
CITY OF KIRKLAND

CITY COUNCIL



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

Vision Statement

*Kirkland is an attractive, vibrant, and inviting place to live, work and visit.
Our lakefront community is a destination for residents, employees and visitors.
Kirkland is a community with a small-town feel, retaining its sense of history,
while adjusting gracefully to changes in the twenty-first century.*

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AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chambers

Tuesday, April 19, 2011

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, or at the Public Resource Area at City Hall 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. Annexation Update
4. *EXECUTIVE SESSION*
 - a. To Discuss Property Acquisition
5. *HONORS AND PROCLAMATIONS*
 - a. Thirty Year Service Awards:
 - Captain Keith J. Adams
 - Battalion Chief Mike K. Dettmer
 - Battalion Chief Michael G. Haschak
 - Battalion Chief Joseph N. Sanford
 - b. Municipal Clerks Week Proclamation
6. *COMMUNICATIONS*
 - a. *Announcements*
 - b. *Items from the Audience*

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.

c. Petitions

7. *SPECIAL PRESENTATIONS*

- a. Annexation Communications*
- b. Geographic Information System (GIS) Browser Demonstration*

8. *CONSENT CALENDAR*

- a. Approval of Minutes:* (1) April 5, 2011
(2) April 6, 2011 Special Meeting

- b. Audit of Accounts:*
 - Payroll* \$
 - Bills* \$

- c. General Correspondence*
- d. Claims*
- e. Award of Bids*

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

- (1) Resolution R-4876, Approving Participation by the City in an Interlocal Cooperative Purchasing Agreement with Thurston County and Authorizing the City Manager to Execute Said Agreement on Behalf of the City of Kirkland

h. Other Items of Business

- (1) NE 68th Street and 108th Avenue NE Intersection Improvements
- (2) Report on Procurement Activities

9. *PUBLIC HEARINGS*

10. *UNFINISHED BUSINESS*

- a. Navigating the City Council E-packet*
- b. 2011 Legislative Update No. 6*
- c. Threshold Determination for 2011 Private Amendment Requests*
- d. Resolution R-4877, Pertaining to the 2011-2013 Planning Work Program*
- e. Approving the Eastside Rail Corridor Interest Statement*

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.

ITEMS FROM THE AUDIENCE
Unless it is 10:00 p.m. or later, speakers may continue to address the Council during an additional Items from the Audience period; provided, that the total amount of time allotted for the additional Items from the Audience period shall not exceed 15 minutes. A speaker who addressed the Council during the earlier Items from the Audience period may speak again, and on the same subject, however, speakers who have not yet addressed the Council will be given priority. All other limitations as to time, number of speakers, quasi-judicial matters, and public hearings discussed above shall apply.

11. *NEW BUSINESS*
12. *REPORTS*
 - a. *City Council*
 - (1) Regional Issues
 - b. *City Manager*
 - (1) Calendar Update
13. *ITEMS FROM THE AUDIENCE*
14. *ADJOURNMENT*



CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager
From: Marilynne Beard, Assistant City Manager
Date: April 8, 2011
Subject: 2ND QUARTERLY ANNEXATION UPDATE -- 2011

RECOMMENDATION:

City Council receives an update on annexation implementation activities and provides comments and direction on the proposed interlocal agreement with King County.

BACKGROUND DISCUSSION:

As the effective date of annexation approaches, staff continues to work toward resolution on a series of interlocal agreements and final preparations needed to implement annexation. This report will provide an update on a variety of annexation-related activities.

- Overview of the draft interlocal agreement between King County and the City of Kirkland
- Current status of the Finn Hill fire station consolidation project and interlocal agreement with King County Fire District #41
- Current status of negotiations with the Woodinville Fire and Rescue District for the transfer of services and employees to the City of Kirkland
- Update on State legislation relating to annexation including census requirements
- Overview of legislative actions needed to implement annexation that will be presented to the Kirkland City Council prior to June 1, 2011
- An update on the City annexation work plan

In addition to the material presented for the study session, staff will present a report during the Council's regular meeting on the progress of the annexation communications plan that was first presented to Council in 2010.

DRAFT INTERLOCAL AGREEMENT BETWEEN KING COUNTY AND THE CITY OF KIRKLAND

The primary focus for the April 19 study session will be the proposed interlocal agreement (ILA) between the City of Kirkland and King County providing for the transfer of governance, services and property to the City of Kirkland. Staff from King County has been working with City staff from all departments on the ILA since November 2010. The ILA language is based on a series of standard ILA's that King County used for previous annexations.

The following discussion will include an overview of the ILA elements, highlight significant policy issues and describe next steps needed to approve the ILA.

Overview of ILA Contents

The draft ILA consists of the main body of the document and several exhibits that are integral to the ILA itself (see Attachment A). The following outlines the basic elements and attachments:

Section 1: Term/Effective Date – Provides that the term of the agreement is five years except as otherwise provided for in Exhibit C.

Section 2: Transfer of Jurisdiction, Authority and Services

- a. Records transfer – Requires County to transfer the detailed list of records is set forth in Exhibit B.
- b. Development services transfer – Describes transfer of development services, including in-progress permits, as set forth in detail in Exhibit C.
- c. Jail services – Clarifies that City is responsible for incarceration of offenders charged with misdemeanors and gross misdemeanors after annexation and County is responsible for offenders charged before annexation.
- d. Transfer of police services – Clarifies jurisdiction including laws governing in County parks after annexation (see further discussion under Policy Issues).
- e. Transition of Court and prosecution services – Clarifies that County will be responsible for court expenses and prosecution associated with misdemeanor cases filed before annexation and City for those filed after annexation.
- f. Status of County employees – States that consideration be given by the City to hiring County employees laid off as a result of annexation.
- g. Transfer of County Road Levy taxes and Fire District Levy taxes – Establishes that City requested and County agreed to early transmittal of tax receipts prior to December 31, 2011.
- h. Striping – Provides that County will complete the 2011 pavement marking program.

Section 3: Transfer of Properties (see further discussion under Policy Issues)

- a) Transfer of road-related properties – Describes conditions under which road related properties will be transferred to the City including restrictive covenants, acceptance of properties as inspected and liability following annexation. Road-related properties are not the road system itself, but consist of three parcels adjacent to the roadway that support the roadway

system in areas such as drainage (see further discussion below regarding transfer of properties under Policy Issues).

- b) Transfer of surface water management, park and greenbelt properties – Describes conditions under which all remaining properties will be transferred to the City including provisions noted above for road-related properties. The City requested and the County agreed to continue ownership and maintenance of 132nd Square Park until December 31, 2011 when the park will be conveyed to the City. The request was made to allow the County to continue managing the athletic field scheduling through the current league season.
- c) Provides the ability to amend covenants, conditions or restrictions on transferred properties by mutual agreement of the parties.

Sections 4-6 and 8: – Discusses a variety of standard agreement legal issues, including: general compliance with laws, indemnification, assignment, and dispute resolution.

Section 7: Discusses current negotiation between Fire Protection District #41 (District) and County under which County property would be considered as a potential fire station site and acknowledges substitution of City, for District, after the effective date of annexation.

Exhibit A – Legal description of annexation area.

Exhibit B – List of records to be transferred to the City by June 1, 2011.

Exhibit C – Detailed description of the transfer of development services. These provisions were reviewed by the City Council at the March 1 Study Session and are essentially the same.

Exhibit D – Legal description of road-related properties to be transferred to City.

Exhibit E – List of drainage properties and facilities to be transferred to City.

Exhibit E-1 – List of residential drainage facilities.

Exhibit F – Legal description of park and greenbelt properties to be transferred to City.

Exhibit G – Description of personal property to be conveyed with parks properties (e.g. backstops, bleachers, tables, etc.)

Policy Issues

Over the course of developing the ILA, a number of policy issues were identified and negotiated. The City Council was made aware of specific policy issues during regular updates and had an opportunity to review the development services transfer portion of the ILA at the

March 1 study session. The key policy issues are described below along with a discussion of how the proposed language reflects the City's interests.

Transfer of Property, Covenants and Deed Restrictions

Each section related to the transfer of properties provides for the City to inspect all properties, for the conveyance of the properties to City ownership and the conditions under which they are conveyed. The language is consistent with that used for previous County annexation property transfers and clarifies limitations on liability for the County and the City once the properties are transferred. One of the issues discussed at some length with the County was the restrictions and covenants placed on the properties that restrict the City's ability to transfer or convey the properties. In some instances, the original funding source used to obtain the property results in restrictions on the property that are recorded with the deed, e.g. "Forward Thrust" bonds. In others, the restriction is based on state statute and/or County Code. For example, there is a requirement under the County Code that any park property declared surplus or repurposed be replaced with another property. In this way, the total acreage of park and open space property within the County is never reduced.

With respect to roads-related property, the King County Prosecutor's Office cites the local government accounting statute or "Accountancy Act" (RCW 43.09.210) as the basis for this requirement. Under the King County Prosecutor's reading, the Act demands the County take back something of value in exchange for title to the property. Although the Kirkland City Attorney's Office believes this is a very conservative reading of the Accountancy Act, the County was unwilling to change the position it has taken in previous annexation property transfers.

With the City Manager's assistance, the City was able to add language to the ILA that provides for the possibility that the City would be able to exchange park property acquired after annexation for park property being transferred by the County as part of the annexation. This would be subject to mutual agreement by the County and City.

Law Enforcement in County-Owned Parks

Another issue that arose was law enforcement services in parks that will continue to be owned by the County within the corporate boundaries of the City – most notably Big Finn Hill Park. In the past, the King County Sheriff has retained responsibility for patrolling and enforcing park rules in regional parks. For instance, Juanita Beach Park continued to be policed by the Sheriff's office until the park was deeded to the City of Kirkland. At that point, the Kirkland Police Department (KPD) assumed responsibility for responding to minor incidents in the park (it should be noted that for major crimes in progress, such as assault, the closest available jurisdiction's unit can be asked to respond regardless of primary jurisdiction).

The KPD had requested that the County continue to provide policing services in County-owned parks for several reasons. Based on past practice, the KPD had assumed in its staffing needs that the County would retain jurisdiction in County-owned parks. When the County indicated that it would not continue this practice, the KPD expressed concern about the impact on the remainder of the City. Second, the KPD believed it would be expected to cite violations under the County Code related to park rules. Both the City and the County have code provisions related to park use and the code provisions are slightly different.

Citing budgetary constraints, the County maintained its position that it would not be provide police services to County-owned parks within the City. The County also pointed out that there is no legal requirement for it to do so. The County did agree that the City could extend its park rules to County-owned parks so that the KPD would have jurisdiction to cite offenders and file the case in Kirkland Municipal Court. The County further agreed that it would not expect the KPD to enforce any other rules contained in the County Code that are not addressed in the Kirkland Municipal Code (KMC). The County also agreed to change signage in the park to reference the KMC where appropriate. The City Council will be asked to consider an amendment to the KMC section related to park use rules to include County-owned parks.

Finn Hill Park Property Negotiation

The consolidation of two fire stations in the Finn Hill area into one station has been discussed for many years. Fire District #41 is responsible for this project including evaluating potential sites. During the past year, the District has been in negotiations with King County for the possible use of 1.8 acres of Big Finn Hill Park for the consolidated fire station. In exchange, the District would construct a 20-stall parking lot for park users. During recent community meetings, concerns were raised about the loss of park land, the need for the parking lot and traffic safety at the proposed location. As a result of public input, the District is re-evaluating the proposed site and it is likely that an interlocal agreement between the District and King County will not be completed prior to the effective date of annexation. The City has since worked with the District to assure that the financing is in place for the project prior the District's dissolution so the City could assume responsibility for a funded project. The Big Finn Hill Park property may still be the preferred site for the station. In order to assure a seamless transition from the District to the City, a section was added to the King County ILA that sets forth the expectation that the County will continue to negotiate in good faith for the conveyance of the property if it is determined to be the best option (see related discussion later in this memo).

City Requests for Funding and Other Financial Considerations

The City requested early remittance of tax revenues collected by King County and distributed by the County Treasurer. The City is entitled to approximately one half of the County's road levy for 2011 and one half of the levies for the two fire districts currently serving the area. Normally, the County would not remit collected taxes until January even though the taxes are collected before December 31. The City requested that the County Treasurer remit the taxes due the City prior to December 31 to assist in cash flow requirements for 2011, when the City is serving the annexation area but revenues are phasing in. The County agreed to process a remittance outside of their normal cycle so that the tax revenues are received by Kirkland before December 31.

The City also presented several requests for funding to the King County Executive. Requests totaling up to \$1 million were transmitted including requests for financial contributions to property purchases, completion of capital projects in the area and equipment purchases. Several of the largest of those requests were for King County contributions towards a consolidated fire station if the County were not willing to make available the Finn Hill park site or if Fire District #41 did not levy additional monies for the project prior to annexation. King County has reaffirmed its commitment to transferring the Finn Hill site if it is selected and Fire District #41 intends to levy the dollars, so further County financial participation is not as necessary. The County agreed to one other request which was to complete roadway striping in

the annexation area for 2011, an estimated savings to the City of \$160,000. The County was not able to provide any additional funding due to its own financial challenges.

Steps Needed for Approval of the ILA

The King County/Kirkland Interlocal Agreement (ILA) will need to be approved by the Kirkland City Council and the King County Council. The Kirkland City Council will be asked to consider a resolution authorizing the City Manager to sign the ILA with King County. Staff anticipates presenting this legislation to the City Council in May.

The King County Executive transmitted an ordinance and the draft ILA to the King County Council the week of April 11. The County Council's process includes consideration and review by its Transportation, Economy and Environment Committee, including review by the Council's legal staff. The Committee will move the ILA out to the full Council with a recommendation for a formal vote. The committee process is estimated to take approximately one month and the full Council will consider the ordinance in May. Once the County Council and the City Council have both approved the ILA, the documents can be signed.

FINN HILL FIRE STATION CONSOLIDATION PROJECT

As noted in the previous section of this memo, the siting process for a consolidated fire station on Finn Hill was extended due to public concern about the proposed site in Big Finn Hill Park. The Public Safety Committee was provided an update on the status of the Fire District's process at its March 17 meeting. Given the decision to commit further study to alternative sites, the City encouraged the District to secure any necessary debt before June 1, 2011 so that the financing is in place when the City assumes responsibility for the project. The District has considered two sites so far. The first is located on the Finn Hill Junior High property. Site distance and drainage issues increased the estimated cost of the project by over \$1 million. The District then began negotiating with King County to use a portion of Big Finn Hill Park (approximately 1.8 acres located on Juanita Drive and NE 138th Street). Financing for the project utilizes the District's cash reserves, the sale proceeds of the two stations that would be consolidated in the new station, and debt. The amount of the debt would depend on the final site chosen. At this time, the preliminary estimates for the station range between \$3.8 million and \$5.5 million, depending upon the final site selection. Available reserves and property sale proceeds are estimated at \$2.7 million leaving a need for debt financing of up to \$3.7 million to include interim financing until the fire station properties can be sold.

At their March 15 meeting, the District Commissioners directed their staff to initiate the process for issuing debt and to obtain an updated cost estimate for the station project. District staff had previously met with a local bank regarding the potential structure of debt. The process takes approximately four weeks to complete once the bank receives the necessary information from the District. The District agreed to issue enough debt to secure financing for the project, with the understanding that any amount not needed for the project would be retired early through a call provision. The City would leave that portion of the District's property tax levy supporting the debt in place until the debt is retired. At the same meeting, the District Commissioners expressed an interest in developing an interlocal agreement between the City and the District that would establish how the cash reserves, property proceeds and debt proceeds would be used for fire and emergency medical services to the annexation area. The

City Attorney's Office is working with District staff to draft an interlocal agreement that meets the interests of the District and the City and that will assure continuation of the fire station consolidation project. Staff anticipates having an interlocal agreement ready for City Council consideration by the first meeting in May.

WOODINVILLE FIRE AND RESCUE DISTRICT

The City Council passed a resolution in November 2010, authorizing the City Manager to sign an interlocal agreement (ILA) with the Woodinville Fire and Rescue (WFR) District providing for the transfer of services and employees to the City of Kirkland. Although the ILA provides for the general terms of the service transfer, subsequent negotiations with the bargaining units representing the affected employees (Kirkland and WFR's International Association of Fire Fighters locals) were needed to define the terms under which the employees would be transferred. Ongoing discussions have taken place directly between the two locals. The Kirkland local will present a proposed Memorandum of Understanding (MOU) to the City for consideration. The City's management team will then negotiate with the local regarding the terms of the MOU.

Chief Nalder and Chief Daniels (WFR) have tentatively established a date of May 16 for the transfer of employees from WFR to Kirkland. This would allow a period of training for the staff on Kirkland procedures. If an MOU is not agreed to by that point, staff will have a contingency plan in place for coverage of the annexation area after June 1.

WFR has also informally requested an amendment to its ILA with the City regarding the timing of payments of cash assets due to the City as a result of annexation. The change is minor and staff will recommend that the Council approve the amendment. The amendment will be held pending the resolution of the labor agreement so that any other changes, if needed can be processed at that time.

Fire and EMS coverage for Kingsgate/Totem Lake area

Upon the June 1 date of annexation, WFR will close Station #34 and fire and EMS service to the Kingsgate/Totem Lake areas previously covered by WFR will be provided out of Kirkland's Station #27. Kirkland is hiring 9 new fire fighters (including up to 7 transfers from WFR) to serve the area. While the entire former WFR area will be served with response times that meet Kirkland's standards, Station #27 is closer than #34 to the southern Kingsgate area but farther away than #34 in the northern Kingsgate neighborhoods. The Fire Department has developed an innovative proposal to maximize service throughout the new area as well as create efficiencies in other parts of the Department. The Fire Department, Finance and the CMO are currently exploring the potential reallocation of fire equipment and staffing at Station #27 and Station #26 to accomplish this, including the refurbishment of a reserve fire engine potentially made possible by the annexation's census savings. If the staff analysis concludes this plan can be implemented, a proposal will be brought to the Council for approval.

STATUS OF CENSUS LEGISLATION

Senate Bill 5505 was amended in the House Committee on Local Government to include an emergency clause. The bill passed out of the House 92-0 on April 1st. The bill must now go back to the Senate for concurrence. If the Senate concurs and passes it, the bill will then go to the Governor for signature into law. The emergency clause allows the bill to take effect immediately in time for Kirkland's annexation census requirement. State law requires that a census be completed within 30 days of the effective date of annexation. The new law allows the City to use the 2010 decennial federal census data and requires the State's Office of Financial Management to advise the City of any specific requirements under the bill no later than two weeks prior to the June 1st effective date.

ANNEXATION WORKPLAN UPDATE

In 2009, staff developed a detailed master work plan for implementation of the annexation. The work plan started in the pre-election period and carries the organization through the effective date. Many milestones have been reached and there is still a good deal of work to be completed. Attachment B is an updated version of the work plan with completed and outstanding items. Most of the remaining items involve finalization and adoption of agreements, hiring new staff and communication. All of these efforts are well underway.

NEIGHBORHOOD STREET LIGHTING IN THE ANNEXATION AREA

The Public Works Department prepared a budget for street lights in the annexation area based on information provided by King County about the number of street lights in the annexation area. The County identified 600 street lights in the annexation area with an annual cost of about \$100,000 for power and repairs. During our on-going negotiation of the Woodinville Water District (WWD) Franchise Agreement and the amendment of the Northshore Utility District (NUD) franchise fee, the issue of street light billing was raised by each Utility District. During these discussions, staff discovered that the Northshore and Woodinville utility districts bill some homeowners \$36 per year for street light power for lights located on neighborhood access streets. Staff has determined that these street lights are in addition to the 600 identified by King County. The question was raised about whether these lights should continue to be billed by the utility districts. The City's current practice in the existing city is to budget for power for all street lights in the City. If this policy were to be extended to the annexation area, an additional \$190,000 per year would need to be indentified to cover the costs. Staff is in the process of conducting further legal research on this issue, however, it appears as though the City could continue to have the utility districts bill for street lights for a period of time and that a budget for street light power could be phased in over a period of years. Staff will provide a more thorough analysis, options and recommendations at the May 5 study session.

ADDITIONAL LEGISLATIVE ACTIONS NEEDED BY COUNCIL

Two additional actions by Council will be needed to establish franchise agreements between the City of Kirkland and the Woodinville Water District and the Olympic Pipeline, both of which have infrastructure that runs through City right of way in the annexation area. By state law both of these actions require a first and second hearing and will be presented over the course of two meetings.¹

A summary of the legislative actions needed by Council and the anticipated dates follows:

- | | |
|--------|---|
| May 3 | King County Interlocal Agreement (tentative)
Olympic Pipeline Franchise Agreement (first reading)
Woodinville Water District Franchise Agreement (first reading)
Woodinville Fire and Rescue ILA Amendment
Fire District #41 Interlocal Agreement (tentative) |
| May 17 | King County Interlocal Agreement (if necessary)
Update to Kirkland Municipal Code Park Rules Chapter 11
Olympic Pipeline Franchise Agreement (second reading)
Woodinville Water District Franchise Agreement (second reading)
Fire District #41 Interlocal Agreement (if necessary) |

¹ RCW 35A.47.040 provides that a resolution or ordinance granting any franchise may not be adopted or passed by the City Council on the day of its introduction nor for five days thereafter. For this reason, City Council consideration over two meetings is required.

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND AND
KING COUNTY RELATING TO THE ANNEXATION OF THE JUANITA-FINN
HILL-KINGSGATE ANNEXATION AREA**

THIS AGREEMENT ("Agreement") is made and entered by and between the City of Kirkland a State of Washington municipal corporation ("City"), and King County, a political subdivision of the State of Washington ("County"). Together, the City and the County are referred to herein as "the Parties"

WHEREAS, the City identified the Juanita-Finn Hill-Kingsgate Potential Annexation Area ("PAA") in its comprehensive plan consistent with the requirements of the state Growth Management Act ("GMA") and the Countywide Planning Policies adopted consistent with GMA, which PAA is generally known as the "Juanita-Finn Hill-Kingsgate" which is further described in **Exhibit A**, (hereinafter collectively referred to as the Annexation Area"); and

WHEREAS, on an election date in November, 2009 the citizens of the Annexation Area had an opportunity to vote on whether to annex to the City, and the voters approved annexation of the Annexation Area; and

WHEREAS, annexation of the Annexation Area to the City will become effective on June 1, 2011 ("Effective Date"); and

WHEREAS, the City and the County desire to facilitate an orderly transition of services associated with the Annexation Area; and

WHEREAS, the City and the County desire to mutually determine the appropriate timing for the transfer of public records; and

WHEREAS, all local governmental land use authority and jurisdiction with respect to the Annexation Area transfers from the County to the City upon the Effective Date; and

WHEREAS, the County and City agree that having County staff continue to process various vested building and land use permit applications from the Annexation Area on behalf of the City for a transitional period following annexation will assist in an orderly transfer of authority and jurisdiction; and

WHEREAS, it is the parties' intent by virtue of this Agreement that, except as provided for in this Agreement, any and all discretionary decisions with respect to land use and permitting from and after the date of annexation shall be made by the City; and

WHEREAS, as of the Effective Date, pursuant to state law, the City will own, and have the responsibility for the operation, safety and maintenance of all former County roads, bridges and rights-of-way located within the City limits together with all appurtenances located within such rights-of-way, including but not limited to, drainage facilities, storm

water facilities, environmental mitigation sites and monitoring projects, street lights, traffic signals, fiber-optic cable, fiber-optic conduit, and traffic signs; and

WHEREAS, the City and the County want to ensure a smooth transfer of ownership and maintenance of existing County related property interests in the Annexation Area; and

WHEREAS, the governing bodies of each of the parties hereto have determined to enter into this Agreement as authorized and provided for by the Interlocal Cooperation Act, codified at Chapter 39.34 RCW, and other Washington law, as amended;

NOW THEREFORE, in consideration of the mutual terms, provisions and obligations contained herein, it is agreed by and between the City and the County as follows:

1. TERM/EFFECTIVE DATE.

- a. This Agreement shall be deemed to take effect following the approval of the Agreement by the official action of the legislative bodies of each of the Parties and the signing of the Agreement by the duly authorized representative of each of the Parties, and shall continue in force for a period of five (5) years from the date signed by both parties except as otherwise provided for Exhibit C in Section 10 thereto.
- b. The effective date of the JFK annexation is June 1, 2011 (“Effective Date”).

2. TRANSFER OF JURISDICTION, AUTHORITY AND SERVICES.

- a. RECORDS TRANSFER. The County shall provide the records in the list attached hereto as **Exhibit B** by the Effective Date. If additional time is needed to provide some of these records, the County shall ask the City for additional time. The County shall not be required to provide records that are not reasonably available or to create records or compilations that have not already been created. The County shall provide the City free of charge one set of records meeting the requirements of this section.
- b. DEVELOPMENT SERVICES. As of the date this Agreement is signed by all parties, transfer of development services shall be as set forth in the attached **Exhibit C**, which is hereby incorporated into this Agreement.
- c. JAIL SERVICES. The City of Kirkland is responsible for the incarceration of adult offenders charged with misdemeanor or gross misdemeanor crimes occurring in the Annexation Area on or after the Effective Date. King County is responsible for the incarceration of adult offenders charged with misdemeanor or gross misdemeanor crimes occurring in the Annexation Area before the Effective Date.
- d. POLICE SERVICES. On and after the Effective Date, police service responsibility within the Annexation Area will be transferred to the City. The County will be responsible for all criminal cases and investigations reported before the

Effective Date, including but not limited to all costs associated with these cases and investigations. The City will be responsible for all criminal cases and investigations reported on and after the Effective Date, including but not limited to all costs associated with these cases and investigations. The City's Chief of Police and the King County Sheriff will work together to ensure a smooth transition plan and a continuing partnership. In addition to the provisions of that transition plan, the parties further agree as follows:

1. Sharing of community information: The County agrees to provide policing-related community contact lists that the County may have regarding the Annexation Area to the City upon request. These lists may include, but are not limited to: members of block watch programs, community groups, and/or homeowner's associations. The lists shall be provided to the City within 90 days of the Effective Date.
 2. Annexation of Emergency Response (911) Services: The City and County agree to coordinate the transfer of emergency response (911) services in the Annexation Area.
 3. The County agrees that public conduct in County-owned parks in the City will be subject to Kirkland Municipal Code (K.M.C) Chapter 11.80. The City acknowledges that the County may administer its own Park Use Rules (King County Code Title 7) as rules of conduct for the use of County-owned parks. The County acknowledges that the City will not enforce K.C.C. Title 7 unless the County separately contracts with the City to do so. The County will replace or update signage in and around its parks in the City to cite K.M.C. Ch. 11.80 as well as K.C.C. Title 7.
- e. COURT AND PROSECUTION SERVICES TRANSITION. The County will be responsible for the court expenses, prosecution and payment of any fees or assessments associated with misdemeanor criminal cases filed by the County prior to the Effective Date. The City will be responsible for the court expenses, prosecution and payment of any fees or assessments associated with misdemeanor criminal cases filed by the City from and after the Effective Date of annexation.
- f. STATUS OF COUNTY EMPLOYEES. Subject to City civil service rules and state law, the City agrees to consider the hiring of County employees whose employment status is affected by the change in governance of the Annexation Area where such County employees make application with the City per the City's hiring process and meet the minimum qualifications for employment with the City. The City's consideration of hiring affected Sheriff Department employees shall be governed by the provisions set forth in RCW 35.13.360 through 35.13.400 and other applicable law, if any.
- g. ROAD AND FIRE LEVY TAXES. The County's collection and disbursement to the City of the road and fire levy taxes within the Annexation Area(s) shall occur before December 31, 2011.

- h. **STRIPING.** The County will perform all street striping in the Annexation Area that is currently scheduled for completion.

3. TRANSFER OF PROPERTIES.

- a. Transfer of Road-Related Properties. The County shall, upon the Effective Date, convey by deed the Road-Related Properties described in **Exhibit D** attached hereto and incorporated herein by reference, to the City, and the City shall accept the same, subject to all rights, conditions, covenants, obligations, limitations and reservations of record for said properties. The City agrees to abide by and enforce all rights, conditions, covenants, obligations, limitations and reservations for said properties. The City covenants that the Road-Related Properties described in Exhibit D shall continue to be used and maintained in perpetuity for road-related purposes unless other equivalent lands within the City are received in exchange therefore; or if such properties are sold or traded, the City shall pay the County the tax-assessed value of the Property as of the date the property is transferred to the city under this agreement.
- i. Condition of and Responsibility for Operations, Maintenance, Repairs, and Improvements of Road-Related Properties.
 1. The City will have the opportunity to inspect the Road-Related Properties before accepting ownership. However, regardless of such inspection, the City has the duty to accept all facilities as specified in this Agreement. The County will make its records concerning the Road-Related Properties available to the City, and the County personnel most knowledgeable about the Road-Related Properties will be available to jointly inspect the property with City personnel and to provide the City the status of maintenance of such facilities, and to point out known conditions, including any defects or problems, if any, with the Road-Related Properties. The City agrees to accept the Road-Related Properties in AS IS condition, and to assume full and complete responsibility for all operations, maintenance, repairs, and improvements of the Related Properties.
 2. King County does not make and specifically disclaims any warranties, express or implied, including any warranty of merchantability or fitness for a particular purpose, with respect to the Road-Related Properties, and no official, employee, representative, or agent of King County is authorized otherwise.
 3. The City acknowledges and agrees that the County shall have no liability for, and that the City shall release and have no recourse against the County for, any defect or deficiency of any kind whatsoever in the Road-Related

Properties, without regard to whether such defect or deficiency was known or discoverable by the City or the County.

ii. Environmental Liability related to the Road-Related Properties.

1. "Hazardous Materials" as used herein shall mean any hazardous, dangerous or toxic wastes, materials, or substances as defined in state or federal statutes or regulations as currently adopted or hereafter amended.
2. Nothing in this Agreement shall be deemed to waive any statutory claim for contribution that the City might have against the County under federal or state environmental statutes that arises from hazardous materials deposited or released on the Road-Related Properties by the County during the County's period of ownership. The City may not, however, assert such a claim to the extent that the City creates the need for or exacerbates the cost of remediation upon which a statutory claim for contribution is based as a result of the City performing construction activities on, changing the configuration of, or changing the use of the Road-Related Properties.
3. If the City discovers the presence of hazardous materials at levels that could give rise to a statutory claim for contribution against the County it shall notify the County in writing within ninety (90) days of discovery. The Parties shall make their best efforts to reach agreement as to which party is responsible for remediation under the terms of this Agreement prior to undertaking any remediation.
4. In no event shall the County be responsible for any costs of remediation that exceed the minimum necessary to satisfy the state or federal agency with jurisdiction over the remediation.

iii. Indemnification and Environmental Liability related to Road-Related Properties.

As modified by Section 3.a.ii, Washington State law shall govern the respective liabilities of the Parties to this Agreement for any loss arising out of or related to the environmental condition of the Road-Related Properties.

iv. Right of Way Use Agreements. Upon the Effective Date, the City shall become the successor to the County with respect to right of way use agreements and permits and the City shall administer and manage those permits and agreements. To the extent a right of way use permit or agreement requires payment of a periodic fee by the right of way user, the applicable fee shall be pro-rated between the City and the County based on the Effective Date

v. Survival. The provisions of this Section 3 shall survive the expiration or earlier termination of this Agreement.

- b. Transfer of Surface Water Management, Park and Greenbelt Properties
- i. Transfer of Drainage Facilities and Drainage Facility Property Interests.
1. Upon the Effective Date for the area in which the “Drainage Facilities” identified in **Exhibit E**, attached hereto and incorporated herein by reference, are located, those Drainage Facilities which are held by the County as specifically identified in **Exhibit E-1** shall automatically be transferred from the County to the City, and the City shall assume ownership and full and complete responsibility for the operation, maintenance, repairs, and any subsequent improvements to the Drainage Facilities. The Drainage Facilities identified in Exhibit F-2 shall not be transferred but shall remain in private ownership. The City has the right but not the obligation to inspect the facilities identified in **Exhibit E-2** from and after the Effective Date.
 2. The County shall upon the Effective Date for the area in which the “Drainage Facility Property Interests” identified in **Exhibit E**, attached hereto and incorporated herein by reference, are located, convey the Drainage Facility Property Interests by quit claim deed to the City; and the City shall accept the Drainage Facility Property Interests, subject to all rights, conditions, covenants, obligations, limitations and reservations of record for such property interests. The City agrees to abide by and enforce all rights, conditions, covenants, obligations, limitations and reservations for the Drainage Facility Property Interests.
 3. The County is willing to perform surface water-related management services and maintenance on behalf of the City in the Annexation Area after the Effective Date via separate written contract between the Parties, which contract is no part of this Agreement.
 4. The Parties will make staff available to identify and review any additional County-owned local drainage facilities, easements, and other property interests within the Annexation Areas that should appropriately be conveyed to the City. Such facilities and other property interests include those for which the County's facility acceptance process has not yet been completed, including both projects being constructed by the County as well as projects subject to County approval that are constructed by third parties. Any such additional County-owned drainage properties or other property interests shall be transferred to the City pursuant to this Agreement and upon County approval, including if necessary the adoption of an ordinance authorizing the transfer of King County owned drainage properties and property interests. The transfer of responsibility for drainage facilities shall be documented in writing, including specific facilities transferred and the date of transfer and such documentation

signed by the appropriate City representative and the Director of the King County Water and Land Resources Division.

ii. Transfer of Park and Greenbelt Properties. The County shall upon the Effective Date for the area in which the “Park and Greenbelt Properties” identified in **Exhibit F**, attached hereto and incorporated herein by reference, are located, convey by deed to the City, and the City shall accept, the Park and Greenbelt Properties, subject to all rights, conditions, covenants, obligations, limitations and reservations of record for such property interests; provided that the County will not convey title to 132nd Square Park from the County to the City until January 1, 2012, and the County shall remain responsible for all operations, maintenance, repairs, improvements of, and provision of recreational services at 132nd Square Park through December 31, 2011. The City shall assume full and complete responsibility for 132nd Square Park effective January 1, 2012.

iii. Deed Covenants Regarding Park and Greenbelt Properties.

1. All deeds for the Parks Properties shall contain the following specific covenants pertaining to use, which covenants shall run with the land for the benefit of the County and the County land that makes up its public park, recreation and open space system:

“The City, as required by K.C.C. 4.56.070.F, covenants that the Property shall be continued to be used for open space, park, or recreation facility purposes or that other equivalent facilities within the County or City shall be received in exchange therefor.”

“The City further covenants that it will not limit or restrict access to and use of the Property by non-city residents in any way that does not also apply to city residents. The City covenants that if differential fees for non-city residents are imposed, they will be reasonably related to the cost borne by city taxpayers to maintain, improve or operate the Property for parks and recreation purposes.”

2. The deeds for the Parks Properties that comprise 132nd Square Park, Juanita Heights Park, and Kingsgate Park shall also contain the following specific covenants, which covenants shall run with the land for the benefit of the County and the County land that makes up its public park, recreation and open space system:

“The City covenants that it shall abide by and enforce all terms, conditions and restrictions in King County Resolution 34571, including that the City covenants that the Property will continue to be used for the purposes contemplated by Resolution 34571, that the Property shall not be transferred or conveyed except by agreement providing that such lands

shall continue to be used for the purposes contemplated by Resolution 34571, and that the Property shall not be converted to a different use unless other equivalent lands and facilities within the County or City shall be received in exchange therefor."

"The City covenants that it shall not use the Property in a manner that would cause the interest on County bonds related to the Property to no longer be exempt from federal income taxation."

3. All deeds for the Parks Properties shall also contain the following covenants, which covenants shall run with the land for the benefit of the County and the County land that makes up its public park, recreation and open space system:

"The City covenants that the County shall have standing to enforce these covenants."

"The City covenants that it shall place the preceding covenants in any deed transferring the Property or a portion of the Property for public park, recreation or open space uses."

4. The City agrees to abide by and enforce all rights, conditions, covenants, obligations, limitations and reservations of record for the Greenbelt Properties. The deeds for the Greenbelt Properties shall contain the restrictions intended to preserve the use of said properties as greenbelts restricted to the uses placed on the properties at the time of their conveyance to King County, all as more specifically described in said deeds. The City covenants that it shall place said restrictions in any deed conveying any or a portion of the Greenbelt Properties.
5. The deeds for the Greenbelt Properties shall contain the following specific covenants pertaining to use, which are intended to be running covenants burdening and benefiting the Parties, and their successors and assigns, and which shall run with the land for the benefit of the County and the County land that makes up its public park, recreation and open space system:

"The City, as required by K.C.C. 4.56.070.F, covenants that the Property shall be continued to be used for open space, park, or recreation facility purposes or that other equivalent facilities within the County or City shall be received in exchange therefor."

"The City further covenants that it will not limit or restrict access to and use of the Property by non-city residents in any way that does not also apply to city residents. The City covenants that any and all user fees charged for the Property, including charges imposed by any lessees,

concessionaires, service providers, and/or other assignees shall be at the same rate for non-City residents as for the residents of the City."

"The City covenants that the County shall have standing to enforce these covenants."

"The City covenants that it shall place these covenants in any deed conveying any or a portion of the Property."

6. Unless otherwise restricted, the City may convert Greenbelt Properties to Park Properties.
 7. If the City acquires real property for open space, greenbelt, park or recreation purposes ("Other Property") after the Effective Date, and wishes to exchange the Other Property for equivalent Parks and Greenbelt property listed in Exhibit F ("Exchange Property"), then it may do so, subject to review and approval by the County, such approval not to be unreasonably withheld. In that event, the County will execute and record a release of the covenants, conditions, and restrictions ("CC&Rs") that the County imposed on the Exchange Property when the County conveyed it to the City, but only after the City executes and records a restrictive covenant applying those same CC&Rs to the Other Property.
- iv. Parks Property—Personal Property. The Parks Property to be conveyed includes certain equipment and improvements listed in Exhibit G attached hereto. The City agrees that it will take all equipment and improvements AS IS and WHERE IS and agrees that the County holds no future responsibility with regard to the equipment or improvements or any occurrence related to or resulting from use of the equipment or improvements.
 - v. Parks Property—Existing Restrictions, Agreements, Contracts or Permits. The City and the County acknowledge and agree that the portion of the Property known as Edith Moulton Park is currently subject to special use permit number **S-63-09** ("the Permit") granted to **Northshore Utility District** for the **use and maintenance of two (2) sewer lines**. As of the Effective Date, all of the County's rights, privileges and obligations in the Permit shall automatically be transferred to the City; and the City hereby agrees to accept and assume all of the County's rights, privileges and obligations in the Permit.
 - vi. Condition of and Responsibility for Operations, Maintenance, Repairs, and Improvements of Drainage Facilities, Drainage Facility Property Interests, and Park and Greenbelt Properties.
 1. The City agrees to accept the Drainage Facilities, Drainage Facility Property Interests, Park Properties, and Greenbelt Properties in AS IS

condition, and to assume full and complete responsibility for all operations, maintenance, repairs, and improvements of the Drainage Facilities, Drainage Facility Property Interests, Park Properties, and Greenbelt Properties.

2. King County does not make and specifically disclaims any warranties, express or implied, including any warranty of merchantability or fitness for a particular purpose, with respect to the Drainage Facilities, Drainage Facility Property Interests, Greenbelt Properties or Park Properties; and no official, employee, representative or agent of King County is authorized otherwise.
3. The City acknowledges and agrees that except as indicated in Section 3(b)(vii), the County shall have no liability for, and that the City shall release and have no recourse against the County for, any defect or deficiency of any kind whatsoever in the Drainage Facilities, Drainage Facility Property Interests, Park Properties, or Greenbelt Properties without regard to whether such defect or deficiency was known or discoverable by the City or the County.

vii. Environmental Liability related to the Drainage Facilities, Drainage Facility Property Interests, Park Properties, and Greenbelt Properties.

1. "Hazardous Materials" as used herein shall mean any hazardous, dangerous or toxic wastes, materials, or substances as defined in state or federal statutes or regulations as currently adopted or hereafter amended.
2. Nothing in this Agreement shall be deemed to waive any statutory claim for contribution that the City might have against the County under federal or state environmental statutes that arises from hazardous materials deposited or released on the Drainage Facilities, Drainage Facility Property Interests, Park Properties, or Greenbelt Properties by the County during the County's period of ownership. The City may not, however, assert such a claim to the extent that the City creates the need for or exacerbates the cost of remediation upon which a statutory claim for contribution is based as a result of the City performing construction activities on, changing the configuration of, or changing the use of the Drainage Facilities, Drainage Facility Property Interests, Park Properties, or Greenbelt Properties.
3. If the City discovers the presence of hazardous materials at levels that could give rise to a statutory claim for contribution against the County it shall notify the County in writing within ninety (90) days of discovery. The parties shall make their best efforts to reach agreement as to which party is responsible for remediation under the terms of this Agreement prior to undertaking any remediation.

4. In no event shall the County be responsible for any costs of remediation that exceed the minimum necessary to satisfy the state or federal agency with jurisdiction over the remediation.
- viii. Indemnification related to Drainage Facilities, Drainage Facility Property Interests, Park Properties and Greenbelt Properties.
1. King County shall indemnify and hold harmless the City and its elected officials, officers, agents or employees, or any of them, from and against any and all claims, actions, suits, liability, loss, costs, expenses and damages of any nature whatsoever, arising from those occurrences related to the Drainage Facilities, Drainage Facility Property Interests, Park Properties and Greenbelt Properties that occurred prior to the Effective Date, except to the extent that indemnifying or holding the City harmless would be limited by Section 3(b)(vii) of this Agreement. In the event that any suit based upon such a claim, action, loss or damage is brought against the City or the City and King County, King County shall defend the same at its sole cost and expense and, if final judgment be rendered against the City and its elected officials, officers, agents and employees or jointly against the City and King County and their respective elected officials, officers, agents and employees, King County shall satisfy the same. The City acknowledges and agree that if such claims, actions, suits, liability, loss, costs, expenses and damages are caused by or result from the concurrent negligence of the City, its agents, employees, and/or officers and the County, its agents, employees, and/or officers, this Section 3(b)(viii)(1) shall be valid and enforceable only to the extent of the negligence of the County, its agents, employees and/or officers.
 2. The City shall indemnify and hold harmless King County and its elected officials, officers, agents and employees, or any of them, from and against any and all claims, actions, suits, liability, loss, costs, expenses and damages of any nature whatsoever, arising from those occurrences related to the Drainage Facilities and Drainage Facility Property Interests that occur on or after the Effective Date, except to the extent that indemnifying or holding the County harmless would be limited by Section 3(b)(vii) of this Agreement. In the event that any suit based upon such a claim, action, loss or damage is brought against King County or King County and the City, the City shall defend the same at its sole cost and expense and, if final judgment be rendered against King County and its officers, agents and employees or jointly against King County and the City and their respective officers, agents and employees, the City shall satisfy the same. The County acknowledges and agrees that if such claims, actions, suits, liability, loss, costs, expenses and damages are caused by or result from the concurrent negligence of the City, its agents, employees, and/or officers and the County, its agents, employees, and/or officers, this Section

3(b)(viii)(2) shall be valid and enforceable only to the extent of the negligence of the City, its agents, employees and/or officers.

3. For a period of three (3) years following transfer, each party to this Agreement shall immediately notify the other of any and all claims, actions, losses or damages that arise or are brought against that Party relating to or pertaining to the Drainage Facilities, Drainage Facility Property Interests, Park Properties, or Greenbelt Properties.
 4. Each Party to this Agreement agrees that its obligations under this Section 3(b)(viii) extend to any claim, demand, and/or cause of action brought by or on behalf of any employees, or agents. For this purpose, each Party to this Agreement, by mutual negotiation, hereby waives, with respect to the other party only, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW, but only to the extent necessary to indemnify the other party.
 5. The provisions of this Section 3(b)(viii) shall survive the expiration or termination of this Agreement.
- c. If the parties mutually determine and jointly agree that any of the property covenants, conditions or restrictions (CC&Rs”) newly imposed as a result of this Agreement are not legally required, then the Parties may agree to amend the relevant CC&Rs or waive their requirements, subject to legislative approval, if necessary.
4. ADMINISTRATION AND CONTACT PERSONS. The Parties stipulate that the following persons shall be the administrators of this Agreement and shall be the contact person for their respective jurisdiction.

City of Kirkland:

Kurt Triplett
City Manager
123 Fifth Avenue
Kirkland, WA 98033

King County:

Dwight Dively, Director
Performance, Strategy and Budget
401 Fifth Avenue, Suite 810
Seattle, WA 98104

5. COMPLIANCE WITH LAWS. Each Party accepts responsibility for compliance with federal, state, and local laws and regulations. Specifically, in meeting the commitments encompassed in this Agreement, all parties will comply with, among other laws and regulations, the requirements of the Open Meetings Act, Public Records Act, Growth Management Act, State Environmental Policy Act, and Annexation Statutes. The Parties retain the ultimate authority for land use and development decisions within their respective jurisdictions as provided herein. By

executing this Agreement, the Parties do not purport to abrogate the decision-making responsibility vested in them by law.

6. INDEMNIFICATION. The following indemnification provisions shall apply to the entirety of this Agreement except for Section 3 (Transfer of Property) and Exhibit C (Development Permit Processing), both of which contain separate indemnification provisions.
- a. The County shall indemnify and hold harmless the City and its officers, agents and employees, or any of them from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by reason or arising out of any negligent action or omission of the County, its officers, agents, and employees, or any of them, in performing obligations pursuant to this Agreement. In the event that any suit based upon such a claim, action, loss, or damage is brought against the City, the County shall defend the same at its sole cost and expense, provided that the City retains the right to participate in said suit if any principle of governmental or public law is involved, and if final judgment be rendered against the City and its officers, agents, and employees, or any of them, or jointly against the City and County and their respective officers, agents, and employees, or any of them, the County shall satisfy the same. The City acknowledges and agrees that if such claims, actions, suits, liability, loss, costs, expenses and damages are caused by or result from the concurrent negligence of the City, its agents, employees, and/or officers and the County, its agents, employees, and/or officers, this Section 6(a) shall be valid and enforceable only to the extent of the negligence of the County, its agents, employees and/or officers.
 - b. The City shall indemnify and hold harmless the County and its officers, agents and employees or any of them from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by reason or arising out of any negligent action or omission of the City, its officers, agents, and employees, or any of them, in performing obligations pursuant to this Agreement. In the event that any suit based upon such a claim, action, loss, or damage is brought against the county, the City shall defend the same at its sole cost and expense, provided that the County retains the right to participate in said suit if any principle of governmental or public law is involved; and if final judgment be rendered against the County and its officers, agents, employees, or any of them, or jointly against the City and County and their respective officers, agents, and employees or any of them, the City shall satisfy the same. The County acknowledges and agrees that if such claims, actions, suits, liability, loss, costs, expenses and damages are caused by or result from the concurrent negligence of the City, its agents, employees, and/or officers and the County, its agents, employees, and/or officers, this Section 6(b) shall be valid and enforceable only to the extent of the negligence of the City, its agents, employees and/or officers.
 - c. Each Party to this Agreement agrees that its obligations under this Section 6 extend to any claim, demand, and/or cause of action brought by or on behalf of

- any employees, or agents. For this purpose, each Party to this Agreement, by mutual negotiation, hereby waives, with respect to the other party only, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW, but only to the extent necessary to indemnify the other party.
- d. The provisions of this Section 6 shall survive the expiration or termination of this Agreement with respect to any event occurring prior to such expiration or termination.
7. The County and King County Fire Protection District #41 ("District") are currently negotiating terms of a proposal under which County property would be considered as one of several potential sites for a new fire station. The Parties acknowledge the District will merge into the City as of the Effective Date. If the County-District negotiations are not completed before the Effective Date, then the County and the City will continue those negotiations, substituting the City for the District.
8. GENERAL PROVISIONS.
- a. Entire Agreement. This Agreement together with all Exhibits hereto contains all of the agreements of the Parties with respect to any matter covered or mentioned in this Agreement and no prior agreements shall be effective for any purpose.
- b. Filing. A copy of this Agreement shall be filed with the City Clerk, and recorded with the King County Recorder's Office or listed by subject on the County's web site or other electronically retrievable public source.
- c. Amendments. No provision of this Agreement may be amended or modified except by written agreement signed by the Parties.
- d. Severability. If one or more of the clauses of this Agreement is found to be unenforceable, illegal, or contrary to public policy, the Agreement will remain in full force and effect except for the clauses that are unenforceable, illegal, or contrary to public policy. The parties will replace the severed provision with one that is closest in meaning to the intent of the original provision that is not unenforceable, illegal or contrary to public policy.
- e. Assignment. Neither the City nor the County shall have the right to transfer or assign, in whole or in part, any or all of its obligations and rights hereunder without the prior written consent of the other Party.
- f. Successors in Interest. Subject to the foregoing subsection, the rights and obligations of the Parties shall inure to the benefit of and be binding upon their respective successors in interest, heirs, and assigns.

- g. Dispute Resolution. The Parties should attempt if appropriate to use an informal dispute resolution process such as mediation, through an agreed-upon mediator and process, if agreement cannot be reached regarding interpretation or implementation of any provision of this Agreement. All costs for mediation services would be divided equally between the Parties. Each jurisdiction would be responsible for the costs of their own legal representation.
- h. Attorneys' fees. In the event either of the Parties defaults on the performance of any terms of this Agreement or either Party places the enforcement of this Agreement in the hands of an attorney, or files a lawsuit, each Party shall pay all its own attorneys' fees, costs and expenses.
- i. No waiver. Failure of either the County or the City to declare any breach or default immediately upon the occurrence thereof, or delay in taking any action in connection with, shall not waive such breach or default.
- j. Applicable Law. Washington law shall govern the interpretation of this Agreement. King County shall be the venue of any mediation, arbitration, or lawsuit arising out of this Agreement.
- k. Authority. Each individual executing this Agreement on behalf of the City and the County represents and warrants that such individuals are duly authorized to execute and deliver the Agreement on behalf of the City or the County.
- l. Notices. Any notices required to be given by the Parties shall be delivered at the addresses set forth above in Section 4. Any notices may be delivered personally to the addressee of the notice or may be deposited in the United States mail, postage prepaid, to the addresses set forth above in Section 4. Any notice so posted in the United States mail shall be deemed received three (3) days after the date of mailing.
- m. Performance. Time is of the essence of this Agreement and each and all of its provisions in which performance is a factor.
- n. Equal Opportunity to Draft. The Parties have participated and had an equal opportunity to participate in the drafting of this Agreement. No ambiguity shall be construed against any party upon a claim that that party drafted the ambiguous language.
- o. Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties hereto. No other person or entity shall have any right of action or interest in this Agreement based on any provision set forth herein.

IN WITNESS THEREOF, the Parties have executed this Agreement effective as of the date it has been signed by both of the Parties.

CITY OF KIRKLAND:

KING COUNTY:

_____,
Kurt Triplett, City Manager

Dow Constantine, Executive

Date: _____

Date: _____

Approved as to Form:

Approved as to Form:

City Attorney

Sr. Deputy Prosecuting Attorney

Exhibit A

Description of Annexation Area

Juanita-Finn Hill-Kingsgate Proposed Annexation Area

Legal Description

**BOUNDARIES OF THE PROPOSED JUANITA-FINN HILL-KINGSGATE
ANNEXATION AREA**

The legal description of the boundaries of the proposed Juanita-Finn-Hill-Kingsgate Annexation Area,

That portion of Sections 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30 and 31 Township 26 North, Range 5 East W.M. and Sections 13, 23, 24, 25, 26 and 36 Township 26 North, Range 4 East W.M. in King County, Washington described as follows:

Beginning at North Quarter Corner of Section 28, Township 26 North, Range 5 East, W.M.;

Thence west along the north line of the Northwest Quarter of said Section 28 (said north line being the north limits of the City of Kirkland as established by City of Kirkland Ordinance No. 2252 and the centerline of NE 132nd Street) to the corner common to Sections 28 and 29, Township 26 North, Range 5 East, W.M.;

Thence west along the north line of the Northeast Quarter of said Section 29 (said north line being the north limits of the City of Kirkland as established by City of Kirkland Ordinance No. 2252 and the centerline of NE 132nd Street) to the centerline of 116th Avenue NE right of way;

Thence southerly along the centerline of 116th Avenue NE right of way to the easterly extension of the south margin of the NE 132nd Street right of way;

Thence westerly along said south margin and the south margin of the NE 131st Way right of way (said south margins being the north limits of the City of Kirkland as established by City of Kirkland Ordinance No. 3062) to the west line of east half of Section 30, Township 26 North, Range 5 East, W.M.;

Thence south along said west line (said west line being the west limits of the City of Kirkland as established by City of Kirkland Ordinance No. 3062) to the north line of the southeast quarter of the northwest quarter of said Section 30;

Thence west along said north line (said north line being the north boundary of a tract of land annexed to the City of Kirkland under City of Kirkland Ordinance No. 4048) to the west line of east 275 feet of said southeast quarter of the northwest quarter;

Thence south along said west line (said west line being the west boundary of a tract of land annexed to the City of Kirkland under City of Kirkland Ordinance No. 4048) to south line of said southeast quarter of the northwest quarter;

Thence along said south line to the east margin and/or the northerly extension of the east margin of 91st Avenue NE (said east margin being the west boundary of a tract of land annexed to the City of Kirkland under City of Kirkland Ordinance Number 3121);

Thence south along said east margin and/or its northerly extension (said east margin being the west boundary of a tract of land annexed to the City of Kirkland under City of Kirkland Ordinance Number 3121) to the south margin of NE 120th Street;

Thence east along the south margin of NE 120th Street and/or its easterly extension to the west limits of the City of Kirkland as established by King County Ordinance No. 15471;

Thence south along said west limits to the southerly margin of Juanita Drive NE right of way;

Thence along said southerly margin to the west line of Juanita Bay Condominiums (said line being the west limits of the City of Kirkland as established by City of Kirkland Ordinance No. 3062);

Thence southerly and southeasterly along the said west line and its southerly extension (said line being the west limits of the City of Kirkland as established by City of Kirkland Ordinance No. 3062) to the outer limits of the second class shorelands of Lake Washington;

Thence leaving said city limits, southwesterly and northwesterly along said outer limits to North line of King County Short Plat Number 985037 (Alteration), recorded under Recording Number 911180963, records of King County, Washington and the limits of the City of Kenmore as established by King County Ordinance No. 12815;

Thence along said limits of the City of Kenmore the following courses:

Thence easterly along the North line of said King County Short Plat and the North line of Lot 2, King County Short Plat Number 273020, recorded under Recording Number 7601230425 records of King County, Washington to the west margin of 62nd Avenue Northeast;

Thence southerly along said margin to the north line of the Southeast Quarter of Section 23, Township 26 North, Range 4 East, W.M.;

Thence easterly along said north line to the east margin of 62nd Avenue Northeast;

Thence southerly along the east margin of 62nd Avenue Northeast to the point of intersection with the north line of King County Short Plat Number 376072, recorded under Recording Number 7607290790, records of King County, Washington;

Thence easterly along the north line of said King County Short Plat and the north line of King County Short Plat Number 682031, recorded under Recording Number 8404240701 and King County Short Plat Number S89S0226, recorded under Recording Number 8908311935, all in records of King County, Washington, to the westerly margin of Holmes Point Drive Northeast;

Thence northerly and easterly along said margin to the westerly margin of Juanita Drive Northeast;

Thence northerly along the westerly margin of said Juanita Drive Northeast to the point of intersection with the westerly extension of the north margin of Northeast 143rd Street;

Thence easterly along said extended line and the north margin at Northeast 143rd Street and the north margin of Northeast 145th Street to the intersection with the Westerly margin of 92nd Avenue Northeast;

Thence northerly along said margin to the intersection with the northeasterly margin of Simonds Road Northeast, said margin also being the limits of the City of Bothell as established by City of Bothell Ordinances 225, 227 and 960;

Thence southeasterly along the southerly limits of the City of Bothell and the northeasterly margin of Simonds Road Northeast to the west margin of 100th Avenue NE;

Thence north along said west margin to the north line of Section 19, Township 26 North, Range 5 East, W.M. and the south limits of the City of Bothell as established by City of Bothell Ordinance Number 225;

Thence east along said north line and the south limits of the City of Bothell to the Northeast Corner of said Section 19;

Thence east along the north line of Section 20, Township 26 North, Range 5 East, W.M. and the south limits of the City of Bothell as established by City of Bothell Ordinance Number 1220 to the southerly prolongation of the east margin of 100th Avenue NE and

the easterly limits of the City of Bothell as established by City of Bothell Ordinance Number 1220;

Thence north along said southerly prolongation and easterly limits of Bothell to the north margin of NE 145th Street;

Thence leaving said city limits, east along said north margin to the southerly prolongation of the west line of the plat of Norway View according to the plat thereof recorded in Volume 125 of Plats at Pages 77 and 78, records of King County, Washington:

Thence north along said southerly prolongation to the north margin of NE 145th Street;

Thence east along said north margin and its easterly extension to the southeasterly margin of Juanita-Woodinville Way NE;

Thence southerly along said southeasterly margin to the north margin of NE 145th Street;

Thence east along said north margin to the east line of the plat of Windsor Vista No. 1 according to the plat thereof recorded in Volume 81 of Plats, at pages 70 and 71, records of King County, Washington;

Thence southerly along the southerly prolongation of said east line to the south line of Section 17, Township 26 North, Range 5 East, W.M.;

Thence east along said south line to the easterly margin of Primary State Highway No. 1 (SR-405) as depicted on the Record of Survey recording in Book 182 of Surveys, at Pages 251 through 259, records of King County, Washington:

Thence north along said easterly margin to the south line of a tract land conveyed to King County by the State of Washington by instrument recorded under 8603110513, records of King County, Washington;

Thence east along the south line of said tract to the east line of said tract;

Thence north along the east line of said tract to the southwesterly margin of the City of Seattle Tolt River Pipeline Right of Way:

Thence southeasterly along southwesterly margin to the west margin of NE 124th Avenue NE and west limits of the City of Woodinville as established by King County Ordinance No. 10306;

Thence along said limits of the City of Woodinville the following courses:

Thence south along said west margin to the intersection of the westerly extension of the south boundary of Kingsgate Highlands, Division No. 5, recorded in Volume 88 of Plats, Pages 1 to 5, Records of King County, Washington;

Thence east along said westerly extension and said south boundary to the southeast corner of said plat of Kingsgate Highlands Division 5;

Thence north along the east boundary thereof to the southwest corner of the plat of Kingsgate Vista, recorded in Volume 107 of Plats, pages 52 and 53, records of King County, Washington;

Thence east along the south boundary of said plat of Kingsgate Vista and its easterly projection to the West margin of 132nd Ave NE;

Thence southerly along said west margin of 132nd Avenue NE to the westerly extension of the south margin of NE 143rd street;

Thence easterly along said westerly extension and south margin thereof to the west line of the Puget Sound Power and Light Co. transmission line easement as located in the NW 1/4 of the NW 1/4 of Section 22, Township 26 North, Range 5 East W.M.;

Thence south along said west line to the south line of the NW 1/4 of Section 22, Township 26, North Range 5 East W.M.;

Thence easterly along said south line to the NW corner of the NE 1/4 of the NE 1/4 of the S W 1/4 of said Section 22;

Thence south to the SW corner of the NE 1/4 of the NE 1/4 of the SW 1/4 of said Section 22;

Thence east along the south line thereof to the North-South centerline of Section 22;

Thence north along said North-South centerline to the center of said Section 22;

Thence west along the East-West centerline thereof 310 feet, more or less, to the SW corner of Tax Lot No. 108 in the SE ¼ of the NW 1/4 of said Section 22;

Thence N 7° 10' 00" W along the west line of said Tax Lot 108, 380 feet, more or less, to the NW corner thereof;

Thence N 77°15'00" E along the northerly line of said Tax Lot 108 to the westerly margin of the Burlington Northern Railway right-of-way (also known as Northern Pacific Belt Line);

Thence southerly along said westerly margin to the south line of the NE 1/4 of said Section 22;

Thence east along the south line of the NE 1/4 of said Section 22 to the easterly margin of the Burlington Northern Railway right-of-way, (also known as Northern Pacific, Snoqualmie Branch) and an angle point in the limits of the City of Woodinville;

Thence leaving said limits of the City of Woodinville and continuing along the south line of NE 1/4 of said Section 22 to the easterly margin of the Burlington Northern Railway right-of-way, (also known as Northern Pacific, Snoqualmie Branch)

Thence south along said easterly margin to the south margin of NE 124th Street;

Thence westerly to the northeast corner of a tract of land annexed to the City of Redmond by City of Redmond Ordinance Number 1030;

Thence west along the north line of the tracts of land annexed to the City of Redmond by City of Redmond Ordinance Numbers 1030 and 966 to the west line of the east 3/4 of the Northwest 1/4 of the Southwest 1/4 of Section 27, Township 26 North, Range 5 East, W.M.

Thence south along said west line and the west line of a tract of land annexed to the City of Redmond by City of Redmond Ordinance Number 966 to the south line of the said Northwest 1/4 and the north line of a tract of land annexed to the City of Redmond by City of Redmond Ordinance Number 778;

Thence west along said south line and said limits of the City of Redmond to the easterly margin of Seattle Water Department Eastside Supply Line right-of-way and the limits of the City of Kirkland as established by City of Kirkland Ordinance Number 3063:

Thence north along said easterly margin and said limits of the City of Kirkland to the south margin of NE 124th Street:

Thence westerly along said right of way and said limits of the City of Kirkland to the northerly tangent point of the southerly margin of said right-of-way with the westerly margin of the Slater Avenue NE right of way;

Thence northwesterly perpendicular to the centerline of NE 124th Street right-of-way to the southerly line of a tract of land annexed to the City of Kirkland by City of Kirkland Ordinance No. 2545:

Thence northeasterly along said southerly line to the southeast corner of said tract of land;

Thence northerly along east line of said tract of land to the northeast corner thereof;

Thence west along said north line of said tract of land to the west line of the northeast quarter of the northeast quarter of Section 28, Township 26 North, Range 5, W.M. and

the limits of the City of Kirkland as established by City of Kirkland Ordinance Number 2252;

Thence north along said west line and said limits of the City of Kirkland to the north line of said Section 28:

Thence west along said north line (said north line being the north limits of the City of Kirkland as established by City of Kirkland Ordinance No. 2252 and the centerline of NE 132nd Street) to the Point of Beginning.

Exhibit B – Records to be provided to the City by King County

1. Capital Assets reported by the Primary Government, Internal Service Funds or Utilities of King County that will be transferred to the City of Kirkland and maintained by the City following annexation. Current values including estimated or historical costs, depreciation method, annual depreciation, and depreciation to date. Please provide the method of calculating asset value (construction costs, unit costs, average cost factors), date constructed, and any cost adjustment factors.
 - Capital Assets reported by the Primary Government, Internal Service Funds or Utilities of King County that will be transferred to the City of Kirkland and maintained by the City following annexation. Current values including estimated or historical costs, depreciation method, annual depreciation, and depreciation to date. Please provide the method of calculating asset value (construction costs, unit costs, average cost factors), date constructed, and any cost adjustment factors.
 - Provide specific details within these asset groups:
 - Land:* Land, Right of Way, Conservation Easements and Farmland Development Rights
 - Infrastructure:*
 - Streets – Principal Arterials, Minor Arterials, Collectors, Neighborhood access, Alleys, Curb/Gutter, Sidewalks (if not within ROW), Street signs, Traffic Circles, Landscaped Median Islands, Street Trees, Emergency Vehicle Access, Paths and Trails
 - Lights/Signals – Street Lights, Traffic Signals, Flashing Crosswalks
 - Bridges
 - Parking lots, garages, pay stations and parking lot lighting
2. Buildable Lands information:
 - Copies of subdivisions approved or pending (not recorded) from 2006 to current;
 - List of any subdivisions that have expired without being recorded;
 - Stream or wetland modifications where reduced required buffer, approved or pending (not recorded) from 2006 to current.
3. Code Enforcement cases: Complaint files - any that are pending, not resolved
4. Land Use/Zoning Permits and information including:
 - Pending permits, to be transferred to City per ILA;
 - Sensitive Areas - documentation of any known sensitive areas not shown on the critical areas map;
 - Parcel data files (any pre-application documentation) - pending, last 2 years;

- PUDs/PRDs, including parcel numbers - last 10 years;
Conditional use permits - last 10 years;
 - SDP (shoreline development permit) variances - last 10 years;
 - Holmes Point Tree Canopy information - pending, last 2 years, including any site plans.
5. Planned Capital Improvement Program projects (letters, comprehensive plan generated projects, school requests, etc.)
 6. Street sign inventory/asset inventory including reflectivity information
 7. Accident records/mapping/metadata
 8. Historical traffic counts along the roads in the Annexation area.
 9. Unsuccessful grant application paperwork for projects that King County has applied for recently.
 10. Spare parts for any infrastructure in annexation area (e.g. replacement cabinets, lamps, others)
 11. Copies of any documentation regarding power billing for street lights.
 12. Pavement management records/history for all sections of roadway in the annexation area.
 13. Current purchasing and or contracting agreements that will be in effect after June 1 and which the City will responsible for managing or complying.
 14. As-built drawings of 132nd Square Park, Windsor Vista, Edith Moulton, Juanita Heights, Kingsgate and Park related green spaces. Any and all information that relates to the plumbing, electrical, irrigation and drainage systems of these sites.
 15. Records relating to surface water monitoring data for the annexation area including streams, lakes and storm water.
 16. Studies relating to stream habitat, water quality and flooding/flow control. Especially include information regarding Denny Creek, Juanita Creek and Trib 0125 (Billy Creek) of Juanita Creek. Studies and background information that led to construction of regional facilities associated with creeks in the annexation area.
 17. Records related to drainage and water quality complaints received, investigated and resolved by King County in the annexation area.
 18. Records related to privately maintained commercial and multi-family stormwater systems that King County inspects.

19. Records related to drainage and water quality claims for damages, received, investigated and resolved by King County in the annexation area. Include investigation reports, studies and legal information including the amount paid for each claim (if any) or the reason for denial of the claim.
20. Surface Water Capital Improvement Program documents. Lists of constructed and planned capital projects related to stream habitat, water quality and drainage/flooding
21. All communications with the Denny Creek Alliance members relating to future requests and past actions (maintenance and construction) involving Denny Creek projects that may reside in the transferred open space (KC WLRD- Park Division)
22. All Construction permit waivers for sensitive areas/critical areas
23. All notices (email, letters, fines) to private property owners of surface water conveyance system violations, required corrections, absolution of legal authority to maintain private dam (s) for the past 5 years. Example - gutter drains not tied in and dumping into ravines, illegal sized and uncovered manure piles contaminating streams, illegal construction of ponds/lakes for private fish stocking and landscape enhancement, illegal construction of dams on private land. (KC Roads, Parks, DDES, WLRD- (Parks and Surface Water Divisions)
24. All historical maintenance management system (MMS)/NPDES/WFWD (WA Fish and Wildlife Department) records - cleaning and rehabilitation dates and actions, NPDES permit related notices given to DOE and received by King County on the Surface Water conveyance and Retention/Detention systems from WLRD and KC Roads Department (Last 5 years)
25. All Contract information for any contractor that has contracted work within the right of way and County owned properties.
26. All project plan details and as-builts for construction or maintenance activities within the right of way and County owned properties.
27. Records of any work plans including all reference to ongoing maintenance for County responsibilities within the ROW and county owned properties.
28. Recorded surveys, plats, short plats, and design/as-built drawings, both in digital and hard copy form
 - Any record identifying environmentally sensitive areas (wetlands, streams, lakes, slide-prone areas, etc.)
 - Any digital georeferencing source that links 1. and 2. to a map location (for example, linking scanned drawings to Section-Township-Range)

- Business locations including address
- 29. Records of all claims for damages for incidents within the right of way and County owned properties.
- 30. All general information about any project that was initially funded and not initiated in the last five years within the right of way and County owned properties.
- 31. Paper collision reports as prepared by law enforcement personnel for the period January 1, 2011 to May 31, 2011 in the Kirkland annexation area
- 32. All records pertaining to traffic volume counts on road segments and at intersections for the period 2000 to current
- 33. All records pertaining to the maintenance and operation of traffic signals in the annexation area of Kirkland.
- 34. All records pertaining to design and construction of speed humps, curb bump outs, traffic circles, road closures and or other traffic calming devices or programs.
- 35. Fire safety inspection records from all permitted occupancies from the last time the building/occupancy was inspected. Any fire alarm, sprinkler, and “other” fire protection plans/permit for commercial occupancies.
- 36. As-built records of County owned fiber optic cable and fiber optic cable conduit in the King County Right-of-Way
- 37. Records of all correspondence including notification of concerns within the right of way and County owned properties.

Exhibit C—Development Services Agreement Provisions
INTERLOCAL AGREEMENT BETWEEN

KING COUNTY AND THE CITY OF KIRKLAND

RELATING TO PROCESSING OF BUILDING PERMITS AND
LAND USE APPLICATIONS

THIS AGREEMENT is made and entered into this day by and between the City of KIRKLAND, a municipal corporation in the State of Washington (hereinafter referred to as the “City”) and King County, a home rule charter County in the State of Washington (hereinafter referred to as the “County”).

WHEREAS, the City annexed an area of unincorporated King County described in Attachment 1 and will annex additional areas of unincorporated King County (collectively referred to as the “Annexation Area”); and

WHEREAS, all local governmental authority and jurisdiction with respect to the Annexation Area transfers from the County to the City upon the date of annexation; and

WHEREAS, the County and City agree that having County staff process certain Annexation Area building permits and land use applications on behalf of the City for a transitional period will assist in an orderly transfer of authority and jurisdiction; and

WHEREAS, it is the parties’ intent by virtue of this Agreement that any and all discretionary decisions shall be made by the City; and

WHEREAS, this Agreement is authorized by the Interlocal Cooperation Act, RCW Chapter 39.34;

NOW, THEREFORE, in consideration of the terms and provisions, it is agreed by and between the City and the County as follows:

1. Pre-annexation Building Permit Applications Filed with King County.

1.1 Except as otherwise provided for herein, the County shall continue to review on behalf of the City all vested building-related permit applications filed with the County before the effective date of annexation that involve property within the Annexation Area in accordance with this section.

1.2 For the purposes of this Agreement, building-related permits include but are not limited to building permits, mechanical permits, fire systems/fire sprinkler permits, clearing and grading permits, and right-of-way permits. Review by the County shall occur in accordance with the regulations to which the applications are vested. Any decision regarding whether or when an application has vested shall be made by the City.

1.3 Except as provided in Section 1.9, if a vested permit has been reviewed and issued by the County prior to June 1, 2011, the County shall complete all reviews and inspections. The County shall confirm payment of required impact fees and notify the City that all impact fees have been paid.

1.4 If a vested permit has been partially reviewed through the close of business on May 31, 2011 but the permit has not been issued, the County shall complete the review then shall transfer the permit to the City for issuance and post-issuance administration and inspection. If any fees, including impact fees, are to be collected upon permit issuance, the City shall assess and collect those fees.

1.5 The County's review of building-related permits shall include rendering decisions to approve, condition or deny such applications, conducting inspections, issuing correction notices, certificates of occupancy, permit extensions and completion of extensions, and evaluating compliance with approval conditions that extend beyond issuance of a certificate of occupancy. The County agrees to consult with the City prior to rendering any administratively appealable building-related permit decision. Appeals of building related permit decisions, if any, shall be processed by the City in the same manner as appeals of land use permits are addressed in Section 2.4; provided that the City and County may agree to have the County conduct such appeals on behalf of the City in particular instances where such processing by the County would further the orderly transition envisioned by this Agreement.

1.6 The County shall receive and process any permit applications made following annexation that implement conditions of a Commercial Site Development permit issued by the County prior to annexation. County permits that implement conditions of a Commercial Site Development permit include those related to site, drainage, and infrastructure issues, but not building permits. After May 31, 2011, the City of Kirkland shall receive and process building permit applications and ancillary permit applications, such as fire and mechanical permits, that are necessary for completion of an approved project permit.

1.7 The County shall review and make a recommendation to the City on requests to renew County permits within the Annexation Area that are approaching their expiration date without having completed the permitted activity. The City shall render any final decisions on such requests.

1.8 For those building related permits issued by King County prior to June 1, 2011, the County shall review and render decisions on requests for changes or revisions to approved construction documents up to the time that either a certificate of occupancy is issued or final construction approval has been issued for the project. If after May 31, 2011 a request for a change or revision to an approved construction document is deemed by the County to be substantial (e.g. the original house plan is substituted by a substantially different house plan), then a new application to the City shall be required. The County shall consult with the City to help determine what is deemed a "substantial"

change or revision. Following issuance of the certificate of occupancy or final construction approval, requests for revisions to the approved set of plans shall be referred to the City to process as new permit applications.

1.9 If a permit has been issued by the County and the applicant has not submitted a request for inspection to the County by May 31, 2011, the County shall inform the City and the City shall have the opportunity to assume responsibility for remaining inspections for and administration of that permit. If the City elects to assume such responsibility, the permit, along with unexpended permit fees associated with the permit, shall be transferred to the City. The permit will be administered subject to all terms and conditions established by the County, unless revisions are subsequently requested by the applicant and approved by the City.

1.10 The County shall review and make recommendations to the City's Public Works Director or his designee on applications to vary adopted road or drainage standards that are made in conjunction with a building related application being reviewed by the County pursuant to this Agreement. All final decisions on such variance applications shall be rendered by the City.

2. Pre-annexation Land Use Permit Applications Filed with King County.

2.1 Except as otherwise provided for herein, the County shall continue to review on behalf of the City all vested land use permit applications filed with the County before the effective date of annexation that involve property within the Annexation Area. Review by the County shall occur in accordance with the regulations to which the applications are vested. Any decisions regarding whether or when an application has vested shall be made by the City.

2.2 For those vested land use applications that do not require a public hearing prior to issuance, the County will continue to process such applications and shall make a report and recommendation to the City's Planning Director or his designee based upon the regulations under which the applications are vested. Any decisions to approve, deny, or approve with conditions such applications shall be made by the City's Planning Director or designee and will be processed pursuant to the City's applicable land use review and appeal procedures.

2.3 Notwithstanding any other provision of this Agreement, applications for any rezone and any associated permit applications shall be referred to the City for all further processing.

2.4 For those vested land use applications that require quasi-judicial or legislative approval, e.g., preliminary subdivisions or conditional uses, or which involve appeals of administrative decisions, the County shall continue to review the application as follows:

- A. If the public hearing on the application was held prior to June 1, 2011, the County shall complete the review up to and including the point of final recommendation. The final decision shall be made by the City Planning Department Director, or designee, and provided that decisions requiring approval by a legislative body shall be forwarded to the City for City Council action on final decision.
- B. If the public hearing on the application was not held prior to June 1, 2011, the public hearing shall be scheduled before the City's Hearing Examiner and the City's Hearing Examiner will make the final decision, provided that decisions requiring approval by a legislative body shall be decided by the City Council. Such applications will be processed pursuant to the City's applicable land use review and appeal procedures.

2.5 For those vested subdivision, short plat and binding site plan applications that have received preliminary approval prior to annexation, the County shall continue and complete post-preliminary review up to and including the point of making a final recommendation on the specific application(s) submitted for review prior to June 1, 2011. The final decision on the application shall be made in accordance with the County Code to which the application is vested. All subsequent post-preliminary approval applications shall be submitted to and decided by the City. For purposes of this section, post-preliminary review includes engineering plan approval, final plat, short plat or binding site plan approval, and construction inspection approval.

2.6 The County shall review and make recommendations to the City's Public Works Director on applications to vary adopted road or drainage standards that are made in conjunction with a land use application being reviewed by the County pursuant to this Agreement. All final decisions on such variance applications shall be rendered by the City.

2.7 The County shall review and render decisions on requests for changes to approved land use permit engineering plans up to the time that final construction approval has been issued for the project. Following issuance of final construction approval, requests for changes to the approved set of plans shall be referred to the City. As-built drawings of the final approved construction shall be forwarded to the City.

3. List of Projects, Exclusionary Option, Notice of Meetings, and Permit Data.

3.1 Beginning upon the effective date of this Agreement, monthly thereafter, and on June 1, 2011, the County will prepare and send to the City a list of all vested building, land use and associated ancillary permit applications pending within the Annexation Area. The list shall include the status of the projects as it is shown in the County permit system. This information shall be provided until all permits on the list have been finalized, expired or otherwise completed. The City or County may at any time exclude from this Agreement any application(s) on any such list upon providing to the County or City ten days advance written notice of its intent to exclude the

application(s). Upon excluding any application from review under this Agreement, the County shall turn the application over to the City for all further processing, and shall be available for consultation with the City regarding the application.

3.2 The County shall notify the City of all technical screening meetings, pre-construction conferences and engineering pre-submittal meetings for projects being reviewed by the County under this Agreement. Such notice shall be provided promptly upon scheduling of the meeting. The City may participate in these meetings to learn more about the project and to offer comments.

3.3 The County shall provide the City with a copy of files and records of all land use and building permit applications processed under this Agreement upon completion of permit review, termination of the Agreement under Section 11, or expiration of the Agreement, whichever comes first.

3.4 The County shall provide to the City digital files of historic and open permit data for the Annexation Area that is in the County's permit database. The County's obligation shall be to provide the data in the format used by the County. It shall be the City's obligation to convert the data in such a way as to meet the City's needs. The County shall provide a subsequent and final download, showing all data through May 31, 2011, by June 1, 2011.

3.5 No later than June 30, 2011, the County shall provide to the City a list of all traffic impact fees and fees in lieu of park dedication collected by the County for development activity where all site improvements and building construction have not been completed prior to the effective date of annexation.

4. SEPA Compliance.

4.1 In order to satisfy the procedural requirements of SEPA, beginning on June 1, 2011, the City shall serve as lead agency for all Annexation Area building permit and land use applications, including those being processed by the County pursuant to this Agreement. The City has designated and identified the City's Planning Director as the SEPA Responsible Official to make threshold determinations and to supervise the preparation and content of environmental review for projects within the City.

4.2 Any and all appeals from SEPA threshold determinations and other SEPA matters relating to projects within the Annexation Area shall be heard and decided by the City pursuant to City Code procedures.

4.3 For those permit applications requiring a SEPA determination and for which a SEPA determination has not been issued prior to June 1, 2011, the County will not take final action upon the application until the City's SEPA Responsible Official has acted. The County agrees to provide technical and administrative SEPA assistance to the City's SEPA Responsible Official on that project. Such assistance may include, but is not limited to:

- Review of an applicant's environmental checklist and collection of relevant comments and facts;
- Preparation of a proposed SEPA threshold determination with supporting documentation for approval, which will include citations to a) King County Code provisions that compliance with will negate a probable significant adverse impact, and b) King County Code substantive authority for recommended mitigation measures;
- Publication and notice by the County on behalf of the City's SEPA Responsible Official;
- Preparation and submittal of a written review and comment on any appeal received on a SEPA threshold determination recommended by County staff to the City's SEPA Responsible Official;
- Attendance at appeal hearings to testify with respect to analysis of environmental impacts, mitigation measures and the environmental review process;
- Preparation of any required draft, final, addendum or supplemental EIS for approval of the City's SEPA Responsible Official; and
- Coordination of adopted or required SEPA measures of mitigation with project review staff.

4.4 Any decision whether to condition or deny an application on SEPA grounds shall be made by the City.

5. Administrative and Ministerial Processing. County review specified in this Agreement is intended to be of an administrative and ministerial nature only. Any and all final recommendations on legislative or quasi-judicial decisions or decisions of a discretionary nature shall be made by the City's designated decision maker and processed pursuant to the City's applicable review and appeal procedures.

6. Code Enforcement.

6.1 Beginning on the effective date of this Agreement, and then monthly thereafter, the County shall provide the City with a list and brief explanation of all Annexation Area code enforcement cases (including those pertaining to surface water codes) under review by the County at the time of annexation. The City shall be responsible for undertaking any code enforcement actions following the date of annexation. The County shall provide the City with copies of any Annexation Area enforcement files requested by the City.

6.2 Code enforcement abatement actions necessary to eliminate public health or safety hazards shall be the sole responsibility of the City.

6.3 The County is authorized on behalf of the City to enforce conditions of approval for those permits that the County processes pursuant to this Agreement.

7. Financial Guarantees.

7.1 Any financial guarantee that is intended to secure compliance with project conditions that are being or will be reviewed by the City shall be turned over to or posted with the City, which shall have sole authority and discretion over its release and/or enforcement. Any financial guarantee that has been posted or is otherwise required in order to guarantee compliance with conditions that are being reviewed by the County pursuant to this Agreement shall be retained by or posted with the County. On behalf of the City, the County is authorized to accept such financial guarantees and to release them where it determines that conditions for release have been satisfied. In making such decisions whether to release a financial guarantee instrument, the County may at any time seek direction from the City. The City shall be solely responsible for making any demands or initiating any legal action to enforce financial guarantees for Annexation Area projects.

7.2 Except for those projects on which the County has prior to the effective date of annexation of the Annexation Area assessed required financial performance guarantees, the City shall have sole discretion and responsibility on the assessment of financial performance guarantees required of an applicant to secure compliance with permit or development-related requirements. The City shall have sole discretion and responsibility on the release and enforcement of all required financial performance guarantees required of the applicant to secure compliance with permit or development-related requirements. The County will not release any construction performance guarantees until the permittee has secured the required maintenance/defect bond or equivalent for the benefit of the City. The County will not release any maintenance/defect bonds until the City has reviewed the development-related improvements with the County inspector and agrees that the bond should be released. Notwithstanding the foregoing, upon special written request by the City, the County may agree to assist the City in determining whether to enforce or release particular financial guarantees. Such assistance from the County shall not include the initiation or undertaking of legal actions.

8. Processing Priority. Within budgetary constraints, the County agrees to process pre-annexation building and land use applications in accordance with the County's administrative procedures, at the same level of service as provided to County applications.

9. Fees and Reimbursement.

9.1 The City shall adopt legislation authorizing the County to charge applicants fees in amounts currently specified or hereafter adopted in King County Code Title 27 for applications processed by the County in accordance with the terms of this Agreement.

9.2 In order to cover the costs of providing services pursuant to the terms of this Agreement, the County is authorized to collect and retain such application and other fees authorized by the County fee ordinances adopted by the City pursuant to Section 9.1 above, or as may be modified at some future date by the County and the City.

9.3 In order to cover the costs of providing review, technical and administrative assistance, and other services not otherwise reimbursed pursuant to this Agreement, including but not limited to providing testimony at public hearings, the City shall pay the County at such hourly rate as specified in the version of King County Code Title 27 in effect at the time the services are performed. The County shall not seek reimbursement under this Section for review services performed on an individual permit application where the County has already been compensated for such services by the receipt of permit application review fees. The County shall provide the City with quarterly invoices for assistance and services provided, and the City shall tender payment to the County within thirty days after the invoice is received. The City shall retain the right to pre-authorize the County services contemplated by this Section 9.3, including the estimated cost of such services. Such pre-authorization by the City must be in writing. If the City does not provide pre-authorization, then the County shall neither provide nor invoice such services.

9.4 For permit applications initiated with the County and later forwarded to the City for completion, the County shall submit to the City a portion of any fees collected by the County to cover the work that becomes the responsibility of the City. The fees shall be submitted concurrently with the forwarding of the applications. The amount of fees to be transferred shall be determined on a case by case basis.

9.5 No later than August 1, 2011, the County shall pay to the City any unexpended traffic impact fees and fees in lieu of park dedication collected by the County for development activity where all site improvements and building construction have not been completed prior to the effective date of annexation.

10. Duration. This Agreement shall become effective upon approval by the City and the County and shall continue until December 31, 2015, unless otherwise terminated in accordance with Section 11 or extended in accordance with Section 12 of this Agreement.

11. Termination. Either party may terminate this Agreement for good cause shown upon providing at least thirty (30) days written notice to the other party. Upon expiration or termination of this Agreement, the County shall cease further processing and related review of applications it is processing under this Agreement. The County shall thereupon transfer to the City those application files and records, posted financial guarantee instruments, and unexpended portions of filing fees for pending land use and building-related applications within the Annexation Area. Upon transfer, the City shall be responsible for notifying affected applicants that it has assumed all further processing responsibility.

12. Extension. The City and County may agree to extend the duration of this Agreement through December 31, 2019 or to a date prior thereto. In order for any such extensions to occur, the City shall make a written request to the County not less than sixty (60) days prior to the otherwise applicable expiration date. Any agreement by the County to the proposed extension(s) shall be made in writing. If the parties have not

agreed to the extension in writing by the otherwise applicable expiration date, the Agreement shall expire.

13. Application Process. The City will prepare a document describing the handling of applications based upon this Agreement. Both the City and the County will have that document available for applicants.

14. Indemnification, Hold Harmless and Defense.

14.1 The County shall indemnify and hold harmless the City and its officers, agents and employees, or any of them from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by reason or arising out of any negligent action or omission of the County, its officers, agents, and employees, or any of them, in performing obligations pursuant to this Agreement. In the event that any suit based upon such a claim, action, loss, or damage is brought against the City, the County shall defend the same at its sole cost and expense, provided that the City retains the right to participate in said suit if any principal or governmental or public law is involved, and if final judgment be rendered against the City and its officers, agents, and employees, or any of them, or jointly against the City and County and their respective officers, agents, and employees, or any of them, the County shall satisfy the same.

14.2 The City shall indemnify and hold harmless the County and its officers, agents and employees or any of them from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by reason or arising out of any negligent action or omission of the City, its officers, agents, and employees, or any of them, in performing obligations pursuant to this Agreement. In the event that any suit based upon such a claim, action, loss, or damage is brought against the County, the City shall defend the same at its sole cost and expense, provided that the County retains the right to participate in said suit if any principal of governmental or public law is involved; and if final judgment be rendered against the County and its officers, agents, employees, or any of them, or jointly against the City and County and their respective officers, agents, and employees or any of them, the City shall satisfy the same.

14.3 The City and the County acknowledge and agree that if such claims, actions, suits, liability, loss, costs, expenses and damages are caused by or result from the concurrent negligence of the City, its agents, employees, and/or officers and the County, its agents, employees, and/or officers, this section shall be valid and enforceable only to the extent of the negligence of each party, its agents, employees and/or officers.

14.4 In executing this Agreement, the County does not assume liability or responsibility for or in any way release the City from any liability or responsibility that arises in whole or in part from the existence or effect of City ordinances, rules, regulations, policies or procedures. If any cause, claim, suit, action or proceeding (administrative or judicial), is initiated challenging the validity or applicability of any City ordinance, rule or regulation, the City shall defend the same at its sole expense and if

judgment is entered or damages awarded against the City, the County, or both, the City shall satisfy the same, including all chargeable costs and attorneys' fees.

15. Personnel. Control of County personnel assigned by the County to process applications under this Agreement shall remain with the County. Standards of performance, discipline and all other aspects of performance shall be governed by the County.

16. Administration. This Agreement shall be administered by the County Director of the Department of Development and Environmental Services or his/her designee, and by the City's Planning Director or his/her designee.

17. Amendments. This Agreement is the complete expression of the terms hereto and any oral representation or understanding not incorporated herein is excluded. Any modifications to this Agreement shall be in writing and signed by both parties.

18. Legal Representation. The services to be provided by the County pursuant to this Agreement do not include legal services, which shall be provided by the City at its own expense.

19. Notice of Annexation Area Processing. In the event that the City intends for the County to conduct permit review in any future City Annexation Area pursuant to this Agreement, the City shall exercise its best efforts to provide the County with written notice of its intent no less than sixty days prior to the date County processing of such Annexation Area applications would occur.

20. No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties hereto. No other person or entity shall have any right of action or interest in this Agreement based upon any provision set forth herein.

IN WITNESS WHEREOF, the parties have caused this Agreement to be
executed.

KING COUNTY

King County Executive Dated

Approved as to Form:

DANIEL T. SATTERBERG
King County Prosecuting Attorney

By: _____
Senior Deputy Prosecuting Attorney Dated

CITY OF KIRKLAND

Dated

Approved as to Form:

City Attorney Dated

Exhibit D—Road Related Properties

**Road-Related Properties Transferred from King County to the City of Kirkland
Described as Follows:**

LEGAL DESCRIPTION:

PIN #282605-9209

Lot 1, Short Plat #1079092, Recorded under recording #800118-0726, being a portion of the east half of the southeast ¼ of the northeast ¼ of section 28, township 26 north, range 5 east, W.M., in King County, Washington; together with an easement for ingress and egress over the north 24 feet in width of lot 2 of said short plat.

SUBJECT TO:

Easement, and the terms and conditions thereof, for side sewer recorded 6/12/73, recording #730612-0488 affecting the northerly 6 feet and westerly 6 feet of said premises; covenants, conditions, restrictions and easements contained in short plat recorded 1/18/80, recording #800118-0726; right to make necessary slopes for cuts or fills upon property as granted in deed recorded 5/25/60, recording #5165123.

PIN #282605-9001

PARCEL A:

The south 128 feet of the east 290.4 feet;
EXCEPT the west 225 feet of the east half of the northeast quarter of the northeast quarter of Section 28. Township 26 North. Range 5 East. W.M. in King County. Washington. and the south 128 feet of that portion of the west half of the northwest quarter of the northwest quarter of Section 27. Township 26 North. Range 5 East. W. M. in King County Washington
lying westerly of 132nd Avenue N. E.;

PARCEL B:

A non-exclusive easement for turnaround over that portion of the south 150.00 feet of the west 290.40 feet of the east half of the northeast quarter of the northeast quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County, Washington described as follows:

Beginning at the northwest corner of the above described tract;
thence south 89°52'38" east along the north line thereof a distance of 17.01 feet;
thence south 1°32'32" west a distance of 22.01 feet;
thence south 89°52'38" east a distance of 20.00 feet to the TRUE POINT OF BEGINNING of the herein described easement;
thence continuing south 89°52'38" east a distance of 32.26 feet;
thence south 9°14'32" west a distance of 27.00 feet;
thence north 80°59'57" west a distance of 23.50 feet; 1
thence north 8°23'48" east a distance of 14.00 feet;
thence north 36°18'55" west a distance of 11.41 feet to the TRUE

POINT OF BEGINNING;

PARCEL C:

An equal and undivided interest in the following described tract:

The north 22 feet of the east 273.4 feet of the south 150 feet of the east half of the northeast quarter of the northeast quarter of Section 28. Township 26 North. Range 5 East. W.M. in King County Washington
and the north 22 feet of that portion of the west half of the northwest quarter of the northwest quarter of Section 27 Township 26 North. Range 5 East. W.M. • in King County. Washington.

lying westerly of 142nd Avenue N.E.

SUBJECT TO:

1. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: Puget Sound Power & Light Company, a Washington corporation

PURPOSE: An underground electric distribution system

AREA AFFECTED: North 5 feet of Parcel A and all of Parcel C

DATED: July 19, 1971

RECORDED: July 30, 1971

RECORDING NUMBER: 7107300430

2. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: Washington Natural Gas Company

PURPOSE: Pipeline or lines

AREA AFFECTED: North 5 feet of Parcel A

RECORDED: August 20, 1973

RECORDING NUMBER: 7308200487

3. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

BY AND BETWEEN: Donald L. Hardy, Anne B. Hardy,
Samuel M. Hess and Imogene C. Hess
and King County Water District No. 104

DATED: June 7, 1971

RECORDED: July 9, 1971

RECORDING NUMBER: 7106090497

REGARDING: Street lighting

4. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

BY AND BETWEEN: Property owners

DATED: Undisclosed

RECORDED: September 7, 1976

RECORDING NUMBER: 7609070126

REGARDING: Agreement for road maintenance cost

Access Road Easement Owned by King County

Access easement with recording #820915-0433, granting KC a right of way easement for a certain drainage facility.

Exhibit E—Drainage Property Interests and Facilities

**Drainage Property Interests to be Transferred to Kirkland
Upon Annexation of Juanita/Finn Hill/Kingsgate Area**

1. Drainage Related Lands held by King County and Described as Follows:

AARONWOOD TRACT B, as recorded in Volume 199 of Plats, pages 099 through 102 (Tax Account 0011300220)

BRANDT'S NORTH KIRKLAND ADD TRACTS A, C, & D as recorded in Volume 208 of Plats, pages 035 through 037 (Tax Accounts 1041530090, 1041530110, & 1041530120)

CAMBRIDGE HEGHTS TRACTS J & F, as recorded in Volume 184 of Plats, pages 095 through 098 (Tax Accounts 1310480510 & 1310480500)

CANTERBURY COURT TRACT B, as recorded in Volume 178 of Plats, pages 025 through 026 (Tax Account 1330270100)

CRESTA ALETA TRACT A, as recorded in Volume 121 of Plats, pages 040 through 041 (Tax Account 1830700130)

CROSSLAND MEADOWS TRACT A, as recorded in Volume 181 of Plats, pages 060 through 063 (Tax Account 1853200250)

DIAMOND CREEK TRACT D, as recorded in Volume 164 of Plats, pages 043 through 045 (Tax Account 2025550290)

DUNMORE DIV 1 TRACTS A & B, as recorded in Volume 119 of Plats, pages 049 through 050 (Tax Accounts 2125400300 & 2125400310)

DUNMORE DIV 2 TRACT F, as recorded in Volume 121 of Plats, pages 082 through 084 (Tax Account 2125410310)

EAGLE RIDGE TRACT C, as recorded in Volume 130 of Plats, pages 041 through 042 (Tax Account 2141250130)

FINN HILL COURT TRACTS B & C, as recorded in Volume 132 of Plats, pages 014 through 015 (Tax Accounts 2540830180 & 2540830190)

FINN HILL CREST TRACTS A, as recorded in Volume 115 of Plats, pages 016 through 017 (Tax Account 2540850400)

FINN HILL DIV TRACT B, as recorded in Volume 253 of Plats, pages 066 through 069 (Tax Account 254082-0060)

FINN HILL PARK TRACT X, as recorded in Volume 151 of Plats, pages 079 through 081 (Tax Account 2541100110)

FINN HILL VISTA NO 2 TRACT A, as recorded in Volume 132 of Plats, pages 066 through 067 (Tax Account 2541510070)

FOXBIER TRACT M, as recorded in Volume 184 of Plats, pages 041 through 044 (Tax Account 2621730340)

GLEN LYON TRACT A, as recorded in Volume 113 of Plats, pages 071 through 073 (Tax Account 2783600250)

HERITAGE BISSELL TRACT C, as recorded in Volume 200 of Plats, pages 014 through 016 (Tax Account 3259480150)

HIDDEN FIRS TRACT A, as recorded in Volume 104 of Plats, page 032 (Tax Account 3275000190)

HIGHBURY COURT TRACT A, as recorded in Volume 130 of Plats, pages 008 through 009 (Tax Account 3291500090)

INGLEMOOR RIDGE TRACT A, as recorded in Volume 151 of Plats, pages 061 through 062 (Tax Account 3574900250)

INGLEWOOD EAST #2 TRACT B, as recorded in Volume 121 of Plats, pages 028 through 029 (Tax Account 3578110360)

JUANITA VILLAGE TRACT A, as recorded in Volume 182 of Plats, pages 058 through 060 (Tax Account 3764650210)

KAMIAKIN HEIGHTS TRACT A, as recorded in Volume 149 of Plats, pages 008 through 009 (Tax Account 3786500190)

KING COUNTY SHORT PLAT 181047 TRACT 101, Recording No. 830204-0809 (Tax Account 3761700259)

KING COUNTY SHORT PLAT 483078 TRACT A, Recording No. 840309-0970 (Tax Account 3840700748)

KING COUNTY SHORT PLAT L00S0018 TRACT A, Recording No. 20020708-900009 (Tax Account 1626059173)

KING COUNTY SHORT PLAT L95S0065 TRACT B, Recording No. 980211-9015 (Tax Account 4055700239)

KING COUNTY SHORT PLAT L97S0018 TRACT A, Recording No. 19991025-900009 (Tax Account 3761700088)

KING COUNTY SHORT PLAT L98S0072 TRACT X, Recording No. 20010124-900002 (Tax Account 0866000050)

KING COUNTY SHORT PLAT L98S0072 TRACT Y, Recording No. 20010124-900002 (Tax Account 0866000060)

KING COUNTY SHORT PLAT L99S3034 TRACT B, Recording No. 20010618-900006 (Tax Account 2126059282)

KING COUNTY SHORT PLAT S91S0146 TRACT 2, Recording No. 950627-9006 (Tax Account 1626059160)

KING COUNTY SHORT PLAT L99S0001 TRACT B, Recording No. 20040113-900007 (Tax Account 1926059232)

KING COUNTY SHORT PLAT 1076073 TR A, Recording No. 890816-0851 (Tax Account 3840700657)

MEADOW @ FINN HILL TRACT A, as recorded in Volume 171 of Plats, pages 017 through 018 (Tax Account 5406000120)

OAK MEADOW TRACT C, as recorded in Volume 155 of Plats, pages 096 through 097 (Tax Account 6301800310)

ONE EAGLE PLACE TRACT C, as recorded in Volume 194 of Plats, pages 036 through 039 (Tax Account 6389970160)

OOSTERWYK GARDENS, as recorded in Volume 163 of Plats, pages 037 through 039 (Tax Account 6396000351)

PERKINS LANE TRACT B, as recorded in Volume 226 of Plats, pages 080 through 082 (Tax Account 6717000080)

SAARELA DIV. #2 TRACT B, as recorded in Volume 180 of Plats, pages 083 through 086 (Tax Account 7491010080)

TIMBERLAKE TRACT C, as recorded in Volume 187 of Plats, pages 084 through 088 (Tax Account 8650300270)

TIMBERWOOD NO 2 TRACT A, as recorded in Volume 099 of Plats, pages 057 through 058 (Tax Account 8651710460)

TIMBERWOOD NO 3 TRACT B, as recorded in Volume 105 of Plats, pages 010 through 011 (Tax Account 8651720530)

TIMBERWOOD NO 4 TRACT B, as recorded in Volume 108 of Plats, pages 066 through 067 (Tax Account 8651730600)

TOTEM LAKE MEADOWS TRACT C, as recorded in Volume 132 of Plats, pages 038 through 039 (Tax Account 8663260430)

UPLAND GREEN DIV 1 TRACT H, as recorded in Volume 116 of Plats, pages 074 through 076 (Tax Account 8835200985)

VILLAGE AT BLUE GABLES TRACT D, as recorded in Volume 142 of Plats, pages 094 through 097 (Tax Account 8944310370)

WHITNEY'S MEADOW TRACT A, as recorded in Volume 208 of Plats, pages 001 through 003 (Tax Account 9379000070)

WILLOW GLEN TRACT A, as recorded in Volume 161 of Plats, pages 044 through 046 (Tax Account 9429000200)

WINDSOR VISTA #3 TRACT A, as recorded in Volume 086 of Plats, pages 007 through 008 (Tax Account 9477201680)

2. **The following easements:**

As recorded under recording number 801031-1103

As recorded under recording number 6170809

As recorded under recording number 940323-1588

As recorded under recording number 751218-0538

As recorded under recording number 6453536

As recorded under recording number 5813079

As recorded under recording number 5845356

As recorded under recording number 6615702

As recorded under recording number 6636765

As recorded under recording number 711117-0302

As recorded under recording number 720626-0579

As recorded under recording number 720626-0580

As recorded under recording number 730130-0534

As recorded under recording number 760429-0601
As recorded under recording number 760430-0545
As recorded under recording number 800414-0447
As recorded under recording number 720214-0112
As recorded under recording number 730130-0539
As recorded under recording number 741018-0334
As recorded under recording number 830317-0828
As recorded under recording number 6414817
As recorded under recording number 6466649
As recorded under recording number 6551160
As recorded under recording number 740628-0625
As recorded under recording number 740315-0454
As recorded under recording number 6596779
As recorded under recording number 770308-0876
As recorded under recording number 780315-0772
As recorded under recording number 5485560
As recorded under recording number 790130-1012
As recorded under recording number 6636767
As recorded under recording number 750618-0063
As recorded under recording number 760525-0630
As recorded under recording number 821209-0657
As recorded under recording number 821209-0658
As recorded under recording number 861217-0427

3. All drainage easements dedicated to King County or the public in the following recorded Plats, pages, records of King County:

AARONWOOD, as recorded in Volume 199 of Plats, pages 099 through 102
ALLISON ESTATES, as recorded in Volume 174 of Plats, pages 072 through 074
ANGELIA HEIGHTS, as recorded in Volume 179 of Plats, pages 020 through 021
APPLETREE, as recorded in Volume 193 of Plats, pages 045 through 047
APPLETREE LANE, as recorded in Volume 108 of Plats, pages 068 through 069
ASTON GARDENS DIV 1, as recorded in Volume 194 of Plats, pages 091 through 094
ASTON GARDENS DIV 2, as recorded in Volume 198 of Plats, pages 090 through 092
AVIAVISTA ADD, as recorded in Volume 027 of Plats, page 035
BALCHS ALBERT EASTSIDE PARK ADD, as recorded in Volume 069 of Plats, pages 050 through 051
BAR-G ADD DIV-A, as recorded in Volume 068 of Plats, page 099
BAVARIAN VILLAGE, as recorded in Volume 106 of Plats, pages 060 through 061
BAY VISTA ESTATES, as recorded in Volume 070 of Plats, pages 019 through 023
BAYMOUNT TERRACE (0005), as recorded in Volume 041 of Plats, pages 012 through 014
BLENHEIM, as recorded in Volume 108 of Plats, pages 008 through 009
BLUE GABLES, as recorded in Volume 139 of Plats, pages 025 through 026
BLUE HERON PLACE, as recorded in Volume 237 of Plats, pages 011 through 012
BONNIE GLEN ESTATES, as recorded in Volume 089 of Plats, page 035
BOYD FARM ESTATES, as recorded in Volume 111 of Plats, pages 084 through 085
BOYD FARM ESTATES DIV NO. 02, as recorded in Volume 117 of Plats, pages 010 through 011
BRAEBURN, as recorded in Volume 196 of Plats, pages 017 through 021
BRANDT'S NORTH KIRKLAND ADD, as recorded in Volume 208 of Plats, pages 035 through 037
BREAKTHROUGH DIV NO. 01, as recorded in Volume 094 of Plats, pages 061 through 066
BREAKTHROUGH DIV NO. 02, as recorded in Volume 094 of Plats, pages 085 through 089
BRIGHTON PLACE PH 01, as recorded in Volume 072 of Plats, pages 068 through 074
BRIGHTON PLACE, as recorded in Volume 109 of Plats, pages 092 through 093
BROADRIDGE, as recorded in Volume 091 of Plats, page 037
BURKE-FARRARS KIRKLAND DIV NO. 22, as recorded in Volume 902 of Plats, page 050
BURTON ESTATE ASSESSORS PLAT OF, as recorded in Volume 077 of Plats, page 085
CAMBRIDGE HEIGHTS, as recorded in Volume 184 of Plats, pages 095 through 098

CANTERBURY COURT, as recorded in Volume 178 of Plats, pages 025 through 026

CARLENA GARDENS, as recorded in Volume 173 of Plats, pages 001 through 002

CAROLINE PARK ADD, as recorded in Volume 069 of Plats, page 087

CAROLYN THE, as recorded in Volume 200 of Plats, pages 086 through 087

CARRS PARK, as recorded in Volume 902 of Plats, page 056

CASA CITTA, as recorded in Volume 220 of Plats, pages 030 through 033

CEDAR CREEK, as recorded in Volume 098 of Plats, pages 019 through 020

CEDAR CREEK NO. 02, as recorded in Volume 105 of Plats, pages 058 through 059

CEDAR JUANITA, as recorded in Volume 118 of Plats, pages 030 through 034

CHADWICK FARMS, as recorded in Volume 172 of Plats, pages 032 through 038

CHANTREY ESTATES, as recorded in Volume 093 of Plats, pages 010 through 013

CLIFF MULL 6 AT KIRKLAND, as recorded in Volume 233 of Plats, pages 001 through 004

CLOSE ENCOUNTERS, as recorded in Volume 116 of Plats, pages 091 through 092

COMPTON HEIGHTS, as recorded in Volume 093 of Plats, page 080

COMPTON HEIGHTS NO. 02, as recorded in Volume 095 of Plats, page 024

COMPTON MEADOWS, as recorded in Volume 042 of Plats, pages 061 through 063

COMPTON MEADOWS NO. 02, as recorded in Volume 049 of Plats, pages 075 through 077

CORONET LANE, as recorded in Volume 087 of Plats, page 062

COUNTRY TRACE, as recorded in Volume 114 of Plats, page 021

CRESCENT RIDGE, as recorded in Volume 200 of Plats, pages 062 through 064

CRESTA ALETA, as recorded in Volume 121 of Plats, pages 040 through 041

CRESTVIEW COURT, as recorded in Volume 085 of Plats, page 003

CRESTVIEW COURT NO. 02, as recorded in Volume 091 of Plats, pages 040 through 041

CRESTVIEW COURT NO. 03, as recorded in Volume 090 of Plats, page 083

CROSSLAND MEADOWS, as recorded in Volume 181 of Plats, pages 060 through 063

DENNY PARK HEIGHTS NO. 01 REPLAT OF, as recorded in Volume 062 of Plats, page 025

DENNY PARK HEIGHTS NO. 02, as recorded in Volume 065 of Plats, page 064

DENNY PARK HEIGHTS NO. 03, as recorded in Volume 069 of Plats, page 068

DENNY PARK HEIGHTS NO. 04, as recorded in Volume 069 of Plats, page 045

DENNY PARK HEIGHTS NO. 06, as recorded in Volume 074 of Plats, page 035

DENNY PARK HEIGHTS NO. 07, as recorded in Volume 075 of Plats, page 033

DENNY PARK HEIGHTS NO. 08, as recorded in Volume 086 of Plats, page 100

DIAMOND CREEK, as recorded in Volume 164 of Plats, pages 043 through 045

DOMHOLT HEIGHTS ADD, as recorded in Volume 075 of Plats, page 032

DUNDERRY ASSESSORS PLAT OF, as recorded in Volume 065 of Plats, page 005

DUNMORE DIV NO. 1, as recorded in Volume 119 of Plats, pages 049 through 050

DUNMORE DIV NO. 02, as recorded in Volume 121 of Plats, pages 082 through 084

EAGLE RIDGE, as recorded in Volume 130 of Plats, pages 041 through 042

ELDORADO NORTH, as recorded in Volume 086 of Plats, page 097
ELDORADO NORTH NO. 02, as recorded in Volume 090 of Plats, page 067
ELDORADO WEST, as recorded in Volume 096 of Plats, pages 031 through 032
ELDORADO WEST NO. 02, as recorded in Volume 098 of Plats, pages 101
ELDORADO WEST NO. 03, as recorded in Volume 121 of Plats, page 085
EMILY PARK ADD, as recorded in Volume 116 of Plats, pages 069 through 071
FINN CREEK ADD, as recorded in Volume 103 of Plats, pages 008 through 009
FINN HILL COURT, as recorded in Volume 132 of Plats, pages 014 through 015
FINN HILL CREST, as recorded in Volume 115 of Plats, pages 016 through 017
FINN HILL CREST DIV NO. 02, as recorded in Volume 124 of Plats, pages 026
through 027
FINN HILL MEADOWS, as recorded in Volume 101 of Plats, pages 078 through
083
FINN HILL PARK, as recorded in Volume 151 of Plats, pages 079 through 081
FINN HILL PARK DIV NO. 02, as recorded in Volume 163 of Plats, pages 022
through 024
FINN HILL VISTA, as recorded in Volume 109 of Plats, pages 036 through 037
FINN HILL VISTA NO. 02, as recorded in Volume 132 of Plats, pages 066 through
067
FIRLOCH NO. 01, as recorded in Volume 094 of Plats, page 005
FIRLOCH NO. 02, as recorded in Volume 095 of Plats, page 012
FIRLOCH NO. 03, as recorded in Volume 095 of Plats, page 013
FIRLOCH NO. 04, as recorded in Volume 095 of Plats, page 062
FIRLOCH NO. 05, as recorded in Volume 095 of Plats, page 065
FIRLOCH NO. 06, as recorded in Volume 096 of Plats, page 033
FIRLOCH NO. 07, as recorded in Volume 097 of Plats, page 060
FIRLOCH NO. 08, as recorded in Volume 097 of Plats, page 028
FIRLOCH NO. 09, as recorded in Volume 096 of Plats, page 043
FIRLOCH NO. 10, as recorded in Volume 101 of Plats, pages 030 through 031
FIRLOCH NO. 11, as recorded in Volume 104 of Plats, pages 050 through 051
FIRLOCH NO. 12, as recorded in Volume 105 of Plats, pages 020 through 021
FIRLOCH NO. 13, as recorded in Volume 101 of Plats, pages 062 through 063
FIRLOCH NO. 14, as recorded in Volume 119 of Plats, pages 065 through 066
FIRLOCH NO. 15, as recorded in Volume 144 of Plats, pages 064 through 065
FOREST GROVE, as recorded in Volume 090 of Plats, pages 044 through 045
FOREST VIEW ADD, as recorded in Volume 077 of Plats, page 097
FOXBRIER, as recorded in Volume 184 of Plats, pages 041 through 044
FRISON ADD, as recorded in Volume 083 of Plats, page 090
FRISON ADD NO. 02, as recorded in Volume 087 of Plats, pages 015 through 000
GLEN LYON, as recorded in Volume 113 of Plats, pages 071 through 073
GLENBURN GARDENS, as recorded in Volume 015 of Plats, pages 026 through
029
GLENCOVE, as recorded in Volume 092 of Plats, pages 047 through 048
GLENMARY ADD, as recorded in Volume 021 of Plats, page 048
GOAT HILL MANOR, as recorded in Volume 064 of Plats, pages 044 through 045
GOWANS MEADOW ADD, as recorded in Volume 064 of Plats, page 074

GREEN PARK ADD, as recorded in Volume 070 of Plats, page 061
GREENBRAE, as recorded in Volume 107 of Plats, pages 062 through 063
GREENBRIER JUANITA, as recorded in Volume 090 of Plats, page 068
GREENBRIER JUANITA DIV NO. 02, as recorded in Volume 091 of Plats, page
033
GREENTREE, as recorded in Volume 089 of Plats, page 078
HAZELGROVE(0005), as recorded in Volume 064 of Plats, pages 021 through 023
HAZEN HILLS NO. 01, as recorded in Volume 087 of Plats, pages 016 through 017
HAZEN HILLS NO. 02, as recorded in Volume 088 of Plats, page 077
HEATHER GLEN, as recorded in Volume 088 of Plats, pages 055 through 056
HEATHER GLEN NO. 02, as recorded in Volume 088 of Plats, page 057
HEATHERWOOD, as recorded in Volume 087 of Plats, pages 036 through 037
HERITAGE BISSELL, as recorded in Volume 200 of Plats, pages 014 through 016
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4. *All drainage easements dedicated to King County or the public within the following recorded short plats, records of King County:*

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KCSP 879084	197912170570	4055700672
KCSP 879084	197912170570	4055700655
KCSP 879100	198003270858	4055700085
KCSP S90S0117	199309299003	4055700180
KCSP L04S0021	20080221900001	4055700479
KCSP 1274011	197507180601	9388100066
KCSP 181047	198302040809	3761700255
KCSP 1077045	198001220764	3761700112
KCSP 681017	198207199001	3761700251
KCSP 885044	198701050669 (SP CORR.)	3761700054
KCSP L97S0018	19991025900009	3761700083
KCSP 180077	198007140551	3761700071
KCSP 885045	198701050670	3761700059
KCSP L98S0040	20000629900006	3761700080
KC SP 677148 REV -	198003270852	2326049011
KC SP 982043	198305160655	3761700096
KCSP 985037 (ALT.)	199111180963	3761700245
KCSP S89S0226	198908311935	9388100013
KCSP 1076081 R -	197908020899	9388100050
KCSP 382040	198308170826	9388100036
KCSP 376072	197607290790	9388100016
KCSP 682031	198404240701	9388100012
KCSP 1182053	198308170827	9388100033
KCSP 976051	197703160480	9388100021
KCSP 1176042	197908020900	9388100030
KCSP 382039	198308170825	9388100042
KCSP 180009	198007220605	9388100056
KCSP 1277131	197902260619	3761700185
KCSP 1275006	197607270793	3761700215
KCSP 1275005	197607270794	3761700225
KCSP 1078076 REV.	198402060721	3761700176
KCSP 676072	197703010799	2426049132
KCSP 480091	198106080624	4055700721
KCSP 276045	197608050447	4055700799
KCSP S91S0105	199407079016	8677900325
KCSP 1275026	197602270724	8677900202
KCSP L0750076	20081001900012	8677900320
KCSP 377037	197705260885	6076500423
KCSP 682027	198209070509	6076500421
KCSP 585048	198607070600	6076500220
KCSP 1084064	198602180800	6076500362
KCSP L96S0016	199702129008	6396000340

KCSP 888014	199212150994, 199407270760	6076500200
KCSP S90S0295	199512199002	3840700757
KCSP 486037	198701070392	3840700859
KCSP S89S0319	199212151012	3840700769
KCSP L95S0047	199612069001	6396000350
KCSP L03S0013	20040720900010	3767300041
KCSP L03S0040	20041216900008	3767300001
KCSP L03S0037	20060719900009	3767300076
KCSP L99S0023	20000327900016	2526049039
KCSP L02S0025	20030812900006	2526049043
KCSP S90S0345	199404129001	2526049013
KCSP 379158	197910020901	3026059167
KCSP 482100 REV. -	198709231183	2526049038
KCSP 378026	197903080638	2526049035
KCSP 1087034 -	199009051249	3840700005
KCSP L01S0011	20030220900009	3840700246
KCSP S9250085	199608219002	3840700017
KCSP 475017	197708310800	1926059183
KCSP 688025	198912019003	1926059212
KCSP L07S0034	20090528900006	2888000030
KCSP L9700268 REV	199903099009	1926059227
KCSP 1075063 REV.	197704281059	2026059036
KCSP 778139	197905140951	1926059127
KCSP 578025	197810190909	1926059063
KCSP S92S0055	199601269001	1926059224
KCSP 180038	198009080668	1926059201
KCSP L95S0010	199808109016	1926059226
KCSP S89S0440	199501189014	2026059146
KCSP 279034	197907021067	2026059013
KCSP 185022	198505090746	2541500160
KCSP 478177	197903120811	2026059054
KCSP L04S0013	20070131900005	2026059190
KCSP L00S0053	20021219900008	2026059187
KCSP 1184051	198510010461	2026059176
KCSP 877095	197812180931	2026059073
KCSP 579115	197911130991	2026059089
KCSP S89S0311	199210229001	2026059120
KCSP S89S0426	199106241125	2026059053
KCSP 786055	198802101090	2026059177
KCSP 1288006	199009180890	2026059180
KCSP S90S0326	199511309004	6675500030
KCSP 982020	198303010664	6675500192
KCSP 584030	198607290716	6675500084
KCSP 1080061	198210220547	6675500132

KCSP 976020	197704260627	6675500055
KCSP 479157	198011070876	6675500122
KCSP 584031	198607290714	6675500094
KCSP 584029	198607290715	6675500074
KCSP 584117	198607240773	6675500184
KCSP S90S0325	199511309003	6675500042
KCSP L04S0069	20060816900004	667550TR-A
KCSP L04S0053	20060531900031	667550TRCT
KCSP 777068	197802070718	2426049140
KCSP L95S0005	199603149011	2426049057
KCSP 785077	198703160616	2426049155
KCSP 377057 (R)	197806150785	2426049135
KCSP 1178140	197909250790	2426049064
KCSP 777067	197802070717	2426049137
KCSP S89S0125	199003121479	1112700170
KCSP 475017	197708310800	1926059025
KCSP 483078	198403090970	3840700747
KCSP 1273012	197505230639	4055701010
KCSP 577039	197804050875	2126059228
KCSP S89S0309	199212221372	2126059273
KCSP 978003	197909241001	6706600010
KCSP L06S0031	20071114900025	2126059158
KCSP S90S0125	199402019008	2126059274
KCSP 174009	197407220617	2126059223
KCSP 1187010	198806140560	2126059268
KCSP 1178047	198009040742	2126059251
KCSP L00S0018	20020708900009	1626059171
KCSP S90S0282	199212079008	1926059106

5. **The following declaration of covenant:**

As recorded under recording number #20010821-000525

Exhibit E-1

Residential Drainage Facilities			
Facility Number	Name	Address	Major Components
D90183	Finn Hill Crest 2 (includes Glen Lyon)	12716 87th Ct NE	Pond, Trench
D90202	Appletree Lane	14022 81st Pl NE	Tank
D90204	Boyd Farm Estates	13944 101st Pl NE	Tank
D90209	Maple Tree Lane	14016 127th Pl NE	Tank
D90239	Country Trace	12604 NE 140th St	Tank
D90338	Inglewood East Div 2 Pond A	14238 90th Ave NE	Pond
D90373	Boyd Farm Estates #2	13900 101st Pl NE	Tank
D90401	Blenheim	10132 NE 141st Pl	Tank
D90418	Emily Park	14309 101st Pl NE	Tank
D90419	Emily Park	10127 NE 143rd St	Tank
D90428	Blenheim	14202 101st Pl NE	Tank
D90470	Park Lake T E	13229 112th Ave NE	Tank
D90471	Park Lake T C	13236 111th Ct NE	Tank
D90479	Park Lake T W	10942 NE 133rd St	Tank, Trench
D90496	Mattila Place	11009 NE 140th St	Trench
D90524	Inglewood East Div 2 pond B	9016 NE 142nd Ct	Pond
D90533	Dunmore Div 1 Tr A	9935 NE 140th Pl	Pond
D90535	Totem Vista	13204 NE 130th Pl	Tank
D90542	Firlock 14 W Tnk	13531 124th Ct NE	Tank
D90543	Firloch 14	12445 NE 136th Pl	Tank
D90550	Juanita Ridge	11905 80th Pl NE	Tank, Trench
D90572	Cedar Creek #2	10435 NE 135th Pl	Tank
D90583	Sunny Creek	11211 NE 140th St	Tank
D90584	Sunny Creek	13909 113th Ave NE	Tank
D90597	Simonds Glenn	10129 NE 144th Ct	Tank
D90627	Timberwood #4	14341 93rd Ave NE	Pond, Trench
D90628	Patricia Park	8621 NE 142nd St	Tank
D90681	Cedar Creek A	10506 NE 136th Pl	
D90682	Cedar Creek B	10421 NE 136th Pl	Trench
D90685	Thompson's Replat	8729 NE 142nd St	Tank
D90748	Upland Green, Tr. H	13708 135th Ave NE	Pond, Tank
D90790	Park Lake #2	13413 110th Pl NE	Tank
D90812	Cresta Aleta	8401 NE 132nd St	Pond
D90866	Dunmore Div 1 Tr B	14048 97th Ave NE	Pond
D90873	ElDorado West #3	8842 NE 132nd St	Tank

D90916	McAllaster Place	10626 133rd Pl NE	Trench
D90933	Timberwood #5	14040 92nd Pl NE	Tank
D90990	KCSP 0183071	14441 105th Ct NE	Tank
D91016	Morley Place	14320 79th Pl NE	Tank
D91075	KCSP 0181047	13526 62nd Ave NE	Trench
D91080	Kamiakan Park T1	12821 NE 142nd St	Tank

D91081	Kamiakan Park T2	12821 NE 142nd St	Tank
D91082	Kamiakan Park T3	14002 129th Ave NE	Tank
D91100	KCSP 0583017	8001 NE 145th St	Tank
D91140	Totem Lake Meadows	13329 122nd Pl NE	Pond
D91141	Totem Lake Meadows	12141 NE 134th Ct	Tank
D91159	KCSP 0585048	12324 Juanita Dr NE	Pond
D91163	KCSP 0185008	13104 NE 133rd Ct	Tank
D91170	Finn Hill Court	8218 NE 140th Pl	Tank
D91180	Dunmore Div 2 Tr F	9734 NE 141st Ct	Pond
D91266	Maple Lane View	14011 127th Pl NE	Tank
D91270	Meadow View	12823 133rd Pl NE	Tank
D91273	Eagle Ridge	13612 62nd Ave NE	Pond
D91321	Totem Crest	12802 NE 132nd Pl	Tank
D91330	Timberwood #2	9537 NE 141st Pl	Pond, Trench
D91339	Hidden Firs	13901 127th Pl NE	Pond
D91353	Timberwood #3 Tr B	14204 95th Ave NE	Pond
D91354	Timberwood #3	9420 NE 143rd St	Tank
D91382	Finn Creek	13417 78th Pl NE	Tank
D91399	Totem View	12237 NE 133rd Pl	Tank
D91431	KCSP 1076072-3	12800 Juanita Dr NE	Pond
D91441	Olympic View Estates	13013 NE 137th Pl	Tank
D91442	Highbury Court	13110 72nd Ave NE	Pond
D91449	KCSP 1080061	8640 NE 141st St	Tank, Trench
D91477	Hermosa Vista 2	8010 NE 115th Wy	Tank
D91478	Hermosa Vista 2	8108 NE 115th Wy	Tank
D91479	Hermosa Vista 2	8221 NE 115th Wy	Tank
D91480	Hermosa Vista 2	8201 NE 115th Wy	Tank
D91497	Maple Lane Estates	13603 88th Pl NE	Tank
D91498	Maple Lane Estates	13510 89th Pl NE	Tank
D91574	Inglemoor Highlands	14309 85th Pl NE	Tank
D91575	Inglemoor Highlands	8619 NE 144th St	Tank
D91576	Inglemoor Highlands	14330 88th Ave NE	Tank
D91577	Inglemoor Highlands	8835 NE 144th St	Tank
D91578	Inglemoor Highlands	14426 91st Ave NE	Tank, Trench
D91579	Inglemoor Highlands	14450 91st Ave NE	Tank
D91580	Inglemoor Highlands	9230 NE 143rd Pl	Tank
D91581	Inglemoor Highlands	9106 NE 143rd Pl	Tank, Trench
D91582	Inglemoor Highlands	9045 NE 143rd St	Tank, Trench

D91583	Inglemoor Highlands	8606 NE 143rd St	Tank
D91590	Finn Hill Park	12351 Juanita Dr NE	Tank
D91677	KCSP 1087034 (Dompier SP)	13019 84th Ave NE	Tank, Trench
D91699	Patricia Park	8519 NE 142nd St	Tank
D91733	Oak Meadow	12813 86th Ave NE	Tank
D91740	KCSP S89S0205-206 (Robbins SP)	14500 82nd Ave NE	Tank
D91741	KCSP 0387039/040 (Lindstrom SP)	8112 NE 143rd St	Tank
D91782	Oak Meadow	8400 NE 129th Pl	Pond
D91868	KCSP 1088001 (Gordon)	9924 NE 135th Pl	Tank
D91878	Finn Hill Vista #2	13801 90th Ave NE	Pond, Tank
D91879	Village at Blue Gables	13500 132nd Ave NE	Tank
D91880	Village at Blue Gables	13428 135th Ave NE	Pond, Trench
D91881	Willow Glen	13199 86th Pl NE	Bioswale, Pond, Trench
D91949	Brighton Place	14102 81st Pl NE	Tank
D91950	Carla Hills	7846 NE 145th St	Tank
D91954	Inglemoor Ridge	14419 88th Ave NE	Pond
D91962	Oosterwyk Gardens	8000 NE 125th St	Tank
D91964	Totem Park	126th Ave NE & NE 140th St	Tank
D91965	Totem Park	12600 NE 138th Pl	Tank
D91981	Belmont Lane	14501 92nd Ave NE	Bioswale, Tank
D91999	KCSP 1088026 (Ross SP)	8019 NE 145th St	Tank, Trench
D92010	Kamiakin Heights	12890 NE 140th St	Tank
D92011	Woodland Glenn	8018 NE 122nd Pl	Tank
D92013	Qodesh	8405 NE 122nd St	Tank
D92045	KCSP 0688025 (Goakey SP)	8404 NE 137th Ct	Tank
D92053	KCSP 0888014 & S89S0319 (Federspiel)	7801 NE 124th St	Tank
D92083	KCSP S90S0052 (Diesen SP)	12419 NE 140th St	Tank
D92084	Firlock #15	12712 NE 132nd St	Tank
D92134	KCSP 1283061	13619 133rd Ave NE	Tank
D92140	KCSP 1178047	11633 NE 140th St	Trench
D92156	KCSP S90S0282 (Johnson SP)	9000 NE 136th St	Tank
D92218	Parke at Finn Hill	12432 Juanita Dr NE	Bioswale, Pond
D92219	Parke at Finn Hill	7600 NE 124th St	Tank
D92224	Meadows at Finn Hill, The	12088 84th Ave NE	Bioswale, Pond
D92261	Carlana Gardens	12500 82nd Ave NE	Bioswale, Tank
D92268	KCSP 1084064	7850 NE 122nd Pl	Tank

	(Washington SP)		
D92307	KCSP S91S0146 (Deasy-Shriner SP)	13130 NE 145th Pl	Bioswale, Pond
D92322	KCSP S90S0345	11627 82nd Ave NE	Bioswale, Trench
D92332	Diamond Creek	11305 NE 144th Pl	Tank
D92333	Diamond Creek	11285 NE 145th St	Bioswale, Pond, Trench
D92408	KCSP S92S0085 (Cammack)	13103 84th Ave NE	Tank
D92409	Crossland Meadows	8201 NE 124th Pl	Bioswale, Tank
D92410	KCSP L95S0047 (Lindstrom SP)	7829 NE 125th St	Tank
D92468	KCSP L96S0004 (Riddell SP)	14420 81st Ave NE	Bioswale
D92481	Juanita Village	14445 Juanita-Woodinville Wy	Bioswale, Tank
D92529	KCSP L95S0064-65 (Vermeulen SP)	12957 64th Ave NE	Bioswale
D92556	Cambridge Heights, Tr F	13408 NE 134th PL	Trench
D92557	Cambridge Heights Tr J	13414 132nd Ave NE	Bioswale
D92624	Timberlake	11270 Juanita Dr NE	Bioswale
D92644	Aaronwood	10058 NE 142nd Pl	Bioswale, Tank, Trench
D92646	Foxbrier, Tr M	13728 NE 136th Pl	Bioswale, Pond
D92649	Braeburn	13220 120th Ave NE	Bioswale
D92656	Saarela Tr B	13348 88th Pl NE	Bioswale, Tank, Trench
D92664	Appletree	12414 84th Ave NE	Bioswale, Tank
D92675	Canterbury Court	10820 NE 142nd St	Bioswale, Pond
D92677	Allison Estates, Tract B	13073 134th Ave NE	Bioswale, Tank
D92678	KCSP L00S0018, Tr. A (Berhold SP)	13165 NE 145th PL.	
D92684	Maki Estates	131XX 82nd Ave NE	Tank
D92694	Crescent Ridge	8426 NE 128th St	
D92707	Sweetbriar	13801 130th Pl NE	
D92752	Aston Gardens II	8200 NE 119th St	Bioswale, Trench
D92770	One Eagle Place	7200 NE 120th St	Bioswale
D92795	KCSP L99S0001 (Petragallo/Shannon Creek)	14151 97th Ave NE	Bioswale, Tank
D92796	AAA 2YR BOND KCSP L97S0018	6051 NE 135th St	Bioswale, Trench
D92843	Brandt's North Kirkland Addition	13105 NE 133rd Ct	Bioswale, Tank
D92844	Brandt's North Kirkland	13113 NE 133rd Ct	Tank

	Addition		
D92865	Perkins Lane	132XX NE 137th Ct	
D92905	Portico on Finn Hill	8671-1/2 NE 123rd Pl	
D92906	Lateste SP L98S0071-72	NE 135th Ct & 132nd Ave NE	Bioswale, Tank
D92918	Kingsgate 18	13279 124th Ct NE	
D92936	Heritage Bissell	8019 NE 132nd St	Pond
D92937	Heritage Bissell	8019 NE 132nd St	Tank
D92982	Finn Hill Subdivision	7115 NE 132nd Ln	
D92983	Hubbell Plat	13200 126th Ct NE	
D93070	Greenwood Estates	139XX 105th Ct NE	Tank
D93076	Cliff Mull 6 At Kirkland	13941 127th PL NE	
Regional Drainage Facilities			
DR0564	Simmonds Road Regional Pond	10000 Simonds Road NE	Pond, Trench
DR0514	Edith Moulton Park Bank Stabilization	13600 108th Ave NE	Regional R/D
DR0525	High Woodlands Regional Pond	11601 NE 143rd Place	Channel
DR0589	Windsor Vista Stream Restoration	11000 NE 143rd St	Dam
DR0530	Lower Denny Creek Fishway	12200 Holmes Point Dr NE	Channel
DR0567	Sparkman & McLean #3	9748 NE 134th St	Channel
DR0579	Timberwood Div No. 2	14107 97th Av NE	Enclosed Drain
DR0532	McDonald Heights Tightline	7200 NE 126th St	Enclosed Drain
DR0599	Timberwood #4 (D90627)	14344 93rd Ave NE	HDPE
DR0610	Inglemoor Highlands	9230 NE 143rd Pl	HDPE

Exhibit E-2

	FACILITY #	FACILITY NAME	ADDRESS
1	D95014	Tamarack Condos	9810 NE 137th St
2	D95018	Grace Church	13116 NE 132nd St
3	D95036	Westwood Village Townhomes	10027 NE 138th PI
4	D95037	Kingsgate Meadows Apartments	14300 124th Ave NE
5	D95065	Lexington Condominiums	12720 NE 144th St
6	D95101	Inglewood Forest Condos	14022 Juanita Dr NE
7	D95107	Totem Sub-station - Puget Sound Energy	13201 NE 123rd St
8	D95693	Sno-King Bingo Hall	12526 NE 144th St
9	D95728	Juanita Row II Retail Office Bldg	13501 100th Ave NE
10	D95729	Bridlewood Apartments	13210 97th Ave NE
11	D95733	Fairfax Hospital	10126 NE 132nd St
12	D95738	Juanita Bayshore	11615 91st Ln NE
13	D96312	Kingsgate Shopping Plaza	14302 124th Ave NE
14	D96313	Kingsgate Shopping Plaza	14302 124th Ave NE
15	D96316	Brighton Place	13434 Juanita-WdVle Wy
16	D96344	Kingsgate Terrace Condos	12715 NE 144th St
17	D96357	Compton Meadows	14300 126th Ave NE
18	D96663	Totem East	13508 NE 124th St
19	D97077	Henry David Thoreau Elementary School	8224 NE 138th St
20	D97081	Inglewood Presbyterian	7718 NE 141st St
21	D97091	Juanita Brook Apartments	11230 NE 132nd St
22	D97093	Willows Road Office Park - 12515	12515 Willows Rd NE
23	D97094	Drywall by Garlow	12828 Willows Rd
24	D97095	7-Eleven Store	13400 100th Ave NE
25	D97096	Griffin Broweleit Apartments	9911 NE 134th Ct
26	D97097	Griffin Broweleit Apartments	9911 NE 134th Ct
27	D97098	Griffin Broweleit Apartments	9911 NE 134th Ct
28	D97108	Chantry Estates	13811 Juanita-Woodinville Wy
29	D97455	Hazel Grove Condos/Townhomes	137th PI & WdVle-Juanita Wy NE
30	D97456	Hazel Grove Condos/Townhomes	137th PI & WdVle-Juanita Wy NE
31	D98165	Simonds Estates	14505 Simonds Rd NE
32	D97527	Griffin Apts	9902 NE 134th Ct
33	D98229	Village on the Park Condos	13140 130th PI NE
34	D98232	St John Vianney Church	12526 84th Ave NE
35	D98263	Griffin Townhouses & Offices	9925 NE 134th Ct
36	D98343	North Willows Business Park-Office Warehouse	13649 NE 126th PL
37	D96534	Four-Plex Unit Apts	7325 NE 141st St
38	D96551	Totem Place	13209 NE 126th PI
39	D96594	Sound Sleep Health	13531 Juanita Woodinville Wy
40	D96129	Close Encounters Condos	9903-9921 NE 135th PI
41	D96139	Alpine Ridge Apartments	14461 Simonds Rd NE
42	D96142	Evergreen Veterinary Hospital	14423 124th Ave NE
43	D96182	Washington Mutual	14400 124th Ave NE
44	D96183	Olympic Village Condos	14441 124th Ave NE
45	D96199	Lakeside Milam Recovery Center	10322 NE 132nd St

46	D96200	Our Redeemer Lutheran Church	11611 NE 140th St
47	D96218	Inglewood Hills Condos	14132 74th PI NE
48	D96219	Inglewood Hills Condos	14253 73rd Ave NE
49	D96221	Kingsgate Firs	14311 124th Ave NE
50	D96243	United Rentals	12500 132nd PI NE
51	D96244	Kirkland Church of Christ	10421 NE 140th St
52	D96245	Kirkland Church of Christ	10421 NE 140th St
53	D96254	Lovell Apartments	7333-7339 NE 141st St
54	D96255	Lovell Apartments	7341-7347 NE 141st St
55	D96256	Air Cold Supply	12530 135th Ave NE
56	D96257	Air Cold Supply	12530 135th Ave NE
57	D96272	Kingsgate Ridge Manor	12400 NE 145th PL
58	D96274	Waste Management of WA	12545 135th Ave NE
59	D96275	Verizon-Juanita (2330B01)	10020 NE 133rd PI
60	D96809	Inglenook Court Apts	NE 142nd PI & Juanita Dr NE
61	D96810	Inglenook Court Apts	NE 142nd PI & Juanita Dr NE
62	D96811	Inglenook Court Apts	NE 142nd PI & Juanita Dr NE
63	D96812	Inglenook Court Apts	NE 142nd PI & Juanita Dr NE
64	D96816	NW Auto Glass Center	13400 NE 124th St
65	D97118	Fairfax Hospital	10200 NE 132nd St
66	D97122	Verizon-Juanita (2330B01)	10020 NE 133th PI
67	D97125	Big Finn Hill Park	NE 138th St & 87th Ave NE
68	D96917	Kamiakin Junior High School	14111 132nd Ave NE
69	D96918	Kamiakin Junior High School	14111 132nd Ave NE
70	D97664	Duganair Technologies	12735 Willows Rd
71	D97665	Cedar Heights Apartments	13215 NE 123rd St
72	D97876	LDS Church	13220 NE 132nd St
73	D97921	Consolidated Graphic Services	13600 NE 126th PI
74	D97923	Unified Information	13513 NE 126th PI
75	D97932	Inglewood Village	14130 Juanita Dr NE
76	D98053	Washington Mutual Bank	12440 NE 144th St
77	D98146	McDonalds	13630 100th Ave NE
78	D98147	Hunters Run Apts	13420 Juanita-WdMe Wy NE
79	D98149	Lake Washington Christian Church	13225 116th Ave NE
80	D97796	Kindercare #000389	14230 Juanita-Woodinve Wy NE
81	D98831	Henry David Thoreau Elementary School	8224 NE 138th St
82	DS0073	Fitzgerald Residence	11715 90th Ave NE
83	D98698	Safeway #2734 (Kirkland)	10020 NE 137th St
84	D96448	Sno-King Bingo Hall	12526 NE 144th St
85	D95974	Northshore Baptist Church	10301 NE 145th St
86	D95989	KC Housing Authority-Cedarwood	14415 123rd Ln NE
87	D96721	KC Fire Dist 36 Station 34	12703 NE 144th St
88	D96724	Woodlake Apts	13501 116th Wy NE
89	D96725	Woodlake Apts	13501 116th Wy NE
90	D96726	Woodlake Apts	13501 116th Wy NE

91	D97152	Totem Ridge Business Park #2	13621 NE 126th PI
92	D97153	Totem Ridge Business Park #1	13609 NE 126th PI
93	D96869	Sancerre Apts.	12648 NE 144th St
94	D97396	Evergreen House	13645 NE 126th PI
95	D96524	Kingsgate Ridge Manor	12400 NE 145th PI
96	D96532	Bridlewood Apartments	13210 97th Ave NE
97	D97341	Willows Road Office Park	12525 Willows Rd
98	D97666	Cedar Heights Apartments	13215 NE 123rd St
99	DS0058	Haberzette SP	6619/6622 NE 130th Ln
100	DS0025	Calvert SP S92S0080 (Lots 2 & 3)	13236 136th Ave NE
101	DS0026	Calvert SP S92S0080 (Lots 1 & 4)	13236 136th Ave NE
102	D98391	Unified Information	13513 NE 126th PI
103	DS0019	Matt & Maki Deisher Residence	12041 89th PI NE
104	DS0013	Paul Wood Residence	12045 89th PI NE
105	DS0014	Kevin Osmulski Residence	12033 89th PI NE
106	DS0015	James Thomas Residence	12029 89th PI NE
107	DS0016	Joseph Villa Residence	12017 89th PI NE
108	DS0017	Radharkrishnan Residence	12013 89th PI NE
109	DS0018	Paulo & Sharman Sosa Residence	12001 89th PI NE
110	DS0020	Joel Attri Residence	12037 89th PI NE
111	DS0021	John Bair Residence	12025 89th PI NE
112	DS0022	Lawrence Sanchez Residence	12021 89th PI NE
113	DS0023	Graham Naeseth Residence	12009 89th PI NE
114	DS0024	Camille Spitaleri Residence	12005 89th PI NE
115	D98375	Big Finn Hill Park (W pond)	NE 138th St & 84th Ave NE
116	D98376	Big Finn Hill Park (E ballfield pond)	NE 138th St & 84th Ave NE
117	D98377	Big Finn Hill Park (E swale)	NE 138th St & 84th Ave NE
118	D98407	Willows 124 Building	12413 Willows Rd NE
119	DS0032	89th PI NE Shared Bioswale	12001-12045 89th PI NE
120	DS0033	Shared Tract N (tank/conveyance)	12037-12045 89th PI NE
121	DS0034	Shared Tract O (tank/conveyance)	12017-12025 89th PI NE
122	DS0035	Shared Tract P (tank/conveyance)	12001-12009 89th PI NE
123	D98420	Chadwick Farms Townhomes	14005 84th Ave NE
124	DS0027	Dreyfoos Residence	11838 89th PI NE
125	D98490	Valley View Corporate Center	13905 NE 128th St
126	D98498	LDS Church of Kirkland	7910 NE 132nd St
127	D98501	Kids R Special Day Care	13842 100th Ave NE
128	D98551	Villa Juanita Townhomes	14335 Simonds Rd NE
129	D98689	Kingsgate Safeway Store #526	14452 124th Ave NE
130	D98879	Juanita Gas Station	12206 Juanita Dr NE
131	D98887	Kirkland Villas	13356 NE 134th PI
132	D98697	Safeway Store #2734 (Kirkland)	10020 NE 137th St
133	D98860	Sinclair Condominiums	7741 NE 122nd Ln
134	D98861	Sinclair Condominiums	7791 NE 122nd Ln
135	DT0057	132nd Ave NE Tank	13116 132nd Ave NE

136	DT0052	Cascade Ridge road facility	13201 136th Ave NE
137	DT0054	Pond @ Intersection	12600 132nd Ave NE
138	DT0055	Northern WQ Vault	12500 132nd Ave NE
139	DT0056	Southern WQ Vault	12505 132nd Ave NE
140	DT0061	D1-005 Timberwood Drainage Repair	9717 NE 140th St
141	DT0067	D1-002	14449 100th Ave NE
142	DT0069	D1-008	13810 Juanita Woodinville Way NE
143	D98795	Money Saver Mini Storage	12707 141st Ave NE
144	D98870	Juanita Place Retail	13325 100th Ave NE
145	D98863	The Crest at Juanita	12008 89th PI NE
146	D98902	Juanita Townhomes	13203 101st Ln NE
147	DT0078	Valley View Corporate Center R/W	13906 NE 128th St
148	D98924	McDonalds at Juanita	13636 100th Ave NE
149	D98914	Waste Management	13225 NE 126th PI
150	D96028	Kingsgate Convenience Center	14340 124th NE
151	D96113	Juanita Row Shopping Center	13510 100th Ave NE
152	D96115	Four-Plex	13317 100th Ave NE
153	D96127	Wild Glen Condos	NE 145th St & 100th Ave NE
154	D96128	Wild Glen Condos	NE 145th St & 100th Ave NE

Exhibit F—Park and Greenbelt Properties

PARK PROPERTIES LEGAL DESCRIPTIONS

Windsor Vista Park

(Parcel ID #947710-1350)

Tract “A”, Windsor Vista #2 as per plat recorded in Vol. 83 of Plats, pages 76 thru 78, records of King County.

Together with,

(Parcel ID #947720-0640)

Lot 64, Windsor Vista #3, as per plat recorded in Vol. 86 of Plats, pages 7 and 8, records of King County.

Kingsgate Park

(Parcel ID #202605-9004)

The east 330 feet of the south ½ of the southeast ¼ of the northeast ¼ of Section 20, Township 26 north, Range 5 east, W.M.; except county road.

Together with,

That portion of the south ½ of the southeast ¼ of the northeast ¼ of Section 20, Township 26 north, Range 5 east, lying easterly of Secondary State Highway #2A; except the east 330 feet and except the south 30 feet for road; and except that portion conveyed to State of Washington for Primary State Highway #1 by deed filed under Auditor’s File #6071550; situate in the County of King, State of Washington.

Subject to:

Relinquishment of right of access to State Highway and of light, view and air as recorded under Auditor’s File #4696944. Relinquishment of right of access to State Highway and of light, view and air as recorded under Auditor’s File #6071550.

Edith Moulton Park

(Parcel ID #202605-9027)

The northeast ¼ of the northwest ¼ of the southeast ¼ of Section 20, Township 26 north, Range 5 east, W.M. in King County, State of Washington, except the west 412.53 feet of the north 280 feet thereof and except the north 30 feet of the remainder as conveyed to King County for road purposes by deed recorded under Auditor’s File #703148.

Subject to:

- a. Release of damages granted to the State of Washington from future claims arising from the operation of pit and quarry site, recorded under Auditor’s File #4998452.
- b. Temporary construction easement and permanent easement for sewer granted to Northeast Lake Washington Sewer District by instruments recorded under Auditor’s File #6210625 and #6210629.

Together with :

The south ½ of the northwest ¼ of the southeast ¼ of Section 20, Township 26 north, Range 5 east, W.M. in King County, State of Washington.

Together with:

(Parcel ID #202605-9186)

That portion of Lot 1 of Short Plat #579115, under King County recording #7911130991, lying easterly of Juanita Creek; situate in the County of King, State of Washington

132nd Square Park

(Parcel ID #282605-9073)

That portion of the east ½ of the northeast ¼ of the northeast ¼ of Section 28, Township 26 north, Range 5 east, W.M., in King County, Washington, described as follows:

Beginning at the northeast corner of said subdivision; thence south along the east line thereof 812 feet; thence west parallel with the north line thereof to a point on the west line thereof, which is 812 feet south of said north line; thence north along the said west line 458 feet to a point 354 feet south of the said north line; thence east parallel with the said north line to a point 405 feet west of the east line thereof; thence north parallel with said east line 354 ft to the said north line; thence east along the said north line 405 feet to the point of beginning; except the north 30 feet and east 30 feet for roads.

Subject to provisions contained in that certain agreement for Intergovernmental Disposition of property between the parties herein dated March 12, 1980.

Juanita Heights Park

(Parcel #919410-0155)

Lots 1 through 24, inclusive, Block 7; and Lots 1 through 6, inclusive, and Lots 21 through 24, inclusive, Block 8, Waterfront Addition to Kirkland, according to the plat thereof recorded in Volume 6 of Plats, page 92, in King County, Washington;

Together with that portion of 90th Avenue Northeast as vacated by City of Kirkland Ordinance No. 7161, recorded under Recording Numbers 8505010681 and 20020415002221;

And Together with that portion of the Easterly half of Olympic Street (89th Place Northeast) as vacated by operation of law and confirmed by King County Superior Court Cause No. 05-2-41103-1SEA and recorded under Recording No. 20060825001209.

Greenbelt Properties and Open Space Properties with Legal Descriptions

- | | |
|--------------------|--|
| 1. Tax Parcel # | 111900-0270 |
| Physical location: | NE 131 Way / adj to 302605-9269 / 0.37 acre |
| Designation: | Open Space and Recreation |
| Deed: | SWD #6587319 / 08-25-69 / restrictive language on use |
| Restriction: | “By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. King County further covenants and agrees that King County will not use, nor will King County authorize the use of subject property for any use except open space and recreational uses. The County may, however, place improvements and impose such regulations on said |

property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "A" Plat of Broadridge, recorded in Vol. 91 of Plats on Pg. 37 in records of King County, Washington.

2.. Tax Parcel # **111900-0280**
 Physical location: NE 131 Way X 94th Ave NE / 1.15 acres
 Designation: Open Space and Recreation
 Deed: SWD #6587319 / 08-25-69 / restrictive language on use
 Restriction: "By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. King County further covenants and agrees that King County will not use, nor will King County authorize the use of subject property for any use except open space and recreational uses. The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "B" Plat of Broadridge, recorded in Vol. 91 of Plats on Pg. 37 in records of King County, Washington.

3.. Tax Parcel # **172750-0450**
 Physical location: 94th Ave NE X NE 132nd Pl / 0.55 acre
 Designation: Open Space and Recreation
 Deed: SWD #7111110-0464 / 11-10-1971 / restrictive language on use
 Restriction: "By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. King County further covenants and agrees that King County will not use, nor will King County authorize the use of subject property for any use except open space and recreational uses. The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "A" Plat of Compton Heights Addition, recorded in Vol. 93 of Plats on Pg. 80 in records of King County, Washington.

4.. Tax Parcel # **212540-0320**
 Physical location: 97th Ave NE X NE 141st PL / 1.61 acres
 Designation: Open Space on face of plat
 Deed: no
 Legal Description:
 Tract "E" Plat of Dunmore Division 1, recorded in Vol. 119 of Plats on Pg. 49 in records of King County, Washington.

5. Tax Parcel # **212541-0320**
 Physical location: NE 141st Pl X 97th Ave NE / 0.81 acre
 Designation: Open Space and Recreation by deed
 Deed: No DEED. Dedicated to KC upon recording of plat
 Restriction: Open Area as designated by plat.
 Legal Description:
 Tract "G" Plat of Dunmore Division #2, recorded in Vol. 121 of Plats on Pg. 82 in records of King County, Washington.

6. Tax Parcel # **254080-0420**
 Physical location: 134xx 76th Pl NE / 0.68 acres
 Designation: Permanent open space by plat
 Deed: No Deed. General dedication to the public.
 Restriction: open space designated by plat
 Legal Description:
 Tract "A" Plat of Finn Creek Addition recorded in Vol. 103 of Plats on Pg. 8 in records of King County, Washington.

7. Tax Parcel # **254080-0430**
 Physical location: 133xx 79th Pl NE / 0.06 acres
 Designation: Pedestrian walkway by plat
 Deed: No Deed. General dedication to the public
 Restriction: walkway by plat
 Legal Description:
 Tract "B" Plat of Finn Creek Addition recorded in Vol. 103 of Plats on Pg. 8 in records of King County, Washington.

8.. Tax Parcel # **255861-0390**

Physical location: 126xx NE 136th St / 0.44 acre

Deed: SWD #730710-0461 / restrictive language on use

Restriction: “By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. King County further covenants and agrees that King County will not use, nor will King County authorize the use of subject property for any use except open space and recreational uses. The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:
Tract “A” Plat of Firloch #2, recorded in Vol. 95 of Plats on Pg.12 in records of King County, Washington.

9.. Tax Parcel # **255869-0280**

Physical location: 127xx NE 135th St / 6.24 acres

Designation: permanent open space by plat

Deed: SWD #770614-0931

Legal Description:
Tract “A” Plat of Firloch #10, recorded in Vol. 101 of Plats on Pg.30-31 in records of King County, Washington.

10. Tax Parcel # **255864-0370**

Physical location: 135xx 127th Ave NE / 2.83 acres

Designation: ???

Deed: No Deed. General dedication to the public

Legal Description:
Tract “B” Plat of Firloch No. 5, recorded in Vol. 95 of Plats on Pg. 65 in records of King County, Washington.

11.. Tax Parcel # **255865-0320**

Physical location: 129th PI NE X NE 135th St / 0.04 acre

Deed: SWD #750415-0428// restrictive language on deed

Restriction: “By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only.

King County further covenants and agrees that King County will not use, nor will King County authorize the use of subject property for any use except open space and recreational uses. The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "A" Plat of Firloch NO. 6, recorded in Vol. 96 of Plats on Pg. 33 in records of King County, Washington.

12.. Tax Parcel #	289570-0160
Physical location:	10844 NE 135 th Pl / 0.03 acre
Designation:	Pedestrian walkway by plat
Deed:	No Deed. Plat dedication.

Legal Description:

Tract "A" Plat of Greenbrae, recorded in Vol. 107 of Plats on Pg. 62 in records of King County, Washington.

13.. Tax Parcel #	326102-0380
Physical location:	83 rd Pl NE X 85 th Ave NE / 1.87 acre
Designation:	???
Deed:	No Deed. Dedicated to KC upon recording of plat.

Legal Description:

Tract "A" Plat of Hermosa Vista NO. 3, recorded in Vol. 105 of Plats on Pg. 9 in records of King County, Washington.

14. Tax Parcel #	327574-0240
Physical location:	79 th PL NE X NE 130 th St / 0.96 acre
Designation:	Open Space and Recreation
Deed:	SWD #760302-0528 / restrictive language on use
Restriction:	"By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. King County further covenants and agrees that King County will not use, nor will King County authorize the use of subject property for any use except open space and recreational uses. The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and

preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "A" Plat of Hidden Crest Div. 2, recorded in Vol. 97 of Plats on Pg. 72 in records of King County, Washington.

15. Tax Parcel #	375450-0950
Physical location:	89 th Ave NE X NE 118 th PL / 1.60 acres
Deed:	SWD #830824-1055 / restrictive language on use
Restriction:	"The property shall be maintained as an undeveloped open-space or green-belt concept and the existing trees and groundcover should not be disturbed or developed, but left as a natural preserve, and no development by clearing or platting will be allowed; provided that the property can be used as a part of a county trail system that would maintain the open-space concept. Uses not allowed are pumping stations, maintenance shops and similar uses inconsistent with the open- space or green-belt concept of property."

Legal Description:

Lots 1 thru 13, inclusive, Lots 15 and 16, Lots 18 thru 24, inclusive, and Lots 27 thru 29, inclusive, all in Block 8, Juanita Beach Camps, recorded in Vol. 32 of Plats on Pg. 25 in records of King County, Washington.

16. Tax Parcel #	542250-0240
Physical location:	93 rd Ave NE X NE 138th Pl / 0.44 acre
Designation:	???
Deed:	No Deed. General plat dedication to the public

Legal Description:

Tract "A" Plat of Meadowood, recorded in Vol. 94 of Plats on Pg. 74 - 75 in records of King County, Washington.

17.. Tax Parcel #	661991-0290
Physical location:	89 th PL NE & NE 127 th PL / 0.66 acre
Designation:	???
Deed:	SWD #830411-0817

Legal Description:

Tract "A" Plat of Panorama Estates NO. 2, recorded in Vol. 96 of Plats on Pg. 93 in records of King County, Washington.
TOGETHER WITH an easement for purposes of ingress, egress, drainage and utilities, over, under, through and across that portion of the SE quarter of the NW quarter of said

section 30 embraced within a strip of land 25.00 ft in width, being more particularly described as follows:

Commencing at the west quarter corner of said section, thence S 87-43-44 E along the east-west centerline of said section 1824.42 ft; thence N 02-40-17 E 1179.70 ft; thence S 87-10-59 E 144.00 ft to the point of beginning of the easement herein described; thence S 02-40-17 W 25.00 ft; thence S 87-10-59 E 100.00 ft; thence N 02-40-17 E 25.00 ft; thence N 87-10-59 W 100.00 ft to the point of beginning.

-
18. Tax Parcel # **701600-0720**
 Physical location: NE 153rd St X 117th AVE NE/ 0.02 acre
 Designation: Plat did not specify
 Deed: No Deed
- Legal Description:
 Tract "B" Plat of Queensgate NO. 1, recorded in Vol. 83 of Plats on Pg. 71-72 in records of King County, Washington.
-
19. Tax Parcel # **701610-0600**
 Physical location: 119th Ave NE X NE 155th St / 2.20 acres
 Designation: Plat did not specify
 Deed: No Deed.
 Legal Description:
 Tract "B" Plat of Queensgate NO. 2, recorded in Vol. 86 of Plats on Pg. 32-33 in records of King County, Washington.
-
20. Tax Parcel # **701630-0061**
 Physical location: 116th PL NE X NE 155th St / 0.05 acre
 Designation: Plat did not specify
 Deed: No Deed.
 Legal Description:
 Tract "B" Plat of Queensgate NO. 4, recorded in Vol. 88 of Plats on Pg. 86 in records of King County, Washington.
-
- 21.. Tax Parcel # **790537-0640**
 Physical location: 98xx NE 133rd PL / 0.02 acre
 Designation: walkway
 Deed: SWD #6525135 (04-01-69) /QCD #750917-0438 / restrictive language on use
 Restriction: "By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. . The County may, however, place improvements and

impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "D" Plat of Sparkman & Mclean NO. 3 Div. NO. 1, recorded in Vol. 89 of Plats on Pg. 71-73 in records of King County, Washington.

22.. Tax Parcel #	790537-0650
Physical location:	NE 134 th ST. & 96 th Ave NE / 0.02 acre
Designation:	walkway
Deed:	SWD #6525135 (04-01-69) /QCD #750917-0438 / restrictive language on use
Restriction:	"By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. . The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "E" Plat of Sparkman & Mclean NO. 3 Div. NO. 1, recorded in Vol. 89 of Plats on Pg. 71-73 in records of King County, Washington.

23.. Tax Parcel #	790537-0660
Physical location:	97xx NE 134 th PL / 0.03 acre
Designation:	walkway
Deed:	SWD #6525135 (04-01-69) /QCD #750917-0438 / restrictive language on use
Restriction:	"By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. . The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "F" Plat of Sparkman & Mclean NO. 3 Div. NO. 1, recorded in Vol. 89 of Plats on Pg. 71-73 in records of King County, Washington.

24.. Tax Parcel #	790537-0670
Physical location:	98xx NE 135th PL / 0.04 acre
Designation:	walkway

Deed: SWD #6525135 (04-01-69) /QCD #750917-0438 /
restrictive language on use

Restriction: “By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. . The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract “G” Plat of Sparkman & Mclean NO. 3 Div. NO. 1, recorded in Vol. 89 of Plats on Pg. 71-73 in records of King County, Washington.

25.. Tax Parcel # **790538-0920**

Physical location: NE 136th & 96th Ave NE / 3.76 acres

Designation: ???

Deed: SWD #6525135 (04-01-69) /QCD #750917-0438 /
restrictive language on use

Restriction: “By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. . The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract “H” Plat of Sparkman & Mclean NO. 3 Div. NO. 2, recorded in Vol. 89 of Plats on Pg. 63-65 in records of King County, Washington.

26.. Tax Parcel # **790538-0930**

Physical location: 95th Ave NE & NE 135th Ln / 0.55 acre

Designation: ???

Deed: SWD #6525135 (04-01-69) /QCD #750917-0438 /
restrictive language on use

Restriction: “By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. . The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract “I” Plat of Sparkman & Mclean NO. 3 Div. NO. 2, recorded in Vol. 89 of Plats on Pg. 63-65 in records of King County, Washington.

27.. Tax Parcel # **790538-0940**
 Physical location: 94th Ave NE & NE 134th St / 1.05 acres
 Designation: ???
 Deed: SWD #6525135 (04-01-69) /QCD #750917-0438 /
 restrictive language on use
 Restriction: “By acceptance of this deed the County of King covenants
 and agrees that the use of subject property shall be
 restricted to open space and recreational purposes only. .
 The County may, however, place improvements and
 impose such regulations on said property as is consistent
 with the proper maintenance and preservation of public
 health, safety, morals and general welfare.

Legal Description:
 Tract “J” Plat of Sparkman & Mclean NO. 3 Div. NO. 2, recorded in Vol. 89 of Plats
 on Pg. 63-65 in records of King County, Washington.

28.. Tax Parcel # **790539-0470**
 Physical location: 97th Ave NE x NE 137th St / 1.45 acres
 Designation: ???
 Deed: SWD #6525135 (04-01-69) restrictive language on use
 /QCD #750917-0439
 Restriction: “By acceptance of this deed the County of King covenants
 and agrees that the use of subject property shall be
 restricted to open space and recreational purposes only. .
 The County may, however, place improvements and
 impose such regulations on said property as is consistent
 with the proper maintenance and preservation of public
 health, safety, morals and general welfare.

Legal Description:
 Tract “k” Plat of Sparkman & Mclean NO. 3 Div. NO. 3, recorded in Vol. 89 of Plats
 on Pg. 66-68 in records of King County, Washington

29.. Tax Parcel # **790539-0490**
 Physical location: 97th Ave NE x NE 137th St / 0.04 acre
 Designation: walkway
 Deed: SWD #6525135 (04-01-69)/ QCD #750917-0438 /
 restrictive language on use
 Restriction: “By acceptance of this deed the County of King covenants
 and agrees that the use of subject property shall be
 restricted to open space and recreational purposes only. .

The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "M" Plat of Sparkman & Mclean NO. 3 Div. NO. 3, recorded in Vol. 89 of Plats on Pg. 66-68 in records of King County, Washington

30.. Tax Parcel #	790539-0480
Physical location:	NE 136 th St. x 95 th Ave NE / 4.85 acres
Designation:	???
Deed:	SWD #6525135 (04-01-69)/ QCD #750917-0438 / restrictive language on use
Restriction:	"By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. . The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.
Permit:	Special Use Permits / # S-133-09 expiring 05-10-2014 #S-9-09 expiring 03-05-2014 / #S-202-8 expiring 03-17-2014

Legal Description:

Tract "L" Plat of Sparkman & Mclean NO. 3 Div. NO. 3, recorded in Vol. 89 of Plats on Pg. 66-68 in records of King County, Washington

31.. Tax Parcel #	795506-0320
Physical location:	NE 144 th ST x 107 th PI NE / 0.74 acre
Designation:	???
Deed:	SWD #730710-0460 / restrictive language
Restriction:	"By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. King County further covenants and agrees that King County will not use, nor will King County authorize the use of subject property for any use except open space and recreational uses. The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "A" Plat of Stafford Hansell NO.9, recorded in Vol. 95 of Plats on Pg. 55 in records of King County, Washington

32.. INTENTIONALLY DELETED

33.. Tax Parcel # **865172-0520**
 Physical location: 96th Ave NE / 8.00 acres
 Designation: Open Space
 Deed: No Deed. By plat dedication.

Legal Description:

Tract "A" Plat of Timberwood NO. 3 recorded in Vol. 105 of Plats on Pg. 10-11 in records of King County, Washington.

34.. Tax Parcel # **865173-0590**
 Physical location: NE 143rd ST x 93rd Ct NE / 1.54 acres
 Designation: Open Space
 Deed: No Deed. By plat dedication.

Legal Description:

Tract "A" Plat of Timberwood NO. 4 recorded in Vol. 108 of Plats on Pg. 66-67 in records of King County, Washington.

35.. Tax Parcel # **865170-0540**
 Physical location: 94th Ave NE & NE 139th St / 2.62 acres
 Designation: Open Space
 Deed: SWD #750415-0426 / restrictive language
 Restriction: "By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. King County further covenants and agrees that King County will not use, nor will King County authorize the use of subject property for any use except open space and recreational uses. The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:

Tract "A" Plat of Timberwood recorded in Vol. 97 of Plats on Pg. 70-71 in records of King County, Washington

36.. Tax Parcel # **865170-0550**
 Physical location: 94th Ave NE x NE 139th St / 1.83 arces
 Designation: Open Space
 Deed: SWD #750415-0426 / restrictive language
 Restriction: "By acceptance of this deed the County of King covenants and agrees that the use of subject property shall be restricted to open space and recreational purposes only. King County further covenants and agrees that King County will not use, nor will King County authorize the use of subject property for any use except open space and recreational uses. The County may, however, place improvements and impose such regulations on said property as is consistent with the proper maintenance and preservation of public health, safety, morals and general welfare.

Legal Description:
 Tract "B" Plat of Timberwood recorded in Vol. 97 of Plats on Pg. 70-71 in records of King County, Washington

37.. Tax Parcel # **952700-0610**
 Physical location: NE 122nd PL x NE 123rd St / 0.77 acre
 Designation: Open Space designated by plat
 Deed: QCD #880705-0434
 Legal Description:
 Tract "B" Plat of Woodlane recorded in Vol. 98 of Plats on Pg. 43-46 in records of King County, Washington

38. Tax Parcel # **321160-0910**
 Physical location: NE 141st ST X 105th Ave NE / 1.00 acre
 Designation: Open Space by deed
 Deed: SWD #6551161 / Mar 1969
 Legal Description:
 Tract "A" Plat of Heatherwood, recorded in Vol. 87 of Plats on Pg. 36 in records of King County, Washington.

39.. Tax Parcel # **357811-0350**

Physical location: NE 142nd CT X 90th Ave NE / 5558 sq. ft.
 Designation: Open Space / drainage
 Deed: No / Dedication by plat

Legal Description:
 Tract "A" Plat of Inglewood East Div. #2, recorded in Vol. 121 of Plats on Pg. 28-29
 in records of King County, Washington.

40.. Tax Parcel # **357811-0370**
 Physical location: NE 142nd CT X 90th Ave NE / 8843 sq. ft.
 Designation: Open Space
 Deed: No / Dedication by plat

Legal Description:
 Tract "C" Plat of Inglewood East Div. #2, recorded in Vol. 121 of Plats on Pg. 28-29
 in records of King County, Washington.

41.. Tax Parcel # **254085-0390**
 Physical location: NE 127TH St X 87th Ct. NE / 18886 sq. ft.
 Designation: Open Space
 Deed: No / Dedication by plat

Legal Description:
 Tract "B" Plat of Finn Hill Crest, recorded in Vol. 115 of Plats on Pg. 16-17 in records
 of King County, Washington.

42.. Tax Parcel # **192605-9203**
 Physical location: 92nd Ave NE X Simonds Rd NE / 8.10 AC
 Designation: Open Area
 Deed: No / Dedication by short plat

Legal Description:
 Tract "A" Plat of King County Short Plat #1280040 with recording number #810408-
 0288 in records of King County, Washington.

END OF LIST

EXHIBIT G—Personal Property to be conveyed with Parks Properties

PARK	FACILITIES	EQUIPMENT
132ND Square	2 BB fields, 1 soccer, open play field, parking, 2 picnic areas, play equipment, restroom	4 bleachers (3-tiered), 2 soccer goals (regulation size), 9 plastic garbage cans, 2 mutt-mitt dog bag dispensers, 3 wood picnic tables, 1 metal picnic table, signs
Edith Moulton	trails, picnic shelter w/stationary picnic table, parking lot undeveloped, rustic	3 plastic garbage cans, signs
Juanita Heights	trails	sign
Kingsgate Park	rustic trail, bridge	2 metal garbage cans, signs
Windsor Vista Park	undeveloped	signs

**ANNEXATION MASTER WORK PLAN
BEGINNING APRIL 2009 (PRE-ELECTION, PRE-EFFECTIVE, POST-EFFECTIVE)**

TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
1	COMMUNICATION	CMO	Marie								
1.2	Develop External Outreach Plan	CMO	Marie	x			4/7/2009	5/11/2009		Done	
1.2.1	Key Messages	CMO	Marie	x			4/7/2009	5/11/2009		Done	included in Outreach Plan
1.2.2	Identify Speakers Bureau	CMO	Marie	x			4/7/2009	5/5/2009		Done	included in Outreach Plan
1.2.3	Coordinate Community Meetings in PAA	CMO	Jeannie	x			4/7/2009	5/29/2009		Done	Venues selected
1.2.3.1	Identify Dates	CMO	Jeannie	x			4/7/2009	5/11/2009		Done	6/16, 6/23 & 6/29
1.2.3.2	Secure Locations	CMO	Jeannie	x			4/7/2009	5/11/2009		Done	Venues confirmed
1.2.3.3	Advertise Meeting Times/Places	CMO	Marie	x			5/11/2009	6/10/2009		Done	
1.2.3.4	Postcard mailer	CMO	Jeannie	x			5/15/2009	6/10/2009		Done	
1.2.3.5	Listserv Notice	CMO	Jeannie	x			5/15/2009	6/29/2009		Ongoing	will continue post election
1.2.3.6	KGOV & KLIFE TV channels	CMO	Marie	x			5/15/2009	6/29/2009		Ongoing	annexation website advertised on both channels
1.2.3.7	Community Meeting #1 (6/18)	CMO	Marie	x			6/18/2009	6/18/2009		Done	
1.2.3.8	Community Meeting #2 (6/23)	CMO	Marie	x			6/23/2009	6/23/2009		Done	
1.2.3.9	Community Meeting #3 (6/29)	CMO	Marie	x			6/29/2009	6/29/2009		Done	
1.2.4	Website Updates (Annexation/News Room)	CMO	Jeannie	x			4/7/2009	5/15/2009		Ongoing	will continue post election
1.2.4.1	Update Maps	CMO	GIS/Plng	x			4/7/2009	5/15/2009		Done	
1.2.4.2	Update Landing Page	CMO	Jeannie	x			4/7/2009	4/20/2009		Done	Updates as needed
1.2.4.3	Create new links	CMO	Marie	x			4/7/2009	4/20/2009		Done	Navigation icon to added to Dept. pages
1.2.4.4	Update FAQ's	CMO	Jeannie	x			4/7/2009	5/15/2009		Done	Last versions dated Sept. 2009; Updates March 2011
1.2.5	Develop Updated Print Material	CMO	Marie	x			4/7/2009	5/15/2009		Done	PAA Mailer
1.2.5.1	Print Material Reviewed by PDC	CMO	Robin	x			4/7/2009	5/19/2009		Done	
1.2.5.2	Print Material Production and Mailing	CMO	Jeannie	x			4/7/2009	9/30/2009		Done	PAA Mailer mailed around 9/30/09
1.2.6	City Update Articles	CMO	Marie	x			4/7/2009	6/30/2009		Done	Articles in 2nd Qtr, 4th Qtr editions 2009; 1st Qtr3rd Qtr & 2010; 1st Qtr 2011 General correspondence rec'd 2009 = 165; Annex. Online comments rec'd = 45 2010: Ask a Question = 43 + 11 general emails. 2011: 23 Ask A questions (thru 3/28/11); 2 general emails
1.2.7	Response to Citizen Correspondence	CMO	Jeannie	x			4/7/2009	12/31/2009		Ongoing	
1.2.8	News Releases	CMO	Marie	x			4/7/2009			As needed	
1.3	Develop Internal Communications Plan	CMO	Marie	x			4/7/2009	4/13/2009		Done	
1.3.1	Form Annexation Steering Team	CMO	Marilynne	x			4/7/2009	4/13/2009		Done	meets weekly
1.3.2	Form A-Team and Subcommittees	CMO	Marilynne	x			4/7/2009	4/13/2009		Done	meet regularly as needed
1.3.2.1	Communications Subcommittee	CMO	Marie	x			4/7/2009	5/5/2009		Done	
1.3.2.2	Update Kirknet Annexation Site	CMO	Jeannie	x			4/7/2009	12/31/2009		Ongoing	Updated Nov. 2010 & Jan 2011
1.3.2.3	Develop File Storage and Retention Strategy	CMO	Marie	x			4/7/2009	5/15/2009		Done	TRIM
NEW	ANNEXATION CELEBRATION	CMO	Marie		X		10/1/201	6/1/2011		In progress	Open House/City Hall, June 1; Business Breakfast June 2, Community Celebration/Juanita Beach park, June 3

**ANNEXATION MASTER WORK PLAN
BEGINNING APRIL 2009 (PRE-ELECTION, PRE-EFFECTIVE, POST-EFFECTIVE)**

TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
NEW	ANNEXATION MAILER: CITY SERVICES	CMO	Marie		X		3/1/2011	4/15/2011		In progress	Booklet style layout; to be mailed to homes & businesses in AA mid-April
2	FINANCIAL ANALYSIS	Finance	Tracey					ongoing			
2.1	Develop Cash Flow Forecast	Finance	Sri	x	x		12/20/2009	2/28/2010		Done	
2.1.2	Revenue forecast	Finance	Sri	x	x		12/20/2009	2/15/2010		Done	
2.1.2.2	Identify property tax and road tax receipts timeline	Finance	Sri	x			4/23/2009	5/22/2009		Done	defined in KC ILA
2.1.2.3	Evaluate fire district property tax timeline	Finance	Sri	x			4/23/2009	5/22/2009		Done	defined in KC ILA
2.1.2.4	Identify key dates for state shared revenue	Finance	Sri	x			4/23/2009	5/22/2009		Done	
2.1.2.5	Meet with State Auditor on sales tax credit rules	Finance	Sri	x			4/23/2009	On-going		ongoing	initial meeting on 5/21/09; additional meetings to be scheduled
2.1.2.6	Meet with other cities on cash flow	Finance	Sri	x			1/1/2010	On-going		Done	in contact with Auburn, Renton, Kent & others
2.1.2.7	Develop implementation timeline for sales tax credit	Finance	Sri	x			1/1/2010	2/15/2010		Done	
2.1.2.8	Evaluate franchise fees and gambling tax potential	Finance	Sri	x			1/1/2010	2/28/2010		Done	
2.1.3	Expenditure forecast	Finance	Sri	x			1/1/2010	3/6/2010		Done	
2.1.3.1	Update staffing plans and phased positions	Finance	Sri	x			1/1/2010	3/6/2010		Done	
2.1.3.2	Incorporate one-time start-up costs	Finance	Sri	x			1/1/2010	3/6/2010		Done	
2.1.3.3	Expand facilities financing plan	Finance	Tracey	x			2/1/2010	12/31/2010		Done	
2.1.4	Analyze all impacts of fire district transfers	Finance	Tracey	x			6/1/2009	6/1/2010		Done	
2.2	Develop budget process for pre-annexation needs	Finance	Sri	x			7/7/2009	9/1/2009		Done	Prior to Mid-Bi Budget call
2.3	Coordinate State Shared Revenues	Finance	Sri				TBD	1st Qtr 2011		Done	
2.3.1	Contact OFM	Finance	Sri	x			TBD	1st Qtr 2011		Done	
2.3.2	Contact Department of Revenue (DOR)	Finance	Sri	x			TBD	1st Qtr 2011		Done	
2.3.4	County Distributed Revenues -- Property Tax & Road Tax	Finance	Sri	x			TBD	Before 12/31/11		In Process	
2.3.5	County Assessor's Office	Finance	Sri		x		TBD	1st Qtr 2011		Done	
2.3.6	County Treasurer	Finance	Sri		x		TBD	1st Qtr 2011		Done	
2.3.7	Annexation Service Package	Finance	Sri		x		1/19/2010	2/8/2010		Done	

**ANNEXATION MASTER WORK PLAN
BEGINNING APRIL 2009 (PRE-ELECTION, PRE-EFFECTIVE, POST-EFFECTIVE)**

TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
3	LEGAL AND ELECTION	City Attorney									
3.1	Prepare for election	City Attorney	Robin	x							
3.1.2	Schedule public hearing	City Clerk	City Clerk	x			4/7/2009	9/1/2009		Done	
3.1.3	Develop legislative actions	City Attorney	Robin	x			4/8/2009	7/9/2009		Done	
3.1.4	Contingent Resolution calling for annexation election	City Attorney	Robin	x			4/9/2009	7/7/2009		Done	
3.1.5	Final Resolution with ballot title and summary	City Attorney	Robin	x				7/21/2009		Done	
3.1.6	File with County Records and Elections	City Clerk	City Clerk	x				8/14/2009		Done	
3.1.7	Appoint pro and con committees	City Attorney	Robin	x				7/7/2009		Done	
3.1.8	Develop explanation for voters' pamphlet	City Attorney	Robin	x				8/19/2009		Done	
3.2	Ordinance accepting annexation/effective date	City Attorney	Robin		x			12/1/2009		Done	

**ANNEXATION MASTER WORK PLAN
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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
4	ANNEXATION PROCESS										
4.1	Complete Boundary Review Board Process	PCD	Eric S	x			5/8/2009	8/1/2009		Done	
4.1.1	Approve Resolution of Intent	PCD	Robin	x			4/7/2009	4/7/2009		Done	
4.1.2	File Notice of Intention	PCD	Eric S	x			4/8/2009	4/8/2009		Done	
4.1.3	Notice to special purpose districts/secure letters of support	CMO	Marilynne	x			4/8/2009	6/8/2009		Done	
4.1.4	Prepare BRB presentation and send to BRB	PCD	Eric S	x			5/20/2009	5/20/2009		Done	
4.1.5	BRB Public Hearing	PCD	Eric S	x			6/8/2009	6/8/2009		Done	
4.1.6	BRB oral decision	PCD	Eric S	x			6/8/2009	6/10/2009		Done	
4.1.7	BRB written decision	PCD	Eric S	x			7/9/2009	7/9/2009		Done	
4.2	Conduct census of PAA	PCD	Eric S			x				TBD	

**ANNEXATION MASTER WORK PLAN
BEGINNING APRIL 2009 (PRE-ELECTION, PRE-EFFECTIVE, POST-EFFECTIVE)**

TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
5 INTERGOVERNMENTAL											
5.1	Coordinate with King County	CMO	Erin	x					x		
5.1.2	Identify coordinating staff at KC	CMO	Erin	x			5/1/2009	5/21/2009		Done	
5.1.3	Determine funding availability	CMO	Erin	x			11/4/2009	TBD		Done	
5.2	Woodinville Fire and Life Safety	Fire	Kevin						x		
5.2.1	Operational Planning	Fire	Kevin	x			5/1/2009	10/31/2009			
5.2.2	Employee Relations	HR	Bill K.	x			5/2/2009	11/1/2009			
5.2.3	Financial Analysis Development Preliminary Interlocal	Finance	Tracey	x			5/3/2009	11/2/2009		Done	
5.2.4	Agreement	CAO	Bill E.	x			5/4/2009	11/3/2009		Done	
5.2.5	Conduct asset valuation	Finance	Tracey	x				TBD		Done	
5.3	Fire District #41	Fire	Kevin						x		
5.3.1	Conduct asset valuation	Finance	Tracey		x			TBD		In Process	
5.3.2	Continue to assist with station consolidation	Fire	Jack	x				Ongoing		Ongoing	
5.3.3	Develop interlocal agreement	Fire	Kevin		x					In Process	
5.3.4	Employee Relations (potential transfer of employee)	Fire	Kevin			x		TBD			
5.4	Fire District #34								x		
5.4.2	Operational Planning			x							
5.4.3	Develop interlocal agreement				x						
5.5	Northshore Utility District (NUD)	PW	Rob J.						x		
5.5.1	Update franchise agreement				x		3/1/2010	3/1/2011		Done	NUD will be sending us new Franchise fee in 3rd Q of 2011
5.6	Woodinville Water District	PW	Rob J.				6/1/2010	6/1/2011	x		
5.6.1	Discuss and establish franchise agreement				x		6/1/2010	6/1/2011		In Process	WWD Board is reviewing. Plan to present to Kirkland CC on May 3rd and 17th
5.6.2	Develop interim interlocal agreement				x						
5.7	Lake Washington School District	CMO							x		
5.7.1	Discuss school resource officer deployment	Police			x					Pending	Currently PD only staffs High Schools, no high schools in PAA (Current Service Level) It is my understanding that the school dist will pay surface water fees for schools in AA as they do now for schools in existing Kirkland.
5.7.2	Discuss surface water utility charges	PW	Rob/Jenny G.		x		3/1/2010	3/1/2011		Done	
5.7.3	Discuss school impact fee charges	PInG			x						
5.7.4	Discuss facility use policy	Parks			x					Done	
5.8	Northshore School District								x		
5.8.1	Discuss surface water utility charges	PW	Rob/Jenny G.		x		3/1/2010	3/1/2011		Done	No Northshore School property in AA
5.8.2	Discuss school impact fee charges	PCD	Eric S		x						
5.9	Finn Hill Park District	Parks	Jenny	x					x		
5.9.1	Meet with district regarding OO Denny maintenance	Parks	Jenny	x			6/1/2009				
5.9.2	Meet with DCNA regarding Juanita Woodlands	Parks	Jenny	x							

ANNEXATION MASTER WORK PLAN
BEGINNING APRIL 2009 (PRE-ELECTION, PRE-EFFECTIVE, POST-EFFECTIVE)

TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6	OPERATIONAL PLANNING										
6.1	Parks and Community Services	Parks	Jenny								
	Meet with King County Parks Director on										King County will not transfer 132nd Square Park until Jan 1,2011
6.1.1	transfer of Parks	Parks	Jenny	x			5/1/2009			Completed	
6.1.1.1	Develop Interlocal Agreement for transfer of parks	Parks	Jenny		x				x	in progress	CAO finalizing ILA
6.1.2	Park Operations	Parks	Jason							in progress	
6.1.2.1	Begin new employee recruitment process	Parks	Jason		x		4/1/2011	6/1/2012			Leadworker and Groundsperson in 2011/Field Arborist and Office tech in 2012
6.1.2.2	Begin interview process	Parks	Jason		x		5/1/2011	5/31/2012			Leadworker and Groundsperson in 2011/Field Arborist and Office tech in 2012
6.1.2.3	Hire/Train	Parks	Jason		x		6/1/2011	6/1/2012			Leadworker and Groundsperson in 2011/Field Arborist and Office tech in 2012
6.1.3.	Order Fleet /Mowers/Equipment	Parks	Jason		x		1/1/2012	4/1/2012			
	Walk sites to inventory/document site conditions	Parks	Jason	x			6/1/2009	6/1/2009		Completed	
6.1.4.1	Develop Park Maintenance Plans	Parks	Jason		x		6/1/2009	6/1/2009		Completed	
6.1.4.2	Meet with King County staff to transfer infrastructure data	Parks	Jason		x		3/1/2011	6/1/2011		Pending	submitted request for data to KC
6.1.4.3	Obtain claim history over last 3-5 years	Parks	Jason		x		3/1/2011	6/1/2011		Pending	submitted request for data to KC
6.1.5	Recreation Services	Parks	Carrie								
6.1.5.1	Begin new employee recruitment process	Parks	Carrie		x		1/1/2011	2/1/2012			
6.1.5.2	Begin interview process	Parks	Carrie		x		2/1/2012	3/1/2012			
6.1.5.3	Hire/Train	Parks	Carrie		x		3/1/2012	9/1/2012			
6.1.5.4	Expand distribution of Recreation Brochure into PAA	Parks	Carrie		x	x	8/1/2011	9/1/2011			
6.1.5.5	Outreach	Parks	Carrie			x				Ongoing	
6.1.6.	Human Services	Parks	Carrie			x				Not Funded	
6.1.6.1	Increase hours for Human Services Coordinator	Parks	Carrie			x					Will monitor actual impact on staff to determine if additional hours are needed
6.1.6.2	Outreach	Parks	Carrie			x					
6.1.7.	Park Planning	Parks	Michael				1/1/2012	12/1/2012			
6.1.7.1	Revise Park Impact Fee	Parks	Michael		x		1/1/2012	12/1/2012			
6.1.7.2	Conduct asset evaluation	Parks	Michael		x	x	1/1/2012	12/1/2012			
6.1.7.2	Develop CIP list for use internally for preparation for budget	Parks	Michael			x	1/1/2012	12/1/2012			
6.1.7.3	Revise Parks Open Space Comprehensive Plan	Parks	Michael			x	1/1/2012	12/1/2012			
6.1.7.4	Interlocal agreement regarding active projects/grants	Parks	Michael		x					N/A	KC does not have any grants or active projects to transfer to COK
6.1.8.	Facility Needs	Parks									
6.1.8.1	Add work stations @ 505 for new staff	Parks	Carrie		x		3/1/2012	4/1/2012			
6.1.8.2	Add space for new staff at Park Maint Offices	Parks	Jason		x		1/1/2012	4/1/2012			

**ANNEXATION MASTER WORK PLAN
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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.2	Police										
6.2.1	Coordinate with King County Sherriff	Police	Markle	x			6/1/2009	6/1/2011		In Progress	Waiting for applications from any KC Officers
6.2.1.1	Identify primary contact	Police	Markle	x			6/1/2009	6/1/2009		Done	Capt. Shawn Ledford
6.2.1.2	Identify KCS capacity to serve PAA during transition	Police/CMC	Markle	x			6/15/2009	6/15/2009		Done	They do not have the staffing
6.2.1.3	Identify hiring requirements of KCS employees	Police/CAO	Markle/ Kenny	x			6/15/2009	2/1/2011		Done	As of last contact they will not lose any officers due to annexation
6.2.1.4	Complete officer hiring process for KCS	Police/HR	Markle		x		TBD	6/1/2011		N/A	
6.2.2	Begin new employee recruitment process	Police/HR	Markle/ Krebs	x			11/1/2009	3/1/2012		In Progress	
6.2.2.1	Begin interview process	Police/HR	Markle/ Krebs	x			9/1/2009	8/1/2011		In Progress	
6.2.2.2	Complete background checks	Police	Krebs		x		2/1/2010			In Progress	
6.2.2.3	Identify and hire laterals	Police/HR	Markle/ Krebs		x		4/1/2010	11/1/2011		In Progress	
6.2.2.4	Negotiate with testing contractor	Police	Krebs/ Krebs/	x			7/1/2009	8/1/2009		Done	
6.2.2.5	Train PTO's	Police	Saloum		x		2/1/2010	6/1/2010		Done	
6.2.2.6	Complete Support Staff hire	Police/HR	Markle/ Krebs		x		2/1/2011	2/1/2012		In Progress	Hiring 1st PSA the rest on hold for State budget
6.2.2.7	Complete academy	Police	Krebs/ Howell		x					Ongoing	Still having problems with class cancelation
6.2.2.8	Complete field training	Police	Krebs/ Howell		x		6/1/2010	2/1/2012		Ongoing	
6.2.3	Space Needs	Police/CMC	Markle	x				12/1/2013		Pending	Temp remodel complete, PSB in progress
6.2.3.1	Property Room Storage	Police/CMC	Markle		x			12/1/2013		Pending	Temp remodel complete, PSB in progress
6.2.4	Order Police Vehicles	Police/Fleet	Markle/ Tim L.				10/1/2010	12/1/2011		Ongoing	
6.2.5	Labor Issues	Police/HR	Markle/ Kenny	x			6/1/2009			Ongoing	
6.2.6	School District Issues	Police/CMC	Markle		x		12/1/2009			Ongoing	Still no issues at this point 3/24/11
6.2.7	NORCOM (Calls for Service increase costs)	Police/Finan	Markle		x		7/1/2010			Done	
6.2.7.1	NORCOM (IT issues & Mapping)	Police/IT	Markle/ Xiaoning		x		1/1/2010	5/1/2011		Pending	Only question left on maps surrounds KC Parks

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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.2.8	KC E911	Police/Fire	Markle		x			6/1/2011		Pending	E911 has file, waiting for take over date
6.3	Development Services										
6.3.1	Public Information - counter/phones	Bldg/PCD/PW		x	x	x	5/1/2009			Ongoing pending KCC and CC approvals	
6.3.2	Develop interlocal agreement for permit transition	Bldg/PCD/P/Rob (TNR)	Tom/Nancy		x		2/1/2010	6/1/2011	x		Development Services Staff set to meet with KC DDES staff on April 14th
6.3.3.a	Negotiate to Process KC permits early	Bldg/PCD/PW			x		2/1/2010	6/1/2011	x	"	
6.3.3.b	Negotiate to process AA permits early	Bldg/PCD/P TNR			x		2/1/2010	6/1/2011	x	Done	Some permits, such as LW schools are being reviewed by Kirkland and will be issued after June 1, 2011
6.3.4	Agreement with State L&I Electrical	Bldg	Clell		x		1/19/2010	6/1/2011			Letter to be sent by 4/15/11
6.3.5	Agreement with King County Health - Plumbing permits	Bldg	Tom P.				6/1/2011		x		Letter to be sent by 4/15/11
6.3.6	Process building and land use permits	Bldg/PCD/P TNR				x	6/1/2011				some early permit review underway
6.3.7	Transfer code enforcement cases	Bldg/PCD/P TNR			x		1/1/2011	6/1/2011	x		meet w/KC staff mid-April, 2011
6.3.8	Register RV's in PAA	PCD	Nancy		x		1/1/2011	12/31/2011			underway
6.3.9	Process code enforcement cases	Bldg/PCD/P Nancy				x	6/1/2011				
6.3.10	Update parcel database	Bldg/PCD/P GIS			x			6/1/2011	x		GIS has data but still needs to load in Advantage
6.3.11	Get old King County permit history	Bldg/PCD/P TNR			x		1/1/2011		x		Have received first copy. Will get final copy on 6/1/11
6.3.12	Provide for staff vehicles	Bldg/PCD/P Tim L			x		1/1/2011	12/31/2011			none for PCD, Bldg waiting, PW underway
6.3.13	Space needs and configuration	Bldg/PCD/P Donna				x					unknown

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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.4	Fire and Emergency Services										
6.4.1	Labor Negotiations	Fire	Kevin N.								
6.4.1.1	Woodinville Fire & Life Safety	Fire	Kevin N.	x			In progress		x		
6.4.1.2	KCFD #34 (Redmond Fire Dept.)	Fire	Kevin N.	x					x		
6.4.2	Vehicle needs assessment	Fire	Jack H.	x			7/1/2009	3/15/2010		Ongoing	
6.4.2.1	Purchase vehicles	Fire	Jack & Tim		x		4/1/2010	5/1/2011		1/30/2012	One (1) aid car 1/30/2012
6.4.3	Facilities needs	Fire	Helen/ Grace		x						
6.4.3.1	Housing of Firefighters & Equipment	Fire	Jack H.		x		6/1/2009	12/30/2010	x	5/16/2011	negotiations with WF&LS
6.4.4	Obtain Firefighter Equipment (SCBA, Turnouts, etc.)	Fire	Jack H.		x		1/1/2011	5/1/2011		Ongoing	5/1/2011 Completion
6.4.5	Begin new employee recruitment process	Fire	Jack H.		x		7/1/2010	10/1/2010		complete	for two (2) positions
6.4.5.1	Begin interview process	Fire	Jack H.		x		7/15/2010	7/30/2010		complete	for two (2) positions
6.4.5.2	Complete background checks	Fire	Jack H.		x		7/30/2010	10/1/2010		complete	for two (2) positions
6.4.5.3	Identify and hire laterals	Fire	Jack H.		x		7/31/2010	5/1/2011		complete	negotiations with WF&LS
6.4.5.4	Negotiate with testing contractor	Fire	Jack H.								HR
6.4.5.5	Train Fire Inspectors	Fire	Helen/ Grace			x	6/1/2011	9/1/2011		not started	Currently getting testing schedule organized w/IAFF
6.4.5.6	Conduct testing	Fire	Helen/ Grace		x		4/1/2011	5/1/2011		underway	
6.4.5.7	Complete hire	Fire	Jack H.		x		10/1/2010	4/18/2011			
6.4.5.8	Complete academy	Fire	Jack H.		x		1/6/2010	7/22/2011			
6.4.5.9	Complete field training	Fire	Jack H.		x		5/1/2011	8/5/2011			6/1/2011 WFLS

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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.5	Public Works	PW	Daryl								
6.5.1	PW - Streets	PW	Hoppy								
6.5.1.1	Inventory Maps	PW	Hoppy		X		6/1/2011	1/1/2011			Data is necessary in order to Develop Level of Service
6.5.1.1.2	A) Mowing Map	PW	Hoppy		X		6/1/2011	1/1/2011		underway	
6.5.1.1.3	B) Street / bridges	PW	Hoppy		X		6/1/2011	1/1/2011		Completed	
6.5.1.1.4	C) Trees	PW	Hoppy		X		6/1/2011	1/1/2011		not started	
6.5.1.1.5	D) Sidewalks	PW	Hoppy		X		6/1/2011	1/1/2011		not started	
6.5.1.1.6	E) Paths / Trails	PW	Hoppy		X		6/1/2011	1/1/2011		not started	
6.5.1.1.7	F) Street lights	PW	Hoppy		X		6/1/2011	1/1/2011		not started	
6.5.1.1.8	G) Signals & Special Others	PW	Hoppy		X		6/1/2011	1/1/2011		In progress	
6.5.1.1.9	H) Parking Facilities	PW	Hoppy		X		6/1/2011	1/1/2011		N/A	We do not have this info in GIS for the current City
6.5.1.1.10	I) Snow Routes	PW	Hoppy		X		6/1/2011	1/1/2011		Completed	needs to be reviewed
6.5.1.1.11	J) R.O.W. Maps / Greenbelts	PW	Hoppy		X		6/1/2011	1/1/2011		Completed	ROW completed / Greenbelts are not mapped for the current city.
6.5.1.1.12	K) Medians, Gateways, Roundabouts etc...	PW	Hoppy		X		6/1/2011	1/1/2011		not started	
6.5.1.1.13	L) Public Owned Anything	PW	Hoppy		X		6/1/2011	1/1/2011		N/A	Nothing at this time
6.5.1.1.14	M) Irrigation	PW	Hoppy		X		6/1/2011	1/1/2011		N/A	We do not have this info in GIS for the current City
6.5.1.1.15	N) Signs / Striping / Markings	PW	Hoppy		X		6/1/2011	1/1/2011		N/A	We do not have this info in GIS for the current City
6.5.1.2	Condition Ratings	PW	Hoppy		X		6/1/2011	1/1/2011		Ongoing	
6.5.1.2.1	Ongoing Programs that differ from C.O.K.	PW	Hoppy		X		6/1/2011	1/1/2011		Ongoing	
6.5.2	PW - Facilities	PW	Donna								
6.5.2.1	Update Space Needs Assessment	PW	Donna	X			4/1/2009	6/30/2010		Ongoing	City Hall, Annex, 505, Public Works and Parks Maintenance, Maintenance Yard, Court. Working on current square footage info by department to compare to space needs assessment update based on depts' projected needs. Pending updates on projected staffing levels.
6.5.2.2	Identify current inventory of space	PW	Donna		X		Ongoing	6/30/2010		Ongoing	
6.5.2.3	Identify need for leased space	PW	Donna		X		Ongoing	9/30/2010		Ongoing	
6.5.2.4	Assist with Fire Station 25 Design & Construction	PW	Donna	X			Ongoing	TBD		Ongoing	Need timing for start of construction. Will we assume the responsibility to construct the fire station with annexation?
6.5.2.5	Reallocate space in existing and acquire additional facility space as needed	PW	Donna		X		1/1/2010	5/14/2011			
6.5.2.6	Hire new Facilities Staff	PW	Donna		X		6/30/2010	9/30/2011			
6.5.2.7	Meetings with King County Counterpart	PW	Donna		X		Ongoing	?		Ongoing	Determine if any KC owned building facilities/rental property in PAA to be transferred to COK. No known building

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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.5.3	PW - Fleet	PW	Donna								
6.5.3.1	Price out all new vehicles as of annexation date.	PW	Donna	X			1/1/2010	4/1/2010		Completed	20 annexation vehicles were approved for purchase in 2011. 25 in 2012. All 45 annexation vehicles have been priced out.
6.5.3.2	Determine needed delivery dates of new vehicles.	PW	Donna		X		1/1/2010	4/1/2010		Completed	Delivery dates for all vehicles confirmed
6.5.3.3	Determine source and timing of vehicle ordering.	PW	Donna		X		1/1/2009	4/1/2010		Completed	Necessary ordering lead times have been determined
6.5.3.4	Hire new Fleet Staff	PW	Donna		X		6/1/2010	1/1/2011		In process	Scheduled for 7/1/11 & 1/1/12
6.5.4	PW - Engineering										
6.5.4.1	Prepare legal description	PW	Rob							Done	
6.5.4.2	Woodinville Water Franchise Agreement	PW	Rob		X		3/1/2010	6/1/2011	X	Underway	See above under interlocal section
6.5.4.3	NUD Water Franchise Agreement	PW	Rob		X		3/1/2010	3/1/2011	X	Done	See above under interlocal section
6.5.4.4	Millennium Digital Media Cable Franchise Agreement	PW	Rob		X		3/1/2010	3/1/2011		Done	Does not appear to be a franchise in our AA
6.5.4.5	Hire Development Engineering Staff	PW	Rob		X	X	3/1/2011	12/31/2011		Underway	
6.5.4.6	Review all Co. Development projects in Maint. Period	PW	Rob		X		3/1/2011	6/1/2011		underway	Meetings with KC DDES staff are being set up
6.5.4.7	Assist Planning and Building with Interlocal - re: permit review	PW	Rob	X			2/1/2010	6/1/2011	X	Underway	
6.5.4.8	Assist Building Dept and IT with Permit Software upgraded/changes	PW	Rob/Katy		X		1/1/2010	1/1/2011		Underway	Energov is expected to go live on 3rd Q of 2011
6.5.4.9	Respond to phone/counter inquires from AA citizens	PW	Rob	X			5/1/2009	6/1/2011		ongoing	

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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.5.5	PW - Water	PW	Greg								
6.5.5.1	Redmond Water Transfer	PW	Greg N & Dave S	X			3/1/2010	6/1/2011	X	ongoing	Will follow process that we just completed with the Bridle view annexation. Need Map of Area Including: Mains, Hydrants, Zone Etc..
6.5.5.1.1	A) Inventory Analysis	PW	Greg		X		3/1/2010	6/1/2011			Meter Sizes & Addresses - Manufacturer & Serial numbers
6.5.5.1.2	B) Meter Read/Utility Billing	PW	Greg		X		3/1/2010	6/1/2011			First read of Meters
6.5.5.1.3	C) Water Capital Plan	PW	Greg/Ray		X		3/1/2010	6/1/2011			Gather & Upload info to Springbrook / Hansen
6.5.5.1.4	D) Water transfer subcommittee	PW	Greg		X		3/1/2010	6/1/2011			
6.5.6	PW - Solid Waste	PW	Rob/John M							DONE!!!	Council Adopted resolution on 3/15/11
6.5.6.1	Service Provider	PW	John M		X	X	TBD	TBD		DONE!!!	determine effective date of customer transfer. Per 4-Way Agreement, customer transfer from Allied Waste to Waste Management schedule to occur on July 1, 2011. City is currently exploring possibility of modifying the 4-Way Agreement to which would move the customer transfer date forward to Oct 1, 2014 which is the the end of our current contract with Waste Management. City staff is meeting with Allied Waste and Waste Management to discuss their willingness to renegotiate/modify the 4-Way Agreement.
6.5.6.2	2011-12 Solid Waste Rates	PW	John M		X		1/15/2010	3/1/2010		Done	Met on 1/6/10 to discuss needs for 2011-2012 solid waste rate scenarios from consultant that will conduct solid waste rate study. Staff is working on a PSA and scope with consultant to provide rate scenarios.
6.5.6.3	Billing/Customer Transfer	PW	John M		X		Ongoing	7/1/2011		In Process	Decision to bill in-house. Utility Billing is working to transfer WM customers 6/1/11 and Allied customers 7/1/11.
6.5.6.4	Long Term Contract Renegotiation	PW	John M			X		9/30/2014		Done	Discuss interest in renegotiating long-term contract to be effective after expiration of second contract extension in Sept 2014.
6.5.6.5	Mandatory Garbage Service/Service Comparison	PW	John M	X			3/1/2011	6/15/2009		Ongoing	Requested customer data from Allied Waste on 5/1/09. Researching past annexation practice. Approx 1200 self haulers
6.5.6.6	Solid Waste Subcommittee	PW	John M	X			6/1/2009	Ongoing		Ongoing	Solid Waste/Annexation Committee reformed and met on 1/6/10.
6.5.7.1	PW - Surface Water - O&M	PW	Bobbi								
6.5.7.1.1	Check to see if there's a list of "hot spots" that crews check during storms	PW	Bobbi		X			12/1/2010		Done	Pulled map from KC Stormwater website of all stormwater complaints from past 5 years. Map shows "hot spots" but will request a list of inspection points during storms.

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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.5.7.1.2	Clean all catch-basins/swales & ponds by end of NPDES permit term (2011 – need to check whether the “clock starts over” for annexation areas)	PW	Bobbi			x	6/1/2011	12/1/2011		upcoming	KC crews have been given inspection report and are cleaning/repairing the system
6.5.7.1.3	Gather, review and inspect data on public systems that have been inspected annually per NPDES by County	PW	Bobbi		x			10/1/2010		ongoing	Need records of cleaning for documentation and base line status
6.5.7.1.4	Conduct further TV inspection and condition rating of system	PW	Bobbi			x		12/31/2011		ongoing	Completed initial study for spot checking system but will continue to inspect "hot spots"
6.5.7.1.5	Meetings w/ King County Counterpart	PW	Bobbi					6/1/2011		ongoing	Series of meetings have occurred or are scheduled
6.5.7.1.6	Assessment/Condition of system	PW	Bobbi		X			10/1/2010		ongoing	Field mapping is 80% complete. Will begin reviewing data with engineering staff.
6.5.7.1.7	Spec. Equipment and Hire new staff	PW	Bobbi			X		12/1/2011		ongoing	Review applications, interview, test and reference check candidates (multiple days). Depending on application numbers of qualified candidates.

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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.5.7.2	PW - Surface Water - Engineering										
6.5.7.2.1	Review County Owned Parcels	PW	Jenny	X			3/1/2010	6/1/2011		Done	
6.5.7.2.2	Surface Water Fee Collection	PW	Jenny	X			3/1/2010	6/1/2011		ongoing	
6.5.7.2.3	Obtain and review historical and existing water quality and drainage complaint files to determine if there are ongoing problems	PW	Jenny		x		3/1/2010	6/1/2011		done/ongoing	
6.5.7.2.4	Develop CIP list for use in initial budgeting (i.e. until surface water master plan can be done)	PW	Jenny/Ray			x	6/1/2011	12/31/2012		ongoing	
6.5.7.2.5	Walk streams to inventory and screen outfalls (NPDES requirement)	PW	Jenny		x		6/1/2011	12/31/2012		ongoing	
6.5.7.2.6	Obtain private system maintenance inspection files from County	PW	Jenny				3/1/2011	6/1/2011		ongoing	
6.5.7.2.7	Look at switching to 2009 King County Surface Water Design Manual to ease transition for those developing in PAA?	PW	Jenny		x		3/1/2010	6/1/2011		Done	
6.5.7.2.8	Develop surface water master plan that looks at needs and recommends programs accordingly	PW	Jenny			x	6/1/2011	12/31/2012		ongoing	
6.5.7.2.9	Hire New Surface Water Staff	PW	Jenny		X	X	3/1/2011	12/31/2011		ongoing	
6.5.7.2.10	Juanita Creek Basin Retrofitting Analysis Project	PW	Jenny							ongoing	
6.5.7.2.11	Coordinate Tree Work Plan with Planning	PW	Jenny/Rob				3/1/2011	12/31/2011		ongoing	

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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.5.8	PW - Transportation	PW	Godfrey								
6.5.8.1	Review County Road Classifications	PW	Godfrey		X		7/1/2009	11/1/2009		Done	
6.5.8.2	Revise Traffic Impact fees	PW	Godfrey		X		7/1/2009	12/1/2010		done -adopted our current fees	
6.5.8.3	Meetings w/ King County counterpart (transportation Capital)	PW	Godfrey		X					Done	
6.5.8.4	Meetings w/ King County counterpart (transportation Maintenance)	PW	Godfrey		X					Ongoing	
6.5.8.5	Develop PAA Active Transportation Plan	PW	Godfrey		X					Ongoing	
6.5.8.6	Revise Concurrence/Vehicular LOS to incorporate annexation area	PW	Godfrey				1/31/2010	5/15/2011			
6.5.8.7	ITS Signal mngmt for 124th St from County to City	PW	Godfrey				Ongoing	6/1/2011		ongoing	Godfrey is currently discussing options with King County (Norton Posey)
6.5.9	PW - GIS/Mapping	PW	Ray								
6.5.9.1	School walk routes	PW	Ray			X	9/30/2011	12/30/2011		ongoing	
6.5.9.2	Surface water inventory	PW	Ray			X				in process	80% complete
6.5.9.3	Pavement, sidewalk, surface features mapped	PW	Ray			X				not started	
6.5.9.4	Support as identified by other divisions	PW	Ray			X				ongoing	
6.5.9.5	obtain and scan/inventory record drawings	PW	Ray			X	6/30/2011	12/30/2011		not started	Need storage containers and area
6.5.9.6	Obtain and scan/inventory plat maps	PW	Ray			X	6/30/2011	12/30/2011		not started	Need storage containers and area
6.5.10	PW - Capital Improvement Division	PW	Ray								
6.5.10.1	Interlocal with King County regarding active projects/grants	PW	Ray		X		1/1/2010	6/1/2011	X	ongoing	
6.5.10.2	Meet with KC CIP project managers re: active projects	PW	Ray		X		1/1/2010	6/1/2011		ongoing	
6.5.10.3	Collect project information for TNR/CFP projects that are unfunded	PW	Ray		X		3/1/2011	6/1/2011		ongoing	
6.5.10.4	Integrate County PMIS with Kirkland PMIS	PW	Ray			X	9/30/2011	12/30/2011		ongoing	
6.5.10.5	Sidewalk defect inventory assembled	PW	Ray			X				ongoing	
6.5.10.6	Pavement Marking basemaps and inventory for bidding	PW	Ray			X	9/30/2011	12/30/2011		ongoing	
6.5.10.7	Coordinate with Surface Water engineering on SW project development	PW	Ray		X		3/1/2011	6/30/2011		ongoing	
6.5.10.8	Coordinate with utilities/agencies on Capital Planning/Projects	PW	Ray			X	1/1/2012			ongoing	
6.5.10.9	Meet with LWSD re: Elementary School Walk Route mapping/designations	PW	Ray			X	9/30/2011	12/30/2011		ongoing	
6.5.10.10	Assess impact fee collection status and timeframes to obligate	PW	Ray			X	6/30/2011	9/30/2011		ongoing	
6.5.10.11	Attend/formulate community contacts	PW	Ray			X	9/30/2011	12/30/2011		ongoing	
6.5.10.12	Develop a street CIP	PW	Ray		X					ongoing	
6.5.10.12.1	Determine PAA transportation CIP Revenue (Gas Tax, REET etc.)	PW	Ray		X						
6.5.10.13	Develop a traffic CIP	PW	Ray		X					ongoing	
6.5.10.14	Develop a Surface Water CIP	PW	Ray/Jenny/Dave		X					ongoing	
6.5.10.15	Incorporate AA into 2011-2016 CIP/TIP	PW	Ray			X					

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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.6	Information Technology										
6.6.1	Develop priority GIS data and maps	IT	Xiaoning Jiang	x	x	x	1/1/2010	12/30/2012		On Schedule	
6.6.1.1	Develop priority annexation data RFP and release	IT	Xiaoning Jiang		x		1/1/2010	3/31/2010		Completed	
6.6.1.2	Develop enterprise annexation GIS master plan	IT	Xiaoning Jiang		x		2/1/2010	8/30/2010		Completed	
6.6.1.3	Update real property layer	IT	Xiaoning Jiang		x		4/1/2010	3/31/2011		Completed	
6.6.1.4	Update street network layer	IT	Xiaoning Jiang		x		4/1/2010	12/31/2010		Completed	
6.6.1.5	Update other layers as identified via RFP process	IT	Xiaoning Jiang		x	x	4/1/2010	12/31/2012		On Schedule	
6.6.1.6	Support departmental annexation GIS needs	IT	Xiaoning Jiang	x	x	x	ongoing	ongoing		ongoing	
6.6.2	Analyze what needs to change in major apps (for example, utility billing if we bill garbage) and develop a plan. Includes application functionality, business process changes as needed, training, and reporting	IT	Brenda Cooper	x	x	x	3/1/2010	12/30/2010		In IT Workplan	
6.6.3	Support reporting requirements for annexation	IT	Brenda Cooper	x	x	x	1/1/2009	12/30/2011		As Requested	
6.6.4	Support for on-boarding new staff (new process to handle larger influx at once)	IT	Donna Gaw	x	x	x				NOT sure if this will be effective. Onboarding all over the place	
6.6.5	Manage cable franchises (oversee transfer, communicate with citizens, etc.	IT	Janice Perry		X		1/1/2010			Moved to Franchise. BC still has a to-do on Comcast	
6.6.6	Identify leases of private telecommunications facilities and transfer to us	IT	Janice Perry		X		1/1/2010	12/30/2011		Finance	First task will be to get a list of existing leases from King County
6.6.7	Complete upgrade of IFAS	IT	Karen Friesen	C			started	5/1/2010		Done	
6.6.8	Purchase and deploy new software licenses	IT	Brenda Cooper		X		1/1/2010	12/30/2011		As Needed	
6.6.9	Purchase and deploy new network switching equipment (for new PCs)	IT	Donna Gaw		X		1/1/2011	3/1/2011		Waiting for Switch Replacement Project	
6.6.9	Completed upgrade of Permits System	IT/Most	Kyle Coulson		X		started	12/30/2010		Working on it	

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TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.7	Human Resources										
6.7.1	Review department hiring plans	HR	Bill/HR Staff				7/1/2010	7/1/2011			
6.7.2	Work with departments on recruitment strategies	HR	Bill/HR Staff				7/1/2010	7/1/2011			
6.7.3	Develop new classifications or reclassifications	HR	HR Staff				As needed	As needed			
6.7.4	Develop public safety staffing transition plans	HR	Bill/Rod				4/1/2010	7/1/2011		in progress	Coordinate with KPD A Team for lateral hires
6.7.4.1	KC Sheriff to KPD	HR	Bill	x	x						
6.7.4.2	WFLS to Kirkland Fire	HR	Bill	x	x						
6.7.4.3	Coordinate Civil Service process	HR	Rod	x	x						Commission approval of in-house lateral hiring
6.7.5	Conduct impact bargaining with all unions	HR	Bill	x	x		12/1/2009	7/1/2011		in progress	
6.7.6	Coordinate with WCIA on risk management issues	HR	Kathy		x		TBD	TBD		Ongoing	

**ANNEXATION MASTER WORK PLAN
BEGINNING APRIL 2009 (PRE-ELECTION, PRE-EFFECTIVE, POST-EFFECTIVE)**

TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.8	Planning										
6.8.1	Prepare code amendments	PCD	Jeremy							Done	
6.8.1.1	Complete Annexation Area Zoning Process Prepare draft comp plan map, zoning code &	PCD	Jeremy	x			5/8/2009	7/21/2009		Done	
6.8.1.1.1	subd. Ord.	PCD	Jeremy	x			5/8/2009	7/21/2009		Done	
6.8.1.1.2	Issue SEPA DNS	PCD	Jeremy	x			5/8/2009	5/22/2009		Done	
6.8.1.1.3	Notify CTED	PCD	Jeremy	x			5/7/2009	7/6/2009		Done	
6.8.1.1.4	Council review of Draft Zoning	PCD	Jeremy	x			5/8/2009	5/19/2009		Done	
6.8.1.1.5	Open House	PCD	Jeremy	x			6/2/2009	6/2/2009		Done	
6.8.1.1.6	Public Hearing #1	PCD	Jeremy	x			6/2/2009	6/2/2009		Done	
6.8.1.1.7	Public Hearing #2	PCD	Jeremy	x			7/7/2009	7/7/2009		Done	
6.8.1.1.8	Adopt Zoning	PCD	Jeremy	x			7/21/2009	7/21/2009		Done	
6.8.1.1.9	Publish Zoning Code	PCD	Jeremy		x		1/19/2010	4/1/2010		Done	
6.8.2	Address School Impact Fees	PCD	Jeremy		x		2/15/2010	6/1/2011		Done	If approached by the LWSD.
6.8.3	Amend Comp. Plan	PCD	Jeremy							Done	
6.8.3.1	Amend General Elements	PCD	Jeremy							Done	
6.8.3.1.1	Scope issues	PCD	Jeremy		x		5/1/2010	12/1/2010		Done	
6.8.3.1.2	Planning Commission study	PCD	Jeremy		x		6/1/2010	10/1/2010		Done	
6.8.3.1.3	City Council review/action	PCD	Jeremy		x		10/1/2010	12/1/2010		Done	
6.8.3.2	Determine Neighborhood Boundaries Meet with City Council, obtain preliminary	PCD	Jeremy							Done	
6.8.3.2.1	direction	PCD	Jeremy		x		3/2/2010			Done	
6.8.3.2.2	Meet with Annexation Residents Meet with Kirkland Alliance of	PCD	Jeremy		x		3/1/2010	8/1/2010		Done	
6.8.3.2.3	Associations	PCD	Jeremy		x		3/1/2010	8/1/2010		Done	
6.8.3.2.4	Review with Planning Commission	PCD	Jeremy		x		3/1/2010	8/1/2010		Done	
6.8.3.2.5	Report back to City Council	PCD	Jeremy		x		9/1/2010	9/1/2010		Done	
6.8.3.2.6	Planning Commission conducts hearing on proposed Comprehensive Plan amendment City Council adopts Comprehensive Plan	PCD	Jeremy		x		10/1/2010	10/28/2010		Done	
6.8.3.2.7	amendment	PCD	Jeremy		x		12/1/2010	12/14/2010		Done	
6.8.3.3	Prepare PAA neighborhood plans	PCD	Paul S			x					To be determined
6.8.4	Amend all maps to include PAA	PCD	Jeremy		x		1/19/2010	6/1/2011		Done	
6.8.5	Amend shoreline master plan	PCD	Paul S							In Progress	
6.8.5.1	Scope issues	PCD	Paul S		x		6/1/2010			Done	
6.8.5.2	Planning Commission study	PCD	Paul S		x		9/1/2010			Done	
6.8.5.3	City Council review/action	PCD	Paul S		x			6/1/2011		Done	Pending DOE approval/council final adoption
6.8.6	Update Tree, Housing and other regulations	PCD	Paul S			x				Done	
6.8.7	Wild Glen annexation Early enactment of KZC for cell towers and	PCD	Joan L-B Jeremy/Nan		x		1/19/2010	6/1/2011		done	Signed by all parties 4/6/11. Effective 6/1/11
6.8.8	billboards in AA Coordinate distribution of annexation info to	PCD	cy		x		2/2/2010		x	Done	
6.8.9	utilities and other agencies	PCD	Joan L-B		x		2/2/2010	3/15/2011		Done	
6.8.10	Conduct census	PCD	Eric		x	X	1/1/2011	7/1/2011		Planning	To be conducted in June
6.8.11	Code enforcement in PAA	Dev. Serv.	Nancy								See 6.3
6.8.12	Permitting	Dev. Serv.	Nancy								See 6.3

ANNEXATION MASTER WORK PLAN
BEGINNING APRIL 2009 (PRE-ELECTION, PRE-EFFECTIVE, POST-EFFECTIVE)

TASK #	TASK	DEPT	LEAD	PRE-ELECTION	PRE-EFFECTIVE	POST-EFFECTIVE	EST. START	EST. COMPLETE	ILA	STATUS	COMMENTS
6.9	Finance and Administration	Finance	Tracey								
6.9.1	Determine garbage billing assumptions	Finance	Tracey	x			6/1/2009	7/7/2009		Done	
6.9.2	Determine surface water billing assumptions	Finance	Tracey	x			6/1/2009	7/7/2009		Done	
6.9.3	License businesses	Finance	Michael O			x	5/1/2011	7/31/2011		In Process	Ongoing annually
6.9.3.1	Identify businesses	Finance	Michael O		x		2/1/2010	6/1/2011		In Process	
6.9.3.2	Conduct outreach	Finance	Michael O	x			1/1/2011	6/30/2011		In Process	
6.9.3.3	Process licenses	Finance	Michael O			x	6/1/2011	7/31/2011		In Process	Early payments to deferred revenue
6.9.4	Conduct false alarm registrations	Finance	Michael O			x	6/1/2011	6/30/2011		In Process	
6.9.3.1	Identify false alarm customers	Finance	Michael O		x		2/1/2010	6/1/2011		In Process	
6.9.3.2	Conduct outreach	Finance	Michael O	x			1/1/2011	6/30/2011		In Process	
6.9.3.3	Process Registrations	Finance	Michael O			x	6/1/2011	7/31/2011		In Process	
6.9.5	Develop new mail delivery route	Finance	Tracey		x						
6.9.6	Establish cost tracking system for annexation	Finance	Tracey	x			1/1/2010	3/1/2010			
6.9.7	Secure facilities financing (bonds) Incorporate annexation budget into 2011-2012 budget	Finance	Tracey		x		TBD	12/31/2010		Done	
6.9.8	Support materials and equipment purchasing	Finance	Tracey		x		TBD	TBD		In Process	
6.9.10	Update Impact Fees	Finance	Tracey		x		TBD	TBD 2012+			
6.9.11	Update Development Services Fees	Finance	Tracey		x		TBD	TBD 2012+			
6.9.12	Update Parks Fees	Finance	Tracey		x		TBD	TBD 2012+			
6.9.13	Contact utility providers regarding rate changes	Finance	Michael O		x		TBD	TBD		Done	
6.9.13.1	Create list of utility providers	Finance	Michael O		x		TBD	TBD		Done	
6.9.13.2	Identify contacts for utility tax payments at service providers	Finance	Michael O		x		TBD	TBD		Done	
6.9.13.3	Educate utility providers of need for revenue data	Finance	Michael O		x		TBD	TBD		Done	
6.9.13.4	Develop process for gathering revenue data	Finance	Michael O		x		TBD	TBD		Done	
6.9.14	KC Surface Water Revenue for 2011	Finance	Michael O		x					In Process	
6.9.15	Admissions Tax	Finance	Michael O							In Process	
6.9.16	Gambling Tax	Finance	Michael O							In Process	
6.9.17	Accounting/Tracking	Finance	Michael O								
6.9.17.1	IFAS tracking of annexation	Finance	Michael O		x					Done	Not tracking in IFAS
6.9.17.2	Asset/Infrastructure Inventory	Finance	Michael O		x					In Process	List in TRIM
6.9.17.3	Asset/Infrastructure Transfer Process	Finance	Michael O		x					In Process	Waiting for KC
6.9.17.4	Surfacewater revenues/reserves by KC	Finance	Michael O		x					In Process	
6.9.17.5	Impact Fees including School Impact	Finance	Michael O		x					Done	
6.9.17.6	CIP Project Grants	Finance	Sri		x					In Process	
6.9.17.7	Policy changes for population	Finance	Michael O		x					Done	No changes identified
6.9.17.8	Securities held by KC	Finance	Michael O		x					In Process	Coordinate with PW
6.9.18	City Clerk	Finance	Kathi								
6.9.18.1	Records TR from KC	Finance	Kathi			x	6/1/2011			In Process	Request has been transmitted to KC
6.9.18.2	Recruitment Boards & Comm extra seats	Finance	Kathi		x		6/1/2010	6/1/2011		Done	



CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager
From: Kevin Nalder, Director Fire and Building Department
Date: April 13, 2011
Subject: Fire Department Service Award Presentations

RECOMMENDATION:

I would like to publicly recognize four members of our organization who have each dedicated 30 years of professional service to the citizens of Kirkland and Fire District #41 as members of the Kirkland Fire Department.

Thirty year service awards will be present to the following:

- Battalion Chief Mike Haschak
- Battalion Chief Mike Dettmer
- Battalion Chief Joe Sanford
- Fire Captain Keith Adams



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Tracey Dunlap, Director, Finance and Administration
Date: April 8, 2011
Subject: MUNICIPAL CLERKS WEEK

RECOMMENDATION:

Council recognize the week of May 1-7, 2011 as Municipal Clerks Week.

BACKGROUND DISCUSSION:

The International Institute of Municipal Clerks (IIMC) has sponsored Municipal Clerks Week since 1969. This event is aimed at increasing the public's awareness of Municipal Clerks, one of local government's oldest positions, and the vital services they provide for local government and the community.

Municipal Clerks' main function is to serve as the council's foundation. Other duties include, but are not limited to, preparing agendas, taking minutes, maintaining ordinance and resolutions files, keeping the municipality's historical records, and serving as the clearinghouse for information from and about the local government.

"The true worth of the Municipal and Deputy Clerk is often not realized," said IIMC President Sharon K. Cassler, MMC, Clerk of Council in the City of Cambridge, Ohio. "But Clerks perform some of the principal functions of the democratic process."

In 1984 and in 1994, Presidents Ronald Reagan and Bill Clinton, respectively, signed a Proclamation officially declaring Municipal Clerks Week the first full week of May and recognizing the essential role Municipal Clerks play in local government.

Founded in 1947, IIMC is a professional non-profit association with 9,500 members comprised of City, Town, Township, Village, Borough, Deputy and County Clerks throughout the United States, Canada and 15 other countries.



A PROCLAMATION OF THE CITY OF KIRKLAND

Proclaiming May 1 through 7, 2011 as "Municipal Clerks Week" in Kirkland, Washington

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in educational programs, and the annual meetings of their county, state and international professional organizations; and

WHEREAS, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, I, Joan McBride, the Mayor of Kirkland, do hereby proclaim the week of May 1 through May 7, 2011, *as Municipal Clerks Week* in Kirkland, Washington, and further extend appreciation on behalf of the Kirkland City Council to our City Clerk, Kathi Anderson, Deputy City Clerk, Anja Mullin, and City Clerk Assistant, Cheri Aldred, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Signed this 19th day of April, 2011

Joan McBride, Mayor

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.kirklandwa.gov**MEMORANDUM**

To: Kurt Triplett, City Manager

From: Marie Stake, Communications Program Manager

Date: April 6, 2011

Subject: Annexation Communications: Public Information and Outreach

RECOMMENDATION:

That the City Council receive an update about the City's efforts to provide public information and outreach to residents of the Finn Hill, North Juanita and Kingsgate annexation area.

BACKGROUND DISCUSSION:

At the March, 2011 City Council Retreat, it was requested that the City Council receive an update on the City's ongoing communications efforts with the annexation area. For the purposes of this memorandum, public information includes city-produced materials, informational webpages, email updates and video productions. Public outreach includes public participation, community meetings and direct contact via phone, email, or in-person. Also, for the purposes of this memorandum, "resident" refers to homeowners, tenants, and businesses.

The City Council began its most recent Annexation Study in 2006. Public information and outreach efforts have been coordinated through the City Manager's Office. Up until the beginning of 2008, much of the information and outreach efforts were assisted by a communications consultant, EnviroIssues, including community meetings, an online "Listening Log," and printed materials. Communications efforts were then lead by the Communications Program Manager who was hired in June, 2007.

The City's primary communication methods have included:

- **Person-to-person outreach.** This has been achieved primarily through community meetings, public hearings and neighborhood meetings held beginning in 2007 through present day. More recently person-to-person outreach is occurring through direct contact with the City via the phone, email, and walk-in customers.
- **Web-based communications.** Web-based communications have primarily occurred through the [Annexation webpage](#) and through email updates sent to those who subscribe to the Annexation List Serv.
- **Media-based communications.** Media-based communications have been occurring through city-issued news releases that are published by the print media and community blogs. It also includes city-produced video productions that highlight the annexation and informational announcements posted on the City's government access channels (KGOV and Klife).

- **Printed Materials.** City-produced publications include the Frequently Asked Question (FAQ) handouts, materials directly mailed to annexation homes and businesses, and *City Update*, the City's newsletter.

In March 2010, the "2010-2011 Annexation Outreach Plan" was provided to the City Council as part of a quarterly update. The Plan is included as Attachment A. The City Council has received updates about annexation communications in [April 2010](#), [October 2010](#) and more recently in [January 2011](#).

The January Annexation Update highlighted upcoming communication action items including an informational kiosk at the Kingsgate Library, City services mailer, Spring/Summer Recreation Guide, updates to the FAQs, annexation celebration activities, and a new citizen orientation to city government. A status of these activities is provided further in this memo.

The following sections highlight the specific communications areas in more detail and provide an overview of past, current, and future efforts.

COMMUNICATION EFFORTS DETAILS

Person-to-Person Outreach

In its early outreach phase in the fall 2007, the City, through the assistance of EnviroIssues, initiated the outreach campaign "Annexation: Let's Talk." In the summer of 2007, two focus groups were held with city residents to explore their knowledge, understanding and interest in the potential annexation of Finn Hill, North Juanita, and Kingsgate. Also in 2007, several community meetings were held in the annexation area as a "Listening Tour" to gauge community awareness and to understand interests around the potential annexation. Annexation residents were notified of the meetings through a postcard sent by the City.

In late 2008 and through present day, staff from the City's internal Annexation Team has attended neighborhood and community meetings upon request to talk about annexation. A great deal of person-to-person outreach occurred in 2010 when the Planning & Community Development Department initiated its public involvement process around defining neighborhood boundaries. This process allowed the City to build relationships with neighborhood leaders from Finn Hill, North Juanita and Kingsgate which continue today through the celebration planning efforts. In recent months, annexation presentations were given to Kingsgate 1 & 2 and 3 & 4 home owner's association. Also, the City Council Meeting with the Totem Lake Neighborhood Association in March included many Kingsgate residents.

Since January 2011, all departments report a steady increase in annexation-related phone calls, emails, and walk-in inquiries. Responding to these requests is currently the core of the City's person-to-person outreach. Our interactions are our opportunity to make our "first impression" a lasting one with future Kirkland residents.

The most common questions being asked by annexation residents in recent months include:

- When will my address change?
- Will my taxes increase?
- What is my property zoning designation and what can I build on my property?

There has been a steady increase of annexation-related questions being received via the "Ask a Question" feature on the City website. Each response encourages the "requestor" to visit the annexation webpage and to sign up for the list serv.

Upcoming events will offer a unique opportunity for annexation residents to learn more about their new government:

- **Neighborhood University**, May 11, 2011, 6-9 pm, Juanita Elementary School Cafeteria. Neighborhood "U" is hosted annually by the Kirkland Alliance of Neighborhoods. This session will focus on the array of City services available to residents and how to access services and information.
- **Annexation Celebration Events**, June 1-3, 2011. Events include the City Hall Open House, Business Networking Breakfast, and Community Celebration. (More details contained further in this memo)
- **New Citizen Orientation**, will be scheduled for the fall 2011 and will be a series of workshops to educate annexation and current city residents about the basics of city government including budget/city service levels and land use planning and decision making.

City staff will be receiving motivational/customer service training in May that will provide a reminder about effective customer service techniques and approaches.

Web-based Communications

www.kirklandwa.gov: In early April Kirkland's **url** was changed from *ci.kirkland.wa.us* to *kirklandwa.gov* as one key element of annexation communication and customer service. The change was extended to Kirkland staff email addresses on April 6th. Staff emails are now emailname@kirklandwa.gov. Both changes are designed to make the webpage and email addresses easier to remember and more user friendly. The new webpage and emails will be included in all publications and communications to both current Kirkland and the annexation area. The old webpage and emails will be phased out through 2012 to minimize costs.

The primary web-based tool used for annexation communication is the Annexation Webpage, www.kirklandwa.gov/annexation. The Annexation webpage and list serv subscription were created sometime in 2006. The Annexation web page is the most visited page within the City Manager's Office website and it is the 16th most popular page, out of 200 pages, within the entire City website receiving over 9,700 external visits in 2010. A quick "virtual tour" of the site will be given at the City Council meeting.

In its early inception, the webpage hosted the "Listening Log" which was formatted as a question and answer page. The questions were recorded from the community workshops. In Spring 2009, the first version of Frequently Asked Question (FAQ) handouts were posted to the site. Recently, new pages have been added including:

- **City Services**: This page is intended to provide detailed information about particular city services.
- **About the Annexation Process**: This page provides the background about the annexation process for Finn Hill, North Juanita, and Kingsgate

- **Annexation Celebration Events:** This page provides information about the events occurring on June 1, 2 and 3 in celebration of the annexation.

Recently, the home page content was updated with a "Welcome" message.

The second most used web-based communication is the Annexation List Serv. This is a self-subscribing feature on the City's website. The subscription has increased more than 50% from April 2009 to April 2011.

Annexation List Serv Subscriber Counts as of....

4/24/09	6/1/09	12/31/09	3/2/10	9/1/10	3/16/11	4/5/11
682	709	936	971	1109	1205	1239

Two other list servs – News Releases and Neighborhood News – have been also used to push out annexation information.

A popular web-based communication tool is the City's [Ask A Question](#) feature on the City website. In 2010, 43 questions related to annexation were received; 29 have been received in 2011 (as of April 1). The annexation@kirklandwa.gov email address currently receives 1 to 3 questions per month.

Media-based communications

The primary media-based communications tool used for annexation communications is city-issued news releases. News releases have a far reaching capacity because they are typically published in the newspaper (print and online), often are posted to two local community blogs, and pushed out through two city list servs, posted on the city website and at city buildings, and emailed to radio and television stations.

Community surveys commissioned by the City have shown that participants primarily receive city information from the Kirkland Reporter. The newspaper advises that once the Post Office changes the Bothell addresses in the annexation area to Kirkland addresses, it will begin delivering its papers to those address. No specific date has been provided.

Currently, there are over 2,700 Bothell addresses in the annexation area that receive the Bothell-Kenmore Reporter newspaper. Although the Bothell-Kenmore receives annexation-related news releases from Kirkland, it has not been inclined to publish them. However, Kirkland did receive [a brief online write up on April 6, 2011](#) in association with article about the City of Bothell's Annexation Study.

In the Annexation Service Package approved in the 2011-2012 Budget, there is funding available for paid advertising. Staff will check into the costs of placing paid ads in each newspaper welcoming the new residents, advertising the City's contact information, and inviting readers to the celebration activities.

Since assuming a support role to the *Currently Kirkland* television program, the Communications Program Manager has worked with the MultiMedia Services Division to develop brief informative "question and answer" videos related to common questions the City receives

about annexation. The series is called "About Annexation" and the goal is to air one to two videos per month. To date, the following have been included in *Currently Kirkland*.

- [When Will My Address Change?](#)
- [Can Annexation Residents Run for City Council?](#)
- [Which County Parks in the Annexation Area Will the City Maintain?](#)

The links to these videos are posted to the "[Frequently Asked Question](#)" annexation webpage. Two upcoming topics for April are: "Will My Taxes Change?" and "What Can You Tell Me About the Proposed Finn Hill Fire Station?"

Another media-based communication tool is editorials. An [editorial was published in the Kirkland Reporter on November 3, 2010](#) from Mayor McBride about the annexation and how it was a key theme in the 2011-2012 Budget.

Printed Materials

The primary source of information, and the most comprehensive, has been the Frequently Asked Question (FAQs) handouts. These handouts have been available at City Hall and community, neighborhood and business meetings. First created in the Spring of 2009, these FAQs were updated in March 2010, September 2010, and April 2011.

- Annexation Process (Currently out of circulation as a FAQ. Content converted to webpage)
- City Finances
- Public Safety
- Zoning & Building Requirements
- Parks, Recreation & Community Services
- Community Involvement & Communications

Another means the City has used to communicate to annexation residents is through direct mail materials. Prior to the 2009 General Election, the City mailed an informational folio to registered voters in the annexation area. This publication was reviewed by the Public Disclosure Commission.

The City's Recreation Guide has long been mailed to homes and businesses in the Kirkland 98033 and 98034 zip codes. Those annexation residents with Bothell addresses did not receive the Spring 2011 Recreation Guide but will receive the Fall Guide because the Post Office advises it will change addresses to Kirkland 98034 on July 1, 2011.

Limited printed copies of the *City Update* newsletter are made available at City Hall, the Kirkland and Kingsgate Libraries, and City Community Centers where it is possible that an annexation resident can obtain one.

In late April, 2011, all annexation residents will receive a **City Services Guide** that introduces them to city services and provides city and community contact information. The Guide's Table of Contents includes:

- Welcome by the Kirkland City Council
- About Your City
- About Your Safety
- About Your Neighborhood
- About Your Parks and Recreation
- About Your Property
- About Your Utilities

- About Your Business
- How Do I? (Question and Answer)
- Community Contacts
- City Contacts
- Celebration Event Information

Soon after the City Service Guide is mailed, the Public Works Department will send a postcard to annexation customers who currently self-haul their garbage notifying them to set up an account with the City for Waste Management services. In early May 2011, Waste Management will notify all garbage/recycling customers via a direct mailer introducing it as their new service provider. Waste Management will also be sending a direct mailer postcard about cart delivery and removal schedules to annexation customers (early June) and a comprehensive service guide to all Kirkland customers (mid-June). Annexation customers will also receive an information packet attached to their new carts when they are delivered (late-June).

Also soon after the City Services Guide is mailed, the Licensing Division will send an informational letter to known businesses and home occupations notifying them of the City's business license requirements.

Beginning in the fall 2011, annexation residents will receive the Reduce, Reuse, and Recycle newsletter produced by the Public Works Department.

CELEBRATION EVENTS

As presented in the January Annexation Update to the City Council, a citizens planning team comprised of annexation residents and city staff have organized the following events:

- **Wednesday, June 1, City Hall Open House, 4 to 7 pm.** Activities include a welcome from City and other officials, informational booths throughout the public areas of City Hall, interactive activities (arts & crafts, online mapping and plan review, free blood pressure checks) and informational displays. Waste Management, Woodinville Water District and Northshore Utility District are being invited to participate as is the Kirkland Alliance of Neighborhoods. An invitation is being extended to Board and Commission Members to participate. Light refreshments will be served following the Welcome.
- **Thursday, June 2, Business-to-Business Breakfast, 7:30 to 9:30 a.m., Caribbean Casino.** Kirkland businesses are invited to attend an informal networking breakfast event hosted by Caribbean Casino. Capt. Mike Ursino, Kirkland Police Department is the keynote speaker who will share insights about the Police Department. The event is free; seating is limited and reservations are highly encouraged.

In conjunction with the Breakfast, a coupon book is being developed. Participating businesses can be included within the book as a means to advertise their business and support the annexation.

- **Friday, June 3, Community Celebration, Juanita Beach Park, 3 p.m.** Activities are planned for the northern portion of Juanita Beach Park due to ongoing improvements to the southern (bayside) portion of the park. The Juanita Friday Market will be held on the northern portion as well from 3 to 7 p.m.

Activities will be centered around the Forbes House. The Welcome by City and other officials will be held from the front porch. City Council Members are invited to serve strawberry short cake to attendees following the Welcome. Aprons will be provided.

Supplies are being donated by Juanita Village Starbucks and Shari's Restaurant. Other donations are being sought.

Following the dessert, Kamiakian Junior High Jazz Ensemble and Juanita High School Pep Band will perform. A children's art activity will be offered. Back Burner, a local bluegrass band, will perform following the school bands. Carillon Properties is providing the free Outdoor Movie in Park which will show at dusk and will be projected onto an inflatable screen. The movie is "Sandlot."

City informational booths will be located among the Farmers Market vendors. Police and Fire Department vehicles will be on display, including the "Fire Ready Trailer."

Staff is seeking donations to support these activities but some costs will need to be borne by the City including portable toilets, decorations, and paper products. Also, staff is seeking sponsors for a street banner.

County, state, and federal elected officials will receive an invitation to participate in the Welcome activities at the Open House and Community Celebration.

A draft poster and invitation will be presented at the City Council meeting.

CLOSING SUMMARY

The City uses a variety of communications methods to inform and involve annexation residents with their new government. Our current strategies allow for residents to receive information in various ways; but we recognize that one of the most important ways is the personal interaction.

In the coming weeks, we will be distributing "How We Can Help You" messages to annexation residents to help them become familiar with the City of Kirkland staff, functions, and programs. Distribution will include the City's news release distribution (media, local blogs), annexation list serv, and website.

Attachment A: 2010-2011 Annexation Outreach Plan

KIRKLAND'S NORTH ANNEXATION FINN HILL - NORTH JUANITA - KINGSGATE 2010-2011 ANNEXATION OUTREACH PLAN

The purpose of this Outreach Plan is to identify communications strategies to effectively communicate with current and future City of Kirkland residents about issues related to the annexation of the Finn Hill, North Juanita and Kingsgate neighborhood areas. This Plan identifies communications efforts that will be continued and proposes new strategies. Strategies are intended to be implemented during the time after the election (November 2009) and beyond the effective date of annexation (June 1, 2011). City communications will be integrated with the key messages contained in this Plan.

The City will use multiple means to communicate:

- Person-to-person outreach
- Web-based communications
- Media-based communications
- Printed materials

Outreach and public information activities conducted in 2009 are contained in Appendix A. Estimated costs for communications efforts in 2010 and 2011 are contained in Appendix B (Annexation Service Package). Appendix C is an internal resource document that identifies staff members who are most knowledgeable about annexation issues who will be considered Annexation Liaisons.

Key Messages

- ***The Kirkland City Council has accepted the annexation of the Finn Hill, North Juanita and Kingsgate neighborhoods.***
 - The City Council placed the question of annexation, zoning and assumption of indebtedness to the voters in the annexation
 - Although the threshold for assuming indebtedness was not reached in the election, the City Council, as allowed by state law, decided to accept the annexation without asking the area residents to assume City debt.
 - The annexation and adopted zoning regulations will take effect June 1, 2011.
- ***Economic health is a top priority for the City Council and current and annexation residents.***
 - Similar to other cities, Kirkland is facing budget challenges due primarily to an economic downturn

- The cost of doing city business continues to grow faster than revenue due to tax limitation measures and other economic forces.
- The imbalance between Kirkland revenues and expenditures occurs with or without annexation.
- To close the gap between revenue and expenditure and balance the 2009-2010 budget, the City Council cut expenditures, used reserves and increased taxes.
- Due to a continued decline in the primary sources of revenue, the City implemented service and staff reductions in 2009 and 2010.
- The annexation area is also impacted by revenue declines which will most likely require a slower phasing of city service levels.
- Kirkland is eligible to receive state sales tax credit funding as an incentive.
 - Kirkland is eligible to receive funds for a ten year period.
 - Note that the sales tax credit is only available up to the amount needed to offset shortfalls due to annexation and must be spent on services to the annexation area.
- ***The City is committed to providing levels of service that are sustainable with available resources.***
 - Levels of service will be phased into the annexation area over time.
 - The most noticeable changes in service levels would be higher staffing in police services.
 - School District boundaries, library services, public transit services, and water and sewer utility providers are not affected by the annexation.

Public Outreach

Continued Outreach

The following outreach efforts will continue to be offered and provided by the City. City communications staff will conduct in-person contact with key annexation area residents to help identify the primary sources of information, organized neighborhood groups and associations, media and other means to effectively communicate with the City's new residents. City Council members will be notified of outreach opportunities:

- City's Speakers Bureau
 - The appropriate members of the City's Annexation Team will be available for public presentations.
- Neighborhood Association meetings
 - The City will continue to be available to attend neighborhood association meetings in existing Kirkland and the annexation area.
- Community Organizations
 - The City will begin to identify community organizations in the annexation area to connect with and will continue to be available to groups within current city limits.
- Phone, walk-in and email customer requests & inquiries
 - The City has been responding to incoming email and written correspondence regarding annexation.
 - The City created an annexation email (annexation@ci.kirkland.wa.us) to receive inquiries.
- Community events
 - The City sponsors and/or participates in several annual events, such as informational booths at local markets, recreation events and tourism-related activities that are an opportunity to engage annexation area residents.

If staffing resources are available, the City will have a presence at appropriate community events to help educate current and future residents about the transition of government and services.

Enhanced Outreach



As a more detailed means to inform new residents about city government and services and encourage their involvement with the City, the City could host a "New Citizen Orientation" to cover such topics as:

- City Government 101
- Budget Basics
- Decision Making in Land Use & Capital Project Planning
- Q&A with Elected and Appointed Officials

Costs associated with the Orientation may include paid advertising and supplies. The Orientation could be held immediately before the annexation effective date or soon after.

- Phone, walk-in and email customer requests
 - The City has created an “annexation liaison” system within the organization to effectively track and respond to inquiries about annexation. (Appendix C)
 - If the number of phone calls to all departments increases significantly, the City may choose to set up an Annexation Hotline that would include any current information and direct the caller to the annexation webpage.
 - The IT Department advises it is possible to establish a 24-hour hotline with greeting options that could direct the caller to a particular department.
- Annexation Kiosk
 - The City may want to create an informational kiosk that could be on display at the Kingsgate Library, grocery stores or other appropriate businesses in the annexation area.

Print messaging

- **Frequently Asked Questions (FAQ) handouts** will be updated to reflect that the annexation will take effect June 1, 2011 and will address issues regarding service effective dates:

▪ Annexation Process	▪ Utility, Solid Waste & Other Services
▪ City Finances	▪ Parks, Recreation & Community Service
▪ Public Safety (fire, EMS, police, court)	▪ Community Involvement
▪ Zoning & Building Requirements	
- **City Update is the City’s official newsletter.** The current budget provides for the printing and mailing of one issue per year.
 - The 2010 funding (printing & postage) would need to be increased from \$6,246 to \$10,600 in order to include the 12,000 new homes and businesses in the annexation area.
 - 2011-2012 funding (\$6,200/year) is included in the Communications Annexation Service Package request. (Appendix B)
- **Direct Mailer to Annexation Area.** Similar to the mailer sent in September, 2009, the City may develop a folio addressing effective “service dates.” (When services become available to annexation residents).
 - The estimated cost to print and mail a folded 11x17 folio is approximately \$5,200. (Appendix B)
- **Newspaper Paid Advertisements.** Current city limits residents are mostly served by the Kirkland Reporter newspaper. In addition to the Kirkland Reporter, The Woodinville Weekly and Bothell-Kenmore Reporter are circulated in the annexation area. It may be preferable to place paid advertising in one or all of the newspapers should the City need to advertise an event or publish important annexation information.
 - The estimated cost is \$750 in 2011. (Appendix B)



- **Utility Service Providers.** As a means to reach residents in the annexation area, the City has made contact with Allied Waste Industries, Northshore Utility District and the Woodinville Water District to seek their help in directing their affected customers to the City's information about annexation.
 - Allied Waste Industries has approximately 80,000 (total) customers in its service area; 8,500 are within the annexation area.
 - Allied does not publish a newsletter.
 - Allied has placed a link to the City's annexation website from its website. (www.alliedwastenorthwest.com)
 - Utility bill inserts are available but due to Allied changing billing companies, the cost of the inserts are unknown at this time and not therefore not included in the Annexation Communications Service Package.
 - Northshore Utility District (NUD) has approximately 25,000 (total) water & sewer connections within its service area; and approximately 10,000 are within the annexation area.
 - NUD produces a newsletter 4 times per year and inserts it into its billing statements
 - NUD has a website (www.nud.net) and is currently redesigning it. It has committed to placing a link to the City's annexation webpage.
 - NUD has interest working with the City to produce a "joint" insert.
 - NUD's billing cycles are completed by geographical areas
 - NUD is working to identify its customers in the annexation area so that a targeted mailing (insert) could be achieved.
 - Woodinville Water District has approximately 13,000 total water and sewer connections; 1,975 are within the annexation area
 - WWD has a printed newsletter that is published 4 times per year (January, April, July, & October) and mailed to all customers. The newsletter is posted online.
 - WWD has a website (www.woodinvillewater.com) and has pledged to placing an link to the City's annexation webpage.
 - WWD allows bill inserts and there is a cost associated with printing them. Costs were not included in the Annexation Communications Service Package.

Web-based messaging

Continued Outreach

Annexation Webpage

The City's Annexation webpage (www.ci.kirkland.wa.us/annexation) has been a primary source of information. All materials produced by the City have promoted the website. The main homepage and the homepage for each city department has an Annexation icon that directs browsers to the Annexation webpage.

In early 2010, the navigation was simplified to the following:

- Frequently Asked Questions (by topics)
- Annexation Zoning Information & Maps
- Council Annexation Agenda Items
- Join Annexation List Serv

During the pre-effective date transition, the City is primarily responding to service questions (e.g. permitting, regulations, service providers). The following pages have been deactivated from the site:

- Handouts (combined with FAQ page)
- On-line comment form (browsers can link to the "Ask a Question" feature to submit an inquiry about annexation.)
- Studies & Reports – content was more than 3 years old.
- Listening Log from 2007-2008 "Let's Talk" Campaign

As City GIS maps are updated to include the annexation area, they will be posted to the Annexation website.

As the annexation date approaches, the City will revise the homepage content with a "Welcome to the City of Kirkland" theme. Links to common pages within the entire City website will be added to the annexation homepage to assist browsers with finding information they seek.

City Update newsletter webpage:

The City Update newsletter is produced 4 times per year. All editions are posted online at www.ci.kirkland.wa.us/cityupdate. Browsers subscribe to the page and when a new edition is posted, they receive an email with a link to the publication. See Appendix A for the current number of subscribers and the issues of City Update that contained annexation articles.

Enhanced Outreach

Social Media Tools

The City is beginning to experiment with social media tools and as it gains more experience in their use, it may be decided to use a social media tool, such as a blog, to provide links to the City's Annexation webpage for current annexation information and to allow for a means to have an "online" question and answer with browsers who have annexation questions. A blog would allow for more "real time" information.

Email-based messaging

Continued Outreach

The City will continue to use email as an effective means of communication through list servs and direct emails. See Appendix A for the number of subscribers to the List Servs.

List Servs: Annexation, Neighborhood E-Bulletin, City Update, News Room

Direct Email: Neighborhood Leader email distribution, Response letter to citizen correspondence

Enhanced Outreach

The City has requested that the Greater Kirkland Chamber of Commerce and the Greater Woodinville Chamber of Commerce include annexation information in their electronic newsletters; which both have agreed

Media Messaging ***Continued Outreach***

News Releases

The Communications Program Manager will continue to issue news releases about annexation related issues and key decisions made by the City Council. The distribution of news releases includes:

- City Council + City Manager's Office + City PIOs (email)
- KirkNet Announcement
- City webpage (News Room page)
- Posted hard copy to public buildings (community centers, libraries)
- Emailed to television, newspaper & radio media
- Emailed to community contacts (business associations, school district)

Editorial/Opinion Letters

Editorials would allow the City to share its perspective about annexation related issues. Editorials could be written on behalf of the entire Council or by individual Council members. Editorials would be forwarded to local (Kirkland Reporter) and regional (Seattle Times) newspapers.

Kirkland TV

The City manages two government access channels: KLIFE and KGOV. The channels can be viewed by current city residents on:

- KLIFE: Comcast Channel 75, Verizon Channel 32
- KGOV: Comcast Channel 21, Verizon Channel 31

Currently, Comcast services the annexation area. When annexation becomes effective, the City's franchise agreement with Verizon for cable (FIOS) television services will apply to the annexation area. (NOTE: Verizon is in the process of transferring its FIOS services to Frontier Communications Company).

KLIFE airs the "Currently Kirkland" TV show. In late 2009, the show transitioned from a monthly broadcast to a weekly (Friday) broadcast. The show lends nicely to "news desk" items. The show will continue to broadcast annexation announcements. Both channels currently air a "bulletin board" announcement that advertises the annexation webpage.

If funding is available, the City may want to produce a "Welcome to Kirkland" video as an educational tool for new residents. Video production would be coordinated between the City Manager's Office and the MultiMedia Services Division (IT Department). Costs are associated with the filming and editing of the video and will vary based upon the length and time for editing.

Internal Communications

Continued Outreach

The City will continue the following internal communications to keep employees informed.

- **Annexation Steering Team:** The Steering Team is comprised of the City Manager, Assistant City Manager, Finance Director, Planning & Community Development Director, City Attorney and Intergovernmental Affairs Manager. It meets regularly to discuss policy and operational issues identified by the Annexation Team.
- **A+ Team:** The A+ Team is comprised of the Assistant City Manager, Communications Program Manager, Intergovernmental Affairs Manager and CMO Administrative Assistant who meet to discuss internal and external communications issues.
- **Solid Waste Annexation Team:** A subcommittee of the "A" Team, the core Solid Waste group is comprised of Public Works, Finance, and CMO staff and meets as needed to address and discuss issues specific to providing solid waste collection services in incorporated and annexed Kirkland.
- **Budget Briefings with City Manager** – Since 2009, two briefings have been held each month in which the City Manager shares the status of the City finances and addresses annexation issues with employees.
- **KirkNet Annexation site:** A page within KirkNet (employee intranet) that posts current information relevant to employees. The page is maintained by the City Manager's Office.
- **In Tune:** City employee electronic newsletter that is produced by the City Manager and Assistant City Manager and posted to KirkNet.

Enhanced Outreach



- **All Staff Meetings:** As a means to communicate current annexation information, effective service dates and other vital information, the City Manager's Office will host "all staff meetings."

Appendix A: Annexation Communications Update 2009 Activities

Neighborhood Meetings

Name	Date	Number Attended
Denny Creek Alliance	April 22, 2009	
Totem Lake Neighborhood Association	May 20, 2009	20

City Sponsored Community Meetings

Date	Location	Number Attended
June 18, 2009	Juanita High School	101
June 23, 2009	Finn Hill Jr. High	155
June 29, 2009	Kamiakin Jr. High	80

2009 City Council meetings

January 6	Potential Annexation fiscal model and proposed timeline
March 3	Potential Annexation update and updated financial model
April 6	Special Study Session: Potential Annexation follow-up
April 7	Special Meeting and Public Hearing: Resolution of Intent
	Council response letter to citizens in Kirkland and the PAA
May 19	Council review of draft annexation zoning
June 2	Proposed Annexation Area—Public Hearing #1
June 16	Study Session—Ballot Title, Pro/Con Committee, Effective Date
July 7	Zoning Public Hearing #2, File No. ANN09-00001
	Operation of card room, pro/con committee for ballot measure
July 21	Zoning Public Hearing #2 (continued), File No. ANN09-00001
	Resolution requesting election date for annexation ballot
September 1	Letter to King County requesting transition funding/updates
December 15	Proposed Annexation Resolution and Ordinance

To view agendas, staff reports and video of City Council discussions on annexation from 2006 to present day, go to www.ci.kirkland.wa.us/depart/CMO/Annexation/CA.

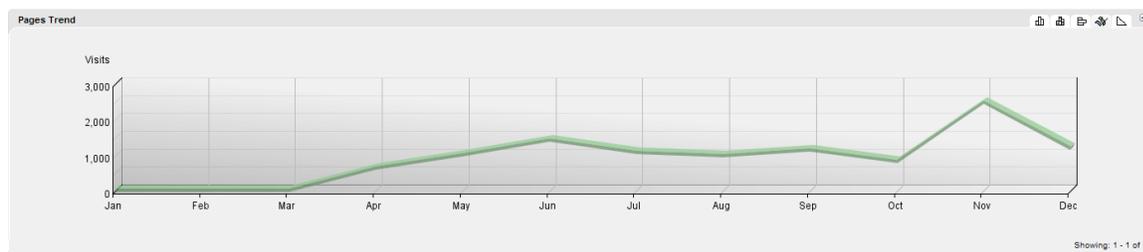
Print Messaging

News Releases	FAQ Handouts	City Update Newsletter
March 25, 2009 "Next Steps"	The following Frequently Asked Question (FAQ) were developed in April, 2009 and updated in September, 2009: <ul style="list-style-type: none"> • Annexation Process • City Finances • Public Safety • Zoning & Building Requirements • Parks, Recreation & Community Services • Community Involvement <i>The FAQs were reviewed by the Public Disclosure Commission.</i>	2 nd Quarter edition (online) "Council decides key issues"
April 7, 2009 "Council to file with BRB"		4 th Quarter edition (online) "Council accepts annexation"
May 13, 2009 "Public Participation Opportunities"		
June 17, 2009 "Pro/Con Committees"		Direct Mailer to PAA
July 8, 2009 "Annexation Key Decisions"		A Q&A folio was mailed to homes in the PAA in September, 2009.
December 16, 2009 "Council Accepts Annexation"		

Web-based Messaging

The City's Annexation webpage (www.ci.kirkland.wa.us/annexation) is a main source of public information. The landing page (homepage) received more than 10,000 visits in 2008 and more than 13,000 in 2009 (January 1 – December 20, 2009).

2009 Web Trends/Annexation Homepage



Email-based Messaging

Public information about the annexation is "pushed out" via email primarily using three list servs:

- Annexation
- Neighborhood E-Bulletin
- News Room

Any City news release about annexation is sent via these email notifications. The "City Update" newsletter webpage has a page watch feature that notifies subscribers when a new edition is posted online.

List Serv	# of Email Notifications (Jan-Dec 2009)	# of subscribers as of 4/24/09	# of subscribers as of 6/1/09	# of subscribers as of 12/31/09
Annexation	22	682	709	936
Neighborhood E-Bulletin	6	730	740	799
News Room	6	143	153	237
City Update newsletter	2			647
TOTAL NUMBER OF LIST SERV SUBSCRIBERS AS OF 12/31/09 RECEIVING ANNEXATION INFORMATION				2,619

The City continues to receive and reply to email correspondence about annexation. In 2009, the following was received.

Emails/Letters to City Council and annexation@ci.kirkland.wa.us	Annexation Online Comment Forms	Ask A Question (online form)	Total Correspondence Received
165	45	10	220

Media Messaging

Communications staff tracked media coverage of annexation to the extent possible. Some highlights are listed below.

Newspaper

Kirkland Reporter

- Kirkland Annexation gets green light (04.08.09)
http://www.pnwlocalnews.com/east_king/kir/news/42698667.html#storyComments
- Fireworks could go up in smoke for annexation area (06.30.09)
http://www.pnwlocalnews.com/east_king/kir/news/69620002.html
- County Council places PAA vote on November ballot (07.29.09)
http://www.pnwlocalnews.com/east_king/kir/news/52019712.html
- Annexation losing by 11 votes, latest election results show (11.13.09)
http://www.pnwlocalnews.com/east_king/kir/news/70079952.html
- Annexation: Kirkland population could nearly double, but budget problems linger (11.9.09) http://www.pnwlocalnews.com/east_king/kir/news/69620002.html

- Kirkland annexation fails, could go back to city council (11.23.09)
http://www.pnwlocalnews.com/east_king/kir/news/71663162.html
- Kirkland Council to vote on annexation after measure fails (12.04.09)
http://www.pnwlocalnews.com/east_king/kir/news/78564727.html
- Annexation on brink of approval; McBride, Sweet, Walen, Marchione lead council race (11.05.09) http://www.pnwlocalnews.com/east_king/kir/news/69334102.html
- Kirkland City Council set to vote on annexation (12.09.09)
http://www.pnwlocalnews.com/east_king/kir/news/78922337.html
- Kirkland annexation a go: Effective date set June, 2011 (12.16.09)
http://www.pnwlocalnews.com/east_king/kir/news/79423567.html

Seattle Times

- Kirkland considers annexation, keeping Casino Caribbean open (4.7.09)
http://seattletimes.nwsourc.com/html/localnews/2008997033_casino07m.html
- Areas to decide on annexation (7.29.09)
http://seattletimes.nwsourc.com/html/localnews/2009555405_dige29m.html
- Kirkland annex 'yes' could be slipping away (11.14.09)
http://seattletimes.nwsourc.com/html/localnews/2010271958_kirklandannex14m.html
- Kirkland annexation barely fails; council could pass it
http://seattletimes.nwsourc.com/html/localnews/2010344985_kirklandannex24m.html
(11.24.09)
- Kirkland to annex Finn Hill, North Juanita and Kingsgate (12.16.09)
http://seattletimes.nwsourc.com/html/localnews/2010517360_kirklandannex16m.html
- Kirkland's smart annexation vote (editorial) (12.17.09)
http://seattletimes.nwsourc.com/html/editorials/2010535884_edit18kirk.html

Television

Kirkland TV

The City's "Currently Kirkland" TV show highlighted annexation on the following dates:

- 11/16 Election Update
- 12/04 Annexation Update
- 12/21 Annexation Update
- 12/29 Annexation Update

*KOMO TV Channel 4**

- Kirkland moves step closer to annexing Finn Hill, Juanita, Kingsgate (4.7.09)
<http://www.komonews.com/news/local/42652947.html>
- Kirkland mulls annexing Finn Hill, Juanita, Kingsgate (4.7.09)
<http://www.komonews.com/news/local/42644112.html>

KOMO has a blog (<http://kirkland.komonews.com>) that often posts city news releases.

*KING 5 Channel 5**

- Kirkland annexation vote seems likely (4.6.09)
<http://www.king5.com/archive/60344552.html>
- Kirkland annexation vote likely (8.15.09)
<http://www.king5.com/news/local/59758762.html>

*Links below are to video files, not to online articles posted to the TV's website.

Community Blogs

There are two active Kirkland community blogs that publish annexation information.

- Kirkland Views: www.kirklandviews.com
- Kirkland Weblog: www.kirklandweblog.com



CITY OF KIRKLAND
Information Technology Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3050
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Brenda Cooper, CIO; Xiaoning Jiang, GIS Administrator
Date: April 8th, 2011
Subject: GIS Browser Demonstration for City Council

RECOMMENDATION

City Council watch a short demo and training session (about ten minutes) using the new GIS browser. Council who are interested in doing so are welcome to attend a scheduled in-depth class in the future or to request a private training session. Council who desire to follow the training on their computers may be able to do so from the dais.

BACKGROUND DISCUSSION

The City's Geographic Information Systems (GIS) division in the Information Technology Department has been working hard to implement a new user-friendly browser that allows city staff easy access to mapping data both inside of the current limits of the city and in the annexation area. Detailed information about the new features was provided in a recent council reading file memo, and GIS staff are looking forward to showing the technology to Council.

Note that because the browser includes utility and other sensitive data, this tool is only directly accessible from inside the city network. It is also often referred to on the counter kiosks in the permitting process when staff is working with customers. There will be a new publicly accessible GIS browser available later this spring.

The new GIS browser adds new functionality and enhancements to meet a wide variety of user business needs. Staff would like to briefly demonstrate for the City Council some of the browser's features:

1. Accessing and navigating around the new GIS browser

Popular data layers include aerial photos, property information, streets, addresses, schools, parks, zoning designations, oblique aerial photography, non-motorized transportation information, and regional utility data from the Northshore Utility District and Redmond. Spatial bookmarks are included so users can instantly zoom to each neighborhood. More information or data layers appear as users zoom, and they can easily turn data layers on/off to customize what is shown on the map. The new GIS browser navigation is similar to Google or Bing.

2. Searching property records in the new GIS browser

The standard search tool provides three different search methods: by property identification number, by individual address, and by commonly used place name. Search criteria can be used to center the map on specific sites. It is easy to visualize property and access details such as owner's name, assessment information, district and neighborhood designations, sensitive area features, etc. The new GIS browser can also be used to create a summary report of this information for internal use or in response to a public inquiry.

The new GIS browser was designed to enhance productivity, streamline many city workflows, and improve service to the public. It is a state-of-the-art technology platform that conveniently accesses huge volumes of data (GIS, maintenance work orders, engineering drawings, city resolutions and ordinances, mailing lists, etc.).



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
April 05, 2011

1. CALL TO ORDER
2. ROLL CALL

Councilmember Marchione was present for the Study Session and Board and Commission Interviews, but was excused/absent due to illness for the remainder of the meeting.

ROLL CALL:

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

Members Absent: Councilmember Doreen Marchione.

3. STUDY SESSION

- a. King County Solid Waste Interlocal Agreement Briefing

Joining Councilmembers for the discussion in addition to City Manager Kurt Triplett were Interim Public Works Director Ray Steiger, Solid Waste Coordinator John MacGillivray and Director of the King County Solid Waste Division, Kevin Kiernan.

4. BOARD AND COMMISSION INTERVIEWS

- a. Erik Mott, Design Review Board

Motion to reappoint Erik Mott to a four year term on the Design Review Board ending March 31, 2015.

Moved by Councilmember Doreen Marchione, seconded by Councilmember Amy Walen

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.

- b. Jack Halter, Parking Advisory Board

Motion to reappoint Jack Halter to a four year term on the Parking Advisory Board ending March 31, 2015.

Moved by Deputy Mayor Penny Sweet, 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.

5. HONORS AND PROCLAMATIONS

a. Child Abuse Prevention Month

Gayle Zawaideh, Children's Response Center Advisory Board Member, accepted the proclamation.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Jordan Overton
Andrea Moline
Cullum Dickson
Karen Whittle
Keri Stout
Sara Biancofiore

c. Petitions

7. SPECIAL PRESENTATIONS

a. David Woodall, Interim President, Lake Washington Technical College

This presentation was postponed to a future meeting.

b. Green Tips

Local resident Margaret Schwender shared information about an upcoming Kirkland Teen Union Building "Good Food" event.

8. CONSENT CALENDAR

a. Approval of Minutes:

- (1) March 15, 2011
- (2) March 16, 2011 Special Meeting
- (3) March 21-22, 2011 Special Meeting

b. Audit of Accounts:

Payroll \$1,772,674.18
Bills \$2,639,068.28
run #992 check #524284
run #993 checks #524287 - 524496
run #994 checks #524323 - 524461
run #995 checks #524462 - 524633
run #996 checks #524634 - 524759

c. General Correspondence

d. Claims

- (1) The Bowie Place Homeowners Association
- (2) Christine Gelotte
- (3) Ellen Miller-Wolfe
- (4) Ernest D. Pearce
- (5) Hans Ravnaas
- (6) Ruth A. Schafer
- (7) Daniel Thonn
- (8) Everett E. Vermilion
- (9) Ubon Vongkunthong

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

- (1) Heronfield Wetlands Bank Stabilization Project, Laser Underground, Snohomish, WA

g. Approval of Agreements

h. Other Items of Business

- (1) Ordinance No. 4296, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND ANNEXING CERTAIN TERRITORY PURSUANT TO RCW 35A.14.480 ON THE TERMS PROVIDED IN THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND, KING COUNTY FIRE PROTECTION DISTRICT #41 AND KING COUNTY REGARDING THE ANNEXATION OF THE WILD GLEN AREA; AND FIXING THE EFFECTIVE DATE OF THE ANNEXATION."

This item was moved to Public Hearings, item 9.b.

Motion to Approve the Consent Calendar, with the exception of item 8.h.(1)., which was pulled for consideration under Public Hearings, item 9.b.

Moved by Deputy Mayor Penny Sweet, seconded by Councilmember Jessica Greenway

Vote: Motion carried 6-0

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

9. PUBLIC HEARINGS

- a. Ordinance No. 4297, Relating to Land Use and Zoning and Providing Interim Official Controls Regarding the Use of Existing Electronic Readerboard Signs at Government Facilities in the "P" Zone of the City of Kirkland

Mayor McBride opened the public hearing and called on Development Review Manager Nancy Cox, who reviewed the background, issues and options for Council consideration. No other testimony was offered and the Mayor closed the hearing. Following the motion and vote, City Manager Kurt Triplett and Assistant City Manager Marilynne Beard introduced and responded to further Council discussion and feedback expressing general support for the staff recommendation on messaging policy questions.

Motion to Approve Ordinance No. 4297, entitled "AN INTERIM ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING AND PROVIDING INTERIM OFFICIAL CONTROLS REGARDING THE USE OF EXISTING ELECTRONIC READERBOARD SIGNS AT GOVERNMENT FACILITIES IN THE "P" ZONE OF THE CITY OF KIRKLAND."

Moved by Councilmember Dave Asher, seconded by Councilmember Bob Sternoff
Vote: Motion carried 6-0

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

- b. Annexation of the Wild Glen Condominiums

Mayor McBride opened the public hearing. Testimony was provided by Bea Nahon, and Claudette Seth. No further testimony was offered and the Mayor closed the hearing.

Motion to Approve Ordinance No. 4296, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND ANNEXING CERTAIN TERRITORY PURSUANT TO RCW 35A.14.480 ON THE TERMS PROVIDED IN THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND, KING COUNTY FIRE PROTECTION DISTRICT #41 AND KING COUNTY REGARDING THE ANNEXATION OF THE WILD GLEN AREA; AND FIXING THE EFFECTIVE

DATE OF THE ANNEXATION."

Moved by Councilmember Dave Asher, seconded by Councilmember Bob Sternoff

Vote: Motion carried 6-0

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

10. UNFINISHED BUSINESS

a. 2011 Legislative Update No. 5

Intergovernmental Relations Manager Lorrie McKay provided a status report on the City's legislative agenda.

b. Totem Lake Update

Economic Development Manager Ellen Miller-Wolfe reviewed the current activities and issues related to the Totem Lake Action Plan/work plan and received Council feedback.

Motion to authorize the use and reallocation of unused neighborhood connections grant funds in the amounts of \$15,000 to conduct an Urban Land Institute peer review study of the Totem Lake Business District and \$16,000 for Totem Lake area rebranding efforts.

Moved by Councilmember Bob Sternoff, seconded by Councilmember Amy Walen
Vote: Motion carried 6-0

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

Council recessed for a short break.

c. Traffic Monitoring for SR 520 Tolling

Transportation Engineering Manager David Godfrey reviewed the proposed monitoring plan and responded to Council questions and comment.

Motion to approve the proposed monitoring plan and to allocate an amount not to exceed \$5000 from the street improvement reserve fund for additional traffic counts.

Moved by Councilmember Dave Asher, seconded by Councilmember Bob Sternoff
Vote: Motion carried 6-0

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

11. NEW BUSINESS

- a. Resolution R-4875, Approving the Issuance of a Process IIB Permit as Applied for in Department of Planning and Community Development File No. ZON10-00022 by the Central Park Tennis Club being Within a PLA16 Zone, and Setting Forth Conditions to Which Such Process IIB Permit Shall be Subject

Planner Susan Lauinger provided background on the application and process to date for Council consideration.

Motion to suspend the rules so that Council may vote on the issue this evening.
Moved by Councilmember Jessica Greenway, seconded by Councilmember Bob Sternoff

Vote: Motion carried 6-0

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

Motion to Approve Resolution R-4875, entitled "A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS IIB PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON10-00022 BY THE CENTRAL PARK TENNIS CLUB BEING WITHIN A PLA16 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PROCESS IIB PERMIT SHALL BE SUBJECT."

Moved by Councilmember Bob Sternoff, seconded by Councilmember Dave Asher

Vote: Motion carried 6-0

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

12. REPORTS

- a. City Council

- (1) Regional Issues

Councilmembers shared information regarding a recent Regional Transit Committee meeting; Puget Sound Regional Council executive board meeting; Northwest College sponsored cleanup of the Houghton neighborhood; Eastside Business Association awards banquet; and an upcoming Recycling Special Collection Event. Council supported requests by Mayor McBride for a staff report on Council subcommittee meetings as a follow up to Council retreat discussion and for staff to work with the YMCA and KTUB youth on issues brought forward to the Council regarding recent changes in staff and programming.

b. City Manager

(1) Burlington Northern Santa Fe (BNSF) Update

(2) Calendar Update

Council agreed to cancel the August 16, 2011 regular meeting.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of April 5, 2011 was adjourned at 10:20 p.m.

City Clerk

Mayor

CITY OF KIRKLAND CITY COUNCIL

Council Meeting: 04/19/2011
Agenda: Approval of Minutes
Item #: 8. a. (2).



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

Vision Statement

*Kirkland is an attractive, vibrant, and inviting place to live, work and visit.
Our lakefront community is a destination for residents, employees and visitors.
Kirkland is a community with a small-town feel, retaining its sense of history,
while adjusting gracefully to changes in the twenty-first century.*

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AGENDA KIRKLAND CITY COUNCIL CENTRAL HOUGHTON NEIGHBORHOOD SPECIAL COUNCIL MEETING

**Houghton Fire Station
6602 108th Avenue N.E.**

**Wednesday, April 6, 2011
7:00 – 8:45 p.m.**

- 6:45 – 7:00 p.m. 1. Informal Casual Conversations
- 7:00 – 7:05 p.m. 2. Welcome and Introductions – Mayor Joan McBride
- 7:05 – 7:10 p.m. 3. Comments from Neighborhood Leaders – Cathy Whiteside and
Carol Buckingham
- 7:10 – 7:30 p.m. 4. Introductions from City Council Members
- 7:30 – 8:45 p.m. 5. General Discussion and Questions from the Audience
- 8:45 p.m. 6. Adjourn
- 8:45 – 9:00 p.m. 7. Social Time

Mayor Joan McBride called the April 6, 2011 Kirkland City Council Special Meeting to order at 6:55 p.m. The following members of the City Council were present: Mayor Joan McBride, Deputy Mayor Penny Sweet, Councilmembers Dave Asher, Jessica Greenway, and Bob Sternoff. Councilmembers Doreen Marchione and Amy Walen were excused.

The Kirkland City Council Special Meeting was adjourned at 8:45 p.m.

City Clerk

Mayor



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Kathi Anderson, City Clerk
Date: April 7, 2011
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. It is further recommended that the Council concur with the staff proposal that names of claimants will no longer be listed on the Agenda since the names are listed in the staff memos.

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) State Farm Insurance Co. for insured Shannon Coursey
10004 NE 124th Pl.
Kirkland, WA 98034

Amount: \$4750.13

Nature of Claim: Claimant states damage occurred to vehicle as a result of a falling tree.

- (2) C. David Ponting
12425 Ironwood Lane
Mukilteo, WA 98275

Amount: Unspecified Amount

Nature of Claim: Claimant states damage occurred to vehicle at the Kirkland Way entrance to the Library parking garage.



CITY OF KIRKLAND
Department of Finance and Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Director of Finance & Administration
Barry Scott, Purchasing Agent

Date: April 7, 2011

Subject: INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THURSTON COUNTY

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to execute an Interlocal Cooperative Purchasing Agreement with Thurston County.

BACKGROUND AND DISCUSSION:

Fleet Management is seeking to purchase three street sweepers. One street sweeper is funded from an approved annexation service package and budgeted at \$192,250.00. The two other sweepers are replacements for current 2001 and 2004 sweepers. These two sweepers had expected useful lives of seven years. There are sufficient funds in the vehicle replacement reserves for the purchase of the two replacement vehicles (\$371,890.40).

The dealer for Tymco brand street sweepers, Clyde West, has proposed that the City can purchase the three sweepers by using a contract that was competitively bid by Thurston County for the purchase of a street sweeper in 2010. The City has used Tymco brand sweepers for a number of years and they have met the City's needs well.

With the current sales tax of 9.8% for vehicles, the purchase price for the City would be \$185,945.20 per sweeper. The total price for all three sweepers would be \$557,835.60.

This interlocal agreement complies with the intergovernmental cooperative purchasing requirements set forth in KMC 3.85.180 and RCW 39.34. The agreement is reciprocal and would allow Thurston County to purchase off of contracts competitively bid by the City of Kirkland if they determine it is in their best interest to do so. By itself, this interlocal purchasing agreement places no financial obligation on the City.

To provide additional context, further information on the City's cooperative purchasing practices follows.

General Information on Cooperative Purchasing:

The City of Kirkland has engaged in cooperative purchasing for many years and it has been found to be very beneficial to do so. With the current economic downturn and reductions in staffing levels, the use of cooperative purchasing has gained even greater popularity (see Attachment A).

In Washington State, the requirements for cooperative purchasing are provided in RCW 39.34.

Essentially, there are three scenarios for the use of cooperative purchasing:

1. A member agency of a purchasing cooperative (e.g. WA State Purchasing Cooperative, US Communities, National Purchasing Partners) is designated to be the lead agency and conduct a competitive process to award a contract for equipment, goods or services. The other members of the cooperative can then purchase off of the awarded contract, if they choose to do so.
2. An agency conducts a competitive process to purchase specific equipment, goods or services to meet its own needs and includes language in its bid/RFP documents to allow other agencies to use the awarded contract for as long as the supplier is willing to extend the pricing and terms to other agencies. In this instance, it is not known at the time of the solicitation whether or not any other agency may be interested in buying off of the awarded contract.
3. Two or more agencies decide to jointly conduct a competitive process for procuring specific equipment, goods or services for use by the participating agencies. The participating agencies are all involved in evaluating the bids or proposals and determining the award of the contract.

The City's experience has been that the first and second scenarios are the most common opportunities to engage in cooperative purchasing. In all three of the scenarios described above, it is required by RCW 39.34 that an interlocal agreement be executed by the participating agencies.

RCW 39.34 also requires that the solicitation notice be publicly advertised on a "web site established and maintained by a public agency, purchasing cooperative, or similar service provider, for purposes of posting public notice of bid or proposal solicitations." In addition, the agency responsible for awarding the contract will typically be required by its own regulations to provide notice of the solicitation in a newspaper of general circulation (e.g. The Daily Journal of Commerce).

Cooperative Purchasing Process used for Street Sweepers:

The City's Purchasing Services and Fleet Management staff are recommending the cooperative purchasing process for the purchase of three (3) Tymco brand street sweepers. The City of Kirkland has been a long time user of this brand of street sweeper and when Fleet Management was ready to pursue the purchase of new street sweepers, Fleet staff asked the local Tymco dealer, Clyde West, if the dealer had a contract available for the City to use. The Clyde West representative responded by providing bid documents for a contract awarded by Thurston County for a sweeper that would meet our specifications. The Thurston County contract was awarded in February, 2010 in the amount of \$169,349 plus tax.

Fleet Management provided the Thurston County bid documents to Purchasing Services for evaluation. Purchasing staff took the following actions:

1. Determined that the Thurston County bid documents included the required language to allow for cooperative purchasing.
2. Determined that the bid had been advertised in the Seattle Daily Journal of Commerce, The Olympian and posted on the Thurston County website. The bid documents were also made available to the general public by posting them on the Builders Exchange of Washington website and reference to the website was included in the published bid notices and on the Thurston County website.
3. Confirmed that Thurston County had received two bids - the Clyde West bid in the amount of \$169,349 and a bid from Sahlberg Equipment for an Allianz brand sweeper at \$170,000.
4. Further verified that the pricing offered on the Thurston County contract is competitive by checking to see what prices had been recently paid by other agencies in the Pacific Northwest and looking at other quoted prices. For example, the City of Bellingham had received three bids in March, 2010 for street sweepers with Owen Equipment bidding \$194,000, Enviro-Clean bidding \$188,605 and Clyde West (the Tymco dealer) bidding \$178,080. Staff also reviewed a quote that had been received from the dealer for Elgin brand sweepers for a similarly equipped sweeper available on an HGACBuy contract for \$217,365.
5. Confirmed that Thurston County is willing to enter into an interlocal agreement with the City of Kirkland to meet the requirements of RCW 39.34.

The research conducted by Purchasing Services and Fleet Management staff has led us to conclude that the pricing offered by Clyde West for the Tymco sweeper that was bid for Thurston County is very competitive and that it is unlikely that a lengthy competitive process conducted by the City would result in a better outcome.

Attachment A

Cooperative purchasing in a budget crisis

Jun 1, 2010 12:00 PM, By Don Olson

Cooperative purchasing has been around for decades and remains a golden opportunity for purchasing managers to add value to an organization.

During my last five years in public purchasing, our annual budget planning meeting usually began this way: "We need to look in every department for a reduction in expenses. There is no alternative but to freeze hiring, and we need to find a more efficient method of doing business in all departments." Inventories would be reduced, which meant purchasing needed to find a way to turn around the solicitation process quickly. With fewer employees doing the same amount of work in every department, there was no time to write elaborate specifications for each solicitation. At the same time, we did not want to sacrifice quality of the items we bought and needed to find a way to lower our purchase prices.

It is a golden opportunity to react positively to the budget pressure by utilizing the proven and effective method of cooperative purchasing.

As purchasing manager, both my staff and I were constantly looking for opportunities to lower our prices and save staff time. We began to explore and use contracts authored by other government entities at the national and local levels. We did not sacrifice quality but saved precious dollars in the budget and eliminated the time-consuming task of managing vendor protests.

The practice of using contracts that have already been competitively quoted and are being used by several government entities can increase purchasing volume and result in lower prices. At the same time, cooperative purchasing will reduce the solicitation time and bring the product to the doorstep of your end-user sooner.

The first step is to gain knowledge and experience working with purchasing cooperatives such as U.S. Communities, Western States Contracting Alliance and HGACBuy, to name a few (for many more, Google "government cooperative purchasing"). The next step is to become a leader in your area by contacting surrounding counties, school districts or states to aggregate volumes for the same commodity or service on a more local scale.

There is no better time than now, given our current economic crisis, to jump on the bandwagon or to become a leader in your geographical area.

About the author

Don Olson, president, Professional Purchasing Services LLC, retired after 10 years as purchasing manager for the Metropolitan Airports Commission at the Minneapolis/St. Paul International Airport and 28 years with the State of Minnesota as senior buyer and acquisition management specialist.

RESOLUTION R-4876

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THURSTON COUNTY AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND.

WHEREAS, the City of Kirkland and Thurston County seek to enter into an intergovernmental agreement enabling the City of Kirkland to purchase goods and services through Thurston County purchase contracts and also enabling Thurston County to purchase goods and services through City of Kirkland purchase contracts to the extent permitted by law; and

WHEREAS, the City Council has determined it to be in the best interest of the City of Kirkland to enter into such an interlocal cooperative purchasing agreement; and

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. Participation by the City of Kirkland in the Interlocal Procurement Agreement attached to the original of this resolution as Exhibit A and by this reference incorporated herein is approved. The Kirkland City Manager is hereby authorized to execute said agreement on behalf of the City of Kirkland.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of April, 2011.

Signed in authentication thereof this ____ day of April, 2011.

MAYOR

ATTEST:

City Clerk

Exhibit A

INTERLOCAL COOPERATIVE PURCHASING AGREEMENT

THIS AGREEMENT is between THURSTON COUNTY, a Washington State political subdivision, and the CITY of KIRKLAND, a municipal corporation of the State of Washington.

WITNESSETH:

WHEREAS, the Interlocal Cooperation Act, as amended, and codified in Chapter 39.34 of the Revised Code of Washington provides for interlocal cooperation between governmental agencies; and

WHEREAS, Chapter 39.33 of the Revised Code of Washington provides for the intergovernmental disposition of property; and

WHEREAS, the parties desire to utilize each other's procurement agreements when it is in their mutual interest;

NOW, THEREFORE, the parties agree as follows:

1. PURPOSE: The purpose of this agreement is to acknowledge the parties' mutual interest to jointly bid the acquisition of goods and services and to dispose of property where such mutual effort can be planned in advance and to authorize the acquisition of goods and services and the purchase or acquisition of goods and services under contract where a price is extended by either party's bidder to other governmental agencies.
2. ADMINISTRATION: No new or separate legal or administrative entity is created to administer the provisions of this agreement.
3. SCOPE: This agreement shall allow the following activities:
 - A. Purchase or acquisition of goods and services by each party acting as agent for either or both parties when agreed to in advance, in writing;
 - B. Purchase or acquisition of goods and services by each party where provision has been provided in contracts for other governmental agencies to avail themselves of goods and services offered under the contract.
 - C. Disposal of goods by each party acting as agent for either, or both parties when agreed to in advance, in writing.
4. DURATION AGREEMENT – TERMINATION: This agreement shall remain in force until canceled by either party in writing.
5. RIGHT TO CONTRACT INDEPENDENT ACTION PRESERVED: Each party reserves the right to contract independently for the acquisition of goods or services or disposal of any property without notice to the other party and shall not bind or otherwise obligate the other party to participate in the activity.
6. COMPLIANCE WITH LEGAL REQUIREMENTS: Each party accepts responsibility for compliance with federal, state or local laws and regulations including, in particular, bidding requirements applicable to its acquisition of goods and services or disposal of property..
7. FINANCING: The method of financing of payment shall be through budgeted funds or other available funds of the party for whose use the property is actually acquired or disposed. Each party accepts no responsibility for the payment of the acquisition price of any goods or services intended for use by the other party.

- 8. FILING; Executed copies of this agreement shall be filed or posted on a website as required by Section 39.34.040 of the Revised Code of Washington prior to this agreement becoming effective.
- 9. INTERLOCAL COOPERATION DISCLOSURE: Each party may insert in its solicitations for goods a provision disclosing that other authorized governmental agencies may also wish to procure the goods being offered to the party and allowing the bidder the option of extending its bid to other agencies at the same bid price, terms and conditions.
- 10. NON-DELEGATION/NON-ASSIGNMENT. Neither party may delegate the performance of any contractual obligation, to a third party, unless mutually agreed in writing. Neither party may assign this agreement without the written consent of the other party.
- 11. HOLD-HARMLESS: Each party shall be liable and responsible for the consequence of any negligent or wrongful act or failure to act on the part of itself and its employees. Neither party assumes responsibility to the other party for the consequences of any act or omission of any person, firm or corporation not a party to this agreement.
- 12. SEVERABILITY: Any provision of this agreement, which is prohibited or unenforceable, shall be ineffective to the extent of such prohibition or enforceability, without involving the remaining provisions or affecting the validity or enforcement of such provisions.

THURSTON COUNTY

CITY OF KIRKLAND

By: _____

By: _____
Kurt Triplett, City Manager

Approved as to form:

Approved as to form:

By: _____

By: _____
Kirkland City Attorney

ATTEST:

ATTEST:

City Clerk

DATE _____

DATE _____

**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.ci.kirkland.wa.us**MEMORANDUM**

To: Kurt Triplett, City Manager

From: Dave Snider, P.E., Interim Capital Projects Manager
Ray Steiger, P.E., Interim Public Works Director

Date: April 7, 2011

Subject: NE 68TH STREET AND 108TH AVENUE NE INTERSECTION IMPROVEMENTS --
AUTHORIZATION TO BID

RECOMMENDATION

It is recommended that City Council authorize staff to advertise for contractor bids on the NE 68th Street and 108th Ave NE Intersection Improvements.

BACKGROUND AND DISCUSSION

The NE 68th Street and 108th Avenue NE Intersection Improvements provide for significant enhancements to this intersection within the Central Houghton neighborhood and includes work on all four corners of the intersection. There will be a new westbound to northbound right turn lane on 68th Street and modifications to the remaining three corners that will allow for improved and safer right turn movements (Attachment A). The Project will improve the efficiency of the intersection allowing a reduction in the congestion that is experienced during peak travel times, and also includes pedestrian enhancements such as widened sidewalk and new crosswalk amenities. It is an approved 2009-2014 Capital Improvement Program Project (CTR-0085), and design began in January, 2009.

The Project funding is a combination of City transportation and surface water funds, and a Sound Transit contribution. Total Project costs are shown in Attachment B. Sound Transit's participation is related to the recently completed Downtown Transit Center and associated transit route enhancements. Sound Transit's contribution covers a portion of the overall signal improvements together with property acquisition and curb and sidewalk radius improvements for the southwest (Starbucks) corner of the intersection. The existing curb radius at this corner does not allow an eastbound articulated bus to safely turn southbound onto 108th Ave NE without driving up and over the sidewalk.

The Project required the acquisition of right of way and/or temporary construction easements for five parcels. At their regular meeting of April 6, 2010, City Council authorized the use of Eminent Domain for the acquisition of property rights for one of the five parcels in the event that negotiations reached an impasse. Negotiations with this property owner are continuing

and, as provided for in the Eminent Domain process, the property owner has now accepted a payment from the City in exchange for issuing an Immediate Possession and Use Agreement. The Agreement grants the City rights to use the property for construction of the improvements while negotiations continue; a trial date has been set for later this summer. There is an approximate \$180,000 difference between the City's latest certified property appraisal and an unsubstantiated counter-offer from the property owner. Staff is awaiting a formal counter-offer based on another appraisal which has been commissioned by the property owner. Staff will report back to City Council once a formal counter-offer is submitted and/or the final settlement is known. For purposes of this memo, right of way costs include an allowance for final settlement.

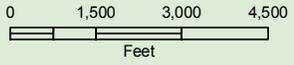
The engineer's estimate for construction is \$523,000; by including a 10% contingency of \$52,000 the total funding needed for construction is \$575,000. Engineering/design, construction inspection/administration, right-of-way expenses and an allowance for additional payment associated with the on-going property negotiation brings the total estimated Project cost to \$1,537,000. This estimate results in a potential Project budget increase of \$215,000, as shown on Attachment B. However, as estimated costs have increased so has the estimated contribution from Sound Transit. As a result, the City's share for the Project is not expected to increase from the original amount of \$1,163,000.

In the current bidding climate, staff anticipates a high number of contractors will be submitting bids for the Project; based on recent bids, low bids have generally been significantly below the engineers' estimates. With that in mind, staff is recommending City Council authorize the advertisement for contractor bids for the Project. Once bids are known, staff will return to Council with the bid results and a budget breakdown, together with a recommendation for awarding a contract.

Attachments: (2)

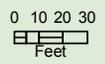


Vicinity Map



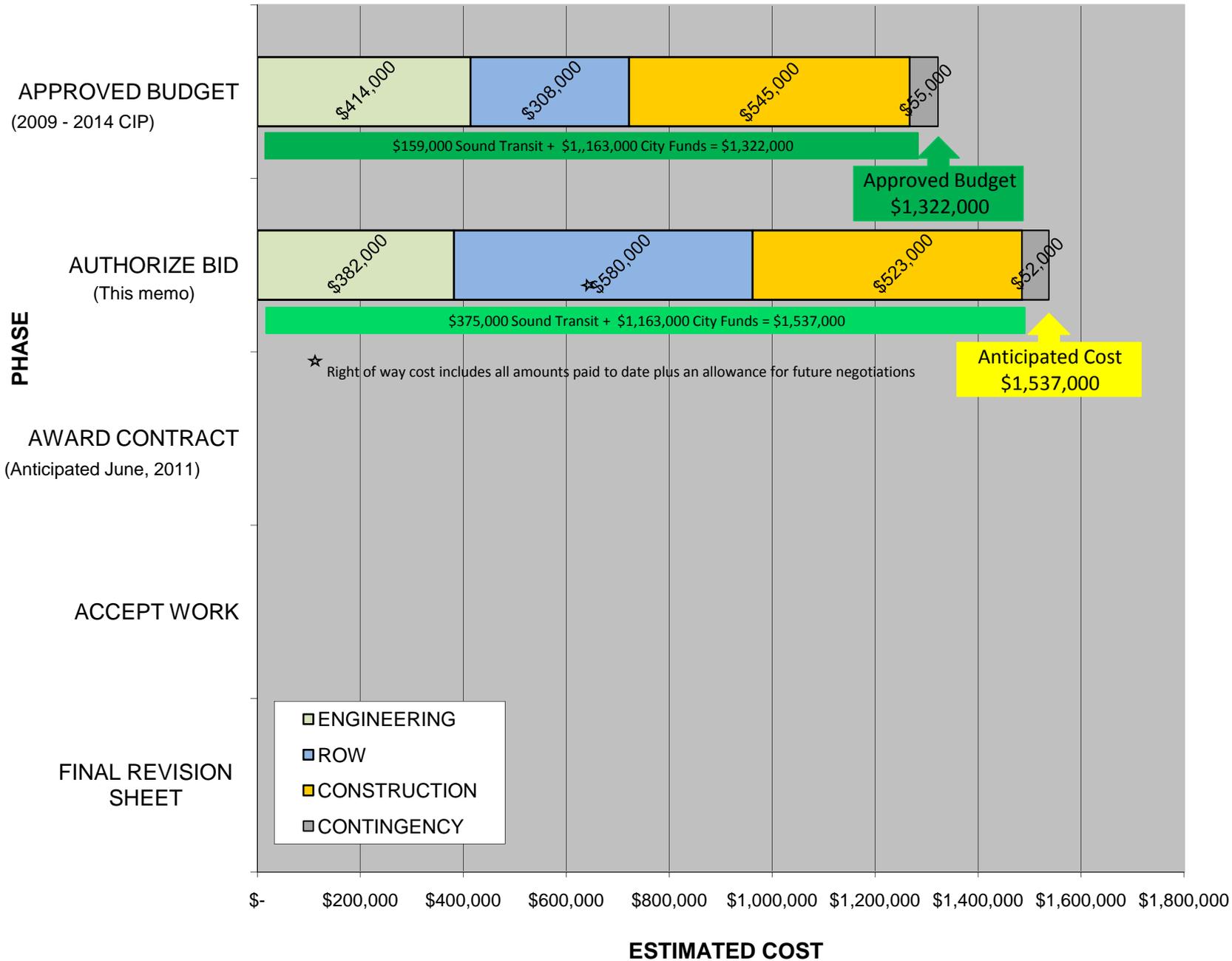
Legend

Map Reference Number



NE 68th St / 108th Ave NE Intersection Improvement Project

NE 68th Street / 108th Ave NE Intersection Improvements PROJECT BUDGET REPORT





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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Barry Scott, Purchasing Agent

Date: April 7, 2011

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF April 19, 2011

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 March 3, 2011, are as follows:

	Project	Process	Estimate/Price	Status
1.	Elementary School Walk Routes Project	Invitation for Bids	\$756,110 Est.	To be advertised on 4/13 with bids due on 4/28.
2.	12 th Avenue Sidewalk Project	Invitation for Bids	\$228,000 Est.	To be advertised on 4/13 with bids due on 4/27.
3.	2011 Aging Infrastructure Replacement –Juanita Tributary (Billy Creek) Culvert Slip Lining	Small Works Roster	\$260,000 Est.	Contractors notified on 4/11 with bids due on 5/2.
4.	Street Sweepers (3)	Cooperative Purchase	\$557,835.61	To be purchased using Thurston County contract awarded in February, 2010.

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



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Director of Finance and Administration
Kathi Anderson, City Clerk
Cheri Aldred, City Clerk Assistant

Date: April 7, 2011

Subject: NAVIGATING THE CITY COUNCIL E-PACKET

Recommendation

Council review the tools for navigating the City Council meeting e-packet.

Background Discussion

At the February 1st Council study session on Information Technology, Councilmembers asked for options to make the e-packet simpler to navigate, especially when it includes large attachments. This memo outlines the tools the City currently has available, including bookmarks and links. Use of these tools will be demonstrated at the City Council meeting on April 19th.

Bookmarks: When the full e-packet is open (Attachment A) you will find the bookmark icon (1) located on the left side of your screen. If you don't see the bookmark icon, it can also be found on the toolbar under View/Navigation Panels. Click on the bookmark icon to expand the bookmark choices allowing you to navigate to and view each agenda item. To view an expandable list, including attachments and exhibits within an agenda item, click on the plus (+) sign as shown next to the item 3a bookmark in the screen shot attached. For example, the 10a_UnfinishedBusiness item in Attachment A has been expanded, so the + becomes a -. After an agenda item is expanded by clicking on the plus sign, you will be able to access each agenda item attachment and/or exhibit simply by clicking on it.

Links: Links found in the agenda items provide access to information contained in prior City Council packets, information available on the internet such as House bills moving through the current legislative session, or linked items such as those in the following two examples found in prior e-packets (in blue text):

Example 1: **Draft 2009 Comprehensive Solid Waste Management Plan (Comp Plan)**

The Comp Plan presents proposed strategies for managing King County's solid waste over the next several years. The plan was developed in a collaborative effort with the 37 cities that have ILAs with the County. The plan presents draft policies, recommendations, and goals in several areas including solid waste

systems planning, waste prevention and recycling, collection and processing, the transfer system, solid waste disposal and landfill management, and system financing. Later in 2011, member cities will have the opportunity to review and formally adopt the plan via an ordinance. In January 2010, the City Council received a presentation from King County and City staff on the plan. A link to an electronic copy of the plan can be found here:

<http://your.kingcounty.gov/solidwaste/about/Planning/documents/DRAFT-2009-comp-plan.pdf>

Example 2: **BACKGROUND**

Tolling on the SR 520 bridge will likely begin in May or June of 2011. Before tolling can begin, the legislature has to approve a toll rate schedule ([proposed toll rate schedule](#)), and the Washington State Department of Transportation (WSDOT) must subsequently complete various technical and outreach tasks. WSDOT staff anticipates that tolling will begin no earlier than six weeks after the legislature acts.

This memorandum is intended as a quick introduction/review of e-packet navigation tools. If Council members would like personal assistance or further instruction please contact Cheri Aldred at 425-587-3192.

Staff will explore additional options for making the e-packets easier to use and will report back to Council with potential improvements as they are identified.

Attachment A

(1) →

FullPacket040511.pdf - Adobe Acrobat Professional

File Edit View Document Comments Forms Tools Advanced Window Help

Create PDF Combine Files Export Start Meeting Secure Sign Forms Review & Comment

1 / 114 100% Find

Bookmarks

- 3a_StudySession
- 5a_HonorsProclamations
- 8a1_ApprovalofMinutes
- 8a2_ApprovalofMinutes
- 8a3_ApprovalofMinutes
- 8d_Claims
- 8f1_EstablishLienPeriod
- 8h1_OtherBusiness
- 9a_PublicHearings
- 10a_UnfinishedBusiness
 - 10a_Attachment A
 - 10a_Attachment B
 - 10a_Attachment C
- 10b_UnfinishedBusiness
- 10c_UnfinishedBusiness
- 11a_NewBusiness

**CITY OF KIRKLAND
CITY COUNCIL**

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

Vision Statement
Kirkland is an attractive, vibrant, and inviting place to live, work and visit.
Our lakefront community is a destination for residents, employees and visitors.
Kirkland is a community with a small-town feel, retaining its sense of history,
while adjusting gracefully to changes in the twenty-first century.

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • TTY 425.587.3111 • www.ci.kirkland.wa.us

**AGENDA
KIRKLAND CITY COUNCIL MEETING
City Council Chambers
Tuesday, April 5, 2011
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, or at the Public Resource 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 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 587-3111 (by noon on Monday) if we can be of assistance. If you should experience difficulty hearing the proceedings, please contact the attention of the Council by raising your hand.

8.50 x 11.00 in 1 CALL TO ORDER

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: Lorrie McKay, Intergovernmental Relations Manager

Date: April 11, 2011

Subject: 2011 LEGISLATIVE UPDATE 6

RECOMMENDATION:

Council should receive a sixth update on the 2011 legislative session.

BACKGROUND DISCUSSION:

As of the April 19 Council meeting, the 2011 State Legislative session will be in its fifteenth week. The regular session ends on April 24. April 12 is the last day to consider opposite house bills (except initiatives, budgets and matters necessary to implement the budget).

COUNCIL LEGISLATIVE SUBCOMMITTEE:

The Council's Legislative Subcommittee meets weekly on Friday's at 4pm (Mayor McBride, Council Member Asher, and Council Member Marchione). All three members of the Legislative Subcommittee met on Friday, April 8 (Mayor McBride phoning in) to review the status of the City's legislative priorities and to focus efforts to move bills to meet the April 12 cutoff.

2011 LEGISLATIVE PRIORITIES:

As of April 11, seven of the City of Kirkland's ten priority bills are alive. Four priority bills have passed both chambers. One (REET Flexibility – HB 1953) is headed for the Governor's desk. The other three were amended in committee, or on the floor, and need to go back to their House of origin for concurrence (Annexation census – SB 5505, Express lane tolling on I-405 – HB 1382, and Fiscal relief & regulatory reform - HB 1478). A fifth bill (Exemption from impact fees for low income housing – HB 1398) is scheduled for a Senate floor vote. The City's funding request for the public safety building may be reflected in the Senate's Capital Budget, which is expected to be released on April 12. Finally, the cities legislative priority for new financing tools to support public/private partnerships (SB 5705) is said to be necessary to implement the budget. While this bill remains alive, its prospects do not look good.

2011 LEGISLATIVE SUPPORT OF ALLIES:

Of the 32 legislative items of the City's ally organizations that were selected to be supported, seven of those items (22%) are reflected in legislation that has passed. One item is awaiting a floor vote. Four the items (12.5%) are reflected in the budget process. The remaining 20 items (62.5%) either died or never actualized.

STATUS OF HB 1812 – "Changing provisions relating to community municipal corporations":

- March 8, Heard in the Senate Committee on Government Operations, Tribal Relations & Elections
- No movement. Dead

2011 Legislative Priorities	Bill Number	Hearing Status
Financial assistance for the construction of the Public Safety Building	HB 1497 – Dunshee SB 5467 – Kilmer	- Project funding request submitted
Flexibility in the use of Real Estate Excise Tax	HB 1953 – Springer	- Passed both chambers. Headed for Governor's desk for signature
Annexation census requirements	SB 5505 – Hill	- Passed both chambers. Amended in House. Must go back to Senate for concurrence.
Roadway pricing tools (tolling) on I-405	HB 1382 – Clibborn	- Passed both chambers. Amended in Senate. Must go back to House for concurrence. -
New financing tools to support public/private partnerships	HB 1881 – Springer SB 5705 – Kilmer	- House bill appears dead - Senate bill NTIB
Streamline SEPA process	HB 1952 – Upthegrove	- Bill is DEAD
"Fiscal relief" bill to postpone various city reporting requirements.	HB 1478 – Springer	- Passed both chambers. Amended in Senate. Must go back to House for concurrence.
Support the principles of growth management by assigning funding priority for infrastructure in communities with designated urban centers	HB 1335 - Springer SB 5243 - Tom	- Both bill are DEAD
Eliminate cities' obligation to pay impact fees exempting low-income housing	HB 1398 - Fitzgibbon	- 4/9 – Placed on 2 nd Reading.
Fire benefit authority	(HB 1230 & SB 5155)	- Both bill are DEAD

A detailed matrix tracking the status of Kirkland's legislative priorities as of April 11 is attached to this memorandum (Attachment A).

A detailed matrix tracking the status of selected legislative items of Kirkland's ally organizations is also attached to this memorandum (Attachment B). Changes since the April 5 council meeting are highlighted in gray (dead), yellow (alive), and blue & red (passed both chambers). The status of bills that the City has been tracking is shown in Attachment C.

Matrices updated April 15 will be emailed to Council in advance of the meeting on April 19. An analysis of the proposed budget will be provided in advance of the April 19 meeting as well.

Attachments: Status of City's 2011 legislative priorities
Status of Ally Support 2011 legislative priorities
List of bills the City is tracking and positions

City of Kirkland Legislative Priorities and Status: 2011 Legislative Session
Updated 4.11.11

Attachment A

	Legislative Priority	Bill #	Prime Sponsor	Status
1	Oppose new mandates and cost shifting			See bill tracker – monitoring status of all bills.
2	Financial assistance for the construction of the Public Safety Building	HB 1497 SB 5467	Eastside (Kirkland) Legislators	Funding request re-worked to \$1.7M without jails or firing range. Submitted via the Senate Capital Budget process.
3	Flexibility in the use of Real Estate Excise Tax revenue for infrastructure and parks maintenance.	HB 1953 (AWC)	Rep. Springer	3/4 Passed House - yeas, 79; nays, 18; absent, 0; excused, 1 4/8 – Passed Senate – yeas, 28; nays, 20; absent, 0; excused, 1
4	Financial relief for annexation census requirements through the ability to use alternate enumeration methods such as the federal census.	SB 5505	Sen. Hill	2/25 Passed Senate - yeas, 48; nays, 0; absent, 0; excused, 1 4/1 – Passed House – yeas, 92; nays, 0; absent, 0; excused, 5 <i>* Must go back to Senate for concurrence.</i>
5	Support legislation for roadway pricing tools that provides funding for high priority transportation routes, promotes multi-modal transportation modes and mitigates collateral impacts.	HB 1382	Rep. Clibborn	3/5 Passed House - yeas, 52; nays, 46; absent, 0; excused, 0 4/9 – Passed Senate – yeas, 36; nays, 13; absent, 0; excused, 0 <i>* Must go back to House for concurrence.</i>
6	Preserve all options for future use of the BNSF corridor and state financial assistance to implement multiple uses.	NA		Monitoring bills that would restrict possible uses of the corridor and continue to bring project to legislator’s attention for future action.

City of Kirkland Legislative Priorities and Status: 2011 Legislative Session

Updated 4.11.11

7	New financing tools to support public/private partnerships including flexibility in the use of existing tax sources to support new development and to facilitate small business growth through the use of microloans.	HB 1881 (AWC) SB 5705	Rep. Springer Sen. Kilmer	Possible NTIB > Bill appears dead Possible NTIB > Bill appears dead
8	Streamlining the state environmental policy act process.	HB 1952	Rep. Upthegrove	3/5 Passed House – yeas, 95; nays 2; absent, 0; excused 1 3/8 Read into Environment, Water & Energy Bill is dead
9	“Fiscal relief” bill to postpone various city reporting requirements.	HB 1478	Rep. Springer	3/4 Passed House - yeas, 86; nays, 11; absent, 0; excused, 1 4/4 – Passed Senate – yeas, 49; nays, 0; absent, 0; excused, 0 <i>* Must go back to House for concurrence.</i>
10	Support the principles of growth management by assigning funding priority for infrastructure in communities with designated urban centers	HB 1335 SB 5243	Rep. Springer Sen. Tom	Both bills are dead
11	Amend RCW 82.02.060 to eliminate cities’ obligation to pay impact fees from qualifying public funds when exempting low-income housing from impact fee requirements.	HB 1398	Rep. Fitzgibbon	2/22 Passed House - yeas, 86; nays, 8; absent, 0; excused, 4 4/9 - Placed on 2 nd reading by Senate Rules Committee
12	Fire benefit authority	HB 1230 SB 5155		Both bills are dead

Legislative Support Issue	Bill #	Prime Sponsor	Status
Association of Washington Cities			
<p>Provide flexibility within current revenue and regulatory frameworks to respond to these challenging times</p> <ul style="list-style-type: none"> City fiscal flexibility package, such as greater flexibility in the expenditure of locally collected real estate excise tax (REET). Fund, Flex, Repeal, Amend, Pause (FFRAP), such as delaying adoption of new storm water regulations until the existing ones are successfully implemented and funded. 			See Top Priorities Sheet for Update...
<p>Enact new tools to help cities recover, thrive and be efficient</p> <ul style="list-style-type: none"> Pro-active public record proposals that address some of the problems that come with the burgeoning public records requests. Options for creating sustainable personnel related costs. Additional tools for combating gang activity including funding for gang intervention and prevention activities. Street maintenance utility authority. 	<p>SB 5022</p> <p>HB 1033</p> <p>SB 5025</p> <p>HB 1034</p> <p>SB 5049</p> <p>SB 5062 HB 1139</p>	<p>Sen. Kilmer</p> <p>Rep. Eddy</p> <p>Sen. Hargrove</p> <p>Rep. Takko</p> <p>Sen. Kline</p> <p>Sen. Pridemore Rep. Armstrong</p>	<p>3/4 Passed - yeas, 47; nays, 0; absent, 1; excused, 1 DEAD</p> <p>HB is dead</p> <p>3/2 Passed - yeas, 45; nays, 4; absent, 0; excused, 0 4/6 Passed - yeas, 94; nays, 0; absent, 0; excused, 3</p> <p>HB is dead</p> <p>SB is dead</p> <p>SB is dead HB is dead</p>
		Page 1 of 5	

<p>Maintain essential state revenues and authorities for cities</p> <ul style="list-style-type: none"> • Ensure continued appropriation of committed state shared funds and preserve existing local revenue authorities. • Preserve infrastructure funding such as the Public Works Trust Fund and storm water funding. • Retain current authorities – neither add new requirements or take any away. 	<p>HB 1086</p> <p>HB 1497 SB 5467</p>	<p>Rep. Hunter</p> <p>Rep. Dunshee Sen. Kilmer</p>	<p>Passed by House 2/17. Passed by Senate 2/18 Governor partially vetoed.</p> <p>Governor’s proposed 11-13 capital budget funds all projects on the PWTF list. Capital budgets in the House and Senate won’t come out until much later in the session.</p>
Cascade Water Alliance			
<p>Clarify and improve the tools available to voluntarily provide utility services on a joint basis.</p>	<p>HB 1332</p> <p>SB 5198</p>	<p>Rep. Eddy</p> <p>Sen. Pridemore</p>	<p>2/22 Passed - yeas, 92; nays, 2; absent, 0; excused, 4 4/8 Passed - yeas, 40; nays, 8; absent, 0; excused, 1</p> <p>SB is dead</p>
Eastside Human Services Forum			
<ul style="list-style-type: none"> • Maintain the current investment in home visiting funding and advocate for evidence-based home visiting programs such as Healthy Start by the federal government. • Maintain current funding for Washington Information Network (2-1-1) and improve quality and accessibility of services. 			<p>The Governor’s and House supplemental budget proposal make up an error of \$300K for the Council for Children & Families for home visiting (if these aren’t restored home visiting ends 3 months early). The Governor did not propose funding home visiting in the 11-13 budget. There is some flexible money in the Department of Early Learning in the Governor’s proposed 11-13 budget that could be used for home visiting but it is not exclusive.</p> <p>211 funding was not cut in the Governor’s proposed supplemental nor in the House proposed supplemental (HB 1086) and the Washington Telephone Assistance Program account (where 211 is funded from) was not swept. The Governor, however, did not propose funding 211 in the 11-13 budget.</p>

Washington Bicycle Alliance			
Safe Routes to School – Protect existing funding and find ways to improve the program to better meet the demand created by schools.	HB 1071	Rep. Moeller	2/28 Passed - yeas, 56; nays, 41; absent, 0; excused, 1 4/4 – Passed - yeas, 29; nays, 19; absent, 0; excused, 1
Washington Recreation and Parks Association			
<ul style="list-style-type: none"> Real Estate Excise Tax -- Provide local-option legislation allowing cities and counties to use up to 25 percent of the revenue from the two local 1/4-percent Real Estate Excise Tax (REET) collections to be used for maintenance and operations of parks and recreational facilities. Washington Wildlife Recreation Program (WWRP) – Support the request by the Recreation and Conservation Funding Board, the Washington Wildlife and Recreation Council (WWRC), WRPA, and others to preserve a \$100 million 2011 Capital Budget funding level for the Washington Wildlife and Recreation Program (WWRP) Grant program. 			<p>See Top Priorities Update Sheet.</p> <p>The Governor’s proposed capital budget for 11-13 created the “Puget Sound Washington Wildlife and Recreation Grants” program, which selects certain projects off the WWRP ranked list.</p>
Washington Low-Income Housing Alliance			
<ul style="list-style-type: none"> Maintain the State’s investment in Housing Trust Fund. 			The Governor’s proposed capital budget for the 11-13 biennium gives \$40m to the Housing Trust Fund.
Washington Chapter of the American Planning Association			
<ul style="list-style-type: none"> Create a funding mechanism for Planned Action EIS -- Amend RCW 82.02.020 to allow jurisdictions to impose a fee or charge on development for preparation of a Planned Action EIS. 			

WRIA 8			
<ul style="list-style-type: none"> Funding – Support legislation to establish a sustainable funding mechanism to implement the Puget Sound Partnership agenda including funding for projects, programs, permitting and monitoring related to storm water pollution in Puget Sound and throughout Washington State. Authorize legislation for creation of multipurpose Watershed Districts. 	HB 1332	Rep. Eddy	Watershed Bills: 2/22 Passed - yeas, 92; nays, 2; absent, 0; excused, 4 4/8 Passed - yeas, 40; nays, 8; absent, 0; excused, 1
	SB 5198	Sen. Pridemore	SB is dead
	HB 1735 SB 5604	Rep. Ormsby Sen. Nelson	Storm Water: HB is dead SB is dead
	HB 1497 SB 5467	Rep. Dunshee Sen. Kilmer	Puget Sound Partnership in Capital Budgets
Additional Legislation to Support			
<ul style="list-style-type: none"> Support brown grease to energy conversion legislation and programs. Support modification of the Washington State Department of Licensing’s (DOL) implementation of the Commercial Driver’s License process. Support legislation providing for the safe collection and disposal of unwanted drugs from residential sources through a producer provided and funded product stewardship program. Support an amendment to RCW 46.68.090 that would allocate gas tax revenues between counties and cities based on a per capita allocation rather than the current fixed percentages. Support legislation that would allow cities access to the State Department of Labor and Industries data as a means of verifying local business tax payments. 	HB 1370 SB 5234	Rep. De Wege Sen Kline	HB is dead SB is dead

Bill	Title	Position	Status
<i>Support</i>			
HB 1012	Planning commissioners	Support	Passed yeas, 48. Signed by the Speaker
HB 1014	Watersh mgmt partnerships	Support	Senate Rules 2nd
HB 1071	Complete Streets grant prog	Support	Passed yeas, 29; nays, 19
HB 1223	Street vacation hearings	Support	Passed yeas, 47; excused, 2
HB 1234	Security alarms, crime watch	Support	Eligible to be placed on 2nd Reading
HB 1332	Utility services joint mgmt	Support	Passed yeas, 40; nays, 8; excused, 1
HB 1382	Express toll lanes/eastside	Support	Passed yeas, 36; nays, 13 (Striker acceptable)
HB 1398	Low income housing/fee ex.	Support	Placed on 2nd Reading
HB 1406	intrastate building safety mutual a	Support	Passed yeas, 48; excused, 1
HB 1469	Landscape conservation	Support	Senate Rules 3/25
HB 1478	Fiscal relief/cities & towns	Support	Passed yeas, 49 (Floor amendments acceptable)
HB 1497	2011-2013 capital budget	Support	NTIB
HB 1730	Authorization of bonds issued by l	Support	Senate Rules 2nd
HB 1881	Community redevelopment fin	Support	DEAD; possibly NTIB
HB 1953	Real Estate Excise Tax	Support	Passed yeas, 28; nays, 20; excused, 1
HB 1969	Exempting FCDZ from regular pro	Support	Placed on 2nd Reading
<i>Neutral</i>			
HB 1702	impact fees/convenants	Neutral	Placed on second reading by Rules Committee
HB 1812	Relating to community municipal corporations	Neutral	DEAD
HB 1997	Tourism, workfrce hsg, art & hrtge progrms	Neutral	Exec Session WAYS 4/1. Motion to move bill out failed
HB 1634	Regarding underground utilities.	Neutral	Passed 49 yeas. All of AWC's proposed amendments (with one exception) were included in the bill. Cities able to move to "neutral" position. Concurrence rqud.
<i>Oppose</i>			
HB 1026	Adverse possession actions	Oppose	Passed 48 yeas
<i>Undecided</i>			
HB 1098	Traffic safety cameras		
HB 1099	Traffic safety cameras		
HB 1126	Criminal street gangs		
HB 1217	Speed limits		
HB 1279	Traffic safety/intersections		
HB 1462	Affordable housing		
HB 1662	appeal/shoreline mgmt act		
HB 1882	Transportatioin connectivity		
HB 1855	State mandates		
HJR 4217	Community redevelopment financing		

Bill	Title	Position	Status
<i>Support</i>			
SB 5022	Court actions/42.56.550	Support	DEAD
SB 5025	Inmate public record req.	Support	Passed 94 yeas, 3 excused
SB 5034	Concerning private infrastructure development	Support	Passed 95 yeas, 2 excused
SB 5098	minors in parks/recs progs	Support	Passed 92 yeas, 5 excused
SB 5143	Annexation/fire prot. Dists.	Support	DEAD
SB 5154	Modifying vehicle prowling prov	Support	DEAD
SB 5192	Shoreline Management Act	Support	Passed 97 yeas
SB 5244	security alarms, crime watch	Support	DEAD
SB 5253	landscape conservation	Support	Passed 62 yeas, 35 nays
SB 5467	2011-2013 capital budget	Support	NTIB
SB 5505	census data/annexation	Support	Passed 92 yeas, 5 excused
SB 5705	Community redev financing	Support	NTIB
SB 5834	Extending lodging taxes to programs arts/herit	Support	DEAD
<i>Neutral</i>			
SB 5607	impact fees/covenants	Neutral	Senate Rules "X" file
SB 5457	Funding from car tabs for Transit		Placed on 2nd Reading
<i>Oppose</i>			
SB 5553	Requiring cities post certain info on web sites	Oppose	DEAD
<i>Undecided</i>			
SB 5013	Land use permit process		
SB 5155	Public safety authorities		
SB 5181	State debts statutory limits		
SB 5188	Traffic control signals		
SB 5214	Affordable housing		
SB 5265	Multijurisdiction flood control zones		
SB 5299	Shoreline & pollution boards		
SB 5530	appeal/shoreline mgmt act		
SB 5683	City utility infrastructure		
SB 5693	"Copy"/public records act		
SB 5695	Local gov't bonds		
SB 5716	Traffic safety cameras		
SJR 8213	Community redevelopment financing		



CITY OF KIRKLAND

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Joan Lieberman-Brill, AICP, Senior Planner
Paul Stewart, AICP, Deputy Director
Eric Shields, AICP, Director

Date: March 16, 2011

Subject: THRESHOLD DETERMINATION FOR 2011 PRIVATE AMENDMENT REQUESTS, FILES ZON11-00002, ZON11-00005, & ZON11-00006

RECOMMENDATION

Determine which of the three 2011 Private Amendment Requests shall proceed for further study and when such study shall occur. The Planning Commission (PC) recommendation is provided as Exhibit 1 and is summarized as follows:

1. Altom request to increase permitted residential density in Planned Area 5C:
PC Recommendation: Do not consider further.
2. Howard request to allow freestanding residential development in and adjacent to the Holmes Point Neighborhood Center:
PC Recommendation: Do not consider further.
3. MRM Kirkland request to allow residential use and additional height for property in CBD 5:
PC Recommendation: Proceed to Study in 2012 if sufficient staff and other resources are available.

Note: This agenda item is related to the Planning Work Program, which is a separate item later on the April 19 Council meeting agenda. The number of PARs chosen for review will influence the number of other planning projects that are able to be accomplished.

BACKGROUND DISCUSSION

Process:

The City has a process whereby private parties have the opportunity to submit requests for amending the Comprehensive Plan. Any individual, neighborhood organization, or other group may submit requests. The request may also include amendments to the Zoning Map or Zoning Code. Private Amendment Request (PAR) applications are accepted every other year. The deadline for submitting a request for consideration in 2011 was December 1, 2010. This year, the City received 3 PAR's.

Zoning Code Chapter 140 establishes a two-stage process for the review of these requests. Stage I consists of a "Threshold Determination" process that determines the eligibility of each request for further consideration. Requests that do not meet the criteria, as set forth in KZC 140.20.3, do not proceed to Stage II. Zoning Code Section 140.20 establishing the threshold determination process and criteria is shown in Attachment 1.

The Planning Commission reviews the requests during Stage I and makes a recommendation to the City Council. Stage I does not require a full weighing of the merits of the request or a decision or recommendation on whether the request should ultimately be approved. The purpose of Stage I is to determine whether a request is eligible to proceed to Stage II. The Council has several options when considering PAR's in Stage I depending on available staff resources and the current work program. These include:

- Do not consider further.
- Defer for study to the following year.
- Defer for consideration as part of a future neighborhood plan update.
- Defer for consideration as part of the next major Comprehensive Plan update.

If a determination is made that a request should be studied, the Council also has the discretion to expand the study area.

Stage II entails a full analysis and public review of each request that was determined to be eligible for consideration in Stage I. Stage II includes public notice, preparation of staff analysis, including possible expansion of the study area, and optional draft amendments. Study sessions and a public hearing are held by the Planning Commission leading to a recommendation to the City

Council and final action by the City Council. The Council approves or denies each request as part of the annual City-initiated amendments to the Comprehensive Plan at the end of the year.

Planning Commission Consideration and Recommendation:

The Threshold Determination criteria for Stage I are found in Attachment 1. Maps showing the location of each PAR are in Attachments 2-4. The PAR applications and other background material are found in the Planning Commission [staff memorandum](#) prepared for the March 10, 2011 public meeting. A summary of the requests is provided below.

The Planning Commission held a public meeting on March 10, 2011 to review the requests. Comments were received from each proponent, and one member of the audience. The Commission evaluated each proposal against the Threshold Determination criteria and recommended that only one of the three PAR requests proceed to full consideration in Stage II in 2012 – the MRM request.

The Commission's recommendation was based on the criteria set forth in KZC 140.20.3 that includes consideration of the Neighborhood Plan update schedule, the general Planning Work Program, and city resources.

The Commission's recommendation accompanies this memorandum. To summarize, the Planning Commission recommends the following actions on the 2011 PAR's.

1. Do not Consider Further:
 - Altom
 - Howard

2. Proceed to Study Stage in 2012:
 - MRM Kirkland

Furthermore the Commission recommends that as a result of the Altom request, the issue of calculating density based upon building envelope rather than minimum lot size per dwelling unit should be considered city-wide as part of a future work program task or during the next major Comprehensive Plan update.

City Council Consideration:

The Planning Commission presented its recommendations to the City Council at the March 15 joint meeting study session as part of the discussion of the proposed 2011-2013 Planning Work Program. Several Planning Commissioners summarized the rationale behind their recommendation. Follow this link to the study session [video](#).

2011 PRIVATE AMENDMENT REQUESTS

Following is a summary of the three PAR's submitted for consideration in 2011. More complete information for each request is available in the [staff memorandum](#) prepared for the Planning Commission's meeting on March 10.

ALTOM

This request is located in the Moss Bay Neighborhood east and adjoining the Park Place property at 220 6th Street and 611 4th Avenue. The applicant requests that the permitted density be increased and based upon the building envelope, rather than the current cap of 24 dwelling units per acre.

The Planning Commission recommended not to consider this further since these two parcels had already been the subject of the Park Place, Orni, and Altom Planned Action just two years earlier and resources would better be allocated to other work program tasks. Discussion focused on the need to address density calculation methods city-wide. The proposal would require amendments to the Comprehensive Plan and Zoning.

HOWARD

This request is located in and adjoining the Holmes Point Neighborhood Center in the Finn Hill Neighborhood at 12035 Juanita Drive NE and 12034 76th Avenue NE. The applicant requests rezoning the commercial and low density residential parcels (respectively) to high density residential and to combine them with an existing lot already zoned high density.

In a letter of April 7, 2011 Mr. Howard offers to reimburse the City for the extra cost of processing his request (attachment 5e). Although staff does not recommend that Mr. Howard's offer should be the primary determinant of whether his PAR is selected for review this year, his offer does raise a legitimate policy question of how much of the cost of processing PARs should be borne by applicants. Currently, fees for processing PARs are minimal - \$319.00 for consideration in Stage I and \$319.00 for PARs that proceed to Stage II. Should the Council be interested in raising PAR processing fees, an analysis of processing costs could be conducted. Such analysis could be considered as part of the next development fee update which is scheduled to occur in 2012 or 2013. However, if the Council is interested in moving any of the PARs forward this year and having the applicants pay a greater share of the processing costs, a PAR fee analysis could be done immediately. In order for work on PARs not to displace other work program tasks, the PAR fees would need to be dedicated to paying for additional staff time.

The Planning Commission recommended not proceeding with this request. The Commission acknowledged that while it would be ideal to study this request with the Finn Hill neighborhood plan, the plan has yet to be scheduled and waiting indefinitely would be of concern. Therefore, the Commission left open the possibility of re-visiting this PAR in 2013 if the proponent chooses to re-apply for a threshold determination (submittal deadline December 1, 2012). If this occurs the review should also include other commercial parcels in the Holmes Point Neighborhood Center, at least on the west side of Juanita Drive. Otherwise, the Commission recommended reviewing this as part of a broader subarea neighborhood business district plan to be considered for a future work program task if the Finn Hill Neighborhood Plan is not scheduled in a timely fashion. The proposal would require amendments to the Comprehensive Plan land use map and Zoning Map.

MRM KIRKLAND

This request is located at 434 Kirkland Way, which was the site of Kirkland Hardware and more recently Bungie Studios, just south of Park Place. The applicant requests allowing additional residential use on the entire site. Residential is allowed only within 170' of Peter Kirk Park and is limited to 12.5% of the gross floor area of development. The request is also to allow an increase in height from the current maximum of 3-5 stories to 8 stories (but no taller than 100' above Kirkland Way).

The Commission voted 5 to 4 to recommend review in 2012 if staff resources are available. The applicant has indicated that the 2012 time frame is acceptable. The Commission discussed including all CBD 5 properties in this PAR; the advantage of additional residential capacity in the Downtown; and concern over height. The majority felt there is merit to considering this next year due to the proximity to the Park Place development and the need for residential development near to the increased number of employees resulting from the Parkplace redevelopment. A minority of Commission members thought that this PAR would detract from other work program tasks or should wait until the Moss Bay Neighborhood Plan update. The proposal would require amendments to the Comprehensive Plan and Zoning Code.

PUBLIC COMMENT

At the public meeting all PAR applicants spoke as an advocate for their projects. The applicant / co-owner of the Altom PAR spoke in support of the proposal. The owner /applicant of the Howard PAR advocated for that request and clarified that access for the project is proposed to be from Juanita Drive at the intersection of 122nd Place and NE Juanita Drive. One neighbor spoke against the Howard PAR. His focus was to retain the existing zoning on the RMA lot and

not to share the access from 76th Avenue NE with the multi-family proposal. Both the owner and a representative of the MRM proposal spoke in support of the MRM request.

E-mails and letters submitted by the applicants are attached to this memorandum.

Exhibit:

1. Planning Commission Recommendation

Attachments:

1. Threshold Determination Criteria
2. Map Altom
3. Maps Howard
4. Map MRM Kirkland
5. Comment emails/letters from Mr. Howard
6. Comment emails/letters from Mr. Brand

cc: mail list in advantage for each case
John Purfus, john0194@comcast.net



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

MEMORANDUM

Date: March 11, 2011

To: Kirkland City Council

From: C. Ray Allshouse, Chair
Kirkland Planning Commission

Subject: Planning Commission Recommendation on Private Amendment Requests and Miscellaneous Zoning Code Amendments

INTRODUCTION

The joint meeting of the Planning Commission and City Council is scheduled for March 15th. At that study session meeting we will be reviewing the proposed Planning Work Program as well as other items for discussion with the Council.

Two of those items that are noted on the Work Program were considered at the Planning Commission meeting of March 10: the **Private Amendment Requests** (Task 1.5) and **Miscellaneous Code Amendments** (Task 3.1). The purpose of this memo is to convey the Planning Commission's recommendation on these items to the City Council.

PLANNING COMMISSION RECOMMENDATION

1. Private Amendment Requests (PAR's)

Three requests were submitted to the City and the Commission's threshold review occurred at our March 10th meeting. Staff provided an overview of each PAR and staff's recommendation. The applicant and interested parties were then provided an opportunity to address the Commission followed by discussion and deliberation. The Planning Commission packet for the PAR's can be viewed at the following link: [2011 Private Amendment Requests](#). The packet includes detailed descriptions of each request, the location maps and staff analysis.

The following is a brief description of each request and the Commission's recommendation:

Altom PAR Request

The request is to amend the Comprehensive Plan and zoning in the PLA 5C zone to allow increased density and reduction of setbacks. The properties are at 220 6th Street

and 611 4th Avenue (located on the east side of 6th Street across from Park Place and west of the post office). These properties were part of the Park Place, Orni and Altom Planned Action. The zoning for the Altom property was changed to allow increased height but with a residential density limitation of 24 units per acre. The applicant has requested that density be determined by the height and bulk of the building rather than a specific number of units per acre. This is similar to properties in the CBD.

Planning Commission Recommendation

Staff had recommended this be considered in 2011. The Planning Commission reviewed the proposal and on a vote of 6 to 2 with one abstention recommends this not be studied further. The Planning Commission reasoned that these properties were studied extensively through the previous PAR request as part of the overall Planned Action amendments and that it would not be correcting an inconsistency. The Commission was also concerned that it would require time and resources that would be better allocated to other work program tasks.

Howard Request

Request

The request is for a change to the Comprehensive Plan land use map and zoning for two parcels in the Finn Hill Neighborhood. The request is to change one parcel from commercial (BNA) to high density (RMA 2.4) and one parcel from low density (RSA 6) to high density (RMA 2.4). The applicant also owns a third adjacent parcel already zoned high density. The properties are located at 12035 and 12203 Juanita Drive and 12034 76th Avenue just north of the Finn Hill Fire Station.

Staff had recommended this be considered in 2012 provided staff resources are available. The Planning Commission discussed the request and voted 8 to 1 not to consider this further. The Commission felt that it would be appropriate to undertake a neighborhood plan prior to considering revised zoning for this area. The Commission asserted that this request needs to be addressed as part of the neighborhood plan or at least a subarea neighborhood business district plan if resource constraints preclude undertaking the neighborhood plan in a timely fashion.

MRM Kirkland

The request is to change the Comprehensive Plan and zoning for the property located at 434 Kirkland Way – property south of the Park Place shopping center and the former site of Bungie Studios and Kirkland Hardware. The proposal is to allow additional residential on the entire site rather than the current limit of 12.5% of the gross floor area and to allow a height of 100' rather than the current maximum of 3-5 stories.

The staff recommended that this request could be reviewed in 2012 if staff resources were available. The applicant indicated that this would be acceptable. The Commission had considerable discussion on this request. Several members expressed strong support for additional residential development on this property with concern over acceptable height limitations. Members opposing the staff recommendation expressed a belief that it will detract from other tasks or should be considered as part of the Moss Bay Neighborhood Plan update. In the end the Commission voted 5-4 to recommend this be studied in 2012.

2. Miscellaneous Zoning Code Amendments.

The Planning Work Program identifies a task (3.1) to undertake a variety of amendments to the Zoning Code. The Planning Commission reviewed this in more detail at its March 10th meeting. The staff memo to the Commission and the list and sequencing of all of the proposed amendments can be viewed at the following link: [Zoning Code Amendments](#).

Staff recommended groups of amendments be considered in 2011. The B-1 group involves minor corrections or clarifications having little or no policy implications. This group of amendments would go through a Process IV-A and would be considered first (these do not involve the Planning Commission). The B-2 group would involve substantive items and would be reviewed by the Planning Commission. Staff recommended that this consist of one item – ground floor uses in commercial zones outside the CBD which could start with the Totem Lake regulations (Task 3.2).

The Commission also heard from several residents with the request that regulations governing the keeping of chickens be amended to allow chickens on smaller lots in residential areas. The Commission agreed that this should be studied with the B-2 group of amendments and that another item involving clarifications to and reformatting of equestrian regulations be moved from the B.1 to the B.2 group. In addition, the Commission recommended moving to the B.2 group from the C group (items to be reviewed in 2012 or later) an examination of required review processes for land use decisions to determine if decisions now requiring a Hearing Examiner decision could be changed to a Planning Director or Planning Official decision. The Commission discussed staff's approach to the code amendments and agreed with the staff recommendation as follows:

- Process the B-1 group of minor code amendments first
- Take up four items in the B-2 group later in the year
- Consider the other amendments in 2012 or later

A listing of the proposed code amendments in the B.1 and B.2 groups to be reviewed in 2011 is attached.

140.20 Threshold Determination for Citizen-Initiated Proposals

1. General – The Planning Department can establish a deadline for submitting citizen-initiated proposals. Applicants will be required to submit an application, a review fee and any other pertinent information determined necessary to consider the request. The citizen-initiated proposals shall only be considered in conjunction with the City’s regular review of the Comprehensive Plan described in KZC [140.45](#).
2. Process – Citizen-initiated proposals require a two-step review process using Process IV described in Chapter [160](#) KZC:
 - a. A threshold review to determine those proposals that are eligible for further consideration; and
 - b. A final decision.
3. Criteria – The City shall use the following criteria in selecting proposals for further consideration. Proposals must meet subsection (3)(a) of this section, and either subsection (3)(b) or (3)(c) of this section:
 - a. The City has the resources, including staff and budget, necessary to review the proposal; and
 - b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan; or
 - c. All of the following:
 - 1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and
 - 2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and
 - a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and
 - b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

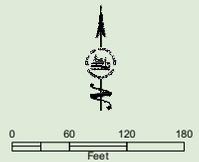
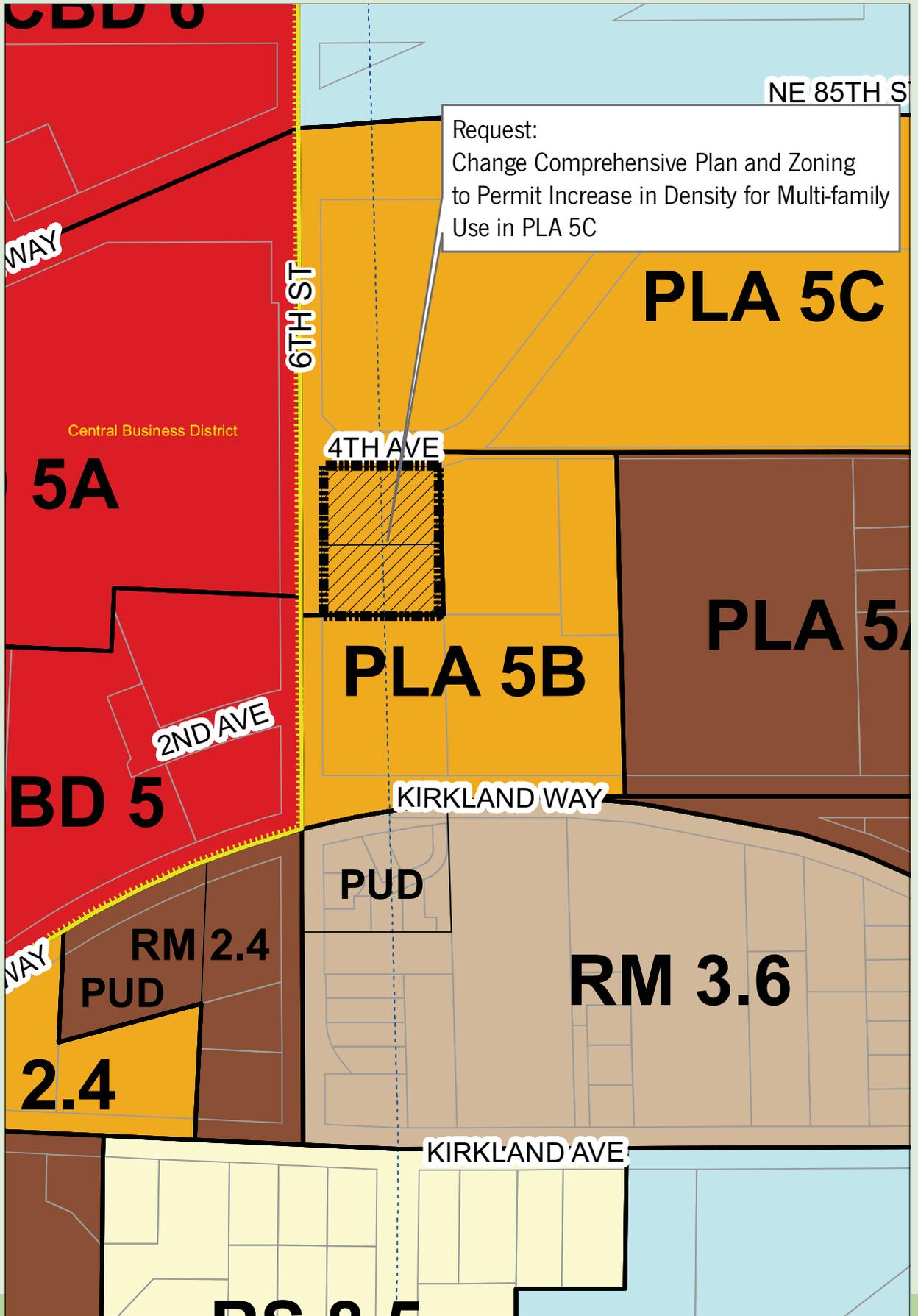
AL TOM PRIVATE AMENDMENT REQUEST- ZON11-00002



Vicinity Map
0 5,800 11,600 17,400
Feet

Map Legend

- Tax Parcel Boundaries
- Commercial
- Industrial
- Light Manufacturing Park
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space

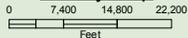


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HOWARD PRIVATE AMENDMENT REQUEST- ZON11-00005

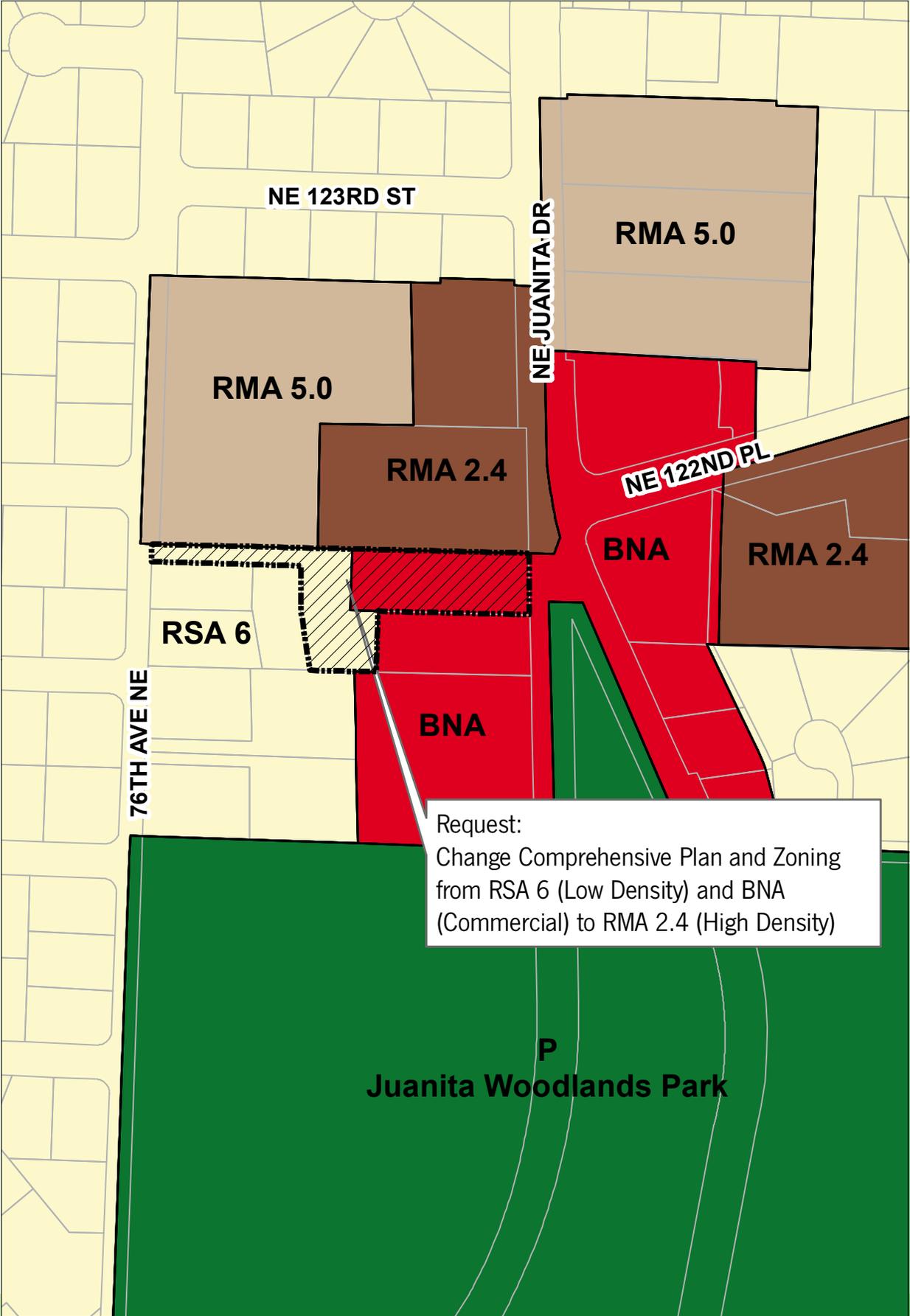


Vicinity Map



Map Legend

- Tax Parcel Boundaries
- Commercial
- Industrial
- Light Manufacturing Park
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space

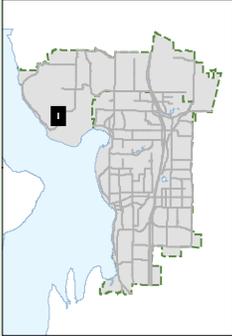


Request:
 Change Comprehensive Plan and Zoning
 from RSA 6 (Low Density) and BNA
 (Commercial) to RMA 2.4 (High Density)

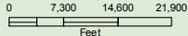


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HOWARD PRIVATE AMENDMENT REQUEST- ZON11-00005

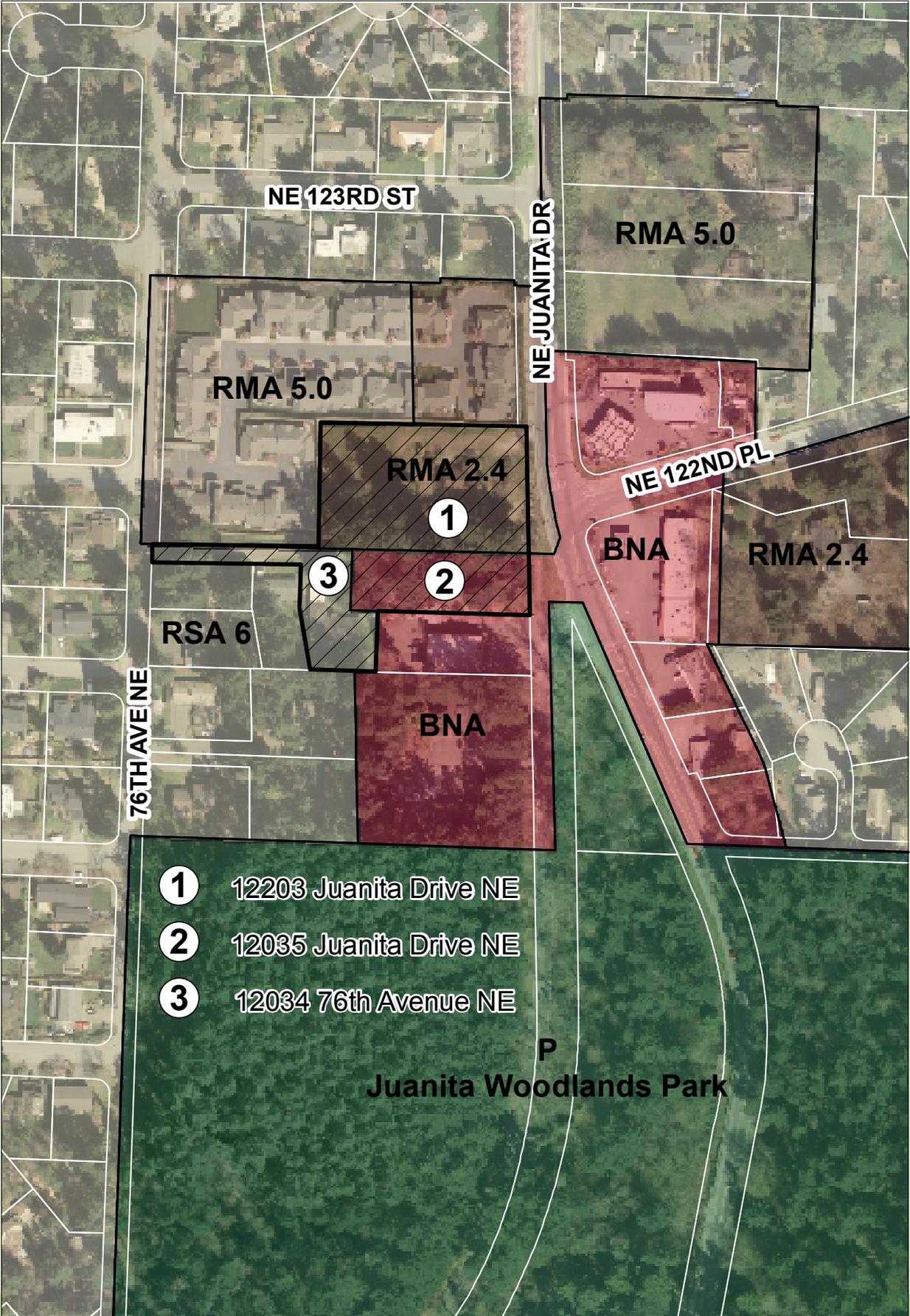


Vicinity Map



Map Legend

- Tax Parcel Boundaries
- Commercial
- Industrial
- Light Manufacturing Park
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space



- 1** 12203 Juanita Drive NE
- 2** 12035 Juanita Drive NE
- 3** 12034 76th Avenue NE

Juanita Woodlands Park



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iMAP



RMA 2.4
52,658 sq. ft.

RSA 6 (HP)
Holmes Point Overlay
20,216 sq. ft.

BNA
22,229
sq. ft.

0 152ft

(C) 2010 King County

The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.



Date: 9/27/2010 Source: King County iMAP - Property Information (<http://www.metrokc.gov/GIS/iMAP>)

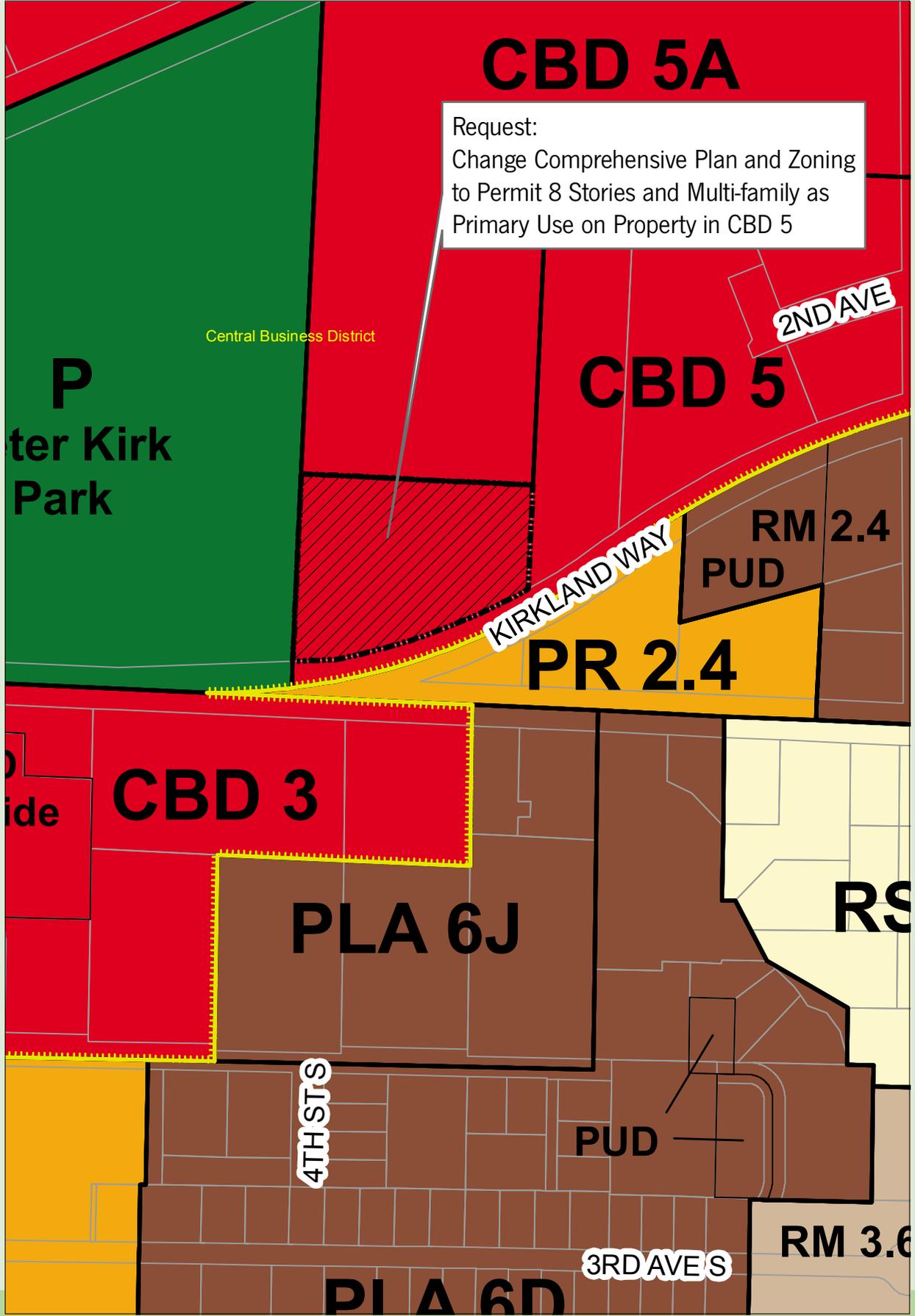
MRM KIRKLAND PRIVATE AMENDMENT REQUEST- ZON11-00006



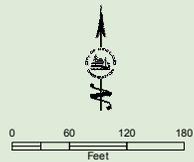
Vicinity Map
0 5,900 11,800 17,700
Feet

Map Legend

- Tax Parcel Boundaries
- Commercial
- Industrial
- Light Manufacturing Park
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space



Request:
Change Comprehensive Plan and Zoning to Permit 8 Stories and Multi-family as Primary Use on Property in CBD 5



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From: [Joan Lieberman-Brill](#)
To: [Amy Walen](#); [Bob Sternoff](#); [Dave Asher](#); [Doreen Marchione](#); [Janet Jonson](#); [Jessica Greenway](#); [Joan McBride](#); [Penny Sweet](#);
cc: [Andrew Held](#); [Byron Katsuyama](#); [C. Ray Allshouse](#); [C. Ray Allshouse](#); [George Pressley](#); [Glenn Peterson](#); [Jay Arnold](#); [Jon Pascal](#); [Karen Tennyson](#); [Mike Miller](#);
Subject: FW: Questions
Date: Tuesday, March 15, 2011 10:18:51 AM

Dear City Council and Planning Commission Members,
The email below was received from the proponent of the Howard Private Amendment Request to the Comprehensive Plan, which will be considered tonight at your joint Planning Commission/City Council study.

Joan Lieberman-Brill, AICP
Senior Planner
Kirkland Planning and Community Development
425-587-3254
jbrill@ci.kirkland.wa.us
Tues - Thurs

Please don't print this e-mail unless you really need to. Reuse, Reduce, Recycle.

From: Jeffrey S. Howard [mailto:1oldiron@comcast.net]
Sent: Friday, March 11, 2011 9:53 AM
To: Jon Regala
Subject: Questions

Hi Jon:

I was rather surprised at the Planning Commission hearing last night. I assumed the request would be looked at seriously with substantial questions and the opportunity to explain the reasoning. Unfortunately the initial recommendation from Staff was to hold off till 2012. Then the Commission kicked the can down the road another year or more beyond that – making a decision to not make any decision until after the annexation and maybe even after some Neighborhood Plan far off in the future. A couple PC members wanted the entire consideration held off until the final fate of the fire station is decided. That could stretch out years.

I had absolutely no opportunity to respond to the deliberations, was asked no further questions after my initial presentation, and there was no – none whatsoever - serious considerations of the benefits to the City, the Community, nor to the prospect of greatly increasing the tax base of the property in the near future. Only one citizen spoke in opposition and the only reason he was there is that I personally called him and informed him about the hearing as a courtesy. I knew he would object, but I did not want to have to fight with him later if he thought I was trying to pull something behind his back.

If I had been given the opportunity to discuss the project seriously with the Planning Commission, I could have offered to alleviate my neighbor's concerns about the requested re-zone of the property next to his. If I could place the play area and the storm water vault on my western lot w/o re-zoning it, that solution would work. With such an assurance from the PC, I would have happily withdrawn that part of the request – leaving only the re-zone of the business parcel to be discussed.

No one had any reasons or objections to re-zoning the south parcel from business to residential because of the shape and access limitations. However the Staff wanted to study the adjoining two parcels to the south as part of an evaluation of the viability of business zoning on the west side of Juanita Drive. This basically put my request on ice indefinitely. It was mentioned that I should start all over again next year with the application.

Neither the Staff nor the PC took into consideration the near term benefits to all concerned – the neighborhood, the City, the

economy, or the jobs picture. I have owned and fed this vacant property for several years and it has only gone down in value over that time. I have a builder with financing lined up ready to go. I am ready and willing to put dozens of people to work on good paying local jobs, create relatively affordable housing, and substantially increase the City's tax base. I want to turn these vacant parcels of unutilized land into an attractive residential community that meshes with the adjacent neighborhoods instead of clashing with them.

Can you, I, and some of your staff meet in the very near future to discuss this? The City Council/Planning Commission meeting to weigh the PC recommendations is next week, I believe. Is there any way I can re-introduce and/or modify this request in hopes that several years of additional delays are not incurred?

This is one of the few times that an owner's plans and the neighbors' preferences are basically the same. The neighbors do not really want a biker bar or Burger King going in on that little sliver of commercial property. However if long delays force me to sell the properties as-is, a future owner might well do something entirely different than what I have proposed.

Thanks,

Jeff

From: [Joan Lieberman-Brill](#)
To: [City Council; Andrew Held; Byron Katsuyama; C. Ray Allshouse;](#)
[C. Ray Allshouse; George Pressley; Glenn Peterson; Jay Arnold; Jon Pascal;](#)
[Karen Tennyson; Mike Miller;](#)
Subject: FW: PA follow-up
Date: Tuesday, March 15, 2011 12:31:40 PM

Dear City Council and Planning Commission Members,

Here is another email from the proponent of the Howard Private Amendment Request to the Comprehensive Plan, which will be considered tonight at your joint Planning Commission/City Council study.

Joan Lieberman-Brill, AICP

Senior Planner

Kirkland Planning and Community Development

425-587-3254

jbrill@ci.kirkland.wa.us

Tues - Thurs

Please don't print this e-mail unless you really need to. Reuse, Reduce, Recycle.

From: Jeffrey S. Howard [mailto:1oldiron@comcast.net]
Sent: Tuesday, March 15, 2011 12:17 PM
To: Joan Lieberman-Brill
Subject: PA follow-up

Hi Joan:

Thank you for your patience and the explanations you provided on the phone this morning.

I know it was nearing the end of a long evening for the Planning Commission when the Howard, LLC Private Amendment Request was discussed. In the brief remarks heard by the Commission, the only objection to a portion of the plan was from the neighbor to the west, Mr. John Purpus. He was not in favor of a re-zone on the parcel adjacent to his from RSA 6 to RMA 2.4. This is understandable from his point of view.

There were no general objections from Staff or the Commission

on the request to re-zone the business parcel to RMA 2.4. It is a difficult to access, narrow parcel that no matter what is done to improve access would still suffer from severe drawbacks as a business location. Staff's main concern was the preference to study all three business properties west of Juanita Drive at one time, preferring a 2012 time frame.

Due to time considerations and the large load of agenda items on the Planning Commission schedule that evening, very little time was available to examine the pros and cons of the PMA. There was no time for any give and take on which perhaps some agreement in principle could have been reached on the scope and desirability of the project.

Per our discussion this morning, I would happily drop the zoning request on the RSA 6 lot if developing it within the existing zoning can be done. This would serve two purposes. First, it would eliminate my neighbor's main objection to the plan. Second it would focus the re-zone request to one insignificant, unused parcel with little or no hope for successful development under business zoning.

There are three significant reasons I would prefer to see this request acted upon during the current planning and Comp Plan cycle:

1. Residential development of the properties is the best fit for the west side of Juanita Drive. It meshes with the existing neighborhood and does not place a commercial establishment of any kind wedged in against current residential areas.
2. The current tax base of both vacant properties is at a minimum. Placing small, relatively affordable homes on them

instantly increases the tax revenues flowing to Kirkland as additional support for the costs of the Annexation.

3. In the current economic situation, anything that creates jobs now and increases commerce in any way is a benefit to the entire area. Financing and a quality builder are lined up for the project. Developing and building sooner rather than later will employ dozens of people from laborers to craftsmen. Their presence on site for months will also generate revenue for the several businesses across the street during construction.

The Sinclair Town Homes borders the properties on two sides. My architect and I have attended their board meetings and familiarized them with the plans. We have included a few changes and upgrades to alleviate any concerns about privacy and preserving a couple lovely trees. The former rental house and unused structures along with debris from garbage to stolen cars have been removed – eliminating a potential public nuisance. The two homes to the west are currently on septic tank based, on-site sewage systems. The development of the properties will provide city sewage stubs to eliminate the on-site installations before they fail and lead to contamination.

This is a situation whereby the proposed development is the preferred objective for the majority of nearby property owners. The business folks on the east would probably prefer no additional competition – especially in today's economy. Time is of the essence as far as job creation goes. If this plan has to wait year after year for serious consideration, those jobs will not be created when the economy needs them most.

Thanks again for your time this morning. As I mentioned to you,

dealing with the City of Kirkland is a breath of fresh air compared to some other cities and municipalities.

Jeff Howard

From: [Jeffrey S. Howard](#)
To: [Joan Lieberman-Brill](#);
Subject: RE: City Council Threshold Determination Final Action on the 2011 Private Amendment Requests
Date: Wednesday, March 16, 2011 4:34:36 PM

Thanks Joan:

I did speak at the Council meeting last evening, but there were no questions or any opportunity to explain why this PAR might make sense to the City. They were immediately on to other agenda items.

I did get a chance to speak with Eric briefly and he was well aware of the commercial limitations of the subject property. He may have a chance to show the Council when they tour the annexation area in a couple weeks.

Mr. Asher of the Council was the only one who seemed to voice an opposing opinion to losing any commercial property. He stated so in the joint meeting. Of course the practicability of generating business revenue off this little, near landlocked parcel, was not brought up. Another member mentioned that the City did not want to go and mess up neighborhoods with re-zoning. However there are currently no active retail or service businesses on the west side of Juanita Drive and placing one on my property would probably adversely affect adjacent residential property values. A third member mentioned they were looking for “innovation”. That is exactly what I am proposing – small detached, relatively affordable and attractive homes on two pieces of property that are currently generating almost no tax revenue.

As I mentioned before, this project will create jobs for months just when they are needed most. The paper this morning had figures that showed that Washington’s unemployment rate is/was higher than previously estimated. It is above the national average.

I am not familiar with all the aspects that go into studying such a proposal and how much staff time would be involved. From my simple point of view, a person would only have to walk the lot, observe the surrounding residential neighbors, and realize that the zoning is a misfit. It only came about because there was a barber shop there a half century ago when Juanita Drive was a bucolic, little traveled road, with easy on and off access at any point. Those days are long gone.

Any design and engineering costs would be borne by the property owner and the City departments would only have to examine and mark up the plans. The permitting costs should cover most of that work.

My interactions with the adjacent property owners have been positive. The neighbor to the west of the flag lot has been sort of difficult occasionally, but dropping the idea of messing with the lot next to his should mollify him to some extent. I will contact the neighbors and see what their thoughts are and perhaps get something in writing from them supporting this plan.

Thank you again for your attention to this matter. It is nice to be doing business with a City that has such professional folks in the organization.

Jeff

From: Joan Lieberman-Brill [mailto:JLiebermanBrill@ci.kirkland.wa.us]
Sent: Wednesday, March 16, 2011 4:05 PM
To: Rhoda; Jeffrey S. Howard; Brian Brand
Subject: City Council Threshold Determination Final Action on the 2011 Private Amendment Requests

Dear Ms. Altom, Mr. Howard, and Mr. Brand,

The City Council will take final action on the threshold determination for all three PAR's on April 19, 2011. The public meeting begins at 7:30 in the City Council Chamber. You will receive an electronic link to the agenda and staff memorandum prior to the meeting. If you wish to have written comments included in the staff memorandum, please provide them to me no later than March 31st. You may also present them at the meeting. You will have an opportunity to make oral comments during the "items from the audience" portion of the agenda, which is fairly early in the meeting. They set a limit of 3 minutes for each speaker.

Sincerely,
Joan

Joan Lieberman-Brill, AICP
Senior Planner
Kirkland Planning and Community Development
425-587-3254
jbrill@ci.kirkland.wa.us

Tues - Thurs

Please don't print this e-mail unless you really need to. Reuse, Reduce, Recycle.

Jeff Howard 16350 NE 51st St. Redmond, Washington 98052

One of the Private Amendment requests the Planning Commission saw last week was my proposal to re-zone a couple small properties at the intersection of Juanita Drive and Holmes Point Drive.

The Planning Staff advanced the idea of including the study of my small lot in with two nearby ones and doing so for the 2012 cycle. The Planning Commission preferred to hold off considering the request until 2012, or a neighborhood plan was enacted, or the fire station question settled. These variables could string out years.

One neighbor objected to the re-zone of the parcel next to his. With a slight design tweak, this re-zone can be taken off the table and forgotten, and I am willing to do so. That leaves one sliver of business zoned property with inadequate dimensions and road orientation for commercial use. It would be far better for the community and the development potential if it were to be zoned residential.

There are three significant reasons I would prefer to see this request acted upon during the current Comp Plan cycle:

1. Residential development of the properties is the best fit for the west side of Juanita Drive. It meshes with the existing neighborhood and does not place a commercial establishment of any kind wedged in against current residential areas.
2. The current tax base of both vacant properties is at a minimum. Placing small, relatively affordable homes on them instantly increases the tax revenues flowing to Kirkland as additional support for the costs of the Annexation.
3. In the current economic situation, anything that creates jobs now and increases commerce in any way is a benefit to the entire area. Financing and a quality builder are lined up for the project. Developing and building sooner rather than later will employ dozens of people from laborers to craftsmen. Their presence on site for months will also generate revenue for the several businesses across the street during construction.

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This is a situation where the proposed development is the preferred objective for the majority of nearby homeowners. Time is of the essence as far as job creation goes. If this plan has to wait year after year for serious consideration, those jobs will not be created when the economy needs them most.

T. T. Howard, LLC
16350 NE 51st St. Redmond WA 98052
(425) 869-8017 FAX (425) 861-8942
Email: 1oldiron@comcast.net

7 APR 10

To: Kirkland City Council
Kirkland Planning Commission
Kirkland Planning Department

From: Jeffrey S. & Thuan T. Howard

Subject: Private Amendment Request – Howard LLC

On March 10th, the Planning Staff made a recommendation to the Planning Commission to put off considering this PAR due to budget and staffing limitations. The Planning Commission had a short discussion and forwarded that same recommendation to the City Council.

When we purchased the property, it was obvious that its commercial zoning would be very difficult to exploit and that a re-zone to high density residential would make the most sense for a number of reasons. The process would have been quite Byzantine at the County level, so it was decided to await the upcoming annexation and pursue it through the City of Kirkland, which has a much more efficient track record in dealing with development issues.

Now, due to budget and staff constraints, this PAR is being threatened with delay for an additional two years.

We would like to propose to reimburse the City for staff time and materials as needed to include the necessary studies of this request within the present cycle if such an arrangement is possible and legal. Getting a definite up or down decision on this request within the present planning period will allow us to apply for permits and get the project in the pipeline the minute they are issued.

This development will create dozens of jobs for many months, create additional economic activity for nearby businesses, and increase the City's tax base – all within a time when all three of these effects are most needed by all concerned.

Respectfully Submitted,



Jeffrey S. Howard

From: [Joan Lieberman-Brill](#)
To: [City Council; Andrew Held; Byron Katsuyama; C. Ray Allshouse;](#)
[C. Ray Allshouse; George Pressley; Glenn Peterson; Jay Arnold; Jon Pascal;](#)
[Karen Tennyson; Mike Miller;](#)
Subject: FW: PA follow-up
Date: Tuesday, March 15, 2011 12:31:40 PM

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Sent: Tuesday, March 15, 2011 12:17 PM
To: Joan Lieberman-Brill
Subject: PA follow-up

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There were no general objections from Staff or the Commission

on the request to re-zone the business parcel to RMA 2.4. It is a difficult to access, narrow parcel that no matter what is done to improve access would still suffer from severe drawbacks as a business location. Staff's main concern was the preference to study all three business properties west of Juanita Drive at one time, preferring a 2012 time frame.

Due to time considerations and the large load of agenda items on the Planning Commission schedule that evening, very little time was available to examine the pros and cons of the PMA. There was no time for any give and take on which perhaps some agreement in principle could have been reached on the scope and desirability of the project.

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There are three significant reasons I would prefer to see this request acted upon during the current planning and Comp Plan cycle:

1. Residential development of the properties is the best fit for the west side of Juanita Drive. It meshes with the existing neighborhood and does not place a commercial establishment of any kind wedged in against current residential areas.
2. The current tax base of both vacant properties is at a minimum. Placing small, relatively affordable homes on them

instantly increases the tax revenues flowing to Kirkland as additional support for the costs of the Annexation.

3. In the current economic situation, anything that creates jobs now and increases commerce in any way is a benefit to the entire area. Financing and a quality builder are lined up for the project. Developing and building sooner rather than later will employ dozens of people from laborers to craftsmen. Their presence on site for months will also generate revenue for the several businesses across the street during construction.

The Sinclair Town Homes borders the properties on two sides. My architect and I have attended their board meetings and familiarized them with the plans. We have included a few changes and upgrades to alleviate any concerns about privacy and preserving a couple lovely trees. The former rental house and unused structures along with debris from garbage to stolen cars have been removed – eliminating a potential public nuisance. The two homes to the west are currently on septic tank based, on-site sewage systems. The development of the properties will provide city sewage stubs to eliminate the on-site installations before they fail and lead to contamination.

This is a situation whereby the proposed development is the preferred objective for the majority of nearby property owners. The business folks on the east would probably prefer no additional competition – especially in today's economy. Time is of the essence as far as job creation goes. If this plan has to wait year after year for serious consideration, those jobs will not be created when the economy needs them most.

Thanks again for your time this morning. As I mentioned to you,

dealing with the City of Kirkland is a breath of fresh air compared to some other cities and municipalities.

Jeff Howard



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

MEMORANDUM

Date: April 7, 2011

To: Kurt Triplett, City Manager

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

Subject: Adoption of the 2011 – 2013 Planning Work Program (File No. MIS11-00008)

Recommendation

Staff recommends the Council:

- Approve the attached resolution adopting the 2011 – 2013 Planning Work Program (Exhibit A)

Background

Work Program Tasks

The City Council and the Planning Commission met at a joint meeting on March 15, 2011 to review the proposed 2011-2013 Planning Work Program and discuss other items. The packet and materials for the joint meeting can be viewed [here](#).

At the meeting, the Council generally agreed with Work Program as recommended by the Planning Commission. It was noted that many of the major tasks that will be worked on in 2011 consist of projects that began in 2010. These include:

- Touchstone Planned Action appeals (Task 1.6)
- Lakeview and Central Houghton Neighborhood Plans (Tasks 2.1 and 2.2)
- CBD ground floor use regulations (Task 3.3)
- Zoning regulations and design standards for the South Kirkland Park & Ride TOD (Task 4.1)
- Shoreline Master Program for the annexation area (Task 5.1)

Staff is currently committed to these tasks. Following completion according to the schedule, staff resources will be more available to take on the new projects. As noted in the work program new projects to start in 2011 include:

- Annual Comprehensive Plan Update (Task 1.1)
- Miscellaneous code amendments (Task 3.1)
- Totem Lake code assessment (Task 3.2)
- LID/Green Codes (Task 5.2)

- Neighborhood Plan Assessment (to occur prior to undertaking any new neighborhood plan update)

A summary of the tasks identified in the work program is included in Attachment 1.

Private Amendment Requests

At the joint meeting, the Planning Commission also transmitted its recommendations on the Private Amendment Requests. If the Council concurs with the Planning Commission no PAR's would be evaluated in 2011. (Note: the Council action on the PAR's will also occur at the April 19th Council meeting).

Economic Focus

At the joint meeting, Councilmember Sternoff noted an interest in making sure there is an economic focus to the work undertaken by the Planning Commission. The following is a summary of those work program tasks and their economic component.

Lakeview Neighborhood Plan (Task 2.1)

- Draft policies and zoning to support and strengthen the Yarrow Bay Business District to evolve into a greater mix of office, retail, services and housing with increased height (4-5 stories).
- Support for more neighborhood oriented retail for the area south of NE 60th Street between Lakeview Dr. and Lake Washington Boulevard. Reduce review process to a Process I.

Central Houghton Neighborhood Plan (Task 2.2)

- Policy to develop an integrated plan for the Houghton Neighborhood Center in conjunction with the Everest Neighborhood Plan. Draft policies support mix of uses including shops, services, office and multi-family with increased building heights up to 4-5 stories.

Totem Lake Code Amendments (Task 3.2)

- As part of the draft Totem Lake Action Plan, review zoning to identify impediments to economic development. Go through a scoping of all zoning districts. This could also look at the issue of ground floor retail requirements.

CBD Retail (Task 3.3)

- Looking at allowing some flexibility for street level storefront uses. Planning Commission has conducted a public hearing and has requested additional information.

Green Codes

- Allow more development flexibility (clustering) for lot layouts that incorporate LID techniques. Promote green jobs and energy savings with more flexibility for solar panels and small scale wind appurtenances.

Zoning Code Amendments

At the joint meeting, staff and the Commission discussed moving forward with different groups of miscellaneous Zoning Code amendments. For 2011, staff proposed two groupings.

The first group would consist of fast track amendments that would be taken up in mid-2011. These are a Process IVA procedure that does not involve the Planning Commission. They are considered not to be controversial and do not need extensive policy study. They are intended to promote clarity, eliminate redundancy or correct inconsistencies. The Planning Director holds the public hearing on the amendments and makes a recommendation to the City Council and Houghton Community Council (if applicable).

Group B1 in Attachment 2 is the roster of the minor code amendments. By code the Planning Director distributes a copy to the Planning Commission, Houghton Community Council (HCC), neighborhood associations and the Chamber of Commerce 30 days prior to the City Council's approval of the roster. Following the 30 day period, staff will bring back the roster for City Council's direction to move forward.

The second grouping (Group B2 in Attachment 2) are items that are more substantive in nature and would follow the standard Process IV which involves study sessions and a public hearing before the Planning Commission and, if applicable, the HCC. The Planning Commission and HCC make recommendations and the City Council takes action followed by HCC action. This group would be processed in the latter part of 2011 following completion of the first group.

Attachments

- Attachment 1: Summary of Planning Work Program Tasks
- Attachment 2: Roster Miscellaneous Zoning Code Amendments
- Resolution adopting the Planning Work Program
- 2011 – 2013 Planning Work Program (Exhibit A)



2011-2013 PLANNING WORK PROGRAM

Summary of Tasks

Planning & Community Development

March 2011

POLICIES, PLANS & REGULATIONS

Task 1: Comprehensive Plan Update (.5 FTE)

1.1 Annual Comprehensive Plan Update

In 2010 the Planning Department initiated a number of amendments to the Comprehensive Plan including the following items adopted by the City Council in December 2010:

- minor housekeeping amendments;
- revisions associated with the Kingsgate, North Juanita and Fill Hill annexation;
- an updated Capital Facilities Plan (CFP); and
- policies regarding electrical vehicle infrastructure.

For 2011, only a few city-initiated amendments are necessary (e.g. the Capital Facilities Plan). However – other work program tasks such as the Private Amendment Requests or Totem Lake initiatives may result in more substantive tasks (see discussion below).

1.2 Annexation Neighborhood Boundaries: The 2010 annual plan update also included resolution of the neighborhood boundaries for the annexation area Kingsgate, North Juanita and Finn Hill Neighborhoods. The opportunity was left open for the Finn Hill Neighborhood to divide if the residents could come to a consensus on a preferred boundary. Staff will continue to support those community conversations and any changes could be incorporated into a future annual plan amendment.

1.3 Growth Management Act (GMA) – Comprehensive Plan Update. The Growth Management Act (RCW 36.70A.130) requires cities and counties to review and if needed, revise their comprehensive plans and development regulations every seven years. Last year legislation was approved extending the deadline to December 1, 2014 for King County and all its cities (including Kirkland). The City supported this legislation as it will give the City a chance to incorporate the annexation area into the Comprehensive Plan.

However, the Comprehensive Plan update will be a major planning effort and will be staff and time intensive probably taking a minimum of two years to complete. The work program anticipates this beginning in 2013 with some preliminary work in late 2012. Funding resources will likely be needed for preparation of an Environmental Impact Statement and transportation modeling.

This process would generally include the following:

- New vision statement
- Extensive community outreach and involvement
- Revised land use and capacity analysis
- New transportation network and list of projects
- Revised level of service standards
- Updated Capital Facilities and Transportation Elements

- Framework for revisions to the impact fee program
- Environmental Impact Statement

In 2010, the Growth Management Planning Council allocated 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, a revised transportation plan would be considered based on a new horizon year of 2031 along with possible amendments to the City's level of service standards for capital facilities (parks, transportation, etc.). This has to occur before the city updates its impact fee rate study.

1.4 Transportation Principles and Policies

The Transportation Commission continues to explore a new direction on transportation that does not focus only on the automobile. This initial effort which has been presented to the Planning Commission, Houghton Community Council and City Council establishes principles to form the basis for decision-making and recommended policy changes.

These principles are:

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

As the Commission moves forward, amendments to the City's Comprehensive Plan and concurrency system would occur. This would also guide CIP projects and transportation funding. It is likely that this would be incorporated into the general GMA plan update (Task 1.3).

1.5 Private Amendment Requests

December 1, 2010 was the deadline for private amendment requests applications to be submitted (every two years). Private amendment requests are submitted to request amendments to the Comprehensive Plan and (if necessary, a rezone). Three such requests were submitted by the application deadline. They are:

- Rhoda Altom (611 4th Avenue): Request in the Moss Bay Neighborhood to change from PLA5C to CBD 5 to clarify allowed density.
- Jeffrey S. Howard (12035 & 12203 Juanita Drive NE and 12034 76th Ave. NE): Request in the Finn Hill Neighborhood to change property zoned commercial (BNA) to allow residential (RMA 2.4) and to change property zoned RMA 5.0 to RMA 2.4.
- MRM Kirkland, LLC (434 Kirkland Way): Request to change Comprehensive Plan and zoning for a mixed use (retail/office; retail/office/multi-family; or retail/multifamily and increase the allowed height.

These private amendment requests will be part of a Threshold Review process beginning in February. This process entails the Planning Commission reviewing the individual

requests and making a recommendation to the City Council on whether or not to study the request further for possible amendments to the Comprehensive Plan and zoning. Of the three requests submitted by the December 1, 2010 deadline, the third request (MRM Kirkland) would require significant staffing and time to process. The Planning Commission conducted a Threshold Review of the requests at their March 10, 2011 meeting and made a recommendation to the City Council at the March 15 joint meeting.

1.6 Touchstone SEIS and Planned Action Ordinance

In 2010, staff devoted considerable time and effort in the various appeals of the Touchstone private amendment request to the Growth Management Hearings Board and the courts. Several of the appeals will continue to be considered in 2011. Below is a summary of the Parkplace litigation and appeals.

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

Davidson Serles sought to have the Court declare that the EIS was inadequate and to have the City enjoined from taking action to implement the referenced ordinances. Touchstone filed a motion seeking the dismissal of the action in which the City joined. In June 2009, the Superior Court Judge granted summary judgment and dismissed the case. Davidson Serles filed an appeal with the Court of Appeals. See, Appeal No. 64072-I below.

Davidson Serles & Assoc., et al. v. City of Kirkland, et al., Court of Appeals No. 64072-I: This was the appeal from the dismissal of Davidson Serles and Continental Plaza's Superior Court action. Oral argument was conducted on November 1, 2010. On January 24, 2011, the Court of Appeals issued its opinion and concluded that several of Davidson Serles' issues could only be raised before the Growth Management Hearing Board and were properly dismissed by the Superior Court. The Court of Appeals further concluded that the challenge to the Planned Action Ordinance as properly dismissed by the Superior Court. The Court of Appeals concluded that the Superior Court erred in granting summary judgment as to a spot zoning issue raised by Davidson Serles because Touchstone and the City failed to specifically address the issue in the motion for summary judgment. The issue of spot zoning will be back before the Superior Court, but the balance of the Superior Court summary judgment decision was affirmed.

Davidson Serles has requested reconsideration of the part of the opinion in which the Court of Appeals affirmed the Superior Court on grounds that "no EIS was required for the City of Kirkland to enact the planned action ordinance . . . [and

therefore] an inadequate EIS could not form the basis of a claim against a planned action ordinance.” The Court of Appeals recently asked for a response from Touchstone and the City. The response is due mid-March.

Davidson Serles & Assoc., et al. v. City of Kirkland, et al., Central Puget Sound Growth Management Hearings Board No. 09-3-0007c (Davidson Serles I): This was a petition before the Central Puget Sound Growth Management Hearings Board (the “Board.”) Davidson Serles 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, Davidson Serles 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; and intensity of development inconsistent with the County-wide Planning Policies for King County.

The Board issued its decision on October 5, 2009. While it upheld the ordinances with respect to a number of the Davidson Serles’ objections, the Board found that the City should have considered off-site alternatives to the Parkplace project and that amendments to the Capital Facilities and Transportation Elements of the City’s Comprehensive Plan were necessary.

On August 16, 2010, the City issued a Final Supplemental Environmental Impact Statement. In September 2010, the City Council passed Ordinance 4257 to reaffirm its previous approval of Ordinances 4170 and 4171 and passed Ordinance 4258 adopting amendments to the Comprehensive Plan to include all necessary transportation improvements. A compliance hearing was conducted before the Board on November 2, 2010. On February 2, 2011, the Board issued a finding of compliance and closed the case.

City of Kirkland v. CPSGMHB/Davidson Serles & Assoc., et al., Superior Court No. 09-2-43855-2 SEA: This is the City and Touchstone’s challenge to the 2009 decision by the Board. Touchstone and the City moved to have the matter stayed while the City complies with the Board’s decision. On March 10, 2010, the Superior Court stayed the matter. The parties are in discussion about stipulating to the dismissal of this matter.

Davidson Serles & Assoc., et al. v. CPSGMHB/City of Kirkland, et al., Superior Court No. 09-2-43060-8: This was Davidson Serles and Continental Plaza’s challenge to the 2009 decision by the Board. After filing for review by the Superior Court, Davidson Serles asked the Board to certify its decision for direct review by the Court of Appeals. The Board certified its decision and the Court of Appeals accepted discretionary review. See, Appeal No. 64751-2-I below.

Davidson Serles & Assoc., et al. v. CPSGHB/City of Kirkland, et al., Court of Appeals No. 64751-2-I: This was Davidson Serles and Continental Plaza’s appeal from the decision of the Board. Oral argument was conducted on November 1,

2010. The Court of Appeals issued its opinion on December 29, 2010, affirming the Board decision to remand, but not invalidate the City ordinances.

Davidson Serles & Assoc., et al. v. City of Kirkland, et al., Superior Court No. 10-2-35867-6 SEA: This is an action for declaratory and injunctive relief. The action challenges the adequacy of the Final Supplemental Environmental Impact Statement prepared in response to the 2009 decision of the Board.

Davidson Serles & Assoc., et al. v. City of Kirkland, et al., Central Puget Sound Growth Management Hearings Board No. 10-3-0012 (Davidson Serles II): This was a second petition filed with the Central Puget Sound Growth Management Hearings Board (the "Board.") Davidson Serles challenged the adequacy of the Supplemental Environmental Impact Statement prepared in response to the 2009 decision of the Board and Ordinance 4258 passed in September 2010. Davidson Serles filed an amended petition alleging that the transportation element of the City's Comprehensive Plan as amended by Ordinance 4257 did not comply with GMA. A hearing on the merits, including the City's motion to dismiss, was held December 21, 2010. On February 2, 2011, the Board dismissed and closed the case.

In December, after 28 meetings, the Design Review Board approved the design for all buildings in the development. This approval was also appealed by Davidson Serles and Associates to the City's Hearing Examiner. The hearing on the appeal is scheduled for March 24, 2011.

Task 2: Neighborhood Plans (2.0 FTE for 2011)

2.1 and 2.2 Lakeview and Central Houghton Neighborhood Plans.

The City initiated work on the Lakeview and Central Houghton Neighborhood Plans in late 2009. Over the past several months the Neighborhood Advisory Groups have been meeting and have completed their initial review and recommendations. While it was anticipated that the groups would meet 4-5 times, due to the interest and discussion topics the Central Houghton group met 9 times over the course of eight months and the Lakeview Neighborhood group met 13 times.

The 2010 – 2012 Planning Work Program anticipating completing the neighborhood plans by the end of 2010. Looking at the remaining work to be done including finalizing the draft plan and zoning regulations, public outreach, public hearings, Planning Commission recommendation and City Council and HCC action the process is now scheduled to be completed by October of 2011.

2.3 Neighborhood Planning Assessment

During the discussion on the annexation area neighborhood boundaries, comments were noted regarding the approach to neighborhood plans. Are there ways to be more efficient or expeditious? Should we study broader areas at one time? How do we effectively engage the public? Task 2.3 is intended to undertake an assessment and discussion on our neighborhood planning process. The work program shows this

occurring in the latter part of 2011 (following completion of the Lakeview and Central Houghton Neighborhood Plans and prior to undertaking any new neighborhood plans).

2.4 Bridle Trails and South Rose Hill Neighborhood Plan

Depending on the outcome of 2.3 above, some staff would be available to undertake another neighborhood plan update. Bridle Trails and South Rose Hill are currently “next-in-line” for an update. However, due to budget considerations, staff resources for neighborhood plans have been reduced which could affect the timing and level of effort devoted to the next neighborhood plan update.

2.5 Everest and Moss Bay Unless additional resources or approaches are identified, updates to other neighborhood plans would occur after completion of the GMA required Comprehensive Plan update which is due December 1, 2014.

Task 3: Code Amendments (.7 FTE)

3.1 Miscellaneous Code Amendments

Staff continues to maintain a list of potential code amendments and, as new issues arise, staff is constantly adding to and updating the list. The work program generally strives to have an on-going code update task each year. The 2010 bundle was adopted by the Council on January 4, 2010. The work program shows this beginning in the second half of 2011 when staffing would be more available. The miscellaneous code update would be undertaken in two phases. The initial phase would be for minor code amendments under an abbreviated process (IVA) that do not involve the Planning Commission. A second phase would begin later in the year and would consist of more substantive code amendment issues.

3.2 Totem Lake

On December 7, 2010 the City Council approved a “Totem Lake Preliminary Action Plan” for the Totem Lake Business District. This is a high priority for the City Council. The action plan is an outcome from the September 16, 2010 Totem Lake Symposium which brought together several interested participants to discuss catalysts needed to stimulate the revitalization of Totem Lake. One of the items is to look at the zoning to see if there are impediments to economic development. An initial scoping will occur in the first half of 2011 to determine if zoning code amendments are needed which could be processed in the second half of the year.

3.3 CBD Retail

The City is considering allowing flexibility for street level storefront uses in some portion of the downtown. The amendments have been scoped to consider four “end of block” areas to potentially allow ground floor office uses. The Planning Commission’s public hearing is scheduled for March 10, 2011 and the amendments will be before the City Council in April, 2011.

Task 4: Housing (.7 FTE)**4.1 TOD at South Kirkland Park and Ride**

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 26th, 2009 the Houghton Community Council approved the amendments but expressed strong interest in ensuring that their issues and questions were addressed with the zoning and design regulations. Part of the park and ride lot is located in Bellevue. At that time, Bellevue indicated they were not interested in pursuing this issue; however staff continued to explore the potential for a Kirkland-only project.

King County revised the plan and came up with a potential project on the Kirkland portion of the park and ride. Zoning regulations are still needed to implement the plan policies. The City of Bellevue and Kirkland have developed “Principles of Agreement” to establish the framework for this project.

With the initiation of the neighborhood plans for Lakeview and Central Houghton, advisory group participants raised questions regarding the proposed TOD project. Efforts are currently underway to draft the zoning regulations and design standards to include public workshops. There have been joint study sessions meetings between the Planning Commission and Houghton Community Council and the public workshops have been held. A joint public hearing was held on March 24 with City Council review and consideration in May. It is anticipated that this task will be completed by June 2011.

4.2 Housing Preservation

As a result of staffing resources being allocated to other tasks in 2011, work on preservation housing could occur in 2012. This would entail an inventory of potential properties, contacting property owners to gauge interest and exploring options for preservation of existing housing.

4.3 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 (1.2 FTE)**5.1 Shoreline Master Program (SMP)**

On December 1, 2009 the City Council approved the Shoreline Master Program generally in accordance with the Planning Commission’s recommendation. The City transmitted the SMP to the Department of Ecology (DOE) along with a required checklist that shows how the SMP meets the adopted State guidelines. DOE approved the SMP on July 26, 2010 and on August 3 the City Council approved the ordinance.

The City then began work on the SMP for the annexation area. On November 3, 2010, after a recommendation by the Planning Commission, the City Council approved the Resolution of Intent to adopt amendments to the SMP to incorporate the annexation

area into the SMP. The City submitted the SMP to DOE and they have deemed the submittal to be complete and DOE has completed the public comment period.

DOE received three comments and is currently summarizing the comments to transmit to the City for a response. DOE will then prepare a decision letter with their findings along with any recommended or required changes. The decision letter will then be 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. It is likely DOE will approve the SMP with few if any changes. Staff is currently working on implementation procedures, forms and handouts.

5.2 Low Impact Development (LID) and Green Codes

The City's Green Building Team (Planning, Public Works and Building) have developed a list of actions to promote sustainability and encourage low impact development and green building techniques. On January 4, the work program and approach was approved by the City Council. Many, but not all tasks, will involve the Planning Commission. The Green Codes project is being discussed by the Planning Commission and the Houghton Community Council.

5.3 Critical Area Regulations

In accordance with state law, the City will need to amend its Critical Area Regulations. However, similar to the deadline for the Comprehensive Plan update, the timeline was extended in the 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 will 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.

5.4 Urban Forestry Program

In 2011, the focus will shift away from regulations to urban forestry management and education. In 2011 staff will undertake a canopy analysis. A consultant has been selected and the professional services contract and scope of work is currently being negotiated. The findings will be presented to the City Council in June. The city has also been awarded grant funding to undertake a citywide urban forestry management plan.

5.5 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 to coordinate activities and programs. Over the past year, the team has been focusing its efforts on implementation actions (education, funding, and programs). The Green Team has also broadened its 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.

Task 6: Database Management (.1 FTE)

Database management consists of a number of sub-tasks such as our Community Profile, land use inventory, capacity analysis, and housing data that are used for a variety of purposes including neighborhood plans, economic development and the Comprehensive Plan. In addition we are required to provide data on buildable lands and benchmarks to King County. In 2011 data from the decennial census will become more readily available.

6.1 Community Profile

In 2004, the City updated its [Community Profile](#). With new census information available and with the major GMA Comp Plan scheduled for 2013-2014 (Task 1.3), a revised Community Profile would need to be prepared to provide the basic demographic and economic data in order to commence the Plan update. The work program shows this beginning in mid-2012.

6.2 Land Use Capacity

An analysis of our land use capacity is also necessary to determine if there is sufficient land available and zoned to accommodate our housing and employment targets. This is another task that is essential to undertaking our major GMA Plan Update (Task 1.3) and would occur in late 2012 and early 2013.

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 (.5 FTE)**8.1 Annexation Transition & 8.2 Conduct Census**

Staff will continue to work on tasks associated with the annexation which will take effect on June 1, 2011. The State requires a census of the population in the annexation area within 30 days of the effective date. Staff has issued an RFP to retain services to conduct the census and awaiting pending legislation that would considerably reduce the costs by relying on the recent decennial census data.

Zoning Code Amendment Roster 2011

SECTION NUMBER	PLANNER	DATE ADDED	PRIORITY	STATUS	CATEGORY	DESCRIPTION OF PROPOSED AMENDMENT	POLICY IMPLICATION
....			B			2011 Amendments Process IV A	
KZC 50.35.70..	DRN	11/22/10	B.1	Review 2011	Chapter 50 – CBD-5	Correct the sign category for offices. Change from B to D.	0_None
KZC 115.7.4..	DMG	11/30/10	B.1	Review 2011	Chapter 115 – Miscellaneous Use Development and Performance Standards	Clarify that detached ADUs are limited to lesser of 800 sq ft or 40% of combined primary & ADU sq. ft. Clarify that ADU floor area limit doesn't include garage.	0_None
KZC 142.40	ERS	01/20/11	B.1	Review 2011	Chapter 142 – Design Review	Clarify which sections of Chapter 142 and which sections of Chapter 145 apply.	0_None
KZC 40.10.100	ERS	01/20/11	B.1	Review 2011	Multiple Zones	Delete regulations prohibiting ground floor residential use in commercial zones. These are unnecessary when regulations specify ground floor retail. May combine with ground floor retail issue to be reviewed by Planning Commission, listed below.	0_None
KZC 115.95.c..	ERS	01/11/11	B.1	Review 2011	Chapter 115 – Miscellaneous Use Development and Performance Standards	Delete subparagraph c stating State noise standards are available at City Hall - unnecessary to have in code.	0_None
KZC 49.15.030	NCC	01/20/11	B.1	Review 2011	Chapter 49 – Park/Public Use (P) Zones	Expand government facilities (to include the N. Kirkland Community Center) allowed to have electronic readerboards for public service messages.	1_Minor
KZC 115.23.1	JSM	01/18/11	B.1	Review 2011	Chapter 115 – Miscellaneous Use Development and Performance Standards	Add RMA and PRA zones to those where common open space is required.	0_None
KZC	ERS	10/25/10	B.1	Review 2011	Multiple Zones	Correct special regulations for mini- schools and mini-day care centers that reference out of date state statutes.	0_None
KZC	ERS	06/30/10	B.1	Review 2011	Multiple Zones	Use consistent terminology to regulate gas stations and auto repair	0_None
KZC 19.16.40..	DMG	06/30/10	B.1	Review 2011	Title 19 Streets and Sidewalks	Make street vacation application requirements consistent with Zoning Code requirements	0_None
KZC 5.940 +	TJS	02/25/11	B.1	Review 2011	Multiple Zones	Change references to Uniform Building Code to International Building Code (Chapters 5,100 & 115). Delete references to Uniform Sign Code (Chapters 5 & 100)	0_None
KZC 105.18...	ERS	06/30/10	B.1	Review 2011	Chapter 105 – Parking Areas, Vehicle and Pedestrian Access, and Related	Reorganize 105.18 and 105.19 for clarity. It's very hard to follow.	0_None
KZC	ERS	06/30/10	B.1	Review 2011	Multiple Zones	Allow lot size flexibility in subdivisions within RM and similar zones in order for common open space to be in a separate tract. Would not increase permitted density.	1_Minor
						2011 Amendments Planning Commission Review	
KZC 115.20...	ERS	03/08/11	B.2	Review 2011	Chapter 115 – Miscellaneous Use Development and Performance Standards	Allow keeping chickens on small lots	2_Moderate
KZC 115.20...	TJS	06/30/10	B.2	Review 2011	Chapter 115 – Miscellaneous Use Development and Performance Standards	Reformat and clarify equestrian regulations.	1_Minor
KZC 115.23.1..	ERS	10/25/10	B.2	Review 2011	Multiple Zones	Review ground floor retail requirements in commercial zones. Which zones should require retail on ground floor and how much? Are personal services, recreation, gov. facilities, utilities & schools OK?	3_Major
....		11/04/10	B.2	Review 2011	Multiple Zones	Review decisions requiring Process IIA (or IIB?) and reduce process where appeal to City Council not necessary	2_Moderate

RESOLUTION R-4877

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND PERTAINING TO THE 2011-2013 PLANNING WORK PROGRAM.

WHEREAS, the Kirkland City Council and the Kirkland Planning Commission met at a joint meeting on March 15, 2011 to discuss the proposed planning work program tasks and to set priorities; and

WHEREAS, the Kirkland City Council reviewed the work program at the April 19, 2011 regular meeting.

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The adopted 2011-2013 Planning Work Program for the City of Kirkland shall be established as shown on Exhibit A to this resolution.

Section 2. This adopted Planning Work Program shall be generally used by the City staff and Planning Commission in scheduling work tasks and meeting and hearing calendars.

Section 3. A copy of this resolution shall be distributed to the Planning Commission, Parks Board, Transportation Commission, Design Review Board, Neighborhood Associations, the Chamber of Commerce and Houghton Community Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of April, 2011.

Signed in authentication thereof this _____ day of April, 2011.

Mayor

Attest:

City Clerk

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

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: David Godfrey, P.E., Transportation Engineering Manager
Ray Steiger, P.E., Interim Public Works Director

Date: April 7, 2011

Subject: EASTSIDE RAIL CORRIDOR INTEREST STATEMENT

RECOMMENDATION

It is recommended that the Council approve the final Eastside Rail Corridor Interest Statement as proposed by the Kirkland Transportation Commission.

BACKGROUND

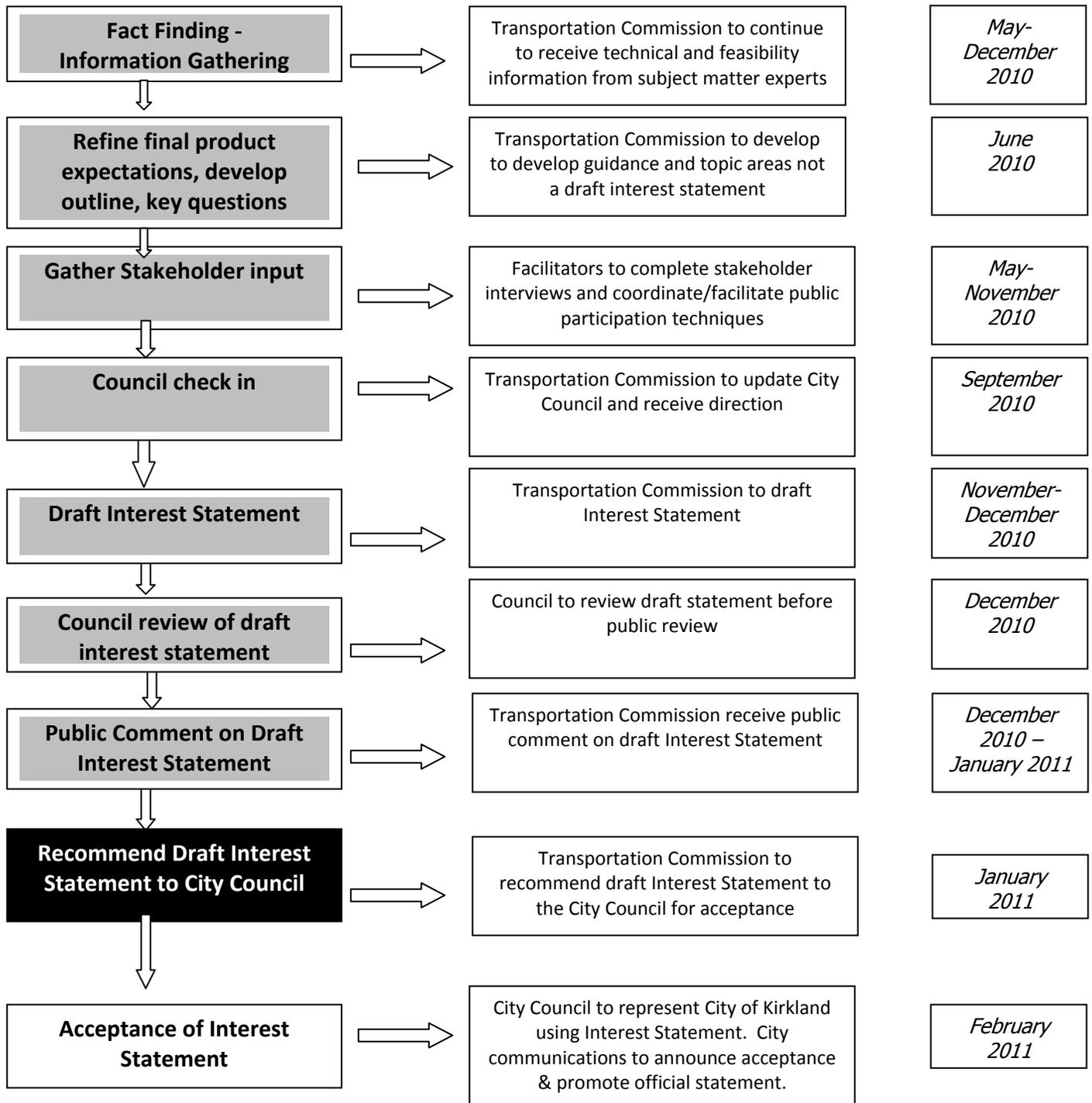
At its June 1, 2010 meeting, the City Council approved a process (see Figure 1) that would culminate in a statement describing the City's interests in development of the Eastside Rail Corridor. Council has received several updates on this process, the most recent occurring on January 18, 2011 when the Council approved a draft Interest Statement for public comment.

Since January, the Transportation Commission fielded a public survey and met with the Park Board, Planning Commission, and the Houghton Community Council. Within the public survey and at the meetings, the Commission focused on two questions: 1) are there any interests that are missing from the document? And 2) are there any interests in the Statement that should be removed? Additionally, the public has provided comments directly to the Commission at various Commission meetings.

During the on-line public survey period, 164 surveys were returned. 74% of the respondents stated that, overall, the Draft Interest Statement reflected their views; 22% stated that it did not reflect their views; and 3% were unsure on the issue. The Commission has concluded that these results demonstrated broad support for the Interest Statement as drafted. Details of the survey results, including verbatim comments, are described in Attachment 1 which is a memo that was prepared for the Transportation Commission. Beyond the survey, helpful comments have been received from each of the contacted groups and from the public.

Based on information received from this outreach effort, the Commission has produced the recommended final Interest Statement document (Attachment 2). Changes from the draft version include revisions of the introduction and conclusion, and the editing of some of the interests and photos. The Commission offers that the proposed document is an accurate representation of the City's interests concerning the corridor and hopes that the document proves useful as development of the Eastside Rail Corridor begins.

FIGURE 1 Process/Timeline for public involvement and interest statement development approved by City Council, June 2010. Tasks in gray boxes have been completed, black box represents current step.



Overview of Results

During the survey period, 164 submissions were received. The majority of respondents identified themselves as City of Kirkland residents by designating: "Live in Kirkland" (32%) and "Live Along the Corridor/Live in Kirkland" (31%). Below is the breakout of demographic questions:

Live in Kirkland Only	Live Along Corridor Only	Work in Kirkland Only	Work Along Corridor Only
53 (32%)	7 (4%)	1 (.6%)	1 (.6%)

Live in Kirkland; Work in Kirkland	Live Along Corridor; Live in Kirkland	Live Along Corridor; Work in Kirkland	Work Along Corridor; Work in Kirkland
18 (11%)	51 (31%)	2 (1.2%)	2 (1.2%)

Live Along Corridor; Live in Kirkland; Work in Kirkland	Live in Kirkland; Work along Corridor; Work in Kirkland
6 (3.7%)	4 (2.4%)

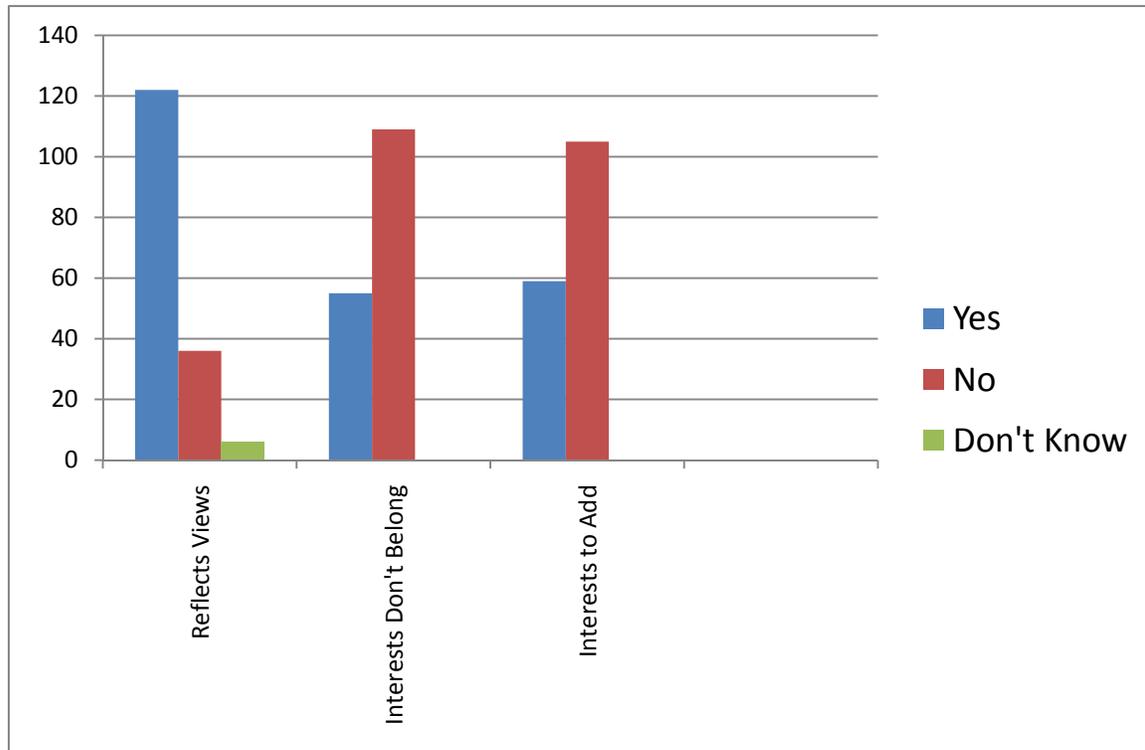
Live Along Corridor; Live in Kirkland; Work Along Corridor; Work in Kirkland	Other
14 (8.5%)	5 (3%)

The Draft Interest Statement was developed by the Transportation Commission based upon public feedback from Kirkland residents, businesses, and visitors, as well as stakeholder groups including City advisory boards, neighborhood associations, and advocacy groups. The purpose of the February 2011 online survey was to gain a sense of whether the document reflects the general sentiments of stakeholders about the potential future development of the Eastside Rail Corridor.

As Graph I below depicts, the majority of respondents (74%) stated that, overall, the Draft Interest Statement reflects their views; 22% stated that it does not; and 3% were unsure. Sixty-six percent (66%) of respondents reflected that there are no interests that should be removed from the document. This result further indicates that most who completed the survey feel the document accurately reflects their ideals and views. Verbatim responses from those who feel interests should be removed from the Draft Interest Statement are contained in **Attachment A**.

In further support that the Draft Interest Statement accurately reflects the vision of the community, 64% of respondents reflected that no additional interests should be added to the document. Comments about additional interests that should be integrated into the Statement are contained in **Attachment B** as verbatim remarks.

Graph I: Document Relevancy



Overview of Results

Survey participants were asked to consider the Draft Interest Statement as a whole when taking the survey and to identify any issues that should be removed from the document and any issues that should be added to the document. The majority of respondents feel the Draft Interest Statement generally reflects their views, that it should remain in its current written state, and that no new interests should be added to the document.

Common Themes

Common themes among those respondents who responded to the question about what should be excluded from the current draft document include: do not allow light rail, freight service, or mass transit. Primary reasons for opposition include: cost, impacts to neighborhoods, alignment of the corridor, and the desire to keep motorized transportation off the corridor.

Common themes among those respondents who suggested the document should address include: Statement should emphasize development of trail as an immediate need; Statement should address impacts to and the protection of neighborhoods and their residents; Statement should address the environmental impacts of future development; and Statement needs to better identify connectivity of the trail to other motorized and non-motorized amenities.

Attachments

Attachment A: Verbatim comments from those who feel the Draft Interest Statement contains interests that should not be contained in the document

Attachment B: Verbatim comments from those who feel additional interests should be incorporated into the Draft Interest Statement

ATTACHMENT A: Verbatim Comments on Interests that Should Not be in the Draft Interest Statement

In considering the Draft Statement as a whole, are there any interests you feel do not belong in the Statement?

- I would like to know if in the case of an emergency (snow) who would have the right away down the corridor with vehicles....the city or state? (Response #2)
- light rail - planning and building a trail for bicycle and pedestrian use would be considerably less expensive if the light rail concept was not considered either now or in the future. (Response #7)
- heavy freight-I think this does not seem a viable option, even in the future. (Response #20)
- The statement is comprehensive and inclusive, but I personally do not feel that any form of rail makes economic sense, not here or anywhere in the RTA area, now or in the future, because of the geographic constraints of the Seattle/Eastside area. Current commuter rail is losing money by the millions, just in operating costs, to say nothing of capital costs. I can agree to include FUTURE light rail use as an OPTION, but at this point hope to see this developed immediately as a pedestrian/bicycle trail, one I would use regularly. (#29)
- Use of the corridor for rail or transit (#30)
- I like all of the interests but let's face it, the cost of high-speed rail is prohibitive and getting a regional system approved and built could take years or decades.
- Maybe we should scale back our interest in passenger rail and use the City of Kirkland's money to improve old-fashioned bus service through King County Metro instead. If we did, we should still develop the rail corridor as a bike and hike trail. Also, I would like to say that if you are going to put off doing anything until agreement is reached on a regional rail system, that would be a mistake. We should at least get going on the bicycle and pedestrian uses, and fixing drainage issues, rather than just letting the corridor sit unused. (#35)
- "However, it is important that trail planning be done with rail compatibility as the long term goal." The cost of moving a paved pedestrian/bicycle trail is peanuts compared to building rail. The reality is IF light rail was ever to go in, it would be elevated to provide both N & S travel with a trail underneath it. Therefore the existing tracks should be recycled and a paved path laid down and when the rail is a reality, we can address the needed changes. To try and predict what will be acceptable to a potential rail service 20 years from now is a waste of time and money. (#36)
- Mass transit is pointless to run through neighborhoods where there is no parking or place for a transit stop. (#42)
- I would prefer that the trail be used for pedestrians and bicycles only.(#45)
- I don't think rapid transit belongs there. Mass transit should be focused on the 405 corridor where we are already set up with park and rides, buses and wider roads. This is the perfect place for a trail. Like the Burke Gilman and the Sammamish River Trail. (#49)
- I feel that if possible rail should be the first focused use and the trail second. Once it is used as a trail for a number of years resistance to the rail option will grow and will be less likely to be added at a later date. (#53)

- Your facts are accurate, but you are missing one level of detail that entirely changes the conclusion. This sentence about rail from Page 3 is accurate: "Service should be frequent, available most of the day, operate between desirable destinations, be easily accessible by potential riders and offer reasonable travel speeds." What it DOESN'T say is that the corridor is so winding through Kirkland that reasonable travel speeds on a train within the corridor are unachievable. The only options are to: (1) straighten out the corridor by purchasing local properties at a cost of billions, or (2) move rapid transit expectations to the I-405 corridor that Sound Transit has already invested in with BRT. By arbitrarily selecting the option that costs the public far more than the other, with no known benefits in traffic mitigation, the city of Kirkland is doing the community a disservice. It is also sowing confusion that delays coordinated support for a pedestrian core that can revitalize Kirkland--another disservice. Please revisit your conclusions. (Response #60)
- I do not agree that high speed/ high capacity transit should be considered inevitable. Its scale is not compatible with the #1 goal of bike and pedestrian access, and it will have severe impacts on the east/west connections in the City. (Response #63)
- Commuter Rail Doesn't belong on this corridor PERIOD! Feasibility study after feasibility study has confirmed this. This sentence about rail from Page 3 is accurate: "Service should be frequent, available most of the day, operate between desirable destinations, be easily accessible by potential riders and offer reasonable travel speeds." As we all know, the corridor has numerous twists and turns, travels precariously close to parks and schools, making it a poor candidate for commuter rail, fast or otherwise. A connector trail on the other hand, would actually encourage clean commuting and promote healthy behaviors such as walking that would benefit local businesses. Some day, rapid transit along 405 may be feasible and appropriate, but never on the BNSF corridor. Please review your conclusions. (Response #65)
- There is a strong bias in the Statement for trail and an unrealistic viewpoint of the true benefits to the community. This looks like it was written by only bicyclists. (Response #66)
- There appears to a bias towards using this corridor as a high capacity rail corridor which causes contradictory goals to be put forth. In particular the goals of: Protect neighborhood feel and atmosphere; Serve the transportation needs of pedestrians and bicyclists and Transit service must be designed to move people - frequently, quickly, and be available most times of the day. Running trains through the Houghton and Highland neighborhoods frequently enough and at high enough speeds does nothing to preserve the neighborhood feel and atmosphere. If you put in tracks for high capacity transit next to the bicycle path, there will have to be a jersey wall/link fence separation which will slice these neighborhoods in two. It will also separate Kirkland into an eastside and a westside for pedestrians and cyclists with long stretches uncrossable. If you want to see something of this combination, take a look at the SMART bicycle train line as it goes through the Cal Park Hill Tunnel. It looks awful. A protected bicycle/pedestrian will enhance Kirkland's neighborhoods. A fence running the length of the corridor will not. (Response #68)
- Hesitate on the rail / bus option as see major issues at multiple current road crossings and general noise pollution to many nearby residences (Response #70)
- Light rail. I favor use as a trail, but would not plan for light rail due to noise, lack of connecting population bases that would use the light rail, and the concerns below. (Response #83)
- The document is not spelled out clearly enough to say "YES" I agree or "NO" I don't as it appears to support all views and interests. You should itemize the details and allow people to express their thoughts on each item rather than lump them altogether in one vague statement that encompasses all views. (Response #85 & 86)

- I do not feel that rail is appropriate and I think it is unnecessary to consider future rail requirements while developing the corridor for bike & pedestrian transport. (Response #90)
- I don't think there should be any interest stated in approving light rail through our neighborhoods (Response #97)
- It should not be open 7/24, ie, night travel. The Burke Gilman and other commuting trails are not used at night. The trail should be open for recreation and commuting and requires some night hours since winters are dark here. But it doesn't need to be open from 11pm to 4am. (Response #99)
- I do not want the corridor to be used for motorized transportation. I want it to be used exclusively for bike and pedestrian traffic. That area is way too small to safely and pleasantly accommodate a big train alongside pedestrians. I have two young children and would love a place to walk and ride bikes with them that is not adjacent to a busy street or big train. Kirkland is missing this one thing to make it a truly wonderful city for families. (Response #100)
- I'm no lawyer, but delete the word all weather and all skills levels to lessen the liability of the City on page 3 of the Serve the Transportation Needs....In the Conclusion--A paved trail is not the efficient option for an interim solution. A compacted earthen/small gravel trail is a better solution. A good example is the East Sammamish Rail Trail. I rode it a couple of weeks ago after heavy rainfall and the surface was in good shape for 95 % of the entire trail! (Response #101)
- Rail use is prohibitively expensive and impractical from many standpoints, and realistically, trying to do pedestrian and bicycle with rail will never work. While the rail option should always be kept in mind, practically we should start soon on the pedestrian/bicycle option. (Response #103)
- Serving the needs of bicyclists and pedestrians should be deleted. This property is extremely valuable and should not be simply made into a trail that will serve a few percent of the population. (Response #104)
- Drop the idea of train service in the corridor. (Response #106)
- I do not believe any motorized use of the corridor would be good for Kirkland, and it also does not appear to be viable. The focus should be entirely on pedestrian and bicycle use. Many (including me) would commute to work by bike using this trail. A pedestrian-only trail would be a tremendous asset to Kirkland. (Response #108)
- Anything about motorized usage !!!! (Response #109)
- I really don't want trains running next to the bike trail. Let's just build it as a bike trail. (Response #110)
- We do not need mass transit in Kirkland. (Response #111)
- Anything to do with Light rail or any other form of mass transit along the corridor... Our current Metro bus system is a model program within the US and the use of busses offers the most flexibility and cost effective means of any form of mass transit. All rail based forms of transportation, (that were not developed 50 years ago and paid for in 19950's dollar value) are now so expensive to develop that they are a monumental waste of taxpayer money. There is no way that the tax money from such a transit system will ever or can ever be beneficial to the community. All transportation decisions are simple economics...supply/demand and cost/benefit. None of the City council members who will vote on this ridiculous proposal commute to City of Kirkland meetings on mass transit. Why, because the cost in time (aka convenience) and money (vehicle/gas) is still lower with an automobile. Only when the cost in time/convenience/money is lower for mass transit than the automobile, will anyone use transit. Believing that any form of

rail (the most expensive possible transit option) is a viable option, is a belief that the solution to transit problems, is to drive up the cost of Automobile transportation, (time, traffic, fees) to the point where it is cheaper to ride the train.... This belief is an absolute fantasy and shows complete ignorance of economics. The solution is not to drive up the cost of the "automobile" (time/traffic/gas)....but, rather, to lower the cost of Mass Transit. Microsoft has proven that if you create a bus system that is convenient to its users and low cost...people will use it. A train system will never be either...convenient or inexpensive. For the all the taxpayer money that has been wasted on this light-rail transit fantasy...that will forever be a waste of money, and never remotely pay for itself...the freeways and METRO-bus system could have been improved and operated practically operated for FREE...Do not support or waste any City of Kirkland funds on a train based transportation system that the City can't afford and will never be financially viable. Support actions that increase the convenience and reduce the cost of METRO....that's a transit plan that will actually work.... not this tax-spend fantasy, resulting in nothing but a waste of City tax funds that could be providing actual services to citizens of Kirkland. City council members swear an oath to serve the community interests of Kirkland...that is, to improve Kirkland. Anyone who is considering this "Transit" (rail) option, believes that the correct action is to drive up the cost of Automobile transportation (through congestion/taxes/fees) to the point that the cost of a car is higher than the cost of riding the train....In other words....allow the city's transportation system to get so bad...and make every citizen's life/commute miserable...that it becomes more convenient to ride the train....Only when the train is more convenient and cheaper than an automobile, will people use it.... This might be the case in NY with a population 8 million, size of 468 sq.miles and density of 27,000/sq. mile....not King County with a population of 1.9 million, size of 2,126 square miles and a density of 817 per square mile.... King County has 5x the size and less than 1/4 the population, to support a rail-based transit system... Rail can never service a King County sized area, with this population....at a price that is remotely financially viable.... Making Kirkland a better place, not worse, is the Oath that City Council Members swore to the Citizens of Kirkland...any vote for the ridiculous Light Rail system is hypocritical....and a violation of the oath that you swore to the Community. Sincerely, A 42 year, Peter Kirk Elementary, Kirkland Jr. High, Lake WA High and UW Alumni. Born and raised Kirkland Resident and Business Owner...(Response #113)

- I do not support light rail due to the noise, subsequent traffic congestion at crossings, the danger to the residents at crossings and the subsequent devaluation of residential property. (Response #114)
- Any motorized transportation option must be discarded: it saves our money and it makes for a better quality of life. The train is not economically viable. Be a leader, not a follower. (Response #115)
- We do not believe that rail service, either passenger or freight, is appropriate on this corridor (Response #116)
- I am very strongly in favor of a trail. It's beautiful, level, and would be a huge asset to Kirkland. I think the statement does a good job in addressing the rail interests in a practical manner. (Response #119)
- With so many at grade crossing and transit through neighborhoods and so close to schools light rail needs to connect with the I405 corridor. Love the idea of trail! (Response #120)
- The statement does not give light rail enough of a chance. (Response #121)
- I would fully and vehemently object to ANY rail (light, rapid trains or heavy) implemented on any part of the rail corridor that traverses through a residential neighborhood. Said limitation would encompass a very large portion of the rail corridor. (Response #123)

- A bike trail would be good, but a passenger train would cause problems and cost too much. (Response #124)
- To be most efficient, it needs to be used for rail or bus with bridges at crossings. It should transport people that can't ride a bike. (Response #127)
- It seems impractical to have a train between these short distances. The old train was fine because you would dine on it for special occasions. A paved pedestrian path makes more sense, since a lot of people go for walks or bike in Kirkland (I know several people who bike to work!). (Response #128)
- I don't believe rail should be on this corridor. While it may be a small benefit to Kirkland residents, I think it's a larger "benefit" for those outside of Kirkland, to the detriment of Kirkland. (Response #130)
- I do not think it's economically prudent to develop light rail transportation on the rail. There doesn't seem to be a natural "train stop" location along the route. It should just be a walking/bicycle path similar to Burke-Gilman. (Response #132)
- I do not want to see light rail on the corridor. I love the idea of a trail for biking and walking. I feel that light rail is too expensive and the expense cannot be justified. (Response #134)
- You mention keeping the already fragile neighborhoods protected, yet initiating a train service Will depreciate all properties along the corridor. Look at Bart in San Francisco, Chicago, New York in the Queens area. All properties next to the train systems lost substantial value in their homes. This corridor is not the place for a train service. It needs to be bike and walking trail to have a safe place to run instead of the main arterials. (Response #136)
- There is a very large difference in using the corridor for walking/bicycling and rail. I am against light rail of any kind and I do not agree with lumping these 2 very different uses together. The economics and ridership of Sound Transit's similar project have been disappointing. Such a system on the Eastside, a much less dense area, would likely have far less (Response #141)
- I think all the interests specified with regards to having the corridor as a high-use/high transportation corridor are not realistic at this time. Do what you can to keep within budget, and make the corridor safe and useful. I don't think pie-in-the-sky interests are realistic. Especially light rail, etc. (Response #145)
- Do not see the applicability of heavy rail or freight transit. (Response #151)
- Heavy rail system for such a short run with many stops does not seem a good use. A light rail system would be cheaper, able to make frequent stops and would not overload the rails. the railway goes through many residential areas. I was here during the dinner train years and the noise and size of a full size train was too much. (Response #152)
- I don't feel that the corridor is in the right alignment to be used for light rail but I understand that it needs to be in the statement because the future is always uncertain. I appreciate the mention of the rapid transit bus option because that is what I support as a transportation solution for commuting in many areas of King County. It wasn't clear though if you were planning on running the rapid bus along the corridor or on the road. This could be better clarified. (Response #154)
- Rail should not be considered; it would ruin the park-like potential for the right of way. Separate paths for pedestrian and bicycle use are what is needed. (Response #156)
- Get over the rail idea. Kirkland would benefit from dual paths for pedestrians and bicycles. Rail would ruin the park-like potential for the right-of-way. (Response #157)

- The tracks need to be for pedestrian and bikes only. Driving downtown Kirkland is becoming dangerous. Trains through existing neighborhoods are not a feasible answer to the needs of Kirkland and neighboring communities. (Response #159)
- Given the location of the tracks and the fact that they don't connect cities in a meaningful way, I believe we should move ahead and convert the area into a greenway that would serve the needs of pedestrians and bicyclists. Since the area has been rail-banked, at such time (if ever), rail transportation makes sense, then a thoughtful discussion can be had to determine how to integrate other modes of transportation. (Response #160)
- Rail should be implemented in the near term too! (Response #165)

ATTACHMENT B: Verbatim Comments on Interests that Should be in the Draft Interest Statement

In considering the Draft Statement as a whole, are there other interests you feel should be included?

- I believe it should be explicitly stated that bikes and pedestrians MUST be kept separate. It is scary, stressful, and unpleasant to walk on trails with bikes whizzing past your shoulder and startling you when they yell "on your left!" (Response #1)
- Just like on the E. lake Sammamish trail, I feel that pedestrians should have to stop to cars, not cars stopping at every trail crossing. (Response #2)
- More detailed proposed timeline for each stage of completion. (Response #3)
- Health benefit to our children when adding the trail option. (Response #4)
- Let's buy it and get going building a walking/biking trail! (Response #10)
- In the immediate short term, it would be very cost-effective to simply fill the old railway tracks with gravel, thus creating a high quality pedestrian trail. (Response #11)
- Clicked 'yes' so that I could comment. no room for other comments so here goes...planning for multi use like Marin county model with transit, peds & bikes = great plan. thank you. (Response #13)
- Are they listed by the number of responses each comment received? If not, since a bike/pedestrian trail is more feasible near-term, I feel it should be moved up the list. (Response #19)
- I think impact to the people living near the corridor should be more discussed. Not only parking, but also increased foot traffic, the need for sidewalks, animal waste collection, and the impact of having more people walking along my front yard type of issues (theft, burglary?). (Response #25)
- Yes, the interest of local families and residents in having easily accessible recreational and exercise opportunities right in our neighborhoods. Please develop paved hiking and biking trail ASAP. This trail could be a very safe tie in to larger trail systems giving bikers more off the streets and out of traffic riding opportunities. (Response #26)
- Development as a hiking and nature trail (Response #30)
- We could consider a "nostalgia" or "tourist" train instead of transit train, along with bicycle/pedestrian use. This would keep the tracks in use but would be a lot cheaper as the route would be shorter and the vendors who use the tracks would probably supply antique or older trains and the tracks wouldn't have to be modified, just repaired. Another benefit would be connecting Kirkland to adjacent cities such as Redmond, Bellevue, Renton, Woodinville and Snohomish and promoting regional tourism. Come to think of it, we can't connect to Redmond and Issaquah because Redmond tore up their train tracks in the town center, darn it. (Response #35)
- Children's safety should be a high priority when designing co-existing rail and trail plans- specifically any intersections where children might be able to get on the transit area. (Response #37)

- Start working on the running/bike trail asap. This will allow Kirkland residents as well as other residents of other communities to use this railway in a healthy way. (Response #41)
- I believe that regional benefits to having rail capacity were not emphasized nearly as much as the trail components and that does not reflect a view consistent with decisions that reflect the greater good. We should seek a joint corridor with equal benefits of rail and trail. The document seems to reflect a "lean" towards a preference to a trail only concept. As stated, the longer that we wait to move forward, functionally and deliberately, the more difficult it will become to convert this line to transit. (Response #43)
- I just think Kirkland needs to get in front of this. Like Redmond. They bought their section, made a plan for Redmond and now they decide who gets to come in and do what. Instead of other groups from around the area pushing us into their agendas. Kirkland needs to make the decisions for Kirkland. (Response #49)
- including support for wildlife and environmental goals of Kirkland. Also how this would link to and support development (economic and non-economic) in the Kirkland area. (Response #52)
- I think the city/county/sound transit should start evaluating neighboring properties for potential stations/parking for any transit. With property values low there may be possibilities of strategic purchases. (Response #57)
- safety while public transit is in motion, a small fence perhaps (Response #58)
- There should be more of a sense of urgency. There is no reason that with a modest investment combined with volunteer help, a dirt / gravel "starter trail" can't be opened well before 2015 (Response #59)
- Feedback on the statement of interest should be more than adding or subtracting from a list of interests. You have not asked anyone if they agree with the most important part--the conclusion after listing of interests. This deprives the conclusion of community buy-in. That concerns me. Doesn't it concern you? (Response #60)
- Other low impact locally focused transit options should be considered such as streetcar, circulator buses or shuttles that serve Kirkland neighborhoods, with high capacity rail located adjacent to the 520 and 405 corridors. Consider an option that allows a mother to put her child on transit near the South Kirkland Park and Ride, and then they hop off at Lakeview Elementary School, or a worker gets on at their home in Totem Lake and rides down to Google, but hops off near the post office and Park Place on their way. Look to other communities in the US and beyond for new ideas, rather than limit the options to what's been done. Explore low tech options with low start up costs that can be expanded incrementally and have minimal environmental impact. Be bold and creative. (Response #63)
- There is not evidence on the rail being desirable for freight. Plus laws dictate that MUST be used for freight. It is misleading to think it can be used just for a trail. We need to take trucks off of the road. This is a viable first step. We CAN'T remove the rail and must not for the future. (Response #66)
- I don't feel the bicycle/pedestrian trail only option was fully fleshed out. (Response #68)
- Like the general tone that near term focus on pedestrian / bike. Overall knowing the route in Kirkland think from a cost effective and practical long term stand point still believe converting to a trail only is best solution. (Response #71)
- Security to neighboring residents and businesses and maintenance for the rightaway to prevent storm damage and over growth. (Response #77)

- crossing the corridor is discussed but more focus could be given to pedestrian crossing especially school routes. As an example the burke gilman trail has some issues with crossings because of the speed of bikes and who has the right of way, etc. (Response #81)
- I lived in Woodinville when the train ran from Renton to Ste. Michelle, then later to Columbia Winery. I rode the train several times with family and friends and we all thoroughly enjoyed it each time. The cost of a rail line is expensive, there's no getting around that, but once it's gone, it will be gone forever. It would be wonderful to find a way to keep a train running along the corridor. (Response #82)
- (1) It remains unclear who owns the corridor! Depending on how rail access was acquired/given/easement to BNSF, a number of property owners along the corridor may actually be given title to the portion of corridor that runs through their property. Legal action is ongoing regarding this. (2) I have read that the roadbed for much of the corridor was built from slag from the smelters such as Asarco. Has anyone tested the roadbed for arsenic, asbestos and other compounds? What will be added costs if significant soil removal and treatment are needed? Further, BNSF must have been regularly applying herbicide along the corridor for years. It used to be free from weeds, but now there is quite a bit of growth. What remains in the roadbed and sides from the herbicides? (3) Absent from your Draft is what to do with the numerous "pinch-points" along the corridor where there is not enough room for trail and rail side by side. How do you plan to deal with this? If one option is to do elevated segments with over/under rail/trail, significant adverse impact will be to view and property values, and noise from elevated segments. (4) Draft seems to focus only on the segment through Kirkland; pinch-points outside of Kirkland, and impacts there need to be considered.
- Please itemize (Responses 85 & 86)
- More emphasis on getting a rail option added sooner. I'm all for the bike trail first but the need for rail commuter system on the east side is growing exponentially! (Response #88)
- It was not clear as to whether or not you plan to segment foot traffic from bike traffic on different paths with this plan. You should separate those lanes. (Response #89)
- Public trails are essential for the physical and mental health of the community. (Response #92)
- Greater emphasis on pushing for regional consensus for rail transit in the near term. (Response #95)
- As someone who lives very near the corridor and has asthma, there are two things that I would like to be considered in the development of a transit system along the corridor: 1) We moved where we are because it is a quiet neighborhood, so if transit is very loud that would be annoying. 2) A train which does not produce exhaust would be preferable to one that does (electric over diesel, basically). We like our clean air! (Response #96)
- There was not nearly enough emphasis given to protecting our neighborhoods and quality of life. Have light rail run commuter traffic through our neighborhoods in the morning and in the evening would radically alter the ambience (and house value) of thousands of Kirkland residents. You're considering taking one of the best places to live in the NW and ruining it. Who wants to live along a rail line? This affects thousands. (Response #97)
- I would like to emphasize that it immediately being developed as a pedestrian and bike trail will greatly help the area and that no rail should be put in until it is an integral part of the regional light rail system. Putting heavy rail in is unacceptable. (Response #102)

- Due to the outstanding location (running through the heart of Kirkland, including areas with views such as Houghton) this property is prime. The usual ideas such as a bike path are stale, serve a fraction of the population, and bring little economic benefit to the city.
- I suggest thinking out of the box and consider using the property in some more valuable way. Examples, could be gardens, parks, solar collectors, business development or housing such as the small bungalow communities Ross Chapin has designed which do not require roads to each residence. A bike trail shows a real lack of imagination. (Response #104)
- For rail transit to be successful it must connect high density living and working sites. There are not really any such sites along the corridor (excepting downtown Bellevue, which the corridor is too far away from.) If rail is to be included as part of the plan, I believe that must be made in coordination with: (1) Connections to other transit (this was mentioned but it is a must to have commitments for this prior to building any rail). (2) Plans by various cities for high density development. For example, the high density developments surrounding stations of Vancouver's Sky Train. (3) Park and ride lots are a poor second choice to high density. To put it succinctly – I believe that any rail development plans must be made in coordination with cities' plans for high density urban growth. If the cities have no such plans then rail is of dubious value. (Response #105)
- The only interest should be to develop it as a pedestrian boulevard. (Response #106)
- Parking needs need to be considered. You aren't going to get people completely out of their cars, it's not always convenient to take transportation. (Response #111)
- Include provisions for: quick access to corridor for emergency/safety services; planting NW-native trees and bushes, where ever possible, for shade, noise abatement, soil stabilization; installing along the corridor, wherever possible, benches and even rain shelters. (Response #115)
- There needs to be more immediate emphasis on network level design of any future high capacity transit along the corridor, and what would really meet the transit needs of Kirkland. (Response #118)
- The traffic congestion on the surface road where there are train crossings should be taken into consideration (Response #120)
- More about European style light rail (Response #121)
- Maintaining the status quo, despite the "opportunity costs" briefly mentioned. (Response #123)
- Nearby schools, because of how close they are to the corridor. (Response #124)
- I think that you are overstating the size of rail service that would be needed through the corridor. I think the main purpose of the corridor should be used to develop a rail connection from Kirkland through to Woodinville. There are a number of rail cars that could be used instead of a large engine and passenger cars. Smaller commuter rail cars are available. I know because I rode them all the time while stationed in Germany. Inexpensive smaller cars running in 1/2 hour increments or some other time frame will draw people through Totem Lake and into Woodinville and passenger traffic would be far greater than I believe is considered. I ride a bike in the summer months to work, but I believe bike traffic is overstated in this area. Not many people commute during the winter, and the during the summer months it is not much higher. I believe the number of bike commuters would not be very high along this corridor, and the recreation riders wouldn't be enough to warrant a dedication of the corridor to bikers. Focus on building a rail connection for commuters and shoppers and the demand will build. Making the corridor exclusively for bikers and walkers would be short sighted. I know that as one that lives in Totem

Lake, I would take a rail car to Kirkland and Woodinville instead of driving, but I wouldn't bike or walk there. (Response #133)

- Monorail. It would elevate the tracks, allow for mixed use and be far cheaper than light rail. The two systems could connect. (Response #137)
- I feel that the Draft Statement is incomplete. While it references public transit, most of the discussions are about bicycles and pedestrians which are low impact users. It references mass transit, but doesn't give any guidance on what type should be prioritized or encouraged (light rail vs heavy rail/freight, etc.). These are significant/high impact uses, which must be implemented carefully and thoughtfully. (Response #138)
- Light rail should be included with a bike/walking trail. However, light rail should be a very high priority. (Response #140)
- No rail of any kind should be in the proposal. It should clearly state this instead of vague terms about different forms of "pedestrian transportation" which can mean many things. (Response #141)
- In my view, the rail tracks should be kept with the trail built next to it. The right of way is large enough in most places to accomplish this and this allows easy dual mode use without the additional cost of re-locating trail or rail tracks in the future. The tracks could also be used as a historical feature along the trail to educate residents about the history of the area sort of like an visual "timeline" from rail to trail. (Response #142)
- I'd like some expansion of the environmental effect, in that this does run through forested area and may serve wildlife habitat needs as well as other environmental purposes if maintained in a way consistent with the forested and wetland areas it runs near (e.g. Cotton Hill and Crestwoods parks). (Response #147)
- How the system will connect the TOD at South Kirkland Park & Ride to Downtown Bellevue, Downtown Kirkland, and Totem Lake. (Response #150)
- Although it is mentioned frequently, more focus on a bias toward bike and pedestrian trail development throughout the document. Seems the survey discussion is slightly more focused on general rail transportation usage. (Response #151)
- In my opinion the tracks should not be removed even temporarily. Rather, the trail should be built along the existing tracks since the right of way is large enough along most of the way to do this. Hopefully the corridor can be used for both rail and trail since there are very few times when we can take advantage of a continuous right of way that is unimpeded. (Response #158)
- The runners and bikers are increasing. Driving is becoming more of a problem. A specific place for bikes and runners is needed. To convert the South Kirkland Park and Ride with low income housing, fast food restaurants and a train system is not being in touch with all the residential communities in South Kirkland, Houghton, and downtown Kirkland. (Response #159)
- What about the city proposing a bond issue (much like was done for parks a number of years back) to initiate the purchase of that portion which goes through our city. What a wonderful way to provide meaningful connections throughout our neighborhoods and business districts, as well as add to health (both physical and economic) of our community. (Response #160)
- Currently the Redmond City Parks and Recreation Department is considering a tourist streetcar on the Redmond-Woodinville rail link. The streetcar would connect downtown Redmond with the Woodinville wineries. A similar tourist streetcar could operate between the proposed Bellevue light rail Hospital Station, South Kirkland P&R, Kirkland Way, Totem Lake and Woodinville

wineries. Little improvement to the existing track would be needed for this low speed, low capacity use. As a tourist attraction, a streetcar would draw attention to shopping opportunities in Kirkland. This project could be privately funded with little or no cost to the City of Kirkland. While high capacity public transportation on this rail line may be decades away, like Redmond's proposal this service could be implemented in a very short period of time. Some economies of scale might be obtained by combining this streetcar route with Redmond's proposed operation, such as a common maintenance and storage facility and use of the same brand of streetcar. As with the dinner train in the past, I think this rail line has good tourist potential that can be developed at a relatively low cost. (Response #163)

City of Kirkland

Eastside Rail Corridor Interest Statement

Proposed for Adoption by the Kirkland City Council April 19, 2011

Introduction

In December 2009, the Port of Seattle purchased the Woodinville subdivision from the BNSF Railroad. The Eastside Rail Corridor, stretching between Snohomish and Renton via Kirkland, thereby became a publicly-owned corridor. The City of Kirkland has long been interested in the corridor as a potential facility for bicycle and pedestrian transportation; having identified the Cross Kirkland Trail¹ project more than 15 years ago.

With the corridor coming into public ownership, the City Council directed the Transportation Commission to conduct public outreach, then identify and document the City's interests in the corridor. This Interest Statement is the product of that work.

Outreach elements included gathering comments at the Wednesday Market, fielding three online surveys, meeting with Boards, Commissions and neighborhood groups, walking the corridor and receiving testimony at Transportation Commission meetings. The 2009 Final Eastside Commuter Rail Feasibility Study² study prepared by Sound Transit and PSRC also served as a reference.

This Interest Statement is not a proposal or a recommendation per se. Rather, it is intended to guide evaluation of proposals for corridor development. Proposals that satisfy more of the interests would rank more highly than proposals that satisfy fewer of the interests. The conclusions at the end of this document describe the type of corridor development that is likely to be practical and meet the City's interests given current information.

Interests

Serve Transportation needs of Kirkland

Transportation on the corridor should be integrated with and support the City's transportation goals³ to provide travel options within Kirkland and to points outside Kirkland. This implies an interest in how and when the corridor is developed in other cities as well.

Keep the corridor in public ownership

The region has determined⁴ that the public interest is served by public ownership of the corridor, and the City of Kirkland supports this position. Keeping the corridor in public ownership may require the City to purchase its portion of the right-of-way, and Kirkland's ownership may help the City meet other interests as well.

The Eastside Rail Corridor (black line) touches many neighborhoods and parks in Kirkland



A section of the right-of-way in the Highlands neighborhood



Source: City of Kirkland

Council Goal concerning Balanced Transportation:

Kirkland values an integrated multi-modal system of transportation choices.

Council Goal: To reduce reliance on single occupancy vehicles. (September 2009)

Actively use the corridor in the near future

Because the corridor is a valuable asset that could be used to transport people, allowing it to remain unused or undeveloped has a high opportunity cost. The longer it is not used, the more resistance may be encountered toward any particular use.

Maintain the corridor in good condition

The corridor should be maintained to protect its value and the value of adjacent properties. Proper operation of drainage facilities, prevention of encroachment, and the preservation of structures and crossings are examples of ongoing maintenance needs.

Contribute to economic sustainability

Development of the corridor should be done in a cost effective manner and should consider the short and long term costs of construction, maintenance, and operation. Development should and support current and future plans for economic and neighborhood development.

Connect Totem Lake

Because of the corridor's proximity to the Totem Lake Urban Center⁵, it has the potential to help connect Totem Lake to the rest of the city and the region.

Protect neighborhood feel and atmosphere

Development of the corridor should allow for access across and along the corridor and not create barriers within or between neighborhoods. Residential neighborhoods should be protected from any excessive noise and safety impacts caused by corridor uses. Development of any trailheads, transit stations and/or parking locations should consider and minimize impacts to neighborhoods. The corridor is adjacent to several parks, schools and other amenities. These facilities should be protected appropriately as the corridor is developed.

Plan for a multi-use facility

In the long term, transit, pedestrians and cyclists should be able to simultaneously travel safely and efficiently in the corridor. Planning or implementing one transportation mode must not foreclose future corridor use by another mode. Additionally, underground utilities that currently use and will continue to use the corridor⁶ must be considered. Freight operations may be considered along the corridor, but there does not appear to be much commercial interest in freight rail service within Kirkland.

The existing corridor contains many drainage facilities that require regular maintenance.



Source: City of Kirkland

The Burke-Gilman trail in Seattle is on an abandoned railroad right-of-way.



Source: King County

This area in the Houghton neighborhood contains wetlands.



Source: City of Kirkland

A shared rail and trail facility



Source: Marin County Bicycle Coalition

Serve the transportation needs of pedestrians and bicyclists

A bicycle and pedestrian transportation facility should allow all weather, day and night use. It should be sized to allow simultaneous safe passage for both pedestrians and bicyclists of all skill levels. Its development should include protection of existing connections and include new connections to the City's streets and trails. The Active Transportation Plan⁷ has a list of such connections.

Design Transit to efficiently move people

Successful transit systems must have certain characteristics. Service should be frequent, available most of the day, operate between desirable destinations, be easily accessible by potential riders and offer reasonable travel speeds. best choice of transit technology may vary, with one system best in the shorter term and another better in the longer term. The viability of transit in the corridor should be compared to other options⁸.

Plan any transit use in close consultation with the City of Kirkland.

Locating transit stations and associated parking and feeder bus connections has major short- and long-term impacts on the surrounding neighborhoods and on the transportation network. A process to determine station locations should include extensive work with neighborhood groups, appropriate Boards and Commissions and the City Council.

Consider grade crossing delay and safety

Crossings must provide a reasonable level of safety and convenience for both users of the corridor and for street traffic. Design of the corridor should consider the potential time delays and safety concerns for all users of the corridor and facilities that intersect it.

Disclose and mitigate environmental impacts

Develop the corridor in a way that meets the City's goals for environmental sustainability. Prior to any development of the corridor, a complete environmental review should be conducted to identify and disclose impacts and to propose mitigations for those impacts. Noise, air quality, surface water and sensitive areas are topics that typically require analysis in an environmental review.

Conclusions

By its nature, an interest statement does not establish specific positions on issues. Instead it describes interests, which could be met in a variety of ways. The purpose of these conclusions is to demonstrate how the interests described above could be met, to varying degrees, by a range of development options.

Ultimately, the City's interests would be met by implementing a welcoming, transportation-oriented facility for pedestrians and bicyclists, coupled with a high capacity transit system that connects Kirkland to the region.

These photos illustrate different types of transit. How they might help meet Kirkland's interests on the corridor would depend on a number of factors.

Heavy rail: Sound Transit Sounder



Source: Railpictures.net Image © PNWRailfan

Electric Light Rail: Sound Transit Link



Source: lisatown.com

Diesel multiple unit: DMU in service in Australia



Source: thetransportpolitic.com

Bus Rapid Transit: Community Transit Swift



Source: blogs.seattleweekly.com

The main focus for development of the corridor in the short term should be on a trail. A paved, accessible, bicycle and pedestrian trail would be far less expensive than a high capacity rail or bus system and would require a less extensive planning process than would a transit option. However, it is important that trail planning be done with rail compatibility --that would meet Kirkland's interests-- as the long term goal.

Due to its poor physical condition, the current infrastructure in the corridor is not capable of supporting rail traffic that would offer a viable transportation option. If rail were to be located on the corridor, a safe, fully featured high-capacity rail system --similar to Link Light Rail--is perhaps the ideal option. A high capacity rail system would require a great deal of careful planning to meet Kirkland's interests.

Because of its high cost, and Sound Transit timing, it is not likely that regional rail transit would be in operation before 2030. Moreover, the Eastside Rail Corridor may not be the best alignment for such a route. In the shorter term, there may be less expensive corridor transit options that could be developed, such as bus rapid transit linking the South Kirkland Park & Ride and Totem Lake.

While freight operations may be part of a future rail corridor, there does not appear to be much current commercial interest in freight rail service within the city. It is difficult to conceive of freight rail operations that would meet many of Kirkland's interests.

The Eastside Rail Corridor is a transportation facility that represents enormous opportunity for the City of Kirkland and the region. Kirkland is fortunate to have such a facility within its boundaries and should strive to see that its interests are met during development of the corridor.

City of Kirkland Transportation Commission

The City of Kirkland Transportation Commission is made up of seven members appointed by the City Council to four year terms. The Commission meets every month to make recommendations on transportation policy to the City Council. Visit the Commission webpage where you can join the Transportation Commission List-Serve and automatically receive e-mail updates on the Commission's activities.

Commission members:
Donald Samdahl, Chair
Joel Pfundt, Vice Chair
Morgan Hopper
Tom Neir
Thomas Pendergrass
Sandeep Singhal
Michael Snow
Carl Wilson

Summary of interests

- **Serve transportation needs of Kirkland**
- **Keep the Corridor in public ownership**
- **Actively use the corridor in the near future**
- **Maintain the corridor in good condition**
- **Contribute to economic sustainability**
- **Connect Totem Lake**
- **Protect neighborhood feel and atmosphere**
- **Plan for a multi use facility**
- **Serve the transportation needs of pedestrians and bicyclists**
- **Design transit service to efficiently move people**
- **Plan any transit use in close consultation with the City of Kirkland**
- **Consider grade crossing delay and safety**
- **Disclose and mitigate environmental impacts**

¹ The Cross Kirkland trail was originally envisioned as a trail that would operate beside what was at the time an active railroad corridor.

² 2009 Final PSRC and Sound Transit BNSF Eastside Commuter Rail Feasibility Study, 2009 Puget Sound Regional Council <http://www.psrc.org/transportation/bnsf>

³ City of Kirkland Council Goals. <http://www.ci.kirkland.wa.us/Assets/City+Council+Goals.pdf>

⁴ BNSF Corridor Preservation Study, Final Report May, 2007 Puget Sound Regional Council. Page 7. http://www.psrc.org/assets/3176/_07-20_BNSFfinalreport.pdf

⁵ In cooperation with member cities, Puget Sound Regional Council has designated a number of Urban Centers where regional growth is to be targeted. Totem Lake is the only Urban Center in Kirkland. Downtown Bellevue, downtown Redmond and Overlake are examples of other nearby Urban Centers.

⁶ Puget Sound Energy and Cascade Water Alliance are examples of current and potential users respectively.

⁷ *More People, More Places, More Often, an Active Transportation Plan* City of Kirkland, March 2009. Page 100. http://www.ci.kirkland.wa.us/depart/Public_Works/Transportation_Streets/Active_Transportation_Plan.htm

⁸ Ridership on existing King County Metro routes could be a reasonable benchmark. The proposed Bus Rapid Transit (BRT) System on I-405 could also be compared.