714	
Permits/Fees/Other	\$1,289,086	\$21,485	\$290,830
<b>TOTAL</b>	<b>\$17,213,556</b>	<b>\$286,893</b>	<b>\$1,500,000</b>

\* Includes certain entitlements as a shovel-ready project

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

6. Security for City Funds:

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

**ECONOMIC SUMMARY: Foundation for the Challenged**

1. Applicant/Description: Woodinville and/or Surrounding East King County Cities / Acquisition and rehabilitation of two four-bedroom homes serving eight developmentally disabled individuals
2. Project Location: Specific homes will be identified once all funding is committed

3. Financing Information:

Funding Source	Funding Amount	Commitment
ARCH	\$300,000	Applied for Fall 2009
WA State (HTF)	\$500,000	Committed from Spring Round to Tessera
King County	\$200,000	Applied for Fall 2009
FFC	\$12,500	Committed
<b>TOTAL</b>	<b>\$1,012,500</b>	

4. Development Budget:

ITEM	TOTAL	PER HOME	HTF
Acquisition	\$650,00	\$325,000	\$195,000
Escrow	\$13,000	\$6,500	\$3,900
Construction	\$215,000	\$107,500	\$64,650
Design	\$21,500	\$10,750	\$6,450
Consultants	\$0	\$0	
Developer fee	\$90,000	\$45,000	\$27,000
Finance costs	\$10,000	\$5,000	\$3,000
Reserves	\$0	\$0	
Permits/Fees/Other	\$9,500	\$4,750	
<b>TOTAL</b>	<b>\$1,012,500</b>	<b>\$506,000</b>	<b>\$300,000</b>

5. Debt Service Coverage: Not applicable. All funding is in the form of secured grants with no loan payments .

6. Security for City Funds:

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

ARCH: EAST KING COUNTY TRUST FUND SUMMARY  
LIST OF PROJECTS FUNDED (1993 - Fall 2008)**FAMILY HOUSING**

Project	Location	Owner	# Units/	
			Beds	Funding
Andrews Heights Apartments	Bellevue	St. Andrews	24	\$400,000
Garden Grove Apartments	Bellevue	DASH	18	\$180,000
Overlake Townhomes	Bellevue	Habitat of EKC	10	\$120,000
Glendale Apartments	Bellevue	DASH	82	\$300,000
Wildwood Apartments	Bellevue	DASH	36	\$270,000
Somerset Gardents (Kona)	Bellevue	KC Housing Authority	198	\$700,000
Pacific Inn	Bellevue	Pacific Inn Assoc. *	118	\$600,000
Eastwood Square	Bellevue	Park Villa LLC	48	\$600,000
Chalet Apts	Bellevue	St Andrews	14	\$163,333
St Margarets	Bellevue	St Andrews	10	\$387,500
YWCA Family Apartments	K.C. (Bellevue Sphere)	YWCA	12	\$100,000
Highland Gardens (Klahanie)	K.C. (Issaquah Sphere)	St. Andrews	54	\$291,281
Crestline Apartments	K.C. (Kirkland Sphere)	Shelter Resources	22	\$195,000
Parkway Apartments	Redmond	KC Housing Authority	41	\$100,000
Habitat - Patterson	Redmond	Habitat of EKC	24	\$446,629
Avon Villa Mobile Home Park	Redmond	MHCP **	93	\$525,000
Terrace Hills	Redmond	St. Andrews	18	\$442,000
Village at Overlake Station	Redmond	KC Housing Authority **	308	\$1,645,375
Summerwood	Redmond	DASH	166	\$1,198,034
Habitat - Newcastle Site	Newcastle	Habitat of EKC	12	\$240,837
RoseCrest (Talus)	Issaquah	St. Andrews	40	\$918,846
Mine Hill	Issaquah	St. Andrews	28	\$450,000
Clark Street	Issaquah	St Andrews	30	\$355,000
Lauren Heights (Iss Highlands)	Issaquah	SAHG/SRI **	45	\$657,343
Habitat Issaquah Highlands	Issaquah	Habitat of EKC **	10	\$200,000
Issaquah Family Village	Issaquah	YWCA **	90	\$4,646,700
Greenbrier Family Apts	Woodinville	DASH **	50	\$286,892
Plum Court	Kirkland	DASH	61	\$1,000,000
Kenmore Court	Kenmore	LIHI **	33	\$452,321
Homeowner Downpayment Loan	Various	KC/WSHFC/ARCH	60	\$415,000
<b>SUB-TOTAL FAMILY HOUSING</b>			<b>1755</b>	<b>\$18,287,092</b>
			<b>Percent of Total Funds Allocated</b>	<b>61.9%</b>
			<b>Long Term Distribution Goal</b>	<b>56.0%</b>

**SENIOR HOUSING**

Project	Location	Owner	# Units/	
			Beds	Funding
Cambridge Court	Bellevue	Resurrection Housing	20	\$160,000
Ashwood Court	Bellevue	DASH/Shelter Resources *	50	\$1,070,000
Evergreen Court (Assisted Living)	Bellevue	DASH/Shelter Resources	64	\$1,280,000
Vasa Creek	K.C. (Bellevue Sphere)	Shelter Resources	50	\$190,000
Riverside Landing	Bothell	Shelter Resources **	50	\$225,000
Kirkland Plaza	Kirkland	St. Andrews	24	\$610,000
Heron Landing	Kenmore	DASH/Shelter Resources	50	\$65,000
Ellsworth House Apts	Mercer Island	St. Andrews	59	\$900,000
Greenbrier Sr Apts	Woodinville	DASH/Shelter Resources **	50	\$131,192
<b>SUB-TOTAL SENIOR HOUSING</b>			<b>417</b>	<b>\$4,631,192</b>
			<b>Percent of Total Funds Allocated</b>	<b>15.7%</b>
			<b>Long Term Distribution Goal</b>	<b>19.0%</b>

**HOMELESS/TRANSITIONAL HOUSING**

Project	Location	Owner	# Units/ Beds	Funding
Hopelink Place	Bellevue	Hopelink **	20	\$500,000
Chalet	Bellevue	St Andrews	4	\$46,667
Kensington Square	Bellevue	Housing at Crossroads	6	\$250,000
St Margarets	Bellevue	St Andrews	30	\$1,162,500
Dixie Price Transitional Housing	Redmond	Hopelink	4	\$71,750
Avondale Park	Redmond	Hopelink (EHA)	18	\$280,000
Avondale Park Redevelopment	Redmond	Hopelink (EHA) **	60	\$1,502,469
Petter Court	Kirkland	KITH	4	\$100,000
Rose Crest (Talus)	Issaquah	St. Andrews	10	\$229,712
Lauren Heights (Iss Highlands)	Issaquah	SAHG/SRI **	5	\$73,038
Issaquah Family Village	Issaquah	YWCA **	10	\$516,300
<b>SUB-TOTAL HOMELESS/TRANSITIONAL HOUSING</b>			<b>171</b>	<b>\$4,732,435</b>
			<b>Percent of Total Funds Allocated</b>	<b>16.0%</b>
			<b>Long Term Distribution Goal</b>	<b>13.0%</b>

**SPECIAL NEEDS HOUSING**

Project	Location	Owner	# Units/ Beds	Funding
My Friends Place	K.C.	EDVP	6	\$65,000
Stillwater	Redmond	Eastside Mental Health	19	\$187,787
Foster Care Home	Kirkland	Friends of Youth	4	\$35,000
FOY New Ground	Kirkland	Friends of Youth	6	\$250,000
DD Group Home 4	Redmond	Community Living	5	\$111,261
DD Group Homes 5 & 6	Redmond/KC (Bothell)	Community Living	10	\$250,000
United Cerebral Palsy	Bellevue/Redmond	UCP	9	\$25,000
DD Group Home	Bellevue	Residence East	5	\$40,000
AIDS Housing	Bellvue/Kirkland	Aids Housing of WA.	10	\$130,000
Harrington House	Bellevue	AHA/CCS	8	\$290,209
DD Group Home 3	Bellevue	Community Living	5	\$21,000
Parkview DD Condos III	Bellevue	Parkview	4	\$200,000
IERR DD Home	Issaquah	IERR	6	\$50,209
Oxford House	Bothell	Oxford/Compass Ctr.	8	\$80,000
Parkview DD Homes VI	Bothell/Bellevue	Parkview	6	\$150,000
<b>SUB-TOTAL SPECIAL NEEDS HOUSING</b>			<b>111</b>	<b>\$1,885,466</b>
			<b>Percent of Total Funds Allocated</b>	<b>6.4%</b>
			<b>Long Term Distribution Goal</b>	<b>12.0%</b>

<b>TOTAL</b>	<b>2436</b>	<b>\$29,536,185</b>
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\* Funded through Bellevue Downtown Program

\*\* Also, includes in-kind contributions (e.g. land, fee waivers, infrastructure improvements)

\*\*\* Amount of Fee Waiver still to be finalized



**CITY OF KIRKLAND**  
Department of Planning and Community Development  
123 Fifth Avenue, Kirkland, WA 98033 425-587-3225  
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## MEMORANDUM

**To:** David Ramsay, City Manager

**From:** Dawn Nelson, AICP, Planning Supervisor  
Arthur Sullivan, ARCH Program Manager

**Date:** January 21, 2010

**Subject:** ARCH INTERLOCAL AGREEMENT, FILE MIS10-00001

### RECOMMENDATION

Staff recommends that the City Council review the attached documents and provide comments to staff on the proposed modification to the ARCH Interlocal Agreement that would:

- Adjust the ARCH administrative structure; and
- Expand the ARCH Sphere of Influence to include the cities within the Snoqualmie Valley that must plan under the Growth Management Act.

### BACKGROUND DISCUSSION

The ARCH Executive Board spent considerable time last year examining whether to shift the administrative structure of ARCH from its current Interlocal Agreement joint board structure to a nonprofit corporation. The primary goal of this effort was to streamline the administration of housing trust fund monies, thus reducing the burden on individual member cities and local housing agencies. After studying the issue, it was determined that the current joint board structure could be continued with one member city serving as the administering agency. City of Bellevue staff is willing to be considered for this role.

Revisions to the current Interlocal Agreement are needed to affect this change. The revisions will not change the control that individual cities have to make contributions to the ARCH Housing Trust Fund, approve projects recommended for funding from the housing trust fund, the underlying function of ARCH in terms of its core activities, or its role in assisting members in their individual and collective efforts to address affordable housing needs.

The Executive Board is recommending that the ARCH Sphere of Influence be expanded to include the cities of Carnation, Duvall, North Bend and Snoqualmie. This would allow these cities to join ARCH in the future. Executive Board membership would be expanded when these cities join.

Attachment 1 includes background information and a summary of the proposal. Attachment 2 is a redlined copy of the Interlocal showing proposed changes. ARCH is collecting input from all member cities at this time. Arthur Sullivan will attend the February 2<sup>nd</sup> City Council meeting to answer questions and hear the Council's discussion of this issue. The final modifications to Interlocal will be brought to the Council for approval at a future meeting. Final review of the Interlocal Agreement is still being done by ARCH member attorneys so the final document may have some additional legal revisions.



Family Resource Center Campus  
16225 NE 87<sup>th</sup> Street, Suite A-3 ♦ Redmond, Washington 98052  
(425) 861-3677 ♦ Fax: (425) 861-4553 ♦ WEBSITE: [www.archhousing.org](http://www.archhousing.org)

TO: ARCH Member Councils

FROM: Arthur Sullivan, Program Manager, ARCH

SUBJECT Streamlining ARCH Trust Fund Process / ARCH Sphere of Influence  
ARCH Interlocal Agreement Amendments

DATE: January 20, 2010

### **Introduction**

For over a year, the ARCH Executive Board has been examining alternatives to streamline the housing trust fund process in order to simplify that process for both ARCH member jurisdictions and housing developers seeking funding. Working with a consultant and legal team including city attorneys for several ARCH members, the Board is finishing its work and expects to forward its formal recommendation to ARCH member jurisdictions in February.

It may be recalled that at this time last year, an initial update was provided to Council on this topic, and at that time the Executive Board was considering a recommendation to change the legal status of ARCH to a non-profit corporation, similar to some other existing interlocal agencies (e.g. Norcom, Cascade Water Alliance). Upon further review and based on comments from some Councils, the final recommendation will be to maintain the basic existing structure of ARCH, and to expand the role of the administrating agency of ARCH (currently Bellevue), to allow it to administer trust funds as directed by member cities councils.

The key action item for jurisdictions will be consideration of a set of amendments to the ARCH Interlocal Agreement that would facilitate the proposed streamlining. Drafts of the proposed Interlocal Agreement changes have been forwarded to legal counsel of all member jurisdictions for review and comment. This memo provides an overview of the anticipated recommendations. The amendments will not go into effect unless approved by all parties.

### **Issue Statement**

There are three main objectives with the updated Interlocal Agreement:

- A. Streamline the administrative process for contracting and tracking Housing Trust Fund dollars;
- B. Maintain the same role for Councils / governance structure for ARCH;
- C. Expand the ARCH Sphere of Influence to allow cities in the Snoqualmie Valley to join ARCH.

A. Streamlining administration of Trust Fund. The core issue that the Board seeks to address by the proposed set of Interlocal Agreement amendments arises from the current housing trust fund process in which each ARCH member funding a project separately contracts with the project developer to provide funds to that developer. As a result it is not uncommon for individual

projects to have four to eight contracts. The contracts are all largely identical and are separately administered by each jurisdiction. The current process is thus paper intensive, time intensive overall, and duplicative. In addition, currently ARCH staff needs to work directly with each city's finance staff to coordinate and track each city's funds made available for affordable housing.

B. Council Role. Last year, Councils consistently commented that the overall existing structure of ARCH continues to work well and the Executive Board agrees. In the Board's view, key among these are that the ARCH structure is based on a partnership model of governance; ARCH uses direct engagement of the Chief Executive Officers of member jurisdictions in the oversight and management of ARCH; and key policy and funding decisions are approved by Councils. This applies not only to ARCH's administrative budget and the Trust Fund, but other areas ARCH provides assistance to cities such as developing local plans and regulations for housing, and assisting with implementation of local programs.

The amendments to the Interlocal Agreement would retain the current governance structure and role of councils. Annual Work Program and Budgets are still subject to Council approvals. Also Councils still determine how much funds to be made available to allocate through the ARCH Trust Fund, and must approve allocations for individual projects, using the same current process. In sum, the Board wishes to keep intact the current governance arrangement between the parties, feeling that it has worked well for many years.

C. ARCH Sphere of Influence. The Board also is recommending taking this opportunity to expand the ARCH Sphere of Influence in order to allow the cities in the Snoqualmie Valley to join ARCH *if they choose*. To accomplish this, the "ARCH Sphere of Influence" would be expanded to add the urban growth areas (as amended from time to time) in the Snoqualmie Valley. This could result in as many as 4 new ARCH members (Carnation, Duvall, North Bend, Snoqualmie). *The Board is still evaluating Executive Board representation related to this potential expanded membership.*

### **Recommended New Trust Fund Process**

After considering several options, the ARCH Executive Board has determined that the simplest approach to accomplish the desired streamlining will be to **retain ARCH's structure as a joint board** and to expand the role one of the members of ARCH can serve as the "administrating agency" to include administration of the Housing Trust Fund.

As a joint board, ARCH is not a separate legal entity. Rather, it is a cooperative undertaking of all the members. ARCH cannot enter into contracts nor have its own employees. Historically and continuing today, these legal functions and staffing functions have been fulfilled by the City of Bellevue as ARCH's administering agency. ARCH members share a greater degree of direct responsibility and potential liability for the actions of the joint board than they would as members of a separate legal entity, but the structure and function of ARCH is fairly simple and thus does not compel separate legal status.

To accomplish the streamlining project, the "administering agency"—historically Bellevue – will have an expanded role. The City of Bellevue has, at the staff level, agreed to serve in this

expanded capacity assuming the proposed Interlocal Agreement changes are approved by the members, including the Bellevue Council. Reasons Bellevue staff have concurred with this expanded role as administering agency include: it has been determined that ARCH staff, since they are already involved with managing ARCH's operating fund, can manage most of the day to day fiscal reporting associated with the Housing Trust Fund account; Bellevue has provided funding to the vast majority of projects funded through the Trust Fund, so are already involved with preparing contracts for most of the projects; and if needed, ARCH will use its administrative reserves to help with the initial set-up of the Trust Fund Account and help Bellevue pay for any extraneous legal costs involved with developing and enforcing funding agreements.

### **How the Proposed Streamlining Would Work**

In terms of the process for streamlining project funding, the goal is to retain maximum control by individual member city over use of their housing trust fund monies but shift and consolidate administrative responsibilities for those funds.

As proposed, the current **ARCH Operating Fund** (held by Bellevue, where ARCH operating budget contributions from members are deposited), will be divided into two accounts: an **Operating Account** (for the operating budget) and a **Housing Trust Funds Account**.

Each ARCH member will have established within the Housing Trust Funds Account an individual subaccount (the "**Individual Accounts**"). Whatever funding (if any) a jurisdiction decides to set aside for its Housing Trust Fund each year will be placed in this Individual Account. The Individual Account is administered *at the direction of the contributing jurisdiction*. Each project funded by a jurisdiction will be separately tracked by the Administering Agency by "**project accounts**" within each Individual Account.

There is no obligation on the part of any party to contribute funds to its Individual Account within the housing trust fund in any given year. Uncommitted funds within an Individual Account can be returned to the jurisdiction within 45 days of a request. Funds in individual accounts will be invested and any interest earnings credited to each member's individual account.

An ARCH member could elect to fund projects through individual contracts rather than by participating in the new consolidated ARCH contract process. Presumably, the benefits of having the Administering Agency and ARCH Program Manager track projects and contracts would be an incentive for members to participate in the new process.

There will be one set of project financing documents for each project. These documents will be very similar to the contracts used by jurisdictions today but will be *entered into by the Administering Agency on behalf of all parties choosing to contribute funds* to a project. As is true today, each city must individually consent (by its Council) to any application of its housing trust fund monies to that Project. That consent will include review of the key funding terms and conditions (e.g. basic finance terms, purpose of project, affordability levels, etc., (similar to materials currently provided to Councils for individual projects)). Staff will work with member city staffs to develop the new standard form of agreements.

The Administering Agency will disburse funds to the developer from Individual Accounts per the project financing documents and ARCH staff will monitor projects for compliance with funding conditions. The Administering Agency will also track remittances, loan repayments, etc, if any, and deposit into each funding city's individual account on a pro rata basis (based on original funding contributions of the Parties). Regular status reports on the Housing Trust Fund Account will be presented to ARCH members.

If there is a problem with a project (for example, developer non-compliance), a default or termination or other similar action will be pursued upon the approval in writing of the Chief Executive Officer of funding parties which together have contributed not less than 51% of the total ARCH member funding to the project. All funding Parties will then have a say in how the default action is pursued, will be obligated to pay their pro rata share (based on their contributions to the project) of the reasonable costs of pursuing the default action, and will share pro rata in any recovery of funds.

Assuming the proposal is approved by ARCH members, the ARCH Board would by resolution appoint Bellevue the administering agency. The Board will also review and approve the unified formats for project financing documents.

*Attachment A* provides a single-page matrix comparing the proposed streamlined housing trust fund process to the current process.

### **What doesn't change?**

Under the proposal, ARCH's purposes and powers remain essentially unchanged—except to expressly authorize the new streamlined project funding approach. The proposal does not change the way day-to-day operations of ARCH are funded. ARCH staffing does not change. The budget process (and allocation of costs between members) remains the same. The annual process for approving ARCH's Work Program remains the same. The basic collaborative partnership philosophy and approach, with each jurisdiction making its own decisions about which projects to fund, remains unchanged. And, ARCH will still have the capacity to provide specialized services and administer programs for individual member agencies as provided in the Work Program.

### **Revised Interlocal Agreement**

The key changes to the Interlocal Agreement are summarized below. In all, there are five types of changes to the Interlocal Agreement:

1. Establish accounts within the ARCH Operating Fund necessary to administer the streamlined project approach: As described above, separate Operating Account and Housing Trust Funds Accounts are created. Individual Accounts and Project Accounts are created within the Housing Trust Funds Account. All accounts will be held by the Administering Agency. Money in an Individual Account that is not committed to a project can be returned to the contributing jurisdiction at any time.

2. Confirm the duties and means of appointing the Administering Agency. The Administering Agency is selected by action of the Executive Board (so, in the future, another ARCH member could assume this responsibility without amending the Agreement). The Administering Agency serves (as is true today) as ARCH's fiscal agent. The Administering Agency establishes and oversees the new account structure and the new project financing document.
3. Outline the new process for contracting of Housing Trust Fund Monies to developers, as described above and in Attachment A.
4. Housekeeping and Boilerplate Sections. References to ARCH "entering into contracts" or having "employees" are deleted to reflect the legal realities of the current joint board structure. Several sections are added that are useful "boilerplate", including a simple conflict resolution clause, venue, notice and assignment, etc. The most important of these sections is a new expanded indemnification clause which includes cross indemnification of all parties, including the party acting as Administering Agency. The agreement is presented as a restatement and amendment, and so incorporates amendments previously approved to the original 1993 document.
5. Governance Changes. The agreement will propose an expansion of potential membership in ARCH to include the Snoqualmie Valley Cities. The Board is currently considering whether any changes to the ARCH Board membership structure should accompany this potential expanded membership. In consideration of the new duties of the administering agency, and the potential expansion of number of member agencies, the Board is also recommending that: (1) future amendments to the Agreement could be accomplished by approval of a supermajority (by number of agency) of member agencies (rather than unanimous consent); and (2) the appointment of the administering agency will require a supermajority vote of the Board (currently, Board actions only require a simple majority).

### **Next Steps**

The next steps are for the Board to finalize its proposal and complete legal review by each member jurisdiction. This is expected to occur in early February. At that point, the proposal will be forwarded to ARCH member councils for consideration and action.

**ARCH Housing Project Selection and Administration Process: Comparison of Current and Proposed Streamlined Processes**

	<i><b>Project Recommendation</b></i>	<i><b>City/County Decision to Fund Project</b></i>	<i><b>Housing Trust Fund</b></i>	<i><b>Loan/Grant Agreement Documentation</b></i>	<i><b>Project Oversight</b></i>
<i><b>Existing Process</b></i>	<ul style="list-style-type: none"> <li>• Developers apply to ARCH.</li> <li>• Citizen Advisory Board reviews applications and makes recommendations to Exec Board as to which projects should be funded.</li> <li>• Exec Board makes recommendations to ARCH Members.</li> </ul>	<ul style="list-style-type: none"> <li>• Councils individually determine which projects to fund, and level of funding to provide.</li> <li>• Council resolutions approving specific terms and conditions associated with funding: affordability, general repayment terms, etc.</li> </ul>	Each City/the County maintains its own housing trust fund and approves and tracks any/all disbursements from same.	<ul style="list-style-type: none"> <li>• Each funding city develops and executes separate forms of funding agreement, deed of trust, promissory note and regulatory agreement with Developer.</li> <li>• ARCH Program Staff provide assistance in drafting, finalizing terms.</li> <li>• <i>City staff</i> approve various administrative items in finalizing and implementing loan/grant.</li> <li>• ‘Boilerplate’ terms of city legal agreements may differ slightly.</li> <li>• Individual Parties legal counsel reviews/approves documentation.</li> </ul>	<ul style="list-style-type: none"> <li>• ARCH program staff tracks compliance with requirements and works with participating jurisdictions’ staff and Administering Agency to address any problems.</li> <li>• Each Party approves the disbursement of funds to a developer and keeps track of same on its books, as well as tracking any remittance of funds.</li> <li>• Each Party must individually determine whether/when to declare a developer in default, whether to waive claims against the developer, or pursue other actions against the developer.</li> </ul>
<i><b>Proposed Streamlined Process</b></i>	No change	<p>No change—<i>except</i></p> <ul style="list-style-type: none"> <li>• Councils <i>direct Administering Agency</i> to develop and execute the associated agreements.</li> <li>• Need to <i>develop</i> single form of legal agreement for all funds.</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Each jurisdiction decides how much to contribute to the ARCH Housing Trust Fund and transfers any such amounts to Administering Agency.</li> <li>• Each jurisdiction has an “Individual Account” within the ARCH Housing Trust Fund Account to which its contributions are applied.</li> <li>• Each jurisdiction council must approve any disbursements from its Individual Account (as part of decision to fund a specific project).</li> <li>• Each jurisdiction can get all uncommitted funds in its Individual Account back at any time, within 45 days of written request.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Administering Agency on behalf of all funding jurisdictions</i> develops and executes a <i>single set of documents</i> securing the interests of <i>all funders</i>.</li> <li>• ARCH Program Staff provide assistance in drafting, finalizing terms.</li> <li>• <i>ARCH Program staff</i> authorized to approve various administrative items in finalizing and implementing loan/grant, <i>in consultation with city staff</i>.</li> <li>• Terms as between funders do not differ.</li> <li>• Individual funding Parties’ legal counsel have opportunity to review documentation.</li> </ul>	<ul style="list-style-type: none"> <li>• ARCH program staff tracks compliance with requirements and works with participating jurisdictions’ staff and Administering Agency to address any problems.</li> <li>• Administering Agency tracks disbursements from each jurisdiction’s Individual Account as well as any repayments of funds (credited on a pro-rata basis per project between participating funders).</li> <li>• Participating funders to be notified by Administering Agency of defaults by Developers. <b>TBD:</b> <i>Majority vote (by dollars contributed) required to pursue action against Developer. Individual jurisdictions may [may not] opt out of any claims.</i></li> </ul>

DRAFT 1-21-10

**First Amended and Restated Interlocal Agreement for ARCH**  
**A Regional Coalition for Housing**  
 (January, 1993            2010)

(Effective Date: July 1, 2010)

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

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

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

WHEREAS, ~~citizen housing task forces were formed by the City of Bellevue and the City of Kirkland to make recommendations concerning how local governments could better meet affordable housing needs on the Eastside;~~ and

WHEREAS, ~~the City of Redmond adopted policies supporting an active approach to increasing the supply of affordable housing for Redmond residents;~~ and

WHEREAS, ~~staff from Bellevue, Kirkland, Redmond and King County formed a study group to review the recommendations of the Housing Task Force and to review the feasibility of addressing such affordable housing needs on a cooperative basis;~~ and

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

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

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

IT IS HEREBY AGREED AS FOLLOWS:

1. PURPOSE. All Parties to this Agreement (~~hereinafter referred to as "Parties"~~) have responsibility for local and regional planning for the provision of housing affordable to citizens that work and/or live ~~on the Eastside~~ in East King County. The Parties desire to act cooperatively to formulate affordable housing goals and policies and to foster efforts to provide affordable housing by combining public funding with private-sector resources. The Parties further intend that this interlocal agreement serve as the legal basis for all ~~Eastside~~ communities within the ARCH sphere of influence (See **Exhibit A**) to cooperate in planning for and providing affordable housing; the Parties therefore encourage other ~~Eastside communities~~ cities in East King County to join the ~~initial~~ Parties in this endeavor.

2. STRUCTURE. To accomplish the purposes of this Agreement, the Parties hereby create a joint and cooperative undertaking an administrative entity responsible for administering the activities described herein, to be called A Regional Coalition for Housing ("ARCH). ARCH shall be governed by an Executive Board ~~composed of the chief executive officer of each Party~~, composed of members as provided for in section 4.a of the this Agreement. The Executive Board shall constitute a "joint board" as that term is used in RCW 39.34.030(4). The Executive Board shall be assisted by an administrative staff and by a Citizen Advisory Board. ~~The organizational structure of ARCH shall be generally as set forth in the diagram attached hereto as Exhibit B.~~ [amendment approved 11/99]

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

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

b. Through its Administering Agency (defined in Section 5), to enter into agreements with third parties for the use and application of public funds contributed by individual Parties to

the ARCH Housing Trust Funds Account established in Section 12, under such terms and conditions as may be agreed by the individual contributing Parties, as further described in Section 12. ~~These parties which request that ARCH make allocation recommendations concerning the use of housing funds either individually or jointly with any other party(s), may place conditions on the use of those funds.~~ ARCH shall, at least annually, report to the Parties on the geographic distribution of all housing trust funds as recommended by ARCH.

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

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

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

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

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

gh. To develop and to carry out procedures for monitoring of affordable units and to administer direct service housing programs on behalf of any Party. Such direct service

housing programs may include but are not limited to relocation assistance programs, rent voucher and/or deposit loan programs, etc.

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

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

#### 4. EXECUTIVE BOARD.

a. Membership. ARCH shall be governed by an Executive Board composed of the chief executive officer of each Party of the chief executive officer of each Party, with the following exception. There will not be more than two members on the Executive Board representing cities with population less than 5,000 persons, unless approved by the Executive Board. In the event that there are more than two parties that are members of ARCH with population less than 5,000 persons, then those parties will propose to the Executive Board for the Executive Board's approval, a method for shared membership on the Executive Board by those Parties. Any member of the Executive Board representing more than one Party must be approved by the chief executive officer of those Parties being represented by the shared Executive Board member. The Executive Board shall administer this cooperative undertaking pursuant to the terms of this Agreement and pursuant to any procedures adopted by the Executive Board. *[amendment approved 11/99][Note: This section is still under review by the Board for possible amendment relating to the recommended expansion of the sphere of influence]*

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

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

d. Powers. The Executive Board shall have the power to (1) develop and recommend a budget and work program to the Parties; (2) adopt procedures for the administration of ARCH and for the conduct of meetings; (3) make recommendations to the Parties concerning planning, policy and the funding of affordable housing projects; (4) establish policies for the expenditure of budgeted

items; (5) appoint one of the Parties to serve as "Administering Agency" to carry out administrative functions as further described in this Agreement; ~~(56)~~ establish a special fund with one of the participating cities ~~the Administering Agency~~ as authorized by RCW 39.34.030, to be known as the "Operating Fund of the ARCH Joint Board" ("ARCH Fund") within which Fund may be established various accounts and subaccounts including but not limited to an "ARCH Operating Account," and an "Housing Trust Funds Account"; ~~(67)~~ hold regular meetings on such dates and at such places as the Executive Board may designate; ~~(78)~~ through its Administering Agency, enter into contracts and agreements for the provision of personnel and other necessary services to ARCH, including accounting and legal services and the purchase of insurance, and authorize the ~~Administering Agency Chair or Program Manager of ARCH, if any,~~ to execute any such other contracts, agreements or other legal documents necessary for ARCH to carry out its purposes; ~~(89)~~ establish the responsibilities and direct and oversee the activities of the Program Manager; ~~(910)~~ appoint Citizen Advisory Board Members; and ~~(9)-(1011)~~ take whatever other action is necessary to carry out the purposes of this Agreement. [2/99]

5. ADMINISTRATION AND OVERSIGHT. The Executive Board shall have final decision-making authority over all legislative and administrative matters within the scope of this Agreement. The Executive Board may delegate responsibility for general oversight of the operations of ARCH to a Program Manager. The Program Manager shall submit quarterly budget performance and progress reports on the status of the work program elements to the Executive Board and the governing body of each Party. Such reports and contents thereof shall be in a form acceptable to the Executive Board.

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

Any Party providing personnel to ARCH shall remain solely responsible for the continued payment of any and all compensation and benefits to such personnel as well as for any worker's compensation claims or any other claims arising from the negligence or omissions of such personnel ~~the employee~~ in performing his or her duties for ARCH. ~~In the case of personnel directly contracting with ARCH, the Parties shall be jointly and severally responsible for any claims, not otherwise covered by insurance, arising as a result of the negligence or omissions of such personnel.~~ All Parties

shall cooperate fully in assisting ARCH to provide the services authorized herein.

6. MEETINGS OF EXECUTIVE BOARD.

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

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

c. Action. No action may be taken except at a meeting where a quorum exists. Action by the Executive Board requires an affirmative vote by a majority of the Board's membership. No action shall be taken except at a meeting open to the public. [Policy question: The Board is still considering whether to recommend a supermajority approval requirement for the Board selection of the Administering Agency]

7. CITIZEN ADVISORY BOARD. A Citizen Advisory Board is hereby created to provide advice and recommendation to the Executive Board on land and/or money resource allocation for affordable housing projects and to provide public relations and educational outreach services. The Citizen Advisory Board shall consist of not more than fifteen (15) and not less than twelve (12) citizen members. The Executive Board shall appoint members to the Citizen Advisory Board. ~~recommend a list of citizens to the Parties for their confirmation. In the event a citizen(s) recommended by the Executive Board is not confirmed by each Party, the Executive Board shall recommend additional citizens for confirmation by the Parties.~~ Citizen members appointed to the Citizen Advisory Board must have a knowledge and understanding of affordable housing and be committed to the furtherance of affordable housing on the Eastside. Appointments shall be for a four-year term with service limited to a total of two consecutive terms. The Executive Board shall adopt procedures for the convening and administration of the Citizen Advisory Board. A citizen member may be removed from the Citizen Advisory Board by the Executive Board with or without cause upon a majority vote of membership of the Executive Board. [amendment approved 2/99]

8. MEETINGS OF CITIZEN ADVISORY BOARD.

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

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

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

9. DURATION AND TERMINATION. This Agreement shall be of ~~ten~~ five years' duration ~~but—and~~ shall continue in effect for subsequent five-year periods upon affirmative vote of a majority of the membership of the Executive Board. Any vote to continue the Agreement shall be taken not sooner than six months before, nor later than three months before, the end of the ~~initial ten-year term or any subsequent five-year term~~. This Agreement may be terminated at any time by affirmative vote of a majority of the legislative bodies of the Parties to this Agreement.

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

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

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

11. BUDGET. The budget year for ARCH shall be January 1 to December 31 of any year. On or before June 1st of each year, a recommended operating budget and work plan for ARCH for the next budget year shall be prepared, reviewed and recommended by the Executive Board and transmitted to each Party; ~~provided that, for budget years 1992-93, a single budget and work plan shall be prepared for review and approval by each Party.~~ The recommended operating budget shall contain an itemization of all categories of budgeted expenses and shall contain an itemization of the amount of each Party's contribution, including in-kind services, toward that budget.

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

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

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

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

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

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

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

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

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

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

(i) Each Party choosing to participate in funding a project or program will by action of its legislative body authorize the application of a specified amount of its Individual Account monies to such project or program, and shall authorize and direct ARCH, ARCH Program Manager, and the Administering Agency to take such actions as necessary to accomplish this. The individual legislative body authorizations shall include such terms as the Executive Board shall require, including but not limited to:

1. amount of funds allocated;
2. project description, including minimum affordability requirements, if any;

3. nature of the funding commitment (loan, grant, or other);

4. in the event the funding commitment is provided as a loan, the general repayment terms including but not limited to the term of the loan and applicable, interest rate(s).

5. a general description of the security interests, if any, to be recorded in favor of the Party;

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

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

(iv) Unless the Parties funding a project or program otherwise agree, a default, termination or other action against a developer or other third party may be declared only after securing approval in writing of the chief executive officers of funding Parties which together have contributed not less than 51% of the total ARCH member funding to the project. The Administering Agency shall provide reasonable notice and information regarding the status of projects as necessary to each Funding Party's Chief Executive Officer to allow him or her to make a timely decision in this regard. Funding parties not

consenting to such default, termination or other action shall be bound by the decision of the majority. All funding Parties shall be obligated on a pro rata basis (based on their contributions to the project) to pay to the Administering Agency its reasonable costs and expenses incurred in furtherance of such actions. Any funds recovered through such actions shall be allocated to the funding Parties Individual Accounts pro rata based on their respective funding contributions to a project.

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

1213. DUES, ASSESSMENTS AND BUDGET AMENDMENTS. Funding for the activities of ARCH shall be provided solely through the budgetary process. No separate dues or assessments shall be imposed or required of the Parties except upon unanimous vote of the membership of the Executive Board and ratification by the legislative body of each Party to the Agreement. An approved budget shall not be modified unless and until approved by the legislative body of each Party and finally adopted by the Executive Board; provided that, in the event a Party agrees to totally fund an additional task to the work program, not currently approved in the budget, the task may be added to the work plan and the budget amended to reflect the funding of the total cost of such task by the requesting Party, upon approval by a majority of the membership of the Executive Board without approval by the individual Parties. Notwithstanding the foregoing, contributions by a Party to its Individual Account within the Housing Trust Funds Account shall be solely within the discretion of that Party and are not considered "assessments," and obligations of a Party to pay expenses of the Administering Agency as approved or authorized per Subsections 12(iv) and (v) above are not deemed "assessments".

1314. LIABILITY OF MEMBERS. Each Party shall be jointly and severally liable for any claims, damages or other causes of action arising from the activities of ARCH, its officers, employees and agents except as expressly set forth in Section 5 of this Agreement with regard to personnel directly provided to ARCH by such Party; provided that, ARCH shall take all steps reasonably possible to minimize the potential liability of the Parties, including but not limited to the purchase of liability, casualty and errors and omissions insurance and the utilization of sound risk management techniques. To the extent reasonably practicable, all Parties shall be named as additional insured on all insurance

~~policies.~~ INDEMNIFICATION AND HOLD HARMLESS.

a. Each Party shall defend, indemnify and hold other Parties (including without limitation the Party serving as, and acting in its capacity as, ARCH's Administering Agency), their officers, officials, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of that Party's wrongful acts or omissions in connection with the performance of its obligations under this Agreement, except to the extent the injuries or damages are caused by another Party.

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

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

d. ARCH's Executive Board, Program Staff and Administering Agency shall take such steps as are reasonably practicable to minimize the liability of the parties associated with their participation in this Agreement, including but not limited to the purchase of liability, errors and omissions, and casualty insurance, and the utilization of sound management practices. To the extent practicable, all Parties shall be named as additional insureds on all such insurance policies.

1415. AMENDMENTS. Any amendments to this Agreement must be in writing. This Agreement may be amended upon approval of at least two thirds (66%) of authorized by the legislative bodies of all Parties to this Agreement, and evidenced by the authorized signatures of all such approving Parties as of the effective date of the amendment; provided that any amendment to this Agreement affecting the terms and conditions of membership on the Executive Board or voting rights of Executive Board members shall require consent of the legislative authorities of all Parties. This

section shall not be construed to require unanimous consent for the addition of a new Party per Section 16 or to amend the structure of the Executive Board as authorized in Section 4.a.

1516. ADDITIONAL PARTIES. Any city or town within the approved ARCH Sphere of Influence Eastside jurisdiction having responsibility for planning or for providing affordable housing may, upon execution of the Agreement and approval of the budget and work plan by its legislative body, become a Party to this Agreement upon affirmative vote of a majority of the membership of the Executive Board. The Executive Board shall determine by a vote of a majority of its membership what, if any, funding obligations such additional Party shall commit to as a condition of becoming a Party to this Agreement.

1617. SEVERABILITY. The invalidity of any clause, sentence, paragraph, subdivision, section or portion thereof, shall not affect the validity of the remaining provisions of the Agreement.

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

19. SURVIVABILITY. Notwithstanding any provision in this Agreement to the contrary, the provisions of Section 9 (Duration and Termination), Section 10 (Withdrawal), Section 14 (Indemnification and Hold Harmless) shall remain operative and in full force and effect, regardless of the withdrawal or termination of any Party or the termination of this Agreement.

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

21. SUBSEQUENT BREACH. Waiver of any default shall not be deemed a waiver of any subsequent default. Waiver of breach of

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

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

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

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

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

1726. COUNTERPARTS. This Agreement may be signed in counterparts and, if so signed, shall be deemed one integrated Agreement.

1827. FILING AND EFFECTIVE DATE; PRIOR AGREEMENTS. This Agreement shall become effective July 1, 2010, subject to its prior ~~upon~~ approval by the legislative bodies of ~~at least three cities~~ all jurisdictions who are members of ARCH as of January 1, 2010, and upon ~~filing~~ posting of the Agreement on a Party's web site or other electronically retrievable public source. ~~with the city clerk of each city which is a party to this Agreement, the King County Clerk, and the Secretary of State.~~ Upon the effective date of this Agreement, the prior interlocal agreements relating to ARCH (the "First Amended Interlocal Agreement for ARCH A Regional Coalition for Housing," dated January 1993, the "First Amendment to the First Amended Interlocal Agreement for ARCH A Regional Coalition for Housing," dated February 1999, and the "Second Amendment to the First Amended Interlocal Agreement for ARCH A Regional Coalition for Housing," dated November 1999, are amended and restated by this Agreement.

Approved and executed this \_\_\_\_\_ day of \_\_\_\_\_, ~~200~~ 2010.

[INSERT SIGNATURE BLOCKS]

EXHIBIT A: ARCH SPHERE OF INFLUENCE  
[insert map-expanded]



**CITY OF KIRKLAND**  
City Attorney's Office  
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## MEMORANDUM

**To:** City Council

**From:** Dave Ramsay, City Manager  
Marilynne Beard, Assistant City Manager  
Robin S. Jenkinson, City Attorney

**Date:** January 20, 2010

**Subject:** DEVELOPING A CODE OF ETHICS/CODE OF CONDUCT

### RECOMMENDATION:

City Council determines the scope and process to use for developing a code of ethics.

### BACKGROUND:

While Councilmembers are subject to the "Code of Ethics for Municipal Officers" which appears in state law<sup>1</sup>, the "Code of Ethics" in the Kirkland Municipal Code<sup>2</sup>, applies to City employees but does not currently apply to the City Council. The City Council recently expressed its desire to develop a code of ethics that would be applicable to the Council.<sup>3</sup> Staff was asked to get back to the Council with a report on how the development of a code of ethics could be approached.

Staff is requesting further clarification regarding the scope and process envisioned by Council by asking a series of threshold questions:

**What is the scope of what the Council would like to see developed during this process? Is the Council interested in developing a code of ethics that applies only to the Council and/or a code of ethics that applies to the Council and boards and commissions?**

Codes of ethics set forth principles of conduct that guide decision making and behavior, with the emphasis on ethical and accountable local government. An example of a statement often included in a code of ethics is "*Councilmembers shall make public any conflict of interest the Member has with respect to any issue under consideration by the Council. The Council Member shall not participate in discussions of the subject and shall not vote on it if the Council Member has a personal, financial or property involvement in the subject.*"

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<sup>1</sup> Chapter 42.23 RCW.

<sup>2</sup> KMC 3.82

<sup>3</sup> The Kirkland City Council has passed ordinances which specifically address limitations on the acceptance of campaign contributions (KMC Ch. 3.12) and gifts (KMC 3.80.140).

**Is the Council interested in developing a code of conduct?** Beyond the notion of a code of ethics is a code of conduct. Codes of conduct also concern behavior, but have more to do with describing the manner in which councilmembers should treat one another, city staff, citizens, and others with whom they come in contact. An example of a statement that might be included in a code of conduct is "*Councilmembers are respectful of other people's time and stay focused and act efficiently during public meetings.*"

**If Council is interested in developing both, then is the preference to develop them concurrently or sequentially, first focusing on a more traditional code of ethics?**

More information about codes of ethics is included below along with links to sample ethics codes for local governments in Washington and an appendix with copies of Kirkland's existing ethics code, Council-adopted rules regarding campaign contributions and acceptance of gifts and the Ethics Code for Washington State Officers. Local examples of codes of conduct can also be researched if Council is interested.

The City Council also has a document entitled "Council Policies and Procedures" which was the topic of several Council meeting discussions. The current document includes rules and procedures for a variety of items including the conduct of meetings (as adopted by resolution), criteria and process for selecting board and commission members and the roles of the Mayor and Deputy Mayor. **Does the City Council have an interest in updating this document? If so, does the Council want to work on it as a committee of the whole or as a subcommittee?**

### **Codes of Ethics**

Municipal codes of ethics provide ethical guidelines for municipal officials and employees. Links to examples of ethics codes from some Washington cities are provided below. Most of the codes deal with city councils and city employees together. Boards and commissions are included in several. One code addresses the conduct expected from the city council separately.

What these codes of ethics have in common is setting forth principles of conduct that guide decision making and behavior. The stated purposes are generally to ensure public confidence and to provide councilmembers and employees with guidelines for making ethical choices in the performance of their duties. The codes typically divide into three distinct elements: 1) a statement of purpose and values, 2) specific rules of conduct, and 3) implementation, which defines administrative processes for reporting, investigating, and sanctioning violations of the codes. Not all of the codes have each of the elements.

The various codes include a range of topics including: conflicts of interest; limitations on gifts; rules relating to disclosure of confidential information; employment after public service; use of public office or property for personal gain; and limitations on campaign activities. Administrative implementation of the codes and sanctions against code violations widely vary. There are no uniform procedures for filing, investigating, and resolving complaints for unethical conduct. An office or commission may be charged with responsibility for handling ethics code violations. Some cities have ethics boards. Others use hearings examiners or a combination of both. Seattle has an Ethics and Elections Commission with a paid, professional staff. At least one city has a Council Ethics and Administrative Committee which is responsible for enforcement of the ethics code.

## Process for Developing a Code of Ethics

In early discussion, some councilmembers expressed an interest in having a citizen group or task force participate in the development of an ethics code. In this way the ethical values and expectations of the community may be addressed along with the expectations identified by the Council. Staff suggests that the Council appoint three to five persons to assist in developing the code. The City Manager's Office and City Attorney's Office can provide whatever level of support the Council requests in this regard. It may be useful for Council to discuss the types of skills and background that would be helpful for a taskforce to possess and how they would interface with the City Council.

## Examples of Codes of Ethics

Bremerton Municipal Code Ch.2.96 – Code of Ethics

<http://www.codepublishing.com/wa/Bremerton/html/Bremerton02/Bremerton0296.html#2.96>

Federal Way Code of Ethics for City Councilmembers, City Managers and City Employees

<http://www.mrsc.org/GovDocs/F4CodeEthics.pdf>

Fircrest Municipal Code Ch. 2.46 – Conduct of Public Officials

[http://nt5.scbbs.com/cgi-](http://nt5.scbbs.com/cgi-bin/om_isapi.dll?clientID=502665086&infobase=fircrest.nfo&jump=2.46&softpage=PL_frame#JUMPDEST_2.46)

[bin/om\\_isapi.dll?clientID=502665086&infobase=fircrest.nfo&jump=2.46&softpage=PL\\_frame#JUMPDEST\\_2.46](http://nt5.scbbs.com/cgi-bin/om_isapi.dll?clientID=502665086&infobase=fircrest.nfo&jump=2.46&softpage=PL_frame#JUMPDEST_2.46)

Grandview Municipal Code 2.90 – Conduct of Public Employees – Board of Ethics

[http://nt5.scbbs.com/cgi-](http://nt5.scbbs.com/cgi-bin/om_isapi.dll?clientID=352537&infobase=grndvw42.nfo&jump=2.90&softpage=PL_frame#JUMPDEST_2.90)

[bin/om\\_isapi.dll?clientID=352537&infobase=grndvw42.nfo&jump=2.90&softpage=PL\\_frame#JUMPDEST\\_2.90](http://nt5.scbbs.com/cgi-bin/om_isapi.dll?clientID=352537&infobase=grndvw42.nfo&jump=2.90&softpage=PL_frame#JUMPDEST_2.90)

Lynnwood Municipal Code 2.94 – Code of Ethics

<http://www.mrsc.org/mc/lynnwood/Lynnwood02/lynnwood0294.html>

Richland Municipal Code Ch. 2.26 – Conduct of Public Officials and Public Employees – Code of Ethics

[http://www.mrsc.org/ords/r5c2\\_26.aspx](http://www.mrsc.org/ords/r5c2_26.aspx)

Seattle Municipal Code Ch. 4.16 – Code of Ethics

[http://clerk.ci.seattle.wa.us/~scripts/nph-](http://clerk.ci.seattle.wa.us/~scripts/nph-brs.exe?s1=4.16&s2=&S3=&Sect4=AND&l=20&Sect3=PLURON&Sect5=CODE1&d=CODE&p=1&u=%2F%7Epublic%2Fcode1.htm&r=1&Sect6=HITOFF&f=G)

[brs.exe?s1=4.16&s2=&S3=&Sect4=AND&l=20&Sect3=PLURON&Sect5=CODE1&d=CODE&p=1&u=%2F%7Epublic%2Fcode1.htm&r=1&Sect6=HITOFF&f=G.](http://clerk.ci.seattle.wa.us/~scripts/nph-brs.exe?s1=4.16&s2=&S3=&Sect4=AND&l=20&Sect3=PLURON&Sect5=CODE1&d=CODE&p=1&u=%2F%7Epublic%2Fcode1.htm&r=1&Sect6=HITOFF&f=G)

Sumner Code of Ethics/Conflicts of Interest

<http://www.mrsc.org/policyprocedures/S93o2256.pdf>

Tacoma Municipal Code, Ch. 1.46- Code of Ethics

<http://cms.cityoftacoma.org/cityclerk/Files/MunicipalCode/Title01-AdministrationAndPersonnel.PDF>

Yakima Code of Ethics for City Council Members

<http://www.mrsc.org/policyprocedures/Y33CCethics.pdf>

## **Appendix**

A -- Kirkland Ethics Code

B -- Kirkland Code on the Acceptance of Gifts, KMC 3.80.140

C -- Kirkland Code on the Limitation on Campaign Contributions, Ch. 3.12 KMC

D -- Ethics Code for Washington State Officers, Ch. 42.52 RCW

## Chapter 3.82 CODE OF ETHICS

### Sections:

<a href="#">3.82.010</a>	Declaration of policy.
<a href="#">3.82.020</a>	Definitions.
<a href="#">3.82.030</a>	Use of public property.
<a href="#">3.82.040</a>	Conflict of interest.

### **3.82.010 Declaration of policy.**

This chapter is enacted to establish guidelines for ethical standards of conduct which shall govern the performance of city employees in the conduct of public project work and other city business, and to prevent potential conflicts of interest. (Ord. 2824 § 1, 1984)

### **3.82.020 Definitions.**

Definitions, as used in this chapter, unless additional meaning clearly appears from the content, shall have the meaning subscribed:

(1) "Employee" means any person holding a regularly compensated position of employment with the city, but does not include members of the city council and persons who serve without compensation on city boards and commissions.

(2) "Interest" means direct or indirect monetary or material benefit accruing to a city employee as a result of a contract or transaction which is or may be the subject of an official act or action by or with the city, except for such contracts or transactions which confer similar benefits to all other persons and/or property similarly situated. For the purpose of this chapter, an employee shall have an interest in the affairs of:

(A) Any person of the employee's family or any person with whom the employee has a close or ongoing business or social relationship;

(B) Any business entity in which the city employee is an officer, director or employee;

(C) Any business entity in which the stock, or legal or beneficial ownership, in excess of five percent of the total stock, legal or beneficial ownership, is controlled or owned directly or indirectly by the employee;

(D) Any person or business entity with whom a contractual relationship exists with the employee, provided that a contractual obligation of less than five hundred dollars, or a commercially reasonable loan made in the ordinary course of business or a contract for a commercial retail sale shall not create an interest in violation of this chapter. (Ord. 2824 § 2, 1984)

### **3.82.030 Use of public property.**

No city employee shall request or permit the use of city-owned vehicles, equipment, materials or property for personal convenience or profit. Use is to be restricted to such services as are available to the public generally or for the authorized conduct of official business, and for such purposes and under such conditions as directed by the city manager. (Ord. 2824 § 3, 1984)

### **3.82.040 Conflict of interest.**

No city employee shall engage in any act which is in conflict with, or creates an appearance of conflict with, the performance of official duties. An employee is deemed to have a conflict of interest if the employee:

(1) Receives or has any financial interest in any sale to the city of any service or property when such financial interest was received with prior knowledge that the city intended to purchase such property or obtain such service;

(2) Solicits, accepts or seeks anything of economic value as a gift, gratuity, or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action of the city; provided, that the prohibition against gifts or favors shall not apply to:

(A) Attendance of an employee at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of city business or where official attendance by the employee as a staff representative is appropriate.

(B) An award publicly presented in recognition of public service; or

(C) Any gift which would have been offered or given to the employee if he or she were not a city employee;

(3) Participates in his or her capacity as a city employee in the making of a contract in which he or she has a private pecuniary interest, direct or indirect, or performs in regard to such a contract some function requiring the exercise of discretion on behalf of the city;

(4) Influences the city's selection of, or its conduct of business with, a corporation, person or firm having business with the city if the employee has financial interest in or with the corporation, person or firm;

(5) Engages in, accepts private employment from or renders services for private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties;

(6) Appears on behalf of a private person, other than his or herself or an immediate family member or except as a witness under subpoena, before any regulatory governmental agency or court of law in an action or proceeding to which the city or a city officer in an official capacity is a party, or accepts a retainer or compensation that is contingent upon a specific action by the city;

(7) Discloses or uses, without legal authorization, confidential information concerning the property or affairs of the city to advance a private interest with respect to any contract or transaction which is or may be the subject of official action of the city;

(8) Has a financial or personal interest in any legislation coming before the city council, participates in discussion with or gives an official opinion to the city council, unless the employee discloses on the record of the council, the nature and extent of such interest;

(9) Holds, directly or indirectly, for purposes of personal financial gain, investment or speculation, any interest in real property situated within the city, if such employee in the course of his or her official duties performs any function requiring the exercise of discretion on behalf of the city in regard to the regulation of land use or development; provided, that this prohibition shall not apply to:

(A) Real property devoted to the personal use or residence of the employee or member of the employee's immediate family; or

(B) Any other interest in real property held by the employee on the date of enactment of this chapter. (Ord. 2824 § 4, 1984)

**3.80.140 Limitations on gifts.**

(1) No city officer or city employee may accept gifts, other than those specified in subsection (2) of this section, with an aggregate value in excess of fifty dollars from a single source in a calendar year or a single gift from multiple sources with a value in excess of fifty dollars in accordance with RCW 42.52.150(1); provided, that if the fifty dollar limit in RCW 42.52.150(1) is amended, this section shall be deemed to reflect the amended amount. For purposes of this section, "single source" means any person, corporation, or entity, whether acting directly or through any agent or other intermediary, and "single gift" includes any event, item, or group of items used in conjunction with each other or any trip including transportation, lodging, and attendant costs, not excluded from the definition of gift under Section [3.80.030\(16\)](#). The value of gifts given to an officer's or employee's family member or guest shall be attributed to the official or employee for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member or guest.

(2) The following items are presumed not to influence the vote, action, or judgment of the officer or employee, or be considered as part of a reward for action or inaction, and may be accepted without regard to the limit established by subsection (1) of this section:

- (a) Unsolicited flowers, plants, and floral arrangements;
- (b) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
- (c) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
- (d) Unsolicited items received by a city officer or city employee for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item;
- (e) Informational material, publications, or subscriptions related to the recipient's performance of official duties;
- (f) Food and beverages consumed at hosted receptions where attendance is related to the city officer's or city employee's official duties;
- (g) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization;
- (h) Unsolicited gifts from dignitaries from another state or a foreign country which are intended to be personal in nature; and
- (i) Food and beverages on infrequent occasions in the ordinary course of meals where attendance by the officer or employee is related to the performance of official duties.

(3) The presumption in subsection (2) of this section is rebuttable and may be overcome based on the circumstances surrounding the giving and acceptance of the item. (Ord. 4108 § 2, 2007)

## Chapter 3.12

### LIMITS ON CAMPAIGN CONTRIBUTIONS

Sections:

<a href="#">3.12.010</a>	Definitions.
<a href="#">3.12.020</a>	Application.
<a href="#">3.12.030</a>	Contribution limits.
<a href="#">3.12.040</a>	Adjustment of dollar amounts in chapter—Adherence to Public Disclosure Commission established limits and schedule.
<a href="#">3.12.050</a>	Complaint process.
<a href="#">3.12.060</a>	Appeal from the imposition of a penalty.
<a href="#">3.12.070</a>	Hearing examiner dismissal.
<a href="#">3.12.080</a>	Penalties.

#### **3.12.010 Definitions.**

For purposes of this chapter, the definitions found in RCW 42.17.020 as currently enacted or as hereafter amended or recodified are hereby adopted by reference. In adopting these definitions by reference, the city also adopts the interpretation of these definitions published in Chapter 390-05 WAC or otherwise issued by the Washington State Public Disclosure Commission through declaratory orders, policy statements, and commission interpretations, except that:

(a) “Election cycle” means the combination of the general or special election and the primary election for the office in question and begins on the date an individual becomes a candidate for such office as defined in subsection (e) of this section and ends on the date that candidate files his or her final report pursuant to RCW 42.17.080(2).

(b) To “accept” or “receive” a contribution means the receipt of a contribution, deposit of funds with other campaign funds, and report of the contribution on required Public Disclosure Commission report(s). These terms do not apply to a situation in which a candidate receives a contribution and returns the contribution to the contributor within five business days of the date on which it is received by the candidate or political committee. This definition does not in any way affect the determination of the date a contribution is received, which is defined by Public Disclosure Commission policies.

(c) “Person” includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(d) “Public Disclosure Commission” means the Washington State Public Disclosure Commission, established under RCW 42.17.350, or its successor.

(e) “Candidate” means any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when he or she first: (1) receives contributions or makes expenditures or reserves space or facilities with intent to promote his or her candidacy for office; (2) announces publicly or files for office; (3) purchases commercial advertising space or broadcast time to promote his or her candidacy; or (4) gives his or her consent to another person to take on behalf of the individual any of the actions in subsection (e)(1), (2) or (3) of this section. This is the

definition of “candidate” in RCW 42.17.020 at the time of enactment of the ordinance codified in this chapter. The city also adopts amended or recodified definitions of “candidate” along with interpretations of this definition published in Chapter 390-05 WAC or otherwise issued by the Public Disclosure Commission through declaratory orders, policy statements, and commission interpretations. (Ord. 4190 § 2 (part), 2009)

### **3.12.020 Application.**

These limits shall apply to candidates in any primary, general or special election for the Kirkland city council. (Ord. 4190 § 2 (part), 2009)

### **3.12.030 Contribution limits.**

(a) No candidate for city council shall accept or receive during the election cycle campaign contributions totaling more than the contribution limit established by the Public Disclosure Commission for county office candidates in King County in the aggregate from any person.

(b) The per-election contribution limit established by the Public Disclosure Commission for county office candidates in King County shall be the election-cycle contribution limit on candidates for the Kirkland city council.

(c) The limitations in this section shall not apply to:

- (1) A candidate’s contributions of his/her own resources to his/her own campaign;
- (2) The value of volunteer services;
- (3) Any publicly donated funds under provisions authorizing public funding of local campaigns; and

(4) Surplus funds, as defined in RCW 42.17.020(48), from a candidate’s prior campaign and contributions received by a candidate in connection with a campaign for another office may be used by that candidate for the candidate’s current campaign only to the extent that such funds are derived from contributions that were within the dollar limitations imposed by this chapter. If such funds are from a campaign not governed by this chapter, a candidate may use only so much of each contribution previously received as would have been allowable as a contribution under this chapter if it had applied to that campaign. The source of a candidate’s surplus funds shall be determined to be derived from the most recent contributions received by such candidate or that candidate’s political committee which in total equal the amount of the surplus funds.

(d) The limitations imposed by this section shall apply to all other contributions. (Ord. 4190 § 2 (part), 2009)

### **3.12.040 Adjustment of dollar amounts in chapter—Adherence to Public Disclosure Commission established limits and schedule.**

The amount of the contribution limit is adjusted to reflect periodic adjustments made by the Public Disclosure Commission for county office candidates in King County. The timing of the limitation changes shall take place as published by the Public Disclosure Commission and shall, from that time forward, form a new limit on contributions. (Ord. 4190 § 2 (part), 2009)

### **3.12.050 Complaint process.**

(a) Any person who has knowledge of a violation of this chapter committed by any candidate or committee may file a complaint, in writing, under oath of the same with the

city clerk. "Under oath" means that the complaint includes a statement substantially as follows: "I declare under penalty of perjury of the laws of the State of Washington that the information in this complaint is true and correct," or that the complaint is subscribed and sworn to before a notary public or other official authorized to administer oaths. The complaint must set forth specific facts detailing the alleged violation, including: the amounts of the contributions accepted or received; the name of the candidate or committee receiving the contribution(s); and the name(s) and address(es) of the contributor(s), if known or reported; and the names and telephone numbers of persons having knowledge of the alleged violation. The complaint must include the name, address, and telephone number of the person submitting the complaint.

(b) The city clerk shall refer the complaint to the hearing examiner. The city clerk shall also send a copy of the complaint to the candidate or committee named in the complaint as the alleged violator. Within five calendar days of receiving the complaint, the hearing examiner shall make a determination that the complaint appears to have merit or is frivolous and without merit and communicate his or her decision in writing to the person who made the complaint, to the candidate or committee named in the complaint as the alleged violator, and to the city clerk.

(1) The hearing examiner shall dismiss the complaint if the hearing examiner determines that all of the alleged facts, if true, do not constitute a violation; or

(2) The hearing examiner determines that there are no reasonable grounds to believe that a violation has occurred; or

(3) The hearing examiner determines that the violation was inadvertent and minor and has been largely corrected to the satisfaction of the hearing examiner.

(c) If the hearing examiner determines the complaint appears to have merit and the complaint relates to conduct during the pending election and is received at least 30 days before the final election for the office, the hearing examiner shall provide expedited review and a public hearing on the complaint shall be set not less than fifteen days of the determination, absent a showing of good cause for a different date or a stipulation of the parties.

(1) In other instances, the public hearing shall be set within thirty days of the determination.

(d) At least fifteen days prior to the date set for hearing, the hearing examiner will notify, in writing, the person who made the complaint and candidate and/or committee complained against of the public hearing which will be held to determine if a violation has occurred. The candidate and/or committee complained against shall have the right to file a written answer to the complaint and to appear at the hearing with or without legal counsel, submit testimony, be fully heard and to examine and cross-examine witnesses.

(e) Hearings conducted by the hearing examiner shall be informal, meaning that the hearing examiner shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The hearing examiner may call witnesses on his or her own motion and compel the production of books, records, papers, or other evidence needed by the parties. To that end, the hearing examiner shall issue subpoenas and subpoenas duces tecum on his or her own. All testimony shall be under oath administered by the hearing examiner. The hearing examiner may adjourn the hearing from time to time in order to allow for the orderly presentation of evidence. The hearing examiner shall prepare an

official record of the hearing including all testimony, which shall be recorded by mechanical or electronic device, and exhibits; provided, that the hearing examiner shall not be required to transcribe such records unless presented with a request accompanied by payment of the cost of transcription.

(f) Not more than ten calendar days after the conclusion of the hearing, the hearing examiner shall, based upon a preponderance of the evidence, make and fully record in his or her permanent records findings of fact, conclusions of law, determination of a recommended disposition, and order shall be forwarded by certified mail, or personal service, to the person who made the initial report, the candidate and/or committee complained against at the addresses as given by these persons to the hearing examiner, and the city clerk. (Ord. 4190 § 2 (part), 2009)

### **3.12.060 Appeal from the imposition of a penalty.**

Any candidate and/or committee found, by final written order of the hearing examiner, to be in violation of this chapter may seek review of the hearing examiner's order and any other decision based upon that order in the following manner:

(1) **Civil Penalty Ordered at Least Fifteen Days Before the Final Election for Office.** If the hearing examiner orders a candidate and/or a committee to pay a civil penalty at least fifteen days before the final election for office, the candidate and/or committee may seek a writ of review from the superior court pursuant to Chapter 7.16 RCW, within fourteen days of the date of the hearing examiner's order.

(2) **Civil Penalty Ordered in Other Instances.** If the hearing examiner orders a candidate and/or a committee to pay a civil penalty in any other instances, the candidate and/or committee may seek a writ of review from the superior court pursuant to Chapter 7.16 RCW, within thirty days of the hearing examiner's order. (Ord. 4190 § 2 (part), 2009)

### **3.12.070 Hearing examiner dismissal.**

If the hearing examiner dismisses the complaint, the person who filed the complaint may seek a writ of review from the superior court pursuant to Chapter 7.16 RCW, within fourteen days of the date of the hearing examiner's dismissal. (Ord. 4190 § 2 (part), 2009)

### **3.12.080 Penalties.**

The violation or failure to comply with the provisions of this chapter shall constitute a civil violation for which a monetary fine of up to three times the amount of the illegal contribution in violation of KMC [3.12.030\(a\)](#) may be imposed on the candidate and/or committee that accepted the contribution. (Ord. 4190 § 2 (part), 2009)

## Chapter 42.52 RCW

# Ethics in public service

[Chapter Listing](#) | [RCW Dispositions](#)

### RCW Sections

- [42.52.010](#) Definitions.
- [42.52.020](#) Activities incompatible with public duties.
- [42.52.030](#) Financial interests in transactions.
- [42.52.040](#) Assisting in transactions.
- [42.52.050](#) Confidential information -- Improperly concealed records.
- [42.52.060](#) Testimony of state officers and state employees.
- [42.52.070](#) Special privileges.
- [42.52.080](#) Employment after public service.
- [42.52.090](#) Limited assistance by former state officers and employees.
- [42.52.100](#) Conditions on appearance before state agencies or doing business with the state -- Hearing -- Judicial review.
- [42.52.110](#) Compensation for official duties or nonperformance.
- [42.52.120](#) Compensation for outside activities.
- [42.52.130](#) Honoraria.
- [42.52.140](#) Gifts.
- [42.52.150](#) Limitations on gifts.
- [42.52.160](#) Use of persons, money, or property for private gain.
- [42.52.170](#) Giving, paying, loaning, etc., any thing of economic value to state employee.
- [42.52.180](#) Use of public resources for political campaigns.
- [42.52.185](#) Restrictions on mailings by legislators.
- [42.52.190](#) Investments.
- [42.52.200](#) Agency rules.
- [42.52.220](#) Universities -- Administrative processes.
- [42.52.310](#) Legislative ethics board.
- [42.52.320](#) Authority of legislative ethics board.
- [42.52.330](#) Interpretation.
- [42.52.340](#) Transfer of jurisdiction.

- [42.52.350](#) Executive ethics board.
- [42.52.360](#) Authority of executive ethics board.
- [42.52.370](#) Authority of commission on judicial conduct.
- [42.52.380](#) Political activities of board members.
- [42.52.390](#) Hearing and subpoena authority.
- [42.52.400](#) Enforcement of subpoena authority.
- [42.52.410](#) Filing complaint.
- [42.52.420](#) Investigation.
- [42.52.425](#) Dismissal of complaint.
- [42.52.430](#) Public hearing -- Findings.
- [42.52.440](#) Review of order.
- [42.52.450](#) Complaint against legislator or statewide elected official.
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- [42.52.480](#) Action by boards.
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- [42.52.500](#) Optional hearings by administrative law judge.
- [42.52.510](#) Rescission of state action.
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- [42.52.530](#) Additional investigative authority.
- [42.52.540](#) Limitations period.
- [42.52.550](#) Compensation of ethics boards.
- [42.52.560](#) Communications from an employee organization or charitable organization -- Distribution by state employee.
- [42.52.570](#) Private business activity policy -- Department of fish and wildlife -- Parks and recreation commission.
- [42.52.800](#) Exemptions -- Solicitation for state capitol historic furnishings and preservation and restoration of state legislative building.
- [42.52.801](#) Exemption -- Solicitation to promote tourism.
- [42.52.802](#) Exemption -- Solicitation for Washington state legacy project, state library, and archives account.
- [42.52.8021](#) Exemption -- Solicitation for Washington state flag account.
- [42.52.803](#) Exemption -- Solicitation for legislative oral history account.

- [42.52.804](#) Exemption -- Health profession board or commission -- Professional opinions.
- [42.52.805](#) Solicitation for charitable activities of executive branch state employees -- Limitations -- Definitions.
- [42.52.810](#) Solicitation for the legislative international trade account -- Report.
- [42.52.820](#) Solicitation for hosting national legislative association conference.
- [42.52.900](#) Legislative declaration.
- [42.52.901](#) Liberal construction.
- [42.52.902](#) Parts and captions not law -- 1994 c 154.
- [42.52.903](#) Serving on board, committee, or commission not prevented.
- [42.52.904](#) Effective date -- 1994 c 154.
- [42.52.905](#) Severability -- 1994 c 154.
- [42.52.906](#) Construction -- Chapter applicable to state registered domestic partnerships -- 2009 c 521.

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## 42.52.010

### Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means any state board, commission, bureau, committee, department, institution, division, or tribunal in the legislative, executive, or judicial branch of state government. "Agency" includes all elective offices, the state legislature, those institutions of higher education created and supported by the state government, and those courts that are parts of state government.

(2) "Head of agency" means the chief executive officer of an agency. In the case of an agency headed by a commission, board, committee, or other body consisting of more than one natural person, agency head means the person or board authorized to appoint agency employees and regulate their conduct.

(3) "Assist" means to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to, or otherwise provide assistance to another person, believing that the action is of help, aid, advice, or assistance to the person and with intent so to assist such person.

(4) "Beneficial interest" has the meaning ascribed to it under the Washington case law. However, an ownership interest in a mutual fund or similar investment pooling fund in which the owner has no management powers does not constitute a beneficial interest in the entities in which the fund or pool invests.

(5) "Compensation" means anything of economic value, however designated, that is paid, loaned, granted, or transferred, or to be paid, loaned, granted, or transferred for, or in consideration of, personal services to any person.

(6) "Confidential information" means (a) specific information, rather than generalized knowledge, that is not available to the general public on request or (b) information made confidential by law.

(7) "Contract" or "grant" means an agreement between two or more persons that creates an obligation to do or not to do a particular thing. "Contract" or "grant" includes, but is not limited to, an employment contract, a lease, a license, a purchase agreement, or a sales agreement.

(8) "Ethics boards" means the commission on judicial conduct, the legislative ethics board, and the executive

ethics board.

(9) "Family" has the same meaning as "immediate family" in RCW [42.17.020](#).

(10) "Gift" means anything of economic value for which no consideration is given. "Gift" does not include:

(a) Items from family members or friends where it is clear beyond a reasonable doubt that the gift was not made as part of any design to gain or maintain influence in the agency of which the recipient is an officer or employee;

(b) Items related to the outside business of the recipient that are customary and not related to the recipient's performance of official duties;

(c) Items exchanged among officials and employees or a social event hosted or sponsored by a state officer or state employee for coworkers;

(d) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(e) Items a state officer or state employee is authorized by law to accept;

(f) Payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(g) Items returned by the recipient to the donor within thirty days of receipt or donated to a charitable organization within thirty days of receipt;

(h) Campaign contributions reported under chapter [42.17](#) RCW;

(i) Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group; and

(j) Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement.

(11) "Honorarium" means money or thing of value offered to a state officer or state employee for a speech, appearance, article, or similar item or activity in connection with the state officer's or state employee's official role.

(12) "Official duty" means those duties within the specific scope of employment of the state officer or state employee as defined by the officer's or employee's agency or by statute or the state Constitution.

(13) "Participate" means to participate in state action or a proceeding personally and substantially as a state officer or state employee, through approval, disapproval, decision, recommendation, the rendering of advice, investigation, or otherwise but does not include preparation, consideration, or enactment of legislation or the performance of legislative duties.

(14) "Person" means any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit.

(15) "Regulatory agency" means any state board, commission, department, or officer, except those in the legislative or judicial branches, authorized by law to conduct adjudicative proceedings, issue permits or licenses, or to control or affect interests of identified persons.

(16) "Responsibility" in connection with a transaction involving the state, means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates, effectively to approve, disapprove, or otherwise direct state action in respect of such transaction.

(17) "State action" means any action on the part of an agency, including, but not limited to:

(a) A decision, determination, finding, ruling, or order; and

(b) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

(18) "State officer" means every person holding a position of public trust in or under an executive, legislative, or judicial office of the state. "State officer" includes judges of the superior court, judges of the court of appeals, justices of the supreme court, members of the legislature together with the secretary of the senate and the chief clerk of the house of representatives, holders of elective offices in the executive branch of state government, chief executive officers of state agencies, members of boards, commissions, or committees with authority over one or more state agencies or institutions, and employees of the state who are engaged in supervisory, policy-making, or policy-enforcing work. For the purposes of this chapter, "state officer" also includes any person exercising or undertaking to exercise the powers or functions of a state officer.

(19) "State employee" means an individual who is employed by an agency in any branch of state government. For purposes of this chapter, employees of the superior courts are not state officers or state employees.

(20) "University" includes "state universities" and "regional universities" as defined in RCW [28B.10.016](#) and also includes any research or technology institute affiliated with a university, including without limitation, the Spokane Intercollegiate Research and Technology Institute and the Washington Technology Center.

(21) "University research employee" means a state officer or state employee employed by a university, but only to the extent the state officer or state employee is engaged in research, technology transfer, approved consulting activities related to research and technology transfer, or other incidental activities.

(22) "Thing of economic value," in addition to its ordinary meaning, includes:

(a) A loan, property interest, interest in a contract or other chose in action, and employment or another arrangement involving a right to compensation;

(b) An option, irrespective of the conditions to the exercise of the option; and

(c) A promise or undertaking for the present or future delivery or procurement.

(23)(a) "Transaction involving the state" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the state officer, state employee, or former state officer or state employee in question believes, or has reason to believe:

(i) Is, or will be, the subject of state action; or

(ii) Is one to which the state is or will be a party; or

(iii) Is one in which the state has a direct and substantial proprietary interest.

(b) "Transaction involving the state" does not include the following: Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by an officer or employee; or a claim, case, lawsuit, or similar matter if the officer or employee did not participate in the underlying transaction involving the state that is the basis for the claim, case, or lawsuit.

[2005 c 106 § 1; 1998 c 7 § 1; 1996 c 213 § 1; 1994 c 154 § 101.]

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## 42.52.020

### Activities incompatible with public duties.

No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

[1996 c 213 § 2; 1994 c 154 § 102.]

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## 42.52.030

### Financial interests in transactions.

(1) No state officer or state employee, except as provided in subsection (2) of this section, may be beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or is under the supervision of the officer or employee, in whole or in part, or accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in the contract, sale, lease, purchase, or grant.

(2) No state officer or state employee may participate in a transaction involving the state in his or her official capacity with a person of which the officer or employee is an officer, agent, employee, or member, or in which the officer or employee owns a beneficial interest, except that an officer or employee of an institution of higher education or the Spokane intercollegiate research and technology institute may serve as an officer, agent, employee, or member, or on the board of directors, board of trustees, advisory board, or committee or review panel for any nonprofit institute, foundation, or fundraising entity; and may serve as a member of an advisory board, committee, or review panel for a governmental or other nonprofit entity.

[2005 c 106 § 2; 1996 c 213 § 3; 1994 c 154 § 103.]

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## 42.52.040

### Assisting in transactions.

(1) Except in the course of official duties or incident to official duties, no state officer or state employee may assist another person, directly or indirectly, whether or not for compensation, in a transaction involving the state:

(a) In which the state officer or state employee has at any time participated; or

(b) If the transaction involving the state is or has been under the official responsibility of the state officer or state employee within a period of two years preceding such assistance.

(2) No state officer or state employee may share in compensation received by another for assistance that the officer or employee is prohibited from providing under subsection (1) or (3) of this section.

(3) A business entity of which a state officer or state employee is a partner, managing officer, or employee shall not assist another person in a transaction involving the state if the state officer or state employee is prohibited from doing so by subsection (1) of this section.

(4) This chapter does not prevent a state officer or state employee from assisting, in a transaction involving the state:

(a) The state officer's or state employee's parent, spouse or domestic partner, or child, or a child thereof for whom the officer or employee is serving as guardian, executor, administrator, trustee, or other personal fiduciary, if the state officer or state employee did not participate in the transaction; or

(b) Another state employee involved in disciplinary or other personnel administration proceedings.

[2008 c 6 § 203; 1994 c 154 § 104.]

#### **Notes:**

**Part headings not law -- Severability -- 2008 c 6:** See RCW [26.60.900](#) and [26.60.901](#).

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#### 42.52.050

### Confidential information — Improperly concealed records.

(1) No state officer or state employee may accept employment or engage in any business or professional activity that the officer or employee might reasonably expect would require or induce him or her to make an unauthorized disclosure of confidential information acquired by the official or employee by reason of the official's or employee's official position.

(2) No state officer or state employee may make a disclosure of confidential information gained by reason of the officer's or employee's official position or otherwise use the information for his or her personal gain or benefit or the gain or benefit of another, unless the disclosure has been authorized by statute or by the terms of a contract involving (a) the state officer's or state employee's agency and (b) the person or persons who have authority to waive the confidentiality of the information.

(3) No state officer or state employee may disclose confidential information to any person not entitled or authorized to receive the information.

(4) No state officer or state employee may intentionally conceal a record if the officer or employee knew the record was required to be released under chapter [42.56](#) RCW, was under a personal obligation to release the record, and failed to do so. This subsection does not apply where the decision to withhold the record was made in good faith.

[2005 c 274 § 292; 1996 c 213 § 4; 1994 c 154 § 105.]

#### Notes:

**Part headings not law -- Effective date -- 2005 c 274:** See RCW [42.56.901](#) and [42.56.902](#).

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#### 42.52.060

### Testimony of state officers and state employees.

This chapter does not prevent a state officer or state employee from giving testimony under oath or from making statements required to be made under penalty of perjury or contempt.

[1994 c 154 § 106.]

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#### 42.52.070

### Special privileges.

Except as required to perform duties within the scope of employment, no state officer or state employee may use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons.

[1994 c 154 § 107.]

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## 42.52.080

### Employment after public service.

(1) No former state officer or state employee may, within a period of one year from the date of termination of state employment, accept employment or receive compensation from an employer if:

(a) The officer or employee, during the two years immediately preceding termination of state employment, was engaged in the negotiation or administration on behalf of the state or agency of one or more contracts with that employer and was in a position to make discretionary decisions affecting the outcome of such negotiation or the nature of such administration;

(b) Such a contract or contracts have a total value of more than ten thousand dollars; and

(c) The duties of the employment with the employer or the activities for which the compensation would be received include fulfilling or implementing, in whole or in part, the provisions of such a contract or contracts or include the supervision or control of actions taken to fulfill or implement, in whole or in part, the provisions of such a contract or contracts. This subsection shall not be construed to prohibit a state officer or state employee from accepting employment with a state employee organization.

(2) No person who has served as a state officer or state employee may, within a period of two years following the termination of state employment, have a direct or indirect beneficial interest in a contract or grant that was expressly authorized or funded by specific legislative or executive action in which the former state officer or state employee participated.

(3) No former state officer or state employee may accept an offer of employment or receive compensation from an employer if the officer or employee knows or has reason to believe that the offer of employment or compensation was intended, in whole or in part, directly or indirectly, to influence the officer or employee or as compensation or reward for the performance or nonperformance of a duty by the officer or employee during the course of state employment.

(4) No former state officer or state employee may accept an offer of employment or receive compensation from an employer if the circumstances would lead a reasonable person to believe the offer has been made, or compensation given, for the purpose of influencing the performance or nonperformance of duties by the officer or employee during the course of state employment.

(5) No former state officer or state employee may at any time subsequent to his or her state employment assist another person, whether or not for compensation, in any transaction involving the state in which the former state officer or state employee at any time participated during state employment. This subsection shall not be construed to prohibit any employee or officer of a state employee organization from rendering assistance to state officers or state employees in the course of employee organization business.

(6) As used in this section, "employer" means a person as defined in RCW [42.52.010](#) or any other entity or business that the person owns or in which the person has a controlling interest. For purposes of subsection (1) of this section, the term "employer" does not include a successor organization to the rural development council under chapter [43.31](#) RCW.

[1999 c 299 § 3; 1994 c 154 § 108.]

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#### 42.52.090

### Limited assistance by former state officers and employees.

This chapter shall not be construed to prevent a former state officer or state employee from rendering assistance to others if the assistance is provided without compensation in any form and is limited to one or more of the following:

- (1) Providing the names, addresses, and telephone numbers of state agencies or state employees;
- (2) Providing free transportation to another for the purpose of conducting business with a state agency;
- (3) Assisting a natural person or nonprofit corporation in obtaining or completing application forms or other forms required by a state agency for the conduct of a state business; or
- (4) Providing assistance to the poor and infirm.

[1994 c 154 § 109.]

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#### 42.52.100

### Conditions on appearance before state agencies or doing business with the state — Hearing — Judicial review.

(1) The head of an agency, upon finding that any former state officer or state employee of such agency or any other person has violated any provision of this chapter or rules adopted under it, may, in addition to any other powers the head of such agency may have, bar or impose reasonable conditions upon:

- (a) The appearance before such agency of such former state officer or state employee or other person; and
  - (b) The conduct of, or negotiation or competition for, business with such agency by such former state officer or state employee or other person, such period of time as may reasonably be necessary or appropriate to effectuate the purposes of this chapter.
- (2) Findings of violations referred to in subsection (1)(b) of this section shall be made on record after notice and hearing, conducted in accordance with the Washington Administrative Procedure Act, chapter [34.05](#) RCW. Such findings and orders are subject to judicial review.
- (3) This section does not apply to the legislative or judicial branches of government.

[1994 c 154 § 110; 1969 ex.s. c 234 § 27. Formerly RCW [42.18.270](#).]

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#### 42.52.110

### Compensation for official duties or nonperformance.

No state officer or state employee may, directly or indirectly, ask for or give or receive or agree to receive any compensation, gift, reward, or gratuity from a source for performing or omitting or deferring the performance of any official duty, unless otherwise authorized by law except: (1) The state of Washington; or (2) in the case of officers or employees of institutions of higher education or of the Spokane intercollegiate research and technology institute, a governmental entity, an agency or instrumentality of a governmental entity, or a nonprofit corporation organized for the benefit and support of the state employee's agency or other state agencies pursuant to an agreement with the state employee's agency.

[1996 c 213 § 5; 1994 c 154 § 111.]

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## 42.52.120

### Compensation for outside activities.

(1) No state officer or state employee may receive any thing of economic value under any contract or grant outside of his or her official duties. The prohibition in this subsection does not apply where the state officer or state employee has complied with \*RCW [42.52.030](#)(2) or each of the following conditions are met:

(a) The contract or grant is bona fide and actually performed;

(b) The performance or administration of the contract or grant is not within the course of the officer's or employee's official duties, or is not under the officer's or employee's official supervision;

(c) The performance of the contract or grant is not prohibited by RCW [42.52.040](#) or by applicable laws or rules governing outside employment for the officer or employee;

(d) The contract or grant is neither performed for nor compensated by any person from whom such officer or employee would be prohibited by RCW [42.52.150](#)(4) from receiving a gift;

(e) The contract or grant is not one expressly created or authorized by the officer or employee in his or her official capacity;

(f) The contract or grant would not require unauthorized disclosure of confidential information.

(2) In addition to satisfying the requirements of subsection (1) of this section, a state officer or state employee may have a beneficial interest in a grant or contract or a series of substantially identical contracts or grants with a state agency only if:

(a) The contract or grant is awarded or issued as a result of an open and competitive bidding process in which more than one bid or grant application was received; or

(b) The contract or grant is awarded or issued as a result of an open and competitive bidding or selection process in which the officer's or employee's bid or proposal was the only bid or proposal received and the officer or employee has been advised by the appropriate ethics board, before execution of the contract or grant, that the contract or grant would not be in conflict with the proper discharge of the officer's or employee's official duties; or

(c) The process for awarding the contract or issuing the grant is not open and competitive, but the officer or employee has been advised by the appropriate ethics board that the contract or grant would not be in conflict with the proper discharge of the officer's or employee's official duties.

(3) A state officer or state employee awarded a contract or issued a grant in compliance with subsection (2) of this section shall file the contract or grant with the appropriate ethics board within thirty days after the date of execution; however, if proprietary formulae, designs, drawings, or research are included in the contract or grant, the proprietary formulae, designs, drawings, or research may be deleted from the contract or grant filed with the appropriate ethics board.

(4) This section does not prevent a state officer or state employee from receiving compensation contributed from the treasury of the United States, another state, county, or municipality if the compensation is received pursuant to arrangements entered into between such state, county, municipality, or the United States and the officer's or employee's agency. This section does not prohibit a state officer or state employee from serving or performing any duties under an employment contract with a governmental entity.

(5) As used in this section, "officer" and "employee" do not include officers and employees who, in accordance with the terms of their employment or appointment, are serving without compensation from the state of Washington or are receiving from the state only reimbursement of expenses incurred or a predetermined allowance for such expenses.

[1997 c 318 § 1; 1996 c 213 § 6; 1994 c 154 § 112.]

**Notes:**

**\*Reviser's note:** RCW [42.52.030](#) was amended by 2005 c 106 § 2, deleting subsection (2).

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## 42.52.130

### Honoraria.

(1) No state officer or state employee may receive honoraria unless specifically authorized by the agency where they serve as state officer or state employee.

(2) An agency may not permit honoraria under the following circumstances:

(a) The person offering the honorarium is seeking or is reasonably expected to seek contractual relations with or a grant from the employer of the state officer or state employee, and the officer or employee is in a position to participate in the terms or the award of the contract or grant;

(b) The person offering the honorarium is regulated by the employer of the state officer or state employee and the officer or employee is in a position to participate in the regulation; or

(c) The person offering the honorarium (i) is seeking or opposing or is reasonably likely to seek or oppose enactment of legislation or adoption of administrative rules or actions, or policy changes by the state officer's or state employee's agency; and (ii) the officer or employee may participate in the enactment or adoption.

[1994 c 154 § 113.]

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## 42.52.140

### Gifts.

No state officer or state employee may receive, accept, take, seek, or solicit, directly or indirectly, any thing of economic value as a gift, gratuity, or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the officer or employee, or be considered as part of a reward for action or inaction.

[1994 c 154 § 114.]

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## 42.52.150

### Limitations on gifts.

(1) No state officer or state employee may accept gifts, other than those specified in subsections (2) and (5) of this section, with an aggregate value in excess of fifty dollars from a single source in a calendar year or a single gift from multiple sources with a value in excess of fifty dollars. For purposes of this section, "single source" means any

person, as defined in RCW [42.52.010](#), whether acting directly or through any agent or other intermediary, and "single gift" includes any event, item, or group of items used in conjunction with each other or any trip including transportation, lodging, and attendant costs, not excluded from the definition of gift under RCW [42.52.010](#). The value of gifts given to an officer's or employee's family member or guest shall be attributed to the official or employee for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member or guest.

(2) Except as provided in subsection (4) of this section, the following items are presumed not to influence under RCW [42.52.140](#), and may be accepted without regard to the limit established by subsection (1) of this section:

- (a) Unsolicited flowers, plants, and floral arrangements;
- (b) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
- (c) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
- (d) Unsolicited items received by a state officer or state employee for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the officer's or employee's agency;
- (e) Informational material, publications, or subscriptions related to the recipient's performance of official duties;
- (f) Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties;
- (g) Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise accepted and solicited for deposit in the legislative international trade account created in \*RCW [44.04.270](#);
- (h) Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise accepted and solicited for the purpose of promoting the \*\*expansion of tourism as provided for in RCW [43.330.090](#);
- (i) Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, solicited on behalf of a national legislative association, 2006 official conference of the national lieutenant governors' association, or host committee for the purpose of hosting an official conference under the circumstances specified in RCW [42.52.820](#) and section 2, chapter 5, Laws of 2006. Anything solicited or accepted may only be received by the national association or host committee and may not be commingled with any funds or accounts that are the property of any person;
- (j) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization; and
- (k) Unsolicited gifts from dignitaries from another state or a foreign country that are intended to be personal in nature.

(3) The presumption in subsection (2) of this section is rebuttable and may be overcome based on the circumstances surrounding the giving and acceptance of the item.

(4) Notwithstanding subsections (2) and (5) of this section, a state officer or state employee of a regulatory agency or of an agency that seeks to acquire goods or services who participates in those regulatory or contractual matters may receive, accept, take, or seek, directly or indirectly, only the following items from a person regulated by the agency or from a person who seeks to provide goods or services to the agency:

- (a) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
- (b) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
- (c) Unsolicited items received by a state officer or state employee for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the officer's or employee's agency;
- (d) Informational material, publications, or subscriptions related to the recipient's performance of official duties;

(e) Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties;

(f) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization; and

(g) Those items excluded from the definition of gift in RCW [42.52.010](#) except:

(i) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity;

(ii) Payments for seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution; and

(iii) Flowers, plants, and floral arrangements.

(5) A state officer or state employee may accept gifts in the form of food and beverage on infrequent occasions in the ordinary course of meals where attendance by the officer or employee is related to the performance of official duties. Gifts in the form of food and beverage that exceed fifty dollars on a single occasion shall be reported as provided in chapter [42.17](#) RCW.

[2006 c 5 § 3; 2003 1st sp.s. c 23 § 2. Prior: 2003 c 265 § 3; 2003 c 153 § 6; 1998 c 7 § 2; 1994 c 154 § 115.]

**Notes:**

**Reviser's note:** \*(1) RCW [44.04.270](#) was recodified as RCW [43.15.050](#) pursuant to 2006 c 317 § 5.

\*\* (2) RCW [43.330.090](#) was amended by 2007 c 228 § 201, deleting subsection (2) which directly related to "expansion of tourism."

**Findings -- 2006 c 5:** "The legislature finds that due to the massive devastation inflicted on the city of New Orleans by hurricane Katrina on August 29, 2005, the city of New Orleans will not be able to meet its obligation to host the national lieutenant governors' association's annual conference scheduled for July 17 through July 19, 2006. As a result of this unfortunate situation, the members of the national lieutenant governors' association officially pressed to have Washington state host the next annual conference in Seattle, Washington, and lieutenant governor Brad Owen has agreed to do so. The legislature further finds, in recognition of the unprecedented situation created by this natural disaster, the high national visibility of this important event, and due to the limited amount of time remaining for planning and fund-raising, it is necessary to initiate fund-raising activities for this national conference as soon as possible." [2006 c 5 § 1.]

**Effective date -- 2006 c 5:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [February 7, 2006]." [2006 c 5 § 4.]

**Findings -- 2003 c 153:** See note following RCW [43.330.090](#).

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#### 42.52.160

#### Use of persons, money, or property for private gain.

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

(2) This section does not prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties.

(3) The appropriate ethics boards may adopt rules providing exceptions to this section for occasional use of the state officer or state employee, of de minimis cost and value, if the activity does not result in interference with the proper performance of public duties.

[1996 c 213 § 7; 1994 c 154 § 116; 1987 c 426 § 3. Formerly RCW [42.18.217](#).]

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#### 42.52.170

#### Giving, paying, loaning, etc., any thing of economic value to state employee.

No person shall give, pay, loan, transfer, or deliver, directly or indirectly, to any other person any thing of economic value believing or having reason to believe that there exist circumstances making the receipt thereof a violation of RCW [42.52.040](#), [42.52.110](#), [42.52.120](#), [42.52.140](#), or [42.52.150](#).

[1994 c 154 § 117; 1987 c 426 § 5; 1969 ex.s. c 234 § 23. Formerly RCW [42.18.230](#).]

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#### 42.52.180

#### Use of public resources for political campaigns.

(1) No state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Knowing acquiescence by a person with authority to direct, control, or influence the actions of the state officer or state employee using public resources in violation of this section constitutes a violation of this section. Facilities of an agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of state employees of the agency during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency.

(2) This section shall not apply to the following activities:

(a) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition as long as (i) required notice of the meeting includes the title and number of the ballot proposition, and (ii) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(b) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry. For the purposes of this subsection, it is not a violation of this section for an elected official to respond to an inquiry regarding a ballot proposition, to make incidental remarks concerning a ballot proposition in an official communication, or otherwise comment on a ballot proposition without an actual,

measurable expenditure of public funds. The ethics boards shall adopt by rule a definition of measurable expenditure;

(c) Activities that are part of the normal and regular conduct of the office or agency; and

(d) De minimis use of public facilities by statewide elected officials and legislators incidental to the preparation or delivery of permissible communications, including written and verbal communications initiated by them of their views on ballot propositions that foreseeably may affect a matter that falls within their constitutional or statutory responsibilities.

(3) As to state officers and employees, this section operates to the exclusion of RCW [42.17.130](#).

[1995 c 397 § 30; 1994 c 154 § 118.]

**Notes:**

**Effective date -- Captions -- Severability -- 1995 c 397:** See RCW [42.17.960](#) through [42.17.962](#).

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## 42.52.185

### Restrictions on mailings by legislators.

(1) During the twelve-month period beginning on December 1st of the year before a general election for a state legislator's election to office and continuing through November 30th immediately after the general election, the legislator may not mail, either by regular mail or electronic mail, to a constituent at public expense a letter, newsletter, brochure, or other piece of literature, except as follows:

(a) The legislator may mail two mailings of newsletters to constituents. All newsletters within each mailing of newsletters must be identical as to their content but not as to the constituent name or address. One such mailing may be mailed no later than thirty days after the start of a regular legislative session, except that a legislator appointed during a regular legislative session to fill a vacant seat may have up to thirty days from the date of appointment to send out the first mailing. The other mailing may be mailed no later than sixty days after the end of a regular legislative session.

(b) The legislator may mail an individual letter to (i) an individual constituent who has contacted the legislator regarding the subject matter of the letter during the legislator's current term of office; (ii) an individual constituent who holds a governmental office with jurisdiction over the subject matter of the letter; or (iii) an individual constituent who has received an award or honor of extraordinary distinction of a type that is sufficiently infrequent to be noteworthy to a reasonable person, including, but not limited to: (A) An international or national award such as the Nobel prize or the Pulitzer prize; (B) a state award such as Washington scholar; (C) an Eagle Scout award; and (D) a Medal of Honor.

(c) In those cases where constituents have specifically indicated that they would like to be contacted to receive regular or periodic updates on legislative matters, legislators may provide such updates by electronic mail throughout the legislative session and up until thirty days from the conclusion of a legislative session.

(2) For purposes of subsection (1) of this section, "legislator" means a legislator who is a "candidate," as defined by RCW [42.17.020](#), for any public office.

(3) A violation of this section constitutes use of the facilities of a public office for the purpose of assisting a campaign under RCW [42.52.180](#).

(4) The house of representatives and senate shall specifically limit expenditures per member for the total cost of mailings. Those costs include, but are not limited to, production costs, printing costs, and postage costs. The limits imposed under this subsection apply only to the total expenditures on mailings per member and not to any categorical

cost within the total.

(5) For purposes of this section, persons residing outside the legislative district represented by the legislator are not considered to be constituents, but students, military personnel, or others temporarily employed outside of the district who normally reside in the district are considered to be constituents.

[2008 c 39 § 2; 1997 c 320 § 1; 1995 c 397 § 5; 1993 c 2 § 25 (Initiative Measure No. 134, approved November 3, 1992). Formerly RCW [42.17.132](#).]

**Notes:**

**Findings -- Intent -- 2008 c 39:** "The legislature finds that the legislature's ability to communicate with its constituency is of the utmost importance in having a healthy representative democracy. It is the intent of the legislature to provide important information to constituents on an ongoing basis in order to truly be a government of the people and for the people. The legislature finds that this communication will only increase citizen access to legislative issues." [2008 c 39 § 1.]

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#### 42.52.190

#### Investments.

(1) Except for permissible investments as defined in this section, no state officer or state employee of any agency responsible for the investment of funds, who acts in a decision-making, advisory, or policy-influencing capacity with respect to investments, may have a direct or indirect interest in any property, security, equity, or debt instrument of a person, without prior written approval of the agency.

(2) Agencies responsible for the investment of funds shall adopt policies governing approval of investments and establishing criteria to be considered in the approval process. Criteria shall include the relationship between the proposed investment and investments held or under consideration by the state, the size and timing of the proposed investment, access by the state officer or state employee to nonpublic information relative to the proposed investment, and the availability of the investment in the public market. Agencies responsible for the investment of funds also shall adopt policies consistent with this chapter governing use by their officers and employees of financial information acquired by virtue of their state positions. A violation of such policies adopted to implement this subsection shall constitute a violation of this chapter.

(3) As used in this section, "permissible investments" means any mutual fund, deposit account, certificate of deposit, or money market fund maintained with a bank, broker, or other financial institution, a security publicly traded in an organized market if the interest in the security at acquisition is ten thousand dollars or less, or an interest in real estate, except if the real estate interest is in or with a party in whom the agency holds an investment.

[1994 c 154 § 119.]

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#### 42.52.200

#### Agency rules.

(1) Each agency may adopt rules consistent with law, for use within the agency to protect against violations of this chapter.

(2) Each agency proposing to adopt rules under this section shall forward the rules to the appropriate ethics board before they may take effect. The board may submit comments to the agency regarding the proposed rules.

(3) This section applies to universities only to the extent their activities are not subject to RCW [42.52.220](#).

[2005 c 106 § 3; 1994 c 154 § 120.]

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## 42.52.220

### Universities — Administrative processes.

(1) Consistent with the state policy to encourage basic and applied scientific research by the state's research universities as stated in RCW [28B.140.005](#), each university may develop, adopt, and implement one or more written administrative processes that shall, upon approval by the governor, apply in place of the obligations imposed on universities and university research employees under RCW [42.52.030](#), [42.52.040](#), [42.52.080](#), [42.52.110](#), [42.52.120](#), [42.52.130](#), [42.52.140](#), [42.52.150](#), and [42.52.160](#). The universities shall coordinate on the development of administrative processes to ensure the processes are comparable. A university research employee in compliance with the processes authorized in this section shall be deemed to be in compliance with RCW [42.52.030](#), [42.52.040](#), [42.52.080](#), [42.52.110](#), [42.52.120](#), [42.52.130](#), [42.52.140](#), [42.52.150](#), and [42.52.160](#).

(2) The executive ethics board shall enforce activity subject to the written approval processes under this section, as provided in RCW [42.52.360](#).

[2005 c 106 § 4.]

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## 42.52.310

### Legislative ethics board.

(1) The legislative ethics board is created, composed of nine members, selected as follows:

(a) Two senators, one from each of the two largest caucuses, appointed by the president of the senate;

(b) Two members of the house of representatives, one from each of the two largest caucuses, appointed by the speaker of the house of representatives;

(c) Five citizen members:

(i) One citizen member chosen by the governor from a list of three individuals submitted by each of the four legislative caucuses; and

(ii) One citizen member selected by three of the four other citizen members of the legislative ethics board.

(2) Except for initial members and members completing partial terms, nonlegislative members shall serve a single five-year term.

(3) No more than three of the public members may be identified with the same political party.

(4) Terms of initial nonlegislative board members shall be staggered as follows: One member shall be appointed to a one-year term; one member shall be appointed to a two-year term; one member shall be appointed to a three-year term; one member shall be appointed to a four-year term; and one member shall be appointed for a five-year term.

(5) A vacancy on the board shall be filled in the same manner as the original appointment.

(6) Legislative members shall serve two-year terms, from January 31st of an odd-numbered year until January 31st of the next odd-numbered year.

(7) Each member shall serve for the term of his or her appointment and until his or her successor is appointed.

(8) The citizen members shall annually select a chair from among themselves.

[1994 c 154 § 201.]

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## 42.52.320

### Authority of legislative ethics board.

(1) The legislative ethics board shall enforce this chapter and rules adopted under it with respect to members and employees of the legislature.

(2) The legislative ethics board shall:

(a) Develop educational materials and training with regard to legislative ethics for legislators and legislative employees;

(b) Issue advisory opinions;

(c) Adopt rules or policies governing the conduct of business by the board, and adopt rules defining working hours for purposes of RCW [42.52.180](#) and where otherwise authorized under chapter 154, Laws of 1994;

(d) Investigate, hear, and determine complaints by any person or on its own motion;

(e) Impose sanctions including reprimands and monetary penalties;

(f) Recommend suspension or removal to the appropriate legislative entity, or recommend prosecution to the appropriate authority; and

(g) Establish criteria regarding the levels of civil penalties appropriate for different types of violations of this chapter and rules adopted under it.

(3) The board may:

(a) Issue subpoenas for the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under examination by the board or involved in any hearing;

(b) Administer oaths and affirmations;

(c) Examine witnesses; and

(d) Receive evidence.

(4) Subject to RCW [42.52.540](#), the board has jurisdiction over any alleged violation that occurred before January 1, 1995, and that was within the jurisdiction of any of the boards established under \*chapter [44.60](#) RCW. The board's jurisdiction with respect to any such alleged violation shall be based on the statutes and rules in effect at [the] time of the violation.

[1994 c 154 § 202.]

#### Notes:

**\*Reviser's note:** Chapter [44.60](#) RCW was repealed by 1994 c 154 § 304, effective January 1, 1995.

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#### 42.52.330

##### Interpretation.

By constitutional design, the legislature consists of citizen-legislators who bring to bear on the legislative process their individual experience and expertise. The provisions of this chapter shall be interpreted in light of this constitutional principle.

[1994 c 154 § 203.]

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#### 42.52.340

##### Transfer of jurisdiction.

On January 1, 1995, any complaints or other matters under investigation or consideration by the boards of legislative ethics in the house of representatives and the senate operating pursuant to \*chapter [44.60](#) RCW shall be transferred to the legislative ethics board created by RCW [42.52.310](#). All files, including but not limited to minutes of meetings, investigative files, records of proceedings, exhibits, and expense records, shall be transferred to the legislative ethics board created in RCW [42.52.310](#) pursuant to their direction and the legislative ethics board created in RCW [42.52.310](#) shall assume full jurisdiction over all pending complaints, investigations, and proceedings.

[1994 c 154 § 204.]

##### **Notes:**

**\*Reviser's note:** Chapter [44.60](#) RCW was repealed by 1994 c 154 § 304, effective January 1, 1995.

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#### 42.52.350

##### Executive ethics board.

(1) The executive ethics board is created, composed of five members, appointed by the governor as follows:

- (a) One member shall be a classified service employee as defined in chapter [41.06](#) RCW;
- (b) One member shall be a state officer or state employee in an exempt position;
- (c) One member shall be a citizen selected from a list of three names submitted by the attorney general;
- (d) One member shall be a citizen selected from a list of three names submitted by the state auditor; and

- (e) One member shall be a citizen selected at large by the governor.
- (2) Except for initial members and members completing partial terms, members shall serve a single five-year term.
- (3) No more than three members may be identified with the same political party.
- (4) Terms of initial board members shall be staggered as follows: One member shall be appointed to a one-year term; one member shall be appointed to a two-year term; one member shall be appointed to a three-year term; one member shall be appointed to a four-year term; and one member shall be appointed to a five-year term.
- (5) A vacancy on the board shall be filled in the same manner as the original appointment.
- (6) Each member shall serve for the term of his or her appointment and until his or her successor is appointed.
- (7) The members shall annually select a chair from among themselves.
- (8) Staff shall be provided by the office of the attorney general.

[1994 c 154 § 205.]

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## 42.52.360

### Authority of executive ethics board.

- (1) The executive ethics board shall enforce this chapter and rules adopted under it with respect to statewide elected officers and all other officers and employees in the executive branch, boards and commissions, and institutions of higher education.
- (2) The executive ethics board shall enforce this chapter with regard to the activities of university research employees as provided in this subsection.
  - (a) With respect to compliance with RCW [42.52.030](#), [42.52.110](#), [42.52.130](#), [42.52.140](#), and [42.52.150](#), the administrative process shall be consistent with and adhere to no less than the current standards in regulations of the United States public health service and the office of the secretary of the department of health and human services in Title 42 C.F.R. Part 50, Subpart F relating to promotion of objectivity in research.
  - (b) With respect to compliance with RCW [42.52.040](#), [42.52.080](#), and [42.52.120](#), the administrative process shall include a comprehensive system for the disclosure, review, and approval of outside work activities by university research employees while assuring that such employees are fulfilling their employment obligations to the university.
  - (c) With respect to compliance with RCW [42.52.160](#), the administrative process shall include a reasonable determination by the university of acceptable private uses having de minimis costs to the university and a method for establishing fair and reasonable reimbursement charges for private uses the costs of which are in excess of de minimis.
- (3) The executive ethics board shall:
  - (a) Develop educational materials and training;
  - (b) Adopt rules and policies governing the conduct of business by the board, and adopt rules defining working hours for purposes of RCW [42.52.180](#) and where otherwise authorized under chapter 154, Laws of 1994;
  - (c) Issue advisory opinions;
  - (d) Investigate, hear, and determine complaints by any person or on its own motion;
  - (e) Impose sanctions including reprimands and monetary penalties;

(f) Recommend to the appropriate authorities suspension, removal from position, prosecution, or other appropriate remedy; and

(g) Establish criteria regarding the levels of civil penalties appropriate for violations of this chapter and rules adopted under it.

(4) The board may:

(a) Issue subpoenas for the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under examination by the board or involved in any hearing;

(b) Administer oaths and affirmations;

(c) Examine witnesses; and

(d) Receive evidence.

(5) Except as provided in RCW [42.52.220](#), the executive ethics board may review and approve agency policies as provided for in this chapter.

(6) This section does not apply to state officers and state employees of the judicial branch.

[2005 c 106 § 5; 1994 c 154 § 206.]

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## 42.52.370

### Authority of commission on judicial conduct.

The commission on judicial conduct shall enforce this chapter and rules adopted under it with respect to state officers and employees of the judicial branch and may do so according to procedures prescribed in Article IV, section 31 of the state Constitution. In addition to the sanctions authorized in Article IV, section 31 of the state Constitution, the commission may impose sanctions authorized by this chapter.

[1994 c 154 § 207.]

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## 42.52.380

### Political activities of board members.

(1) No member of the executive ethics board may (a) hold or campaign for partisan elective office other than the position of precinct committeeperson, or any full-time nonpartisan office; (b) be an officer of any political party or political committee as defined in chapter [42.17](#) RCW other than the position of precinct committeeperson; (c) permit his or her name to be used, or make contributions, in support of or in opposition to any state candidate or state ballot measure; or (d) lobby or control, direct, or assist a lobbyist except that such member may appear before any committee of the legislature on matters pertaining to this chapter.

(2) No citizen member of the legislative ethics board may (a) hold or campaign for partisan elective office other than the position of precinct committeeperson, or any full-time nonpartisan office; (b) be an officer of any political party or political committee as defined in chapter [42.17](#) RCW, other than the position of precinct committeeperson; (c) permit his or her name to be used, or make contributions, in support of or in opposition to any legislative candidate, any legislative caucus campaign committee that supports or opposes legislative candidates, or any political action committee that supports or opposes legislative candidates; or (d) engage in lobbying in the legislative branch under circumstances not exempt, under RCW [42.17.160](#), from lobbyist registration and reporting.

(3) No citizen member of the legislative ethics board may hold or campaign for a seat in the state house of representatives or the state senate within two years of serving on the board if the citizen member opposes an incumbent who has been the respondent in a complaint before the board.

[1997 c 11 § 1; 1994 c 154 § 208.]

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#### 42.52.390

#### Hearing and subpoena authority.

Except as otherwise provided by law, the ethics boards may hold hearings, subpoena witnesses, compel their attendance, administer oaths, take the testimony of a person under oath, and in connection therewith, to require the production for examination of any books or papers relating to any matter under investigation or in question before the ethics board. The ethics board may make rules as to the issuance of subpoenas by individual members, as to service of complaints, decisions, orders, recommendations, and other process or papers of the ethics board.

[1994 c 154 § 209.]

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#### 42.52.400

#### Enforcement of subpoena authority.

In case of refusal to obey a subpoena issued to a person, the superior court of a county within the jurisdiction of which the investigation, proceeding, or hearing under this chapter is carried on or within the jurisdiction of which the person refusing to obey is found or resides or transacts business, upon application by the appropriate ethics board shall have jurisdiction to issue to the person an order requiring the person to appear before the ethics board or its member to produce evidence if so ordered, or to give testimony touching the matter under investigation or in question. Failure to obey such order of the court may be punished by the court as contempt.

[1994 c 154 § 210.]

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#### 42.52.410

#### Filing complaint.

(1) A person may, personally or by his or her attorney, make, sign, and file with the appropriate ethics board a complaint on a form provided by the appropriate ethics board. The complaint shall state the name of the person alleged to have violated this chapter or rules adopted under it and the particulars thereof, and contain such other information as may be required by the appropriate ethics board.

(2) If it has reason to believe that any person has been engaged or is engaging in a violation of this chapter or rules adopted under it, an ethics board may issue a complaint.

[1994 c 154 § 211.]

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## 42.52.420 Investigation.

(1) After the filing of any complaint, except as provided in RCW [42.52.450](#), the staff of the appropriate ethics board shall investigate the complaint. The investigation shall be limited to the allegations contained in the complaint.

(2) The results of the investigation shall be reduced to writing and the staff shall either make a determination that the complaint should be dismissed pursuant to RCW [42.52.425](#), or recommend to the board that there is or that there is not reasonable cause to believe that a violation of this chapter or rules adopted under it has been or is being committed.

(3) The board's determination on reasonable cause shall be provided to the complainant and to the person named in such complaint.

[2000 c 211 § 1; 1994 c 154 § 212.]

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## 42.52.425 Dismissal of complaint.

(1) Based on the investigation conducted under RCW [42.52.420](#) or [42.52.450](#), and subject to rules issued by each board, the board or the staff of the appropriate ethics board may issue an order of dismissal based on any of the following findings:

(a) Any violation that may have occurred is not within the jurisdiction of the board;

(b) The complaint is obviously unfounded or frivolous; or

(c) Any violation that may have occurred does not constitute a material violation because it was inadvertent and minor, or has been cured, and, after consideration of all of the circumstances, further proceedings would not serve the purposes of this chapter.

(2) Written notice of the determination under subsection (1) of this section shall be provided to the complainant, respondent, and the board. The written notice to the complainant shall include a statement of the complainant's right to appeal to the board under subsection (3) of this section if the dismissal order was issued by staff.

(3) In the event that a complaint is dismissed by staff under this section, the complainant may request that the board review the action. Following review, the board shall:

(a) Affirm the staff dismissal;

(b) Direct the staff to conduct further investigation; or

(c) Issue a determination that there is reasonable cause to believe that a violation has been or is being committed.

(4) The board's decision under subsection (3) of this section shall be reduced to writing and provided to the complainant and the respondent.

[2005 c 116 § 1; 2000 c 211 § 2.]

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## 42.52.430 Public hearing — Findings.

(1) If the ethics board determines there is reasonable cause under RCW [42.52.420](#) that a violation of this chapter or rules adopted under it occurred, a public hearing on the merits of the complaint shall be held.

(2) The ethics board shall designate the location of the hearing. The case in support of the complaint shall be presented at the hearing by staff of the ethics board.

(3) The respondent shall file a written answer to the complaint and appear at the hearing in person or otherwise, with or without counsel, and submit testimony and be fully heard. The respondent has the right to cross-examine witnesses.

(4) Testimony taken at the hearing shall be under oath and recorded.

(5) If, based upon a preponderance of the evidence, the ethics board finds that the respondent has violated this chapter or rules adopted under it, the board shall file an order stating findings of fact and enforcement action as authorized under this chapter.

(6) If, upon all the evidence, the ethics board finds that the respondent has not engaged in an alleged violation of this chapter or rules adopted under it, the ethics board shall state findings of fact and shall similarly issue and file an order dismissing the complaint.

(7) If the board makes a determination that there is not reasonable cause to believe that a violation has been or is being committed or has made a finding under subsection (6) of this section, the attorney general shall represent the officer or employee in any action subsequently commenced based on the alleged facts in the complaint.

[1994 c 154 § 213.]

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## 42.52.440

### Review of order.

Except as otherwise provided by law, reconsideration or judicial review of an ethics board's order that a violation of this chapter or rules adopted under it has occurred shall be governed by the provisions of chapter [34.05](#) RCW applicable to review of adjudicative proceedings.

[1994 c 154 § 214.]

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## 42.52.450

### Complaint against legislator or statewide elected official.

(1) If a complaint alleges a violation of RCW [42.52.180](#) by a legislator or statewide elected official other than the attorney general, the attorney general shall, if requested by the appropriate ethics board, conduct the investigation under RCW [42.52.420](#) and recommend action.

(2) If a complaint alleges a violation of RCW [42.52.180](#) by the attorney general, the state auditor shall conduct the investigation under RCW [42.52.420](#) and recommend action to the appropriate ethics board.

[2005 c 116 § 2; 1994 c 154 § 215.]

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## 42.52.460

### Citizen actions.

Any person who has notified the appropriate ethics board and the attorney general in writing that there is reason to believe that RCW [42.52.180](#) is being or has been violated may, in the name of the state, bring a citizen action for any of the actions authorized under this chapter. A citizen action may be brought only if the appropriate ethics board or the attorney general have failed to commence an action under this chapter within forty-five days after notice from the person, the person has thereafter notified the appropriate ethics board and the attorney general that the person will commence a citizen's action within ten days upon their failure to commence an action, and the appropriate ethics board and the attorney general have in fact failed to bring an action within ten days of receipt of the second notice.

If the person who brings the citizen's action prevails, the judgment awarded shall escheat to the state, but the person shall be entitled to be reimbursed by the state of Washington for costs and attorneys' fees incurred. If a citizen's action that the court finds was brought without reasonable cause is dismissed, the court may order the person commencing the action to pay all costs of trial and reasonable attorneys' fees incurred by the defendant.

Upon commencement of a citizen action under this section, at the request of a state officer or state employee who is a defendant, the office of the attorney general shall represent the defendant if the attorney general finds that the defendant's conduct complied with this chapter and was within the scope of employment.

[1994 c 154 § 216.]

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## 42.52.470

### Referral for enforcement.

As appropriate, an ethics board may refer a complaint:

(1) To an agency for initial investigation and proposed resolution which shall be referred back to the appropriate ethics board for action; or

(2) To the attorney general's office or prosecutor for appropriate action.

[1994 c 154 § 217.]

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## 42.52.480

### Action by boards.

(1) Except as otherwise provided by law, an ethics board may order payment of the following amounts if it finds a violation of this chapter or rules adopted under it after a hearing under RCW [42.52.370](#) or other applicable law:

(a) Any damages sustained by the state that are caused by the conduct constituting the violation;

(b) From each such person, a civil penalty of up to five thousand dollars per violation or three times the economic value of any thing received or sought in violation of this chapter or rules adopted under it, whichever is greater; and

(c) Costs, including reasonable investigative costs, which shall be included as part of the limit under (b) of this subsection. The costs may not exceed the penalty imposed. The payment owed on the penalty shall be reduced by the amount of the costs paid.

(2) Damages under this section may be enforced in the same manner as a judgment in a civil case.

[1994 c 154 § 218.]

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## 42.52.490

### Action by attorney general.

(1) Upon a written determination by the attorney general that the action of an ethics board was clearly erroneous or if requested by an ethics board, the attorney general may bring a civil action in the superior court of the county in which the violation is alleged to have occurred against a state officer, state employee, former state officer, former state employee, or other person who has violated or knowingly assisted another person in violating any of the provisions of this chapter or the rules adopted under it. In such action the attorney general may recover the following amounts on behalf of the state of Washington:

(a) Any damages sustained by the state that are caused by the conduct constituting the violation;

(b) From each such person, a civil penalty of up to five thousand dollars per violation or three times the economic value of any thing received or sought in violation of this chapter or the rules adopted under it, whichever is greater; and

(c) Costs, including reasonable investigative costs, which shall be included as part of the limit under (b) of this subsection. The costs may not exceed the penalty imposed. The payment owed on the penalty shall be reduced by the amount of the costs paid.

(2) In any civil action brought by the attorney general upon the basis that the attorney general has determined that the board's action was clearly erroneous, the court shall not proceed with the action unless the attorney general has first shown, and the court has found, that the action of the board was clearly erroneous.

[1994 c 154 § 219.]

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## 42.52.500

### Optional hearings by administrative law judge.

If an ethics board finds that there is reasonable cause to believe that a violation has occurred, the board shall consider the possibility of the alleged violator having to pay a total amount of penalty and costs of more than five hundred dollars. Based on such consideration, the board may give the person who is the subject of the complaint the option to have an administrative law judge conduct the hearing and rule on procedural and evidentiary matters. The board may also, on its own initiative, provide for retaining an administrative law judge. An ethics board may not require total payment of more than five hundred dollars in penalty and costs in any case where an administrative law judge is not used and the board did not give such option to the person who is the subject of the complaint.

[1994 c 154 § 220.]

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## 42.52.510

### Rescission of state action.

(1) The attorney general may, on request of the governor or the appropriate agency, and in addition to other available rights of rescission, bring an action in the superior court of Thurston county to cancel or rescind state action taken by a state officer or state employee, without liability to the state of Washington, contractual or otherwise, if the governor

or ethics board has reason to believe that: (a) A violation of this chapter or rules adopted under it has substantially influenced the state action, and (b) the interest of the state requires the cancellation or rescission. The governor may suspend state action pending the determination of the merits of the controversy under this section. The court may permit persons affected by the governor's actions to post an adequate bond pending such resolution to ensure compliance by the defendant with the final judgment, decree, or other order of the court.

(2) This section does not limit other available remedies.

[1994 c 154 § 221.]

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## 42.52.520

### Disciplinary action.

(1) A violation of this chapter or rules adopted under it is grounds for disciplinary action.

(2) The procedures for any such action shall correspond to those applicable for disciplinary action for employee misconduct generally; for those state officers and state employees not specifically exempted in chapter [41.06](#) RCW, the rules set forth in chapter [41.06](#) RCW shall apply. Any action against the state officer or state employee shall be subject to judicial review to the extent provided by law for disciplinary action for misconduct of state officers and state employees of the same category and grade.

[1994 c 154 § 222; 1969 ex.s. c 234 § 26. Formerly RCW [42.18.260](#).]

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## 42.52.530

### Additional investigative authority.

In addition to other authority under this chapter, the attorney general may investigate persons not under the jurisdiction of an ethics board whom the attorney general has reason to believe were involved in transactions in violation of this chapter or rules adopted under it.

[1994 c 154 § 223.]

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## 42.52.540

### Limitations period.

Any action taken under this chapter must be commenced within five years from the date of the violation. However, if it is shown that the violation was not discovered because of concealment by the person charged, then the action must be commenced within two years from the date the violation was discovered or reasonably should have been discovered: (1) By any person with direct or indirect supervisory responsibilities over the person who allegedly committed the violation; or (2) if no person has direct or indirect supervisory authority over the person who committed the violation, by the appropriate ethics board.

[1994 c 154 § 224.]

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42.52.550

Compensation of ethics boards.

The citizen members of the legislative ethics board and the members of the executive ethics board shall be compensated as provided in RCW [43.03.250](#) and reimbursed for travel expenses as provided in RCW [43.03.050](#) and [43.03.060](#). Legislator members of the legislative ethics board shall be reimbursed as provided in RCW [44.04.120](#).

[1994 c 154 § 227.]

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42.52.560

Communications from an employee organization or charitable organization — Distribution by state employee.

(1) Nothing in this chapter prohibits a state employee from distributing communications from an employee organization or charitable organization to other state employees if the communications do not support or oppose a ballot proposition or candidate for federal, state, or local public office. Nothing in this section shall be construed to authorize any lobbying activity with public funds beyond the activity permitted by RCW [42.17.190](#).

(2) "Employee organization," for purposes of this section, means any organization, union, or association in which employees participate and that exists for the purpose of collective bargaining with employers or for the purpose of opposing collective bargaining or certification of a union.

[2006 c 217 § 1.]

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42.52.570

Private business activity policy — Department of fish and wildlife — Parks and recreation commission.

(1) The department of fish and wildlife and the parks and recreation commission may approve private business activity in state-owned housing provided under Title [77](#) RCW or chapter [79A.05](#) RCW.

(2) Prior to granting approval of private business activity in state-owned housing, the department of fish and wildlife and the parks and recreation commission must adopt a private business activity policy that is approved by the executive ethics board.

(a) The private business activity policy may only authorize private business activity by the resident state employee while the employee is off duty or the employee's spouse who is approved for residency in the agency housing or the employee's children.

(b) The private business activity policy may not allow private business activity that negatively impacts the agency's operations. For the purposes of this section, "negatively impacts" includes but is not limited to: (i) Negative impacts to visitors' services or access; (ii) in-person visits to state-owned housing for the purpose of transacting business that negatively impacts agency operations; (iii) the incurrence of additional expenses by the state; (iv) the use of signage in the state-owned residence; (v) advertising on state-owned property; or (vi) an appearance of state endorsement of the private business activity.

(3) The private business activity must comply with all other local, state, and federal laws.

(4) All approvals of a private business activity in state-owned housing must be by the agency director or designee in writing.

(5) A state employee is presumed not to be in violation of RCW [42.52.070](#) or [42.52.160](#) if the employee or the employee's spouse or child complies with this section.

[2008 c 247 § 1.]

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## 42.52.800

### Exemptions — Solicitation for state capitol historic furnishings and preservation and restoration of state legislative building.

(1) When soliciting charitable gifts, grants, or donations solely for the limited purposes of RCW [27.48.040](#), members of the capitol furnishings preservation committee are exempt from the laws of this chapter.

(2) When soliciting charitable gifts, grants, or donations solely for the limited purposes of RCW [27.48.050](#) or when assisting a nonprofit foundation established for the purposes of RCW [27.48.050](#), state officers and state employees are exempt from the laws of this chapter.

[2002 c 167 § 3; 1999 c 343 § 4.]

#### Notes:

**Findings -- Effective date -- 2002 c 167:** See notes following RCW [27.48.050](#).

**Findings -- Purpose -- 1999 c 343:** See note following RCW [27.48.040](#).

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## 42.52.801

### Exemption — Solicitation to promote tourism.

When soliciting charitable gifts, grants, or donations solely for the purposes of promoting the \*expansion of tourism as provided for in RCW [43.330.090](#), state officers and state employees are presumed not to be in violation of the solicitation and receipt of gift provisions in RCW [42.52.140](#).

[2003 c 153 § 5.]

#### Notes:

**\*Reviser's note:** RCW [43.330.090](#) was amended by 2007 c 228 § 201, deleting subsection (2) which directly related to "expansion of tourism."

**Findings -- 2003 c 153:** See note following RCW [43.330.090](#).

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42.52.802

Exemption — Solicitation for Washington state legacy project, state library, and archives account.

This chapter does not prohibit the secretary of state or a designee from soliciting and accepting contributions to the Washington state legacy project, state library, and archives account created in RCW [43.07.380](#).

[2008 c 222 § 14; 2003 c 164 § 4.]

**Notes:**

**Purpose -- 2008 c 222:** See note following RCW [44.04.320](#).

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42.52.8021

Exemption — Solicitation for Washington state flag account.

This chapter does not prohibit the secretary of state or the secretary of state's designee from soliciting and accepting contributions to the Washington state flag account created in RCW [43.07.388](#).

[2009 c 71 § 3.]

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42.52.803

Exemption — Solicitation for legislative oral history account.

This chapter does not prohibit the secretary of the senate, the chief clerk of the house of representatives, or their designee from soliciting and accepting contributions to the legislative oral history account created in RCW [44.04.345](#).

[2008 c 222 § 2.]

**Notes:**

**Purpose -- 2008 c 222:** See note following RCW [44.04.320](#).

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42.52.804

Exemption — Health profession board or commission — Professional opinions.

Members of a health profession board or commission as identified in RCW [18.130.040\(2\)\(b\)](#) may express their professional opinions to an elected official about the work of the board or commission on which the member serves, even if those opinions differ from the department of health's official position. Such communication shall be to inform the elected official and not to lobby in support or opposition to any initiative to the legislature.

[2008 c 134 § 15.]

**Notes:**

**Finding -- Intent -- Severability -- 2008 c 134:** See notes following RCW [18.130.020](#).

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42.52.805

Solicitation for charitable activities of executive branch state employees — Limitations — Definitions.

(1) When soliciting gifts, grants, or donations solely to support the charitable activities of executive branch state employees conducted pursuant to RCW [9.46.0209](#), the executive branch state officers and executive branch state employees are presumed not to be in violation of the solicitation and receipt of gift provisions in RCW [42.52.140](#). However, the gifts, grants, or donations must only be solicited from state employees or businesses and organizations that have no business dealings with the soliciting employee's agency. For the purposes of this subsection, "business dealings" includes being subject to regulation by the agency, having a contractual relationship with the agency, and purchasing goods or services from the agency.

(2) For purposes of this section, activities are deemed to be charitable if the activities are devoted to the purposes authorized under RCW [9.46.0209](#) for charitable and nonprofit organizations listed in that section, or are in support of the activities of those charitable or nonprofit organizations.

[2007 c 452 § 2.]

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42.52.810

Solicitation for the legislative international trade account — Report.

(1) When soliciting charitable gifts, grants, or donations solely for the legislative international trade account created in \*RCW [44.04.270](#), the president of the senate is presumed not to be in violation of the solicitation and receipt of gift provisions in RCW [42.52.140](#).

(2) When soliciting charitable gifts, grants, or donations solely for the legislative international trade account created in \*RCW [44.04.270](#), state officers and state employees are presumed not to be in violation of the solicitation and receipt of gift provisions in RCW [42.52.140](#).

(3) An annual report of the legislative international trade account activities, including a list of receipts and expenditures, shall be published by the president of the senate and submitted to the house of representatives and the senate and be a public record for the purposes of RCW [42.56.070](#).

[2005 c 274 § 293; 2003 c 265 § 2.]

**Notes:**

**\*Reviser's note:** RCW [44.04.270](#) was recodified as RCW [43.15.050](#) pursuant to 2006 c 317 § 5.

**Part headings not law -- Effective date -- 2005 c 274:** See RCW [42.56.901](#) and [42.56.902](#).

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#### 42.52.820

#### Solicitation for hosting national legislative association conference.

When soliciting gifts, grants, or donations to host an official conference within the state of Washington of a national legislative association as approved by both the chief clerk and the secretary of the senate, designated legislative officials and designated legislative employees are presumed not to be in violation of the solicitation and receipt of gift provisions in this chapter. For the purposes of this section, any legislative association must include among its membership the Washington state legislature or individual legislators or legislative staff.

[2003 1st sp.s. c 23 § 1.]

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#### 42.52.900

#### Legislative declaration.

Government derives its powers from the people. Ethics in government are the foundation on which the structure of government rests. State officials and employees of government hold a public trust that obligates them, in a special way, to honesty and integrity in fulfilling the responsibilities to which they are elected and appointed. Paramount in that trust is the principle that public office, whether elected or appointed, may not be used for personal gain or private advantage.

The citizens of the state expect all state officials and employees to perform their public responsibilities in accordance with the highest ethical and moral standards and to conduct the business of the state only in a manner that advances the public's interest. State officials and employees are subject to the sanctions of law and scrutiny of the media; ultimately, however, they are accountable to the people and must consider this public accountability as a particular obligation of the public service. Only when affairs of government are conducted, at all levels, with openness as provided by law and an unswerving commitment to the public good does government work as it should.

The obligations of government rest equally on the state's citizenry. The effectiveness of government depends, fundamentally, on the confidence citizens can have in the judgments and decisions of their elected representatives. Citizens, therefore, should honor and respect the principles and the spirit of representative democracy, recognizing that both elected and appointed officials, together with state employees, seek to carry out their public duties with professional skill and dedication to the public interest. Such service merits public recognition and support.

All who have the privilege of working for the people of Washington state can have but one aim: To give the highest public service to its citizens.

[1994 c 154 § 1.]

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#### 42.52.901

##### Liberal construction.

This chapter shall be construed liberally to effectuate its purposes and policy and to supplement existing laws as may relate to the same subject.

[1994 c 154 § 301.]

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#### 42.52.902

##### Parts and captions not law — 1994 c 154.

Parts and captions used in this act do not constitute any part of the law.

[1994 c 154 § 302.]

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#### 42.52.903

##### Serving on board, committee, or commission not prevented.

Nothing in this chapter shall be interpreted to prevent a member of a board, committee, advisory commission, or other body required or permitted by statute to be appointed from any identifiable group or interest, from serving on such body in accordance with the intent of the legislature in establishing such body.

[1969 ex.s. c 234 § 33. Formerly RCW [42.18.330](#).]

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#### 42.52.904

##### Effective date — 1994 c 154.

Sections 101 through 121, 203, 204, 207 through 224, and 301 through 317 of this act shall take effect January 1, 1995.

[1994 c 154 § 319.]

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#### 42.52.905

##### Severability — 1994 c 154.

If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

[1994 c 154 § 320.]

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42.52.906

Construction — Chapter applicable to state registered domestic partnerships — 2009 c 521.

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

[2009 c 521 § 105.]



## CITY OF KIRKLAND

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001  
www.ci.kirkland.wa.us

### MEMORANDUM

**To:** David Ramsay, City Manager

**From:** Erin Leonhart, Intergovernmental Relations Manager

**Date:** January 21, 2010

**Subject:** 2010 LEGISLATIVE UPDATE 3

The 2010 State Legislative session is in its second week. The first legislative cut-off date is February 5<sup>th</sup> when bills must have progressed out of their committee of origin, with the exception of House fiscal committees, Senate Ways & Means and Transportation committees. This is an update on the City's interests as of January 21<sup>st</sup>. Status reports from Gordon Thomas Honeywell for January 11<sup>th</sup> and January 18<sup>th</sup> are attached to this memorandum. A report with the current status of topics on the legislative agenda will be available at the Council meeting on February 2<sup>nd</sup>.

#### COUNCIL LEGISLATIVE COMMITTEE – JANUARY 12

The Council Legislative Committee (Mayor McBride, Council member Asher, Council member Marchione) met on January 12<sup>th</sup> to discuss priorities and processes for the legislative session as well as some bills of interest and Federal Appropriations requests for FY 2011.

Legislative Committee meeting schedule for 2010 – Mondays at 5:30pm except for holiday weeks.

Process for Support/Opposition of Bills – If on Legislative Agenda, okay to sign in support/opposition. Intergovernmental Relations Manager will notify Legislative Committee by email or discuss at meeting in advance when possible.

Amended Legislative Agenda – Distributed to 45<sup>th</sup> & 48<sup>th</sup> District Legislators. Letters of support sent about the Clean Water Bill (bill TBD), Street Utility (HB2618). Intergovernmental Relations Manager working with Public Works and Bellevue staff on proviso language related to SR-520 Bicycle/Pedestrian gap.

#### 2010 Priorities

- Ability to impose Annexation Sales Tax Credit on City's revenues starting in 2010
- Funding in the SR 520 Bridge Replacement and HOV Program to complete the missing link between 108th NE and 124th NE
- AWC Priorities (Fiscal Flexibility, Clean Water Bill, Street Utility)
- Secure Medicine Bill (the fiscal note created during the 2009 session indicating that costs will be recovered from producers after the first year can be found here: [Secure Medicine Bill Fiscal Note](#))
- Mercury Light Bill (the fiscal note created during the 2009 session indicating that costs will be recovered from producers can be found here: [Mercury Light Bill Fiscal Note](#))

#### AWC Conference January 27-28

Council Members Attending – Sweet, Marchione, McBride (will pay expenses if able to make it)  
Meetings with 45th & 48th District Legislators not attending dinner – Scheduled  
Meetings with 32nd District Legislators – Scheduled

House Bill 2408 - Requires local governments considering modifications of zoning requirements to notify, by mail, owners of real property to which the modification applies. [HB2408 Fiscal Note](#) indicates no impact to State Department of Commerce but potentially significant impacts to local governments. Testimony at the public hearing addressed concerns about mail and lacking specifics about what type of zoning changes would require mailing.

House Bill 2650 – Fiscal Flexibility (Rep. Springer’s Bill) – Public Hearing moved to January 19 at 1:30pm, Kirkland signed in support. The bill reflects the AWC Fiscal Flexibility priority exactly. Ability to use Real Estate Excise Tax funding for park maintenance and broader public safety use of gambling revenues of interest to City staff.

House Bill 2637, Fiscal Flexibility (Hunter’s Bill) – Referred to Finance Committee and included in public hearing on January 19. Property Tax revisions remove supplanting language and change “shall” to “must.” One issue not listed in the Gordon Thomas Honeywell report is it would allow cities to extend utility tax to water/sewer districts. Exception clause in section related to County Utility Tax option would exclude incorporated areas.

2011 Federal Appropriations Requests – Forms due to Senators Murray and Cantwell by February 12<sup>th</sup> (\*new)

120th Street Extension

116th Avenue Non Motorized

Public Safety Training

\*City Hall/Public Safety Expansion

\*Fire District 41 Combined Fire Station

#### **COUNCIL LEGISLATIVE COMMITTEE – JANUARY 20 (CANCELLED)**

The Council Legislative Committee did not meet on January 20; however, these notes were provided to the committee.

Local Government Fiscal Flexibility Bills (HB 2749, HB 2650 & HB 2773) - Follow-up from Tuesday’s public hearing in House Finance Committee

- The Finance Committee held a public hearing on all three bills since their goal is to pass one comprehensive bill out of Committee
- Multiple cities and counties testified in support of all three bills
- The tourism industry testified against part of HB 2650 that would expand permitted use of Hotel-Motel Tax Revenues
- The WA Realtors testified against expanded use of Real Estate Excise Tax in HB 2650 and HB 2749 (as they have in the past)
- Utilities and a paper industry representative testified against County Utility Tax and City Tax on Water-Sewer Districts in HB 2749

SB 6344 – Establishing contribution limits for city council campaigns – The list of public offices requiring campaign contribution limits is expanded to include the office of city council. Contributions from an individual, a union, or business may not in the aggregate exceed \$800 per election to a candidate for city council. Local districts with contribution limits currently established for city council campaigns may continue to apply such standards so long as the contribution limit does not exceed \$800. The Public Disclosure Commission adjusts this limit for inflation every even-numbered calendar year.

(NOTE: The City of Kirkland limits the amount a council candidate may accept. The proposed limitation, similar to the existing state law, is a limitation on the contributor.)

HB 2388 – Concerning public health financing – House Bill 2388 puts a tax on candy. The revenue from the tax would be put into an account to be distributed to counties to fund public health. Counties are

January 21, 2010

Page 3 of 3

supporting this as an option; however, the primary message to the Legislature is that funding for public health cannot go below that provided in the Governor's Budget.

**ANNEXATION SALES TAX CREDIT**

The Intergovernmental Relations Manager is continuing to work with Representative Larry Springer to seek clarification that the City can impose the annexation sales tax credit provided for in RCW 82.14.415 on the City's revenues beginning in 2010 to pay the cost incurred preparing for the effective date, using the logic that the City "annexed" when the City Council approved Ordinance 4229, formally accepting the annexation area to the City of Kirkland.

As directed by the City Council on January 19<sup>th</sup>, staff from the City Manager's Office and Finance and Administration Department is developing talking points for City Council members and a letter to Legislators from the 45<sup>th</sup>, 48<sup>th</sup> and 32<sup>nd</sup> Legislative Districts related to this issue. The Council members attending the AWC Legislative Action Conference on January 27-28 will be meeting with many of these Legislators so materials will be prepared ahead of those meetings.

Attachment



## **LEGISLATIVE REPORT**

To: City of Kirkland

From: Briahna Taylor

Date: January 11, 2010

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*The Legislative Session is scheduled to start Monday, January 11<sup>th</sup> and adjourn on Thursday, March 11<sup>th</sup> (60 days as required by the Constitution).*

### CONTENTS:

1. Upcoming this Week
2. Budget/Revenue
3. AWC Information
4. Bill Tracking

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## 1. UPCOMING THIS WEEK

### **GMA Comprehensive Plan Deadline Extensions**

The Governor's Budget eliminated funding for grants to local governments to develop growth management plans. The Association of Washington Cities and the Washington State Association of Counties met with the Governor's Office this last week to refine a legislative proposal to extend the deadlines for comprehensive plan updates. Discussions are focused on whether a 2-3 year extension should be granted to help local jurisdictions through these tough economic times, *or* whether the GMA comprehensive plan update schedule should be permanently changed to align with the availability of census data.

### **Gambling**

GTH-GA expects legislation providing local governments with limiting authority to be introduced during the first week of the legislative session. The legislation will be prime sponsored by Rep. Tami Green and co-sponsored by Rep. Steve Conway. The bill will include the following concepts:

- Making previous ordinances that limited gambling activities legally enforceable.
- Providing local governments with a tool to limit gambling activities – limits the number of cardrooms, the number of tables, and other gambling activities.

GTH-GA met with the Muckleshoot Tribe last week and hopes to meet with the Puyallup Tribe early next week. There will be a substitute version of the legislation to incorporate the tribes' concerns.

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### **Clean Water Act (Storm Water)**

AWC and the environmental community are working on an amended version of [House Bill 1614](#). When an amended draft is available, GTHGA will provide the draft.

### **Public Records Request Legislation**

The Association of Washington Cities has worked to develop two pieces of legislation, which have now been introduced. These bills hope to make public records request more efficient. Neither bill has yet been scheduled for a hearing.

[House Bill 2582](#) indicates that a local government may respond to a public records request by directing the requestor to a website address, where the document is posted. The bill also includes provisions for requestors without internet access. This legislation would help with those documents that are commonly requested, but not the e-mails of city employees and other similar documents. The bill is sponsored by Representative Chris Hurst.

[House Bill 2583](#) allows a voluntary conference between the agency and the requestor to clarify the request. If an agency or requestor files a lawsuit based on the request without participating in a conference, the court would have the discretion to reduce any award for costs, including penalties.

Recommendations coming forth from the Washington Coalition for Open Government: The following are the priorities for the Washington Coalition for Open Government as established by its Board of Directors:

- Restore the original intent of the attorney-client communications exemption;
- Expand access to legislative and court records;
- Exempt recordings of executive session;
- Create a non-judicial process for review of PRA and OPMA disputes;
- Require open government training for government employees and elected officials;
- Prevent arbitrators or judges from ordering destruction of public records contrary to law;
- Reject elimination of the Sunshine Committee

Both GTH-GA and AWC will be closely monitoring proposals regarding any of these priorities.

### **Fiscal Flexibility – HEARING THIS FRIDAY**

The Association of Washington Cities and the Washington State Association of Counties have worked collaboratively with the Governor's Office, Representative Ross Hunter, Representative Larry Springer, and Senator Debbie Regala to develop a few pieces of legislation to create greater fiscal flexibility for local governments. Below is a summary of the two pieces of legislation that will be heard Friday as well as the Governor's proposal:

[House Bill 2650](#) – Prime Sponsor is Representative Larry Springer. Bill includes:

- REET 1/REET 2 Flexibility
- Removes non-supplant language from 1/10 of 1% sales tax for criminal justice purposes and adds "human services" as a criminal justice purpose. (Local option; imposed by County, portion distributed to the cities)

- Removes non-supplant language in metropolitan park revenues received by Pierce County's metropolitan park district – does not impact the 50% of the revenues that are directed towards Pt. Defiance Zoo.
- Local option sales and use tax of 3/10 of 1% that can currently be used on criminal justice and fire protection can also be used on human services or any combination of criminal justice, fire protection, and human services purposes.
- Removes non-supplant language from the 1/10 of 1% for chemical dependency & mental health; changes the non-supplant schedule included in last years' bill.
- Creates flexibility with the gambling tax – rather than using funding for public safety purposes enforcing gambling, it can be used for all public safety.
- Flexibility with the lodging tax – revenue can be used on public safety and anything that promotes tourism, rather than just tourism.

[House Bill 2637](#) – Prime Sponsor is Rep. Ross Hunter. Bill includes:

- Removes non-supplant language for 3/10 of 1% for criminal justice
- Removes non-supplant language for 1/10 of 1% for chemical dependency & mental health
- Flexibility for property tax levy
- Authorizes a County Utility Tax
- REET Flexibility for park operations (Takes effect 2012)
- Clarifying Brokered Natural Gas

Governor's Bill – Has not yet been introduced. Bill includes:

- Bill eliminates or modifies a few supplant clauses:
  - o county mental health 1/10<sup>th</sup> thru 2014;
  - o city/county criminal justice 1/10<sup>th</sup>;
  - o city/county 3/10<sup>th</sup> public safety.
- The bill also allows county council authority for the 3/10ths public safety sales tax thru 2014, thereafter voter approval required. Retains the 60 – 40 split of revenue between the county and cities.

**HB 2408 – Notice to Property Owners for Zoning Changes, Rep. Angel – HEARING MONDAY**

The original version of [HB 2408](#) would require a local government to notify property owners of all zoning changes made. GTH-GA has worked with the prime sponsor, Rep. Angel to clarify the intent of the bill. There is an amendment that will be proposed to clarify that property owners only need to be notified when an entire zoning classification is changes – but not when minor changes are made. The hearing on the legislation will be Monday and GTH-GA is working with Rep. Angel's office to fine tune the amendment to satisfy additional concerns regarding the timing of the notification, etc. Note that a fiscal note has also been posted for the legislation.

**HB 2442 – Restructuring Three Growth Management Hearings Boards into One Board – HEARING MONDAY**

This bill would establish in essence a subcommittee (of three out of the seven board members) to hear cases in the Puget Sound region). Concerns about equity amongst the three regions appear to be addressed by the bill authors.

**[HB 2491 - Requiring certain state agencies that manage natural resources to coordinate their land management with local governments – HEARING WEDNESDAY](#)**

Requires the department of fish and wildlife, the department of natural resources, and the parks and recreation commission to coordinate with all applicable affected local government officials during the development, revision, and implementation of any public land use plan under the control or authority of the respective department or commission.

**HB 2538 – Regarding High-Density Urban Development – HEARING WEDNESDAY**

[House Bill 2538](#) incentivizes high-density, compact, in-fill development and redevelopment within existing urban areas – this zoning is option, but is incentivized. This is a scaled down version of House Bill 1490 that was introduced last year.

## 2. BUDGET/REVENUE

### **Budget**

There are multiple hearings this week reviewing the Governor’s Budget that was released on December 9<sup>th</sup>. This is an opportunity to have provide input either via letter or public hearing on the Governor’s Budget – please contact GTH-GA if there specific changes in the Governor’s Budget you would like to testify on. [Click here to view the Governor’s Budget.](#)

When the Governor released her budget in early December, she balanced the budget by utilizing a \$900,000 reserve fund and cutting \$1.7 million in funding. At that point, she indicated that she would release a Book 2 Budget that would include revenue generating component to “buy back” programs that were cut. The Governor’s Book 2 Budget is expected to be released on January 12<sup>th</sup> after the State of the State.

### **Revenue**

*Repeal of I-960?* – There has been a great deal of discussion regarding whether the Legislature will repeal I-960. This measure requires either a two-thirds vote in each house of the legislature or voter approval for all tax increases. The Legislature could repeal this permanently or could repeal it only for this session or only for a few pieces of legislation. Once repealed, the legislature could theoretically impose a tax with a simple majority.

## 3. AWC NEWS

### **City Legislative Action Conference – January 27<sup>th</sup>-28<sup>th</sup>**

The Association of Washington Cities’ City Legislative Action Conference is January 27<sup>th</sup>-28<sup>th</sup>. This is an excellent opportunity to meet with your legislative delegation. If you plan to attend CLAC, please contact GTH-GA to schedule meetings/organize dinners or lunches.

## 4. BILL TRACKING

### **Bill Tracking**

GTH-GA has started this year's bill tracking. While legislation from last year will carry over into this next legislative session, we are starting the bill tracking with those bills that have been filed this year. Very few bills that were introduced last legislative session will move this session. GTHGA will identify those bills that were introduced last year that are likely to move and add them to this bill tracking sheet the first two weeks of the legislative session.

Below is a link to all legislation that GTH-GA is monitoring on behalf of the City. If there is legislation you would like added or removed from this please contact GTH-GA.

### **[Monitored Legislation](#)**

**This link updates in REAL-TIME. GTH-GA suggests that you bookmark it and refer to it anytime you would like to view the tracking list.**

*If there is any legislation and/or notes that you would like added to the bill tracking lists, please let us know.*



## **LEGISLATIVE REPORT**

To: City of Kirkland

From: Briahna Taylor

Date: January 18, 2010

### CONTENTS:

5. Upcoming this Week
6. Budget/Revenue (No change)
7. AWC Information (No change)
8. Bill Tracking

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## **5. UPCOMING THIS WEEK**

### **Fiscal Flexibility – HEARING THIS TUESDAY**

The hearing scheduled for last Friday was moved to Tuesday, January 19<sup>th</sup> at 1:30PM. Please see the attached chart for a detailed description of the three pieces of legislation that will be heard.

### **GMA Comprehensive Plan Deadline Extensions**

There are two bills that will be introduced early next week. The first piece of legislation extends the deadline for GMA Comprehensive plans for three years temporarily. This will likely be Governor-request legislation. The second piece of legislation extends the deadline for GMA comprehensive plans for three years and then requires GMA updates every 10 years thereafter. Both pieces of legislation will likely have hearings during the week of the 25<sup>th</sup>.

### **HB 2408 – Notice to Property Owners for Zoning Changes, Rep. Angel**

The original version of [HB 2408](#) would require a local government to notify property owners of all zoning changes made. GTH-GA has worked with the prime sponsor, Rep. Angel to clarify the intent of the bill. There is an amendment that will be proposed to clarify that property owners only need to be notified when an entire zoning classification is changes – but not when minor changes are made.

At the hearing last Monday, there was a great deal of testimony in opposition to the legislation. The proposed amendment has been identified as still broad and extending beyond simple “re-zones.” The bill is on the large list of bills that *could* have action taken on them at Monday’s Local Government Committee meeting. GTH-GA has confirmed with the Committee Chair that without a more narrow amendment, the bill is not likely to pass the committee.

### **Public Records Request Legislation**

On Friday, AWC and GTH-GA met with Rep. Lynn Kessler, the Majority Leader, to discuss legislation regarding public records. The meeting went very well and Rep. Kessler seemed inclined to work with cities to address harassment through public records requests. AWC also presented to her the legislation being proposed by the legislation this year.

The Association of Washington Cities has worked to develop two pieces of legislation, which have now been introduced.

[House Bill 2582](#) / [Senate Bill 6367](#) indicates that a local government may respond to a public records request by directing the requestor to a website address, where the document is posted. The bill also includes provisions for requestors without internet access. This legislation would help with those documents that are commonly requested, but not the e-mails of city employees and other similar documents. The bill is sponsored by Representative Chris Hurst. **BOTH BILLS ARE SCHEDULED FOR HEARINGS ON TUESDAY, JANUARY 19<sup>th</sup>.**

[House Bill 2583](#) / [Senate Bill 6368](#) - allows a voluntary conference between the agency and the requestor to clarify the request. If an agency or requestor files a lawsuit based on the request without participating in a conference, the court would have the discretion to reduce any award for costs, including penalties.

### **Clean Water Act (Storm Water)**

AWC and the environmental community are working on an amended version of [House Bill 1614](#). When an amended draft is available, GTHGA will provide the draft. Additionally, conversation have begun regarding developing an alternative funding source.

### **SB 6214 – Restructuring Three Growth Management Hearings Boards into One Board – HEARING MONDAY**

This bill would establish in essence a subcommittee (of three out of the seven board members) to hear cases in the Puget Sound region). Concerns about equity amongst the three regions appear to be addressed by the bill authors. The House version of this legislation was heard last week.

### **HB 2516 – Siting of small alternative energy facilities – HEARING MONDAY**

This bill allows parities to use the EFSEC permit process to side small alternative energy resource facilities in lieu of the permit process of cities or counties. This is an express preemption of siting small facilities. Cities and counties are opposing the legislation – *please contact GTH-GA if you would like to sign up in opposition.*

### **HB 2625 – Addressing bail for felony offenses – HEARING TUESDAY**

Prime sponsored by Representative Troy Kelley, the legislation indicates that bail for the release of a person arrested and detained for a felony offense must be determined on an individualized basis by a judicial officer.

### **SB 6261 – Addressing utility services collections against rental property – HEARING TUESDAY**

Senate Bill 6261 indicates that local governments can only collect from property owners four months of unpaid utility bills, whether or not the city uses the lien authority as the collection tool. This would limit the authority that local governments currently have to recover delinquent utility bills from property owners.

**HB 2611 – Concerning annexation of a city, partial city, or town to a fire protection district – HEARING WEDNESDAY**

Addresses the disposition of existing voter-approved indebtedness at the time of annexation of a city, partial city, or town to a fire protection district.

**HB 2618 – Street Maintenance Utility – HEARING WEDNESDAY**

The Association of Washington Cities' street utility legislation will be heard on Wednesday.

**SB 5548 – Impact fee credit legislation – HEARING WEDNESDAY**

Senate Bill 5548 is a bill that carries over from last year. Last year, the bill passed the House and Senate in different forms and agreement between the two versions could not be found. The legislation would provide developers with impact fee credits for transportation improvements. Over the interim, GTH-GA has participated in a work group to look at this issue. While the hearing on Wednesday is on the original legislation, the Master Builders Association, AWC, and WSAC have agreed that narrowing this to transit improvements would be appropriate. At the hearing Wednesday, this message will be communicated.

**SB 6344 – Establishing contribution limits for city council campaigns – HEARING THURSDAY**

The list of public offices requiring campaign contribution limits is expanded to include the office of city council. Contributions from an individual, a union, or business may not in the aggregate exceed \$800 per election to a candidate for city council. Local districts with contribution limits currently established for city council campaigns may continue to apply such standards so long as the contribution limit does not exceed \$800. The Public Disclosure Commission adjusts this limit for inflation every even-numbered calendar year.

**HB 2388 – Concerning public health financing – HEARING FRIDAY**

House Bill 2388 puts a tax on candy. The revenue from the tax would be put into an account to be distributed to counties to fund public health. Counties are supporting this as an option, however, the primary message to the Legislature is that funding for public health cannot go below that provided in the Governor's Budget.

## **6. BUDGET/REVENUE (No Change)**

### **Budget**

There are multiple hearings this week reviewing the Governor's Budget that was released on December 9<sup>th</sup>. This is an opportunity to have provide input either via letter or public hearing on the Governor's Budget – please contact GTH-GA if there specific changes in the Governor's Budget you would like to testify on. [Click here to view the Governor's Budget.](#)

When the Governor released her budget in early December, she balanced the budget by utilizing a \$900,000 reserve fund and cutting \$1.7 million in funding. At that point, she indicated that she would release a Book 2 Budget that would include revenue generating component to “buy back” programs that were cut. The Governor’s Book 2 Budget is expected to be released on January 12<sup>th</sup> after the State of the State.

### **Revenue**

*Repeal of I-960?* – There has been a great deal of discussion regarding whether the Legislature will repeal I-960. This measure requires either a two-thirds vote in each house of the legislature or voter approval for all tax increases. The Legislature could repeal this permanently or could repeal it only for this session or only for a few pieces of legislation. Once repealed, the legislature could theoretically impose a tax with a simple majority.

## **7. AWC NEWS (No Change)**

### **City Legislative Action Conference – January 27<sup>th</sup>-28<sup>th</sup>**

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## **8. BILL TRACKING**

### **Bill Tracking**

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