



CITY OF KIRKLAND

CITY COUNCIL

Doreen Marchione, Deputy Mayor • Jay Arnold • Dave Asher
Shelley Kloba • Toby Nixon • Penny Sweet • 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 • www.kirklandwa.gov

AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chamber
Tuesday, January 7, 2014
6:00 p.m. – Study Session
7:30 p.m. – Regular Meeting

COUNCIL AGENDA materials are available on the City of Kirkland website www.kirklandwa.gov. 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 (425-587-3190) or the City Manager's Office (425-587-3001) 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 425-587-3190. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Council by raising your hand.

EXECUTIVE SESSIONS may be held by the City Council only for the purposes specified in RCW 42.30.110. These include buying and selling real property, certain personnel issues, and litigation. The Council is permitted by law to have a closed meeting to discuss labor negotiations, including strategy discussions.

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.

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
 - a. Transportation Master Plan Update
4. *EXECUTIVE SESSION*
5. *OATH OF OFFICE*
 - a. Councilmember Jay Arnold
 - b. Councilmember Shelley Kloba
 - c. Councilmember Doreen Marchione
 - d. Councilmember Penny Sweet
 - e. Councilmember Amy Walen
6. *ELECTION OF MAYOR AND DEPUTY MAYOR*
7. *HONORS AND PROCLAMATIONS*
8. *COMMUNICATIONS*
 - a. *Announcements*

QUASI-JUDICIAL MATTERS

Public comments are not taken on quasi-judicial matters, where the Council acts in the role of judges. The Council is legally required to decide the issue based solely upon information contained in the public record and obtained at special public hearings before the Council. The public record for quasi-judicial matters is developed from testimony at earlier public hearings held before a Hearing Examiner, the Houghton Community Council, or a city board or commission, as well as from written correspondence submitted within certain legal time frames. There are special guidelines for these public hearings and written submittals.

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.

b. Items from the Audience

c. Petitions

9. SPECIAL PRESENTATIONS

10. CONSENT CALENDAR

- a. *Approval of Minutes:* (1) December 10, 2013 Special Meeting
(2) December 10, 2013 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

- (1) 2013 Street Preservation Program, Phase I Curb Ramp and Concrete Repairs Project, West Coast Construction Co., Inc., Woodinville, WA

g. Approval of Agreements

- (1) Ratification of Kirkland Police Guild Support Staff Collective Bargaining Agreement 2013-2015

h. Other Items of Business

- (1) 2014 Tourism Funding Recommendation
- (2) Resolution R-5026, Relinquishing Any Interest the City May Have, Except For a Utility Easement, in an Unopened Right-of-Way as Described Herein and Requested by Property Owners Jean Roux Bezuidenhout and Nelia Bezuidenhout.
- (3) Ordinance O-4432 and its Summary, Relating to Enforcement of Regulations Regarding Discharge of Fats, Oils and Grease Into the City Sewer System.
- (4) Report on Procurement Activities

11. PUBLIC HEARINGS

12. UNFINISHED BUSINESS

a. Park Lane Project Update

- b.* Resolution R-5027, Approving a City of Kirkland Legislative Agenda to be Addressed to the 2014 Session of the State Legislature.
- c.* Planning Commission Interview Selection Committee Recommendations

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.

13. NEW BUSINESS

14. REPORTS

a. City Council

(1) Finance and Administration Committee

(2) Public Safety Committee

(3) Community Planning, Housing and Economic Development Committee

(4) Public Works, Parks and Human Services Committee

(5) Regional Issues

b. City Manager

(1) Calendar Update

15. ITEMS FROM THE AUDIENCE

16. ADJOURNMENT

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.



CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: David Godfrey, P.E., Transportation Engineering Manager
Pam Bissonnette, Interim Public Works Director

Date: December 19, 2013

Subject: Transportation Master Plan Update

RECOMMENDATION:

It is recommended that City Council receives a briefing and gives direction on the Transportation Master Plan. Specifically, staff is seeking comment on draft goals and policies. Each draft goal on pages 4-9 has discussion points to assist in formulating comments and direction to staff.

BACKGROUND DISCUSSION:

This memo outlines the purpose of the Transportation Master Plan (TMP), provides background on the existing Transportation Element of the Comprehensive Plan, presents discussion points for the draft Goals and Policies, and describes the progress on various portions of the Master Plan.

As the Transportation Commission worked through revising the concurrency process in preparation for the Council study session in November 2012, it was realized that a 20 year project list based on clear priorities was a missing component critical to the concurrency method. Also, goals were not identifiable for all project types. Since a Comprehensive Plan Update (Kirkland 2035) that includes updating the transportation element was planned, Council approved the recommendation of the Transportation Commission that a TMP would be the appropriate vehicle to both revise the Comprehensive Plan and incorporate other features. In the 2013 budget process, \$200,000 was allocated for consultant services to create a Transportation Master Plan.

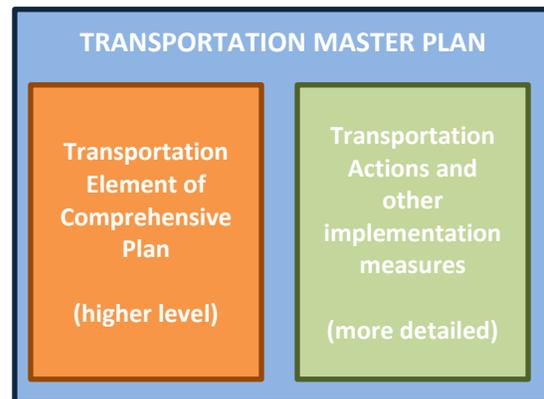


Figure 1 The Transportation Master Plan has two main components

Kirkland's TMP will serve two major purposes (Figure 1). Its goals and policies will provide the basis of the Transportation Element of the Comprehensive Plan. Action items, priorities and other information will also be provided to complete the TMP and form a fuller picture of how the goals and policies are to be implemented than would be covered in a Transportation Element by itself. Development of the plan is being guided by the Transportation Commission with extensive public input through the City's overall Comprehensive Plan public involvement process.

Public involvement

Public involvement began with the first Community Planning Day and has continued through all the 2035 events and outlets including the internet website and Ideas Forum. Stakeholder interviews were conducted in August with neighborhood and business representatives. At the October 19th planning day participants were asked to answer several questions, and their responses were used to influence the goals and policies. Figure 2 illustrates one question that was asked about traffic congestion during outreach activities.



Traffic congestion

The City's previous transportation plans have consciously made the decision not to widen certain roadways and to instead manage traffic congestion by providing a "balanced transportation system" that offers alternatives such as walking, biking, and transit.

This approach to land use and transportation planning allows for increasing traffic congestion.

Thinking about 2035, what, if anything, would make increased traffic congestion more acceptable to you?

Figure 2 Congestion question from October 19 Planning Day

Several choices were given including:

- Easier connections by foot and bike
- More transit
- Congestion is not acceptable, change the approach
- More density will make shorter trips more feasible
- Better connections to the region, freeway, high capacity transit, etc.
- Improved technology or other innovations and trends will mitigate congestion's impacts

Results for this question are summarized in Figure 3 on page 3.

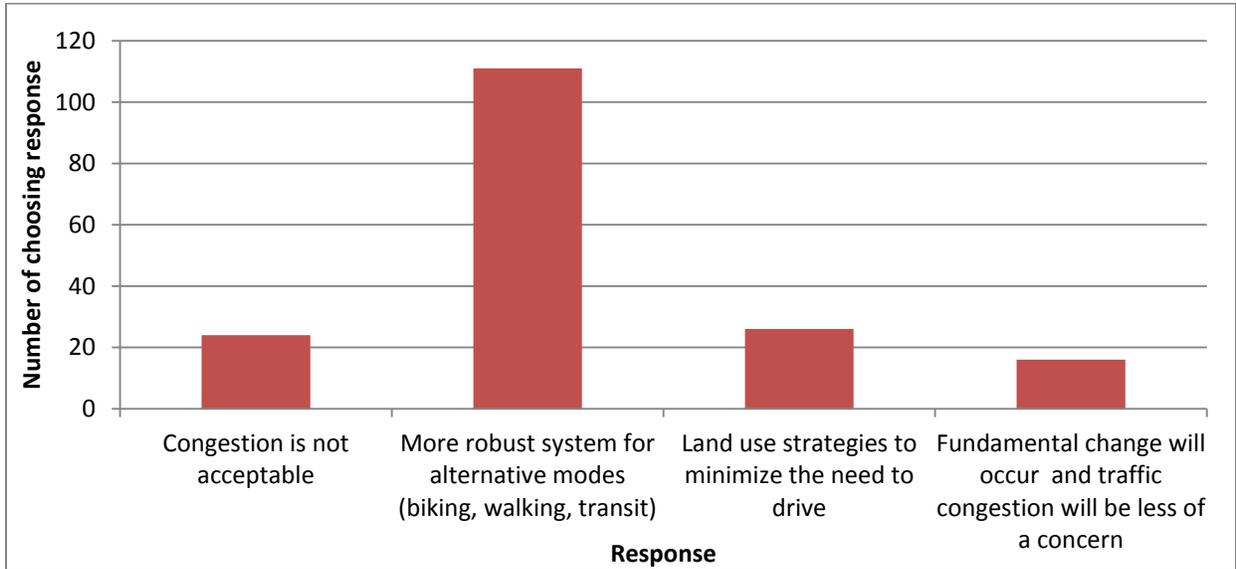


Figure 3 Responses to question about congestion

Public involvement will continue on the TMP, particularly around selection of the project list.

Transportation Element Basics

The Transportation Element is a chapter in the Comprehensive Plan that describes the overarching goals and policies for the City's Transportation Plan and is included here as Attachment 1. Seventeen Framework Goals (Figure 4) form the basis for the Comprehensive Plan. Five of these goals (checked in Figure 4) are the foundation of the Transportation Element. Based on these Framework Goals, there are eight Transportation Goals, (Figure 5) each of which has policies associated with it.

◆ RELATIONSHIP TO THE FRAMEWORK GOALS ◆	
The Transportation Element highlights the following Framework Goals:	
FG-1	Maintain and enhance Kirkland's unique character.
FG-2	Support a strong sense of community.
FG-3	Maintain vibrant and stable residential neighborhoods and mixed-use development, with housing for diverse incomes, ages, and lifestyles.
FG-4	Promote a strong and diverse economy.
FG-5	Protect and preserve environmentally sensitive areas and reduce greenhouse gas emissions to ensure a healthy environment.
FG-6	Identify, protect and preserve the City's historic resources, and enhance the identity of those areas and neighborhoods in which they exist.
FG-7	Encourage a sustainable community.
FG-8	Maintain and enhance Kirkland's strong physical, visual, and perceptual linkages to Lake Washington.
✓ FG-9	Provide safety and accessibility for those who use alternative modes of transportation within and between neighborhoods, public spaces, and business districts and to regional facilities.
✓ FG-10	Create a transportation system which allows the mobility of people and goods by providing a variety of transportation options.
FG-11	Maintain existing park facilities, while seeking opportunities to expand and enhance the current range and quality of facilities.
FG-12	Ensure public safety.
✓ FG-13	Maintain existing adopted levels of service for important public facilities.
✓ FG-14	Plan for a fair share of regional growth, consistent with State and regional goals to minimize low-density sprawl and direct growth to urban areas.
✓ FG-15	Solve regional problems that affect Kirkland through regional coordination and partnerships.
FG-16	Promote active citizen involvement and outreach education in development decisions and planning for Kirkland's future.
FG-17	Establish development regulations that are fair and predictable.

Figure 4 Framework Goals from the Existing Comprehensive Plan

Goal T-1: Establish a transportation system that supports Kirkland's land use plan.

Goal T-2: Develop a system of pedestrian and bicycle routes that forms an interconnected network between local and regional destinations.

Goal T-3: Work to establish and promote a transit and ridesharing system that provides viable alternatives to the single-occupant vehicle.

Goal T-4: Establish and maintain a roadway network which will efficiently and safely provide for vehicular circulation.

Goal T-5: Establish level of service standards that encourage development of a multimodal transportation system.

Goal T-6: Design transportation facilities that reflect neighborhood character.

Goal T-7: Balance overall public capital expenditures and revenues for transportation.

Goal T-8: Actively work to identify, review, and resolve interjurisdictional transportation concerns affecting Kirkland.

The Growth Management Act requires that a Comprehensive Plan Transportation Element have certain components and characteristics including:

- A Goals and Policies framework
- Inventory of existing conditions
- Travel Demand forecasts to align with Land Use Assumptions
- Level of Service Standards
- Facility plans and recommendations aligned with Level of Service objectives
- Walking and bicycling features
- Proposed projects that can be reasonably funded with expected revenues through a multi-year Financing Plan
- Transportation Demand management features
- Demonstrated coordination with other governments

Figure 5 Goals from the existing Transportation Element

Concurrency

Policy T-5.7 (Figure 6) is the existing Comprehensive Plan language that describes the need for a concurrency policy. The details of the policy are not covered in the Transportation Element,

Policy T-5.7: Assure that transportation improvements are concurrent with development to maintain the vehicular level of service standard for the development's subarea.

The Growth Management Act requires that transportation improvements and programs needed to accommodate planned growth be provided concurrently as new development occurs. Concurrency requires the balancing of three primary factors: available financial resources, acceptable transportation system performance conditions (level of service), and the community's long-range vision for land use and transportation.

Figure 6 Existing Transportation Element language referencing concurrency

nor does it directly treat concurrency. The Transportation Actions and Implementation component of the TMP will describe the new concurrency method and how it will be implemented. This proposed concurrency method was laid out for Council at a study session in November of 2012. Attachment 2 is a memo from that meeting that provides more background on the proposed concurrency system. It also describes needs in the area of project prioritization.

As noted in the existing policy, (Figure 6) concurrency is in place to help balance the rate at which land use is developed and transportation facilities are constructed. Our current system measures only performance at signalized intersections to determine this balance. The proposed system would consider the

signalized intersections to determine this balance. The proposed system would consider the

IX. TRANSPORTATION

Goal T-2: *Develop a system of pedestrian and bicycle routes that forms an interconnected network between local and regional destinations.*

Policy T-2.1: *Promote pedestrian and bicycle networks that safely access commercial areas, schools, transit routes, parks, and other destinations within Kirkland and connect to adjacent communities, regional destinations, and routes.*



Crosswalk in Downtown

Safety and convenient access are important considerations when prioritizing nonmotorized projects. Currently, there are places in Kirkland that are unsafe or difficult to access by foot or bicycle. Similarly, there are incomplete regional connections in our existing nonmotorized system.

Policy T-2.2: *Promote a comprehensive and interconnected network of pedestrian and bike routes within neighborhoods.*

Cul-de-sacs and dead-end roads are a common cause of incomplete pedestrian and bicycle networks. Direct and convenient nonmotorized connections on foot or by bicycle between cul-de-sac bulbs to nearby destinations should be a priority when planning the nonmotorized system.

Beyond these connections, however, the City must work to create an overall nonmotorized system that gives people a convenient alternative to driving and an opportunity for physical activity.

Policy T-2.3: *Increase the safety of the nonmotorized transportation system by removing hazards and obstructions and through proper design, construction, and maintenance, including retrofitting of existing facilities where needed.*

Safety considerations should be paramount when planning pedestrian and bicycle routes.

Policy T-2.4: *Design streets with features that encourage walking and bicycling.*

To promote the nonmotorized system and alternative modes to the single-occupant vehicle, streets should include pedestrian and bicycle facilities. Consistent with the City's Complete Streets policies, bicycle and pedestrian ways should be accommodated in the planning, development and construction of transportation facilities.

Policy T-2.5: *Maintain a detailed Active Transportation Plan (ATP).*

The ATP is a functional plan that provides a detailed examination of the existing pedestrian, bicycle, and equestrian systems, criteria for prioritizing improvement, and suggested improvements. The ATP designates specific City rights-of-way and corridors for improved pedestrian, bicycle and equestrian circulation, and sets design standards for nonmotorized facilities.

The Transportation Element lays the fundamental policy basis for the ATP.

The current ATP is consistent with the general policy direction of the Transportation Element. The ATP will need to be updated regularly to incorporate new and revised standards for facilities and to reprioritize routes to be built.

Figure 8 Sample page from Existing Comprehensive Plan.

The goals from the Draft Goals and Policies (Attachment 3) that were developed with the Transportation Commission and public input to date are listed below with their associated policies and discussion items that are fundamental to the handling of that goal. Staff is seeking review, discussion and input from Council on these draft goals and policies.

Draft Goal 1.1 *Walking* - *Form a safe network of sidewalks, trails and crosswalks where walking is comfortable and the first choice for many trips.*

Draft Policies

1. Measure and improve the safety of walking in Kirkland.
2. Prioritize sidewalk construction in a manner that supports other goals in the Plan.
3. Develop world-class walking facilities along the Cross Kirkland Corridor (CKC) and the shore of Lake Washington with ample connections to the rest of Kirkland.
4. Identify and remove barriers to walking.
5. Make it safer and easier to walk to school.
6. Improve street crossings.
7. Focus on regional transportation as a key destination for walking.

Discussion points for Council

- a. Is walking the highest priority for transportation, and if so, what are the implications for funding priorities and how right-of-way is used?
- b. Should the lakeshore and the CKC be developed as special walking facilities and how critical is the connection of these places to the rest of the city?

Similar Goal from Existing Plan

Goal T-2. Develop a system of pedestrian and bicycle routes that forms an interconnected network between local and regional destinations.

Draft Goal 1.2 *Biking* – *Interconnect bicycle facilities that are safe, nearby, easy to use and popular for people of all ages and abilities.*

Draft Policies

1. Create and improve on-street bike facilities.
2. Build a network of greenways.
3. Support facilities that make cycling easier.
4. Make it easy to navigate the bicycle network.
5. Measure bicycle use and safety.
6. Make the CKC an integral part of the bicycle network and connect it to the region.

Discussion point for Council

- a. Should a two-tiered system for the bicycle network be created, i.e. should Kirkland complete a network of greenways by making new investments largely in signs, markings and improved crossings of busy streets, but also improve and build on the existing network of on-street bicycle facilities?

Similar Goal from Existing Plan

Goal T-2. Develop a system of pedestrian and bicycle routes that forms an interconnected network between local and regional destinations.

Draft Goal 1.3 Public Transportation - *Support and promote a transit system that is viable and realistic for many trips.*

Draft Policies

1. Create an environment for frequent and reliable service on arterials.
2. Support safe and comfortable passenger facilities.
3. Integrate transit facilities with pedestrian and bicycle networks.
4. Support ridesharing for trips around and through Kirkland.
5. Pursue transit on the CKC.
6. Partner with transit providers to coordinate land use and transit service (see Goal 4).
7. Work with Sound Transit to incorporate the next phase of their investments in Kirkland.

Discussion points for Council

- a. Should Kirkland plan for a Transit network that is focused on high frequency service on fewer major routes as opposed to a more diffuse and less efficient service network?
- b. Should Kirkland use land use planning and other investments to create an environment that is transit friendly?
- c. Should Kirkland assume that ST 3 will connect to Totem Lake? How should that influence timing of planning for station locations?

Similar Goal from Existing Plan

Goal T-3. Work to establish and promote a transit and ridesharing system that provides viable alternatives to the single-occupant vehicle.

Draft Goal 1.4 Motor Vehicles - *Efficiently and safely provide for vehicular circulation recognizing congestion is present during parts of most days.*

Draft Policies

1. Make limited, strategic investments in intersections and street capacity to support existing and proposed land use.
2. Use Intelligent Transportation Systems (ITS) to support optimization of roadway network operations.
3. Position Kirkland to respond to technological innovations, such as electric vehicles and driverless cars.
4. Take an active approach to managing on-street and off-street parking.
5. Work with WSDOT to improve the way I-405 and SR 520 meet Kirkland's needs. (See Goal 4.)
6. Reduce crash rates for motor vehicles.
7. Mitigate impacts of motor vehicles on neighborhood streets.

Discussion points for Council

- a. Should capacity improvements to the street network be limited in relation to its priority?
- b. How can the existence of congestion be clearly recognized and communicated?
- c. It is planned that parking be treated generally in the plan. Is this sufficient? How does parking support other plan goals?

Similar Goals from Existing Plan

Goal T-5 Establish and maintain a roadway network which will efficiently and safely provide for vehicular circulation.

Goal T-6 Design transportation facilities that reflect neighborhood character.

Draft Goal 2 Link to Land Use - *Create a transportation system that is united with Kirkland's land use plan.*

Draft Policies

1. Create a transportation network that supports economic development goals.
2. Develop transportation improvements tailored to commercial land use districts such as Totem Lake, Downtown and neighborhood business areas.
3. Focus transportation system developments around schools and transit routes.
4. Adopt requirements and practices for all future development that support planned transportation infrastructure.

Discussion point for Council

- a. Are the land use changes, based on the vision, with the resulting increases in housing, employment, and auto congestion appropriately supported by the TMP?

Similar Goal from Existing Plan

Goal T-1 Establish a transportation system that supports Kirkland's land use plan

Draft Goal 3 Be Sustainable – *As the transportation system is planned, built and maintained, provide mobility for all using reasonably assured revenue sources while minimizing environmental impacts.*

Draft Policies

1. Balance overall public capital expenditures and revenues for transportation.
2. Ensure that the transportation network can be developed, maintained, and operated within expected revenues for the foreseeable future.
3. Place highest priority for funding on reasonable maintenance of existing infrastructure rather than construction of new facilities.
4. Identify and perform needed maintenance to maximize the useful lifetime of the transportation network at optimum lifecycle cost.
5. Minimize the contribution of transportation to air and water pollution.
6. Create an equitable system that provides mobility for all users.
7. Actively pursue grant funding and innovative funding sources.

Discussion points for Council

- a. Should a project list be limited to match expected funding, i.e. limit unfunded projects?
- b. Should maintenance of existing infrastructure be prioritized over new facilities?

Similar Goal from Existing Plan

Goal T-7 Balance overall public capital expenditures and revenues for transportation.

Draft Goal 4 Be an Active Partner - *Coordinate with a broad range of groups to help meet Kirkland's transportation Goals.*

Draft Policies

1. Play a major role in the development of Sound Transit facilities in Kirkland.
2. Establish commitments from transit providers for high quality transit service in exchange for providing density and transportation improvements.
3. Work with WSDOT to achieve mutually beneficial decisions on freeway interchanges and other facilities.
4. Participate in and provide leadership for regional transportation decision making.
5. Work closely with the Lake Washington School District to get more children using active transportation to travel to school.

Discussion points for Council

- a. Should Kirkland pursue commitments for transit service from providers in exchange for implementing transit supportive policies?
- b. Should consideration be given to a wide range of partners?

Similar Goal from Existing Plan

Goal T-8 Actively work to identify, review and resolve inter-jurisdictional transportation concerns affecting Kirkland.

Draft Goal 5 Transportation Measurement - *Measure and report on progress toward achieving goals and actions.*

Draft Policies

1. Establish a plan-based multi-modal concurrency method.
2. Develop an action plan for implementation.
3. Deliver annual transportation report cards.

Discussion point for Council

- a. Should a plan-based multi-modal concurrency system as described in Attachment 2 be prepared?

Similar Goal from Existing Plan

Goal T-5 Establish level of service standards that encourage development of a multimodal transportation system.

Actions

As described above, the TMP goes beyond a policy level to include actions that are too detailed to include in the Comprehensive Plan. These will be assembled after we have solidified the Goals and Policies. For example, a policy under the bicycling goal could be to support facilities that make cycling easier. Actions under this policy might include specific actions around bike share, better bicycle parking, wayfinding etc. Figure 9 shows the full structure from vision to action items.

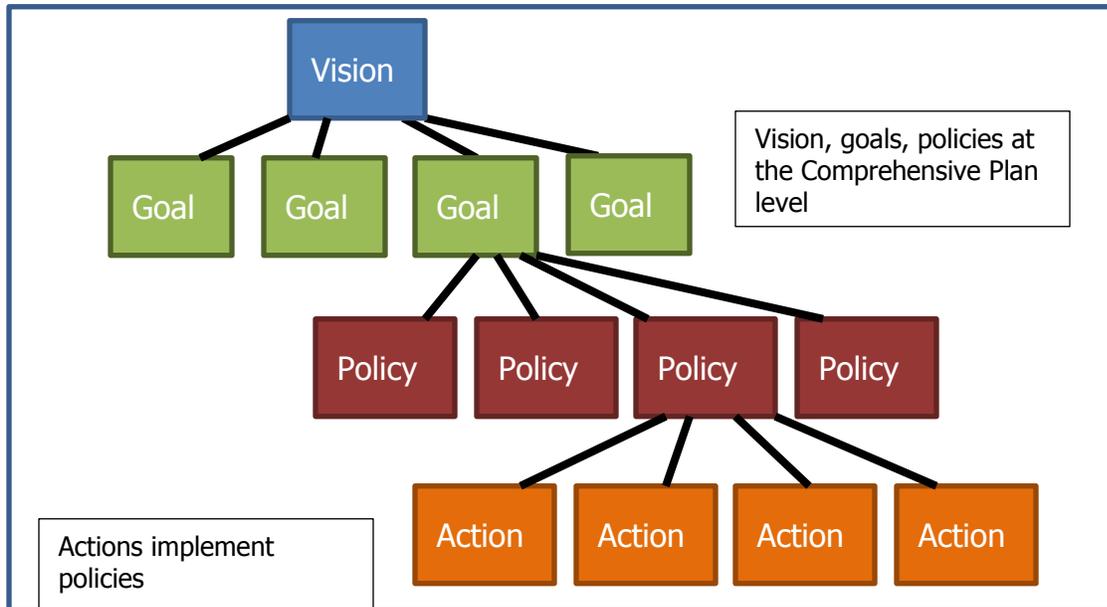


Figure 9 Structure of Vision goals, policies and actions that show the progression from establishing Vision to determining Action.

Other Items in the TMP

Existing Conditions

An analysis of existing conditions is being prepared by the consultant team. This will include safety, traffic congestion, completeness of bicycle and pedestrian networks and other items. At the time of the writing of this memo, the analysis is still being assembled, and more details will be available at the January 7 study session.

Financial Implications

On December 3, staff met with the consultant team and began initial discussions about financing the plan. A number of existing and potential funding sources were considered as were past and future revenue trends and project funding mechanisms. As development of the project list continues, policy decisions will be required from Council about the types of funding that could be needed in the future. These decisions cannot be made without the context of project selection and project performance when tradeoffs and implications of various alternatives can be understood. Following from the proposed goals, a major theme will be to sustainably fund the TMP.

Developing a Project List

One of the next stages will be shaping the project list. This is envisioned as an interactive and iterative process with the community where goals, priorities, funding, potential projects and performance are all balanced to develop a set of highest priority projects (See Figure 10). This project list is necessary to show how the new concurrency system will work.

For example, tradeoffs may be necessary between completing greenways or making improvements to the sidewalk system, given certain goals for maintenance of traffic signals and in order to stay within reasonably expected revenue sources.

The consultant team is developing an approach for making this a compelling activity at the next Community Planning Day, and ideally also making it available on-line so that it can have the broadest possible audience.

At this point, it is likely that the project list will not include projects that are remarkably different than what has been considered previously. Types of projects may be prioritized differently based on the proposed goals. For instance, there will likely be more emphasis on walking and biking, and less emphasis on intersection projects.

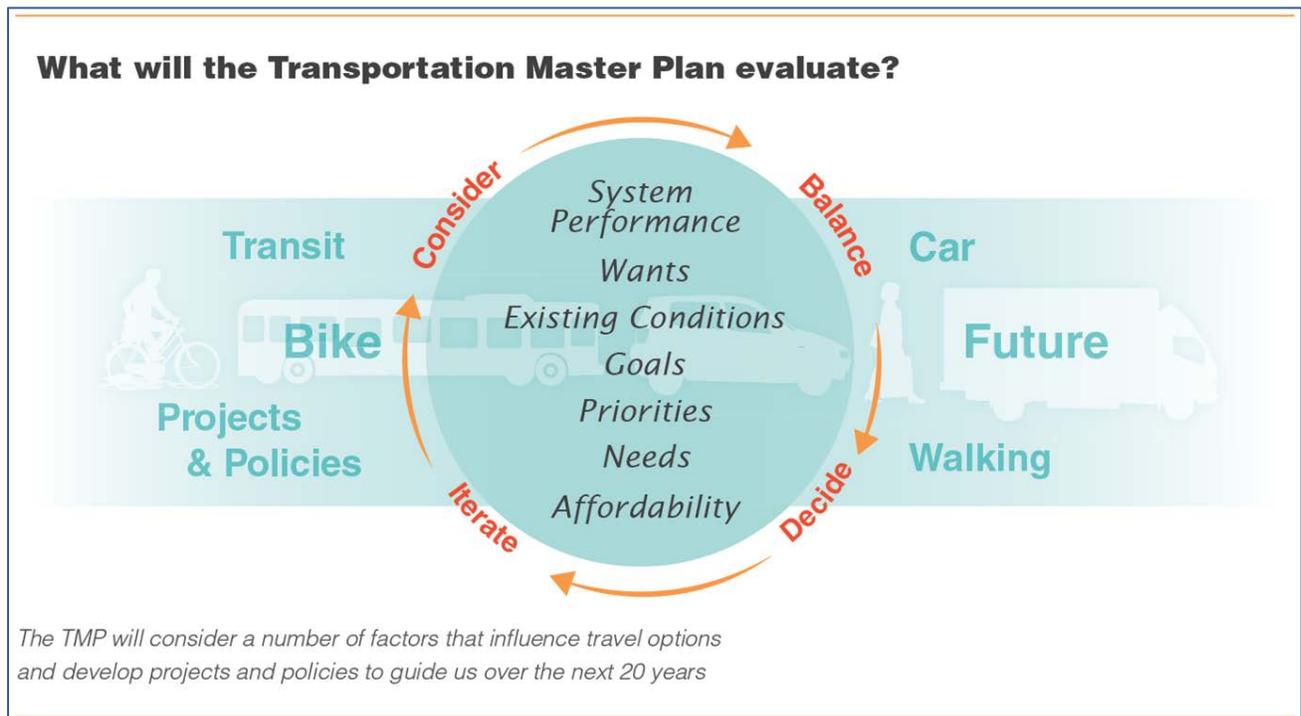


Figure 10 Graphic depicting factors involved in project selection

The Juanita Drive Corridor Study & Other Examples of Projects

A corridor study on Juanita Drive is nearing completion and serves as a good example of the type of projects that could emerge on a revised 20-year project list.

The study goals included safety, accessibility for walking and biking, and preservation of the neighborhood character with less emphasis on vehicle capacity. Resulting projects recommended from the study include ways of providing bike lanes that are buffered from traffic and a complete walkway along the corridor with new and enhanced crosswalks at several locations. Auto improvements are also included but are relatively small and are targeted to add safety for motor vehicles rather than adding additional lanes for long segments to add capacity. For implementation, proposed projects are assembled into packages that together represent coherent themes rather than being individually ranked. The complete set of improvements is estimated to cost \$20 million, which is a large amount compared to the \$6 million of internal funding that is traditionally available annually for the entire transportation CIP --even if the Juanita Drive Corridor projects were built over a number of years.

To summarize, the Juanita Drive Corridor study is grounded in goals that emphasize walking, bicycling, and safety with preservation of neighborhood character and environment. The resulting projects therefore connect active transportation facilities, supplemented by strategic safety based updates. Packages of projects address desired outcomes and due to costs, implementation may need grant funding and will be achieved over time. These are similar conclusions to what should be expected from a project list built on the proposed goals and objectives in this memo.

The Totem Lake Urban Center is another example where we can look ahead and get a feel for where the transportation network is headed based on the proposed goals and likely land use.

Increased land use density will be supported by a more complete bicycle and pedestrian network and a greater emphasis on transit. Greenways connect the CKC to the hospital area and continue into neighborhoods north of NE 132nd street. Regional high capacity transit will have an important node at Totem Lake with connectivity planned to get people to this location by walking and biking. Despite improved connections, I-405 and NE 124th Street will continue to be barriers to easy walking and biking. Selected street improvements add connectivity to support land use and transit rather than add large amounts of capacity. Increases in density will continue despite traffic congestion, but as other transportation options become more realistic and the land use vision is achieved, Totem Lake will become a more livable, vibrant area.

Partnerships with WSDOT and Sound Transit will be necessary to bring a new interchange to NE 132nd Street and Sound Transit's next phase of improvements (ST 3) to the area.

Functional Plans

Figure 11 shows the relationship of the TMP to other functional plans. One of the policies of the existing Transportation Element is to develop and maintain an Active Transportation Plan. With the additional implementation material in the TMP, the structure of functional plans may change somewhat but they are still necessary to give the most detailed guidance to implementing the Transportation Element goals.

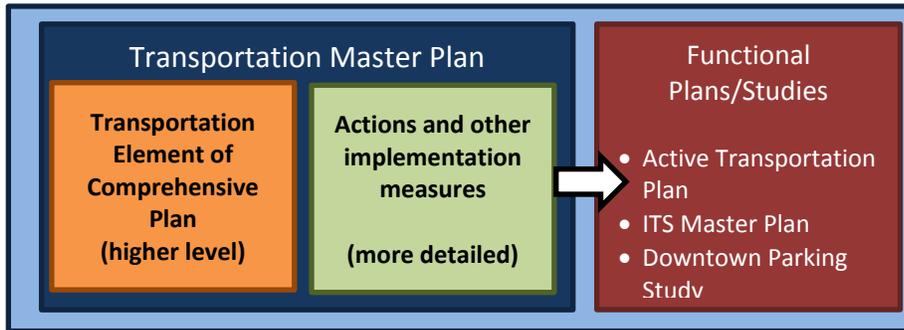


Figure 11 Relationship of Functional Plans to the Transportation Master Plan

Coordination with the other parts of the Comprehensive Plan

In order to fit seamlessly into the Comprehensive Plan, the Transportation Element has to share the overall vision of the plan. Also it relies heavily on the land use section not only because land use determines the number of trips that need to be accommodated, but as described in the Goals and Policies section, in order for either the land use or transportation vision to be realized, they have to be coordinated. Modeling of trips on the network cannot take place until a land use alternative has been determined.

Schedule of TMP Adoption

Because the TMP is an element of the Comprehensive Plan, the schedule for completion of the TMP must be coordinated with the Comprehensive Plan Update. Figure 12 shows a general project schedule for the Transportation Master Plan. Formal adoption of the TMP will take place when the entire Comprehensive Plan is adopted, although the current schedule calls for the TMP to be completed well in advance of the Comprehensive Plan.

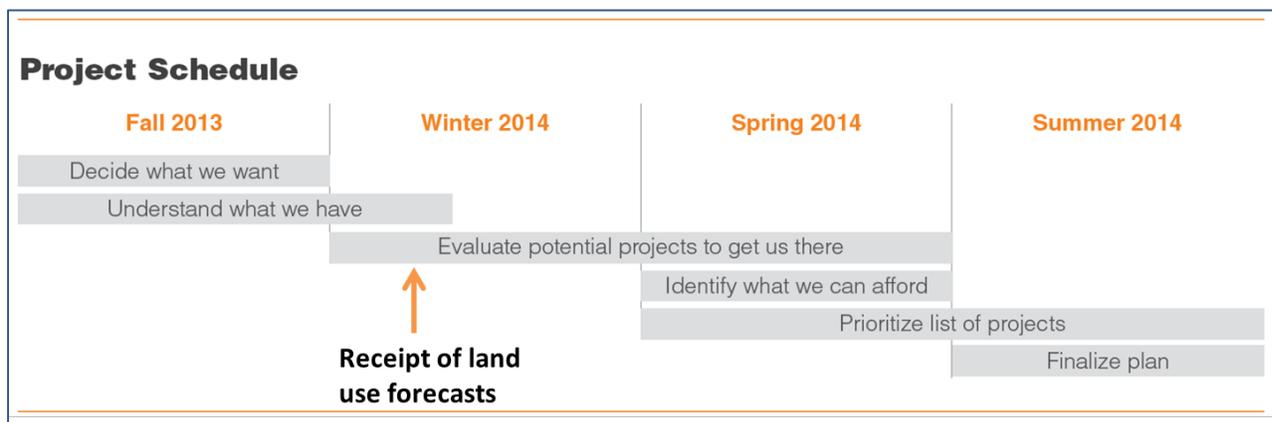


Figure 12. Schematic of Transportation Master Plan Schedule

The next major milestone will be discussion of the project list. The next formal update is scheduled for Council in April, 2014. Shaping the TMP is a major work item for the Transportation Commission in 2014 as well.

The TMP will continue to seek public input on the phases shown in the schedule above throughout the Comprehensive Plan public involvement process up until its adoption.

Questions for Council Feedback

- What is Council's feedback on the draft goals and policies?
- What is the Council's feedback on the discussion points in the goal section on pages 6-11?
- Does Council have any observations on the overall approach to the TMP? In particular, any observations about Council's involvement in the process or the public's involvement in the process?
- Are there any technical questions that were not answered in the memo?

IX. TRANSPORTATION



CHARTING A FUTURE COURSE

◆ RELATIONSHIP TO THE FRAMEWORK GOALS ◆

The **Transportation Element** highlights the following Framework Goals:

- FG-1 Maintain and enhance Kirkland's unique character.
 - FG-2 Support a strong sense of community.
 - FG-3 Maintain vibrant and stable residential neighborhoods and mixed-use development, with housing for diverse incomes, ages, and lifestyles.
 - FG-4 Promote a strong and diverse economy.
 - FG-5 Protect and preserve environmentally sensitive areas and reduce greenhouse gas emissions to ensure a healthy environment.
 - FG-6 Identify, protect and preserve the City's historic resources, and enhance the identity of those areas and neighborhoods in which they exist.
 - FG-7 Encourage a sustainable community.
 - FG-8 Maintain and enhance Kirkland's strong physical, visual, and perceptual linkages to Lake Washington.
 - ✓ **FG-9 Provide safety and accessibility for those who use alternative modes of transportation within and between neighborhoods, public spaces, and business districts and to regional facilities.**
 - ✓ **FG-10 Create a transportation system which allows the mobility of people and goods by providing a variety of transportation options.**
 - FG-11 Maintain existing park facilities, while seeking opportunities to expand and enhance the current range and quality of facilities.
 - FG-12 Ensure public safety.
 - ✓ **FG-13 Maintain existing adopted levels of service for important public facilities.**
 - ✓ **FG-14 Plan for a fair share of regional growth, consistent with State and regional goals to minimize low-density sprawl and direct growth to urban areas.**
 - ✓ **FG-15 Solve regional problems that affect Kirkland through regional coordination and partnerships.**
 - FG-16 Promote active citizen involvement and outreach education in development decisions and planning for Kirkland's future.
 - FG-17 Establish development regulations that are fair and predictable.
-

IX. TRANSPORTATION

A. INTRODUCTION

PROBLEM STATEMENT

By the year 2020, the congested portions of the Puget Sound region's freeway and arterial network are forecast to be far more extensive than they are today and the delays experienced by users will be much longer. Kirkland's transportation system is not isolated, but is integrally connected with a system of federal, State, and County transportation systems and the systems of adjacent jurisdictions. Kirkland experiences peak-hour congestion primarily in its highly commercial areas (Totem Lake, NE 85th Street, and Downtown).

There are many causes of increased congestion including I-405 and SR 520, neither of which is able to handle the volume to which it is subjected. This has resulted in significant congestion on Kirkland streets and is a condition which Kirkland by itself does not control. Annual vehicle miles traveled in the Puget Sound region continue to increase at a rate approximately equal to the rate of the population growth. Access into, through, and out of Kirkland is physically limited because of several significant features such as the lake on the west, Bridle Trails State Park and SR 520 on the south, and I-405 through the middle running north and south. For environmental and financial reasons, and reasons related to maintenance of community character, road building has not kept pace with demand.

Realistic transportation alternatives to driving alone are available for most people. The transit system is largely outside of Kirkland's control; it is defined by King County (Metro) and Sound Transit. Local routes have increased in number and in frequency of service over the past five years. Kirkland's nonmotorized network is also improving though not yet complete.

In the past, roads have been developed predominantly with vehicles in mind; however, the role of roads in influencing community character has become clear over the years. All new major construction may include sidewalks, planter strips and bicycle lanes, consistent with the Active Transportation Plan.

Kirkland's neighborhoods have been reluctant to accept major roads or road improvements. Finding the balance between accommodating increased traffic demand and preserving community character will not be easy, and there will be potentially adverse impacts on all segments of the community. Our challenge is to provide a transportation system which will both enhance surrounding neighborhoods and provide effective mobility for people, goods, and services through multiple modes.

Lack of transportation choices also affects the health of our community. Obesity has become an epidemic over the past two decades, increasing the risk of many diseases and health conditions, including heart disease and diabetes. One of the factors contributing to obesity is lack of physical activity. A major source of air pollution in Kirkland is motor vehicle use. By providing safe and convenient bicycle and pedestrian systems that connect to all areas of the City, to neighboring communities, and to regional facilities, we can promote physical activity and improve air quality.

EXISTING CONDITIONS

The City of Kirkland has established a system of street classification based on intended street function. The purpose of these classifications is to allow appropriate design and maintenance standards to be applied as well as for State and federal funding purposes. Figure T-1 displays the existing street system (except for local access streets) overlain with the street functional classifications. There are four functional classes: principal arterial, minor arterial, collector, and local access. There are 146 miles of streets in Kirkland, the majority of which (74 percent) are local access.

Principal arterials connect Kirkland with other regional locations such as Bellevue and Redmond. Minor arterials provide connections between principal arterials and serve as key circulation routes within Kirkland. Collectors distribute traffic from arterials to local streets. Local access streets give access to individual properties and connect to collectors.

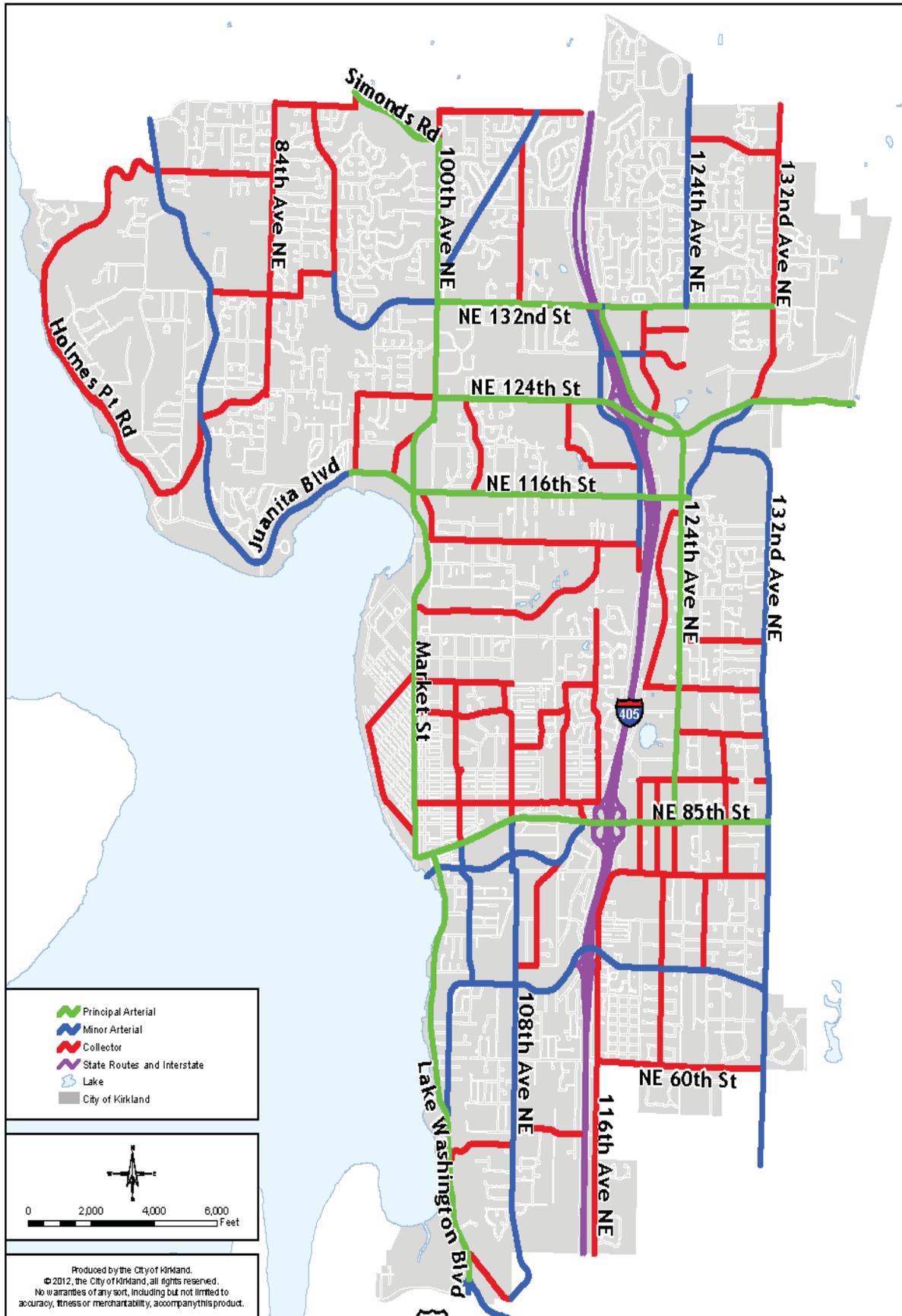


Figure T-1: Street Classifications and State Routes

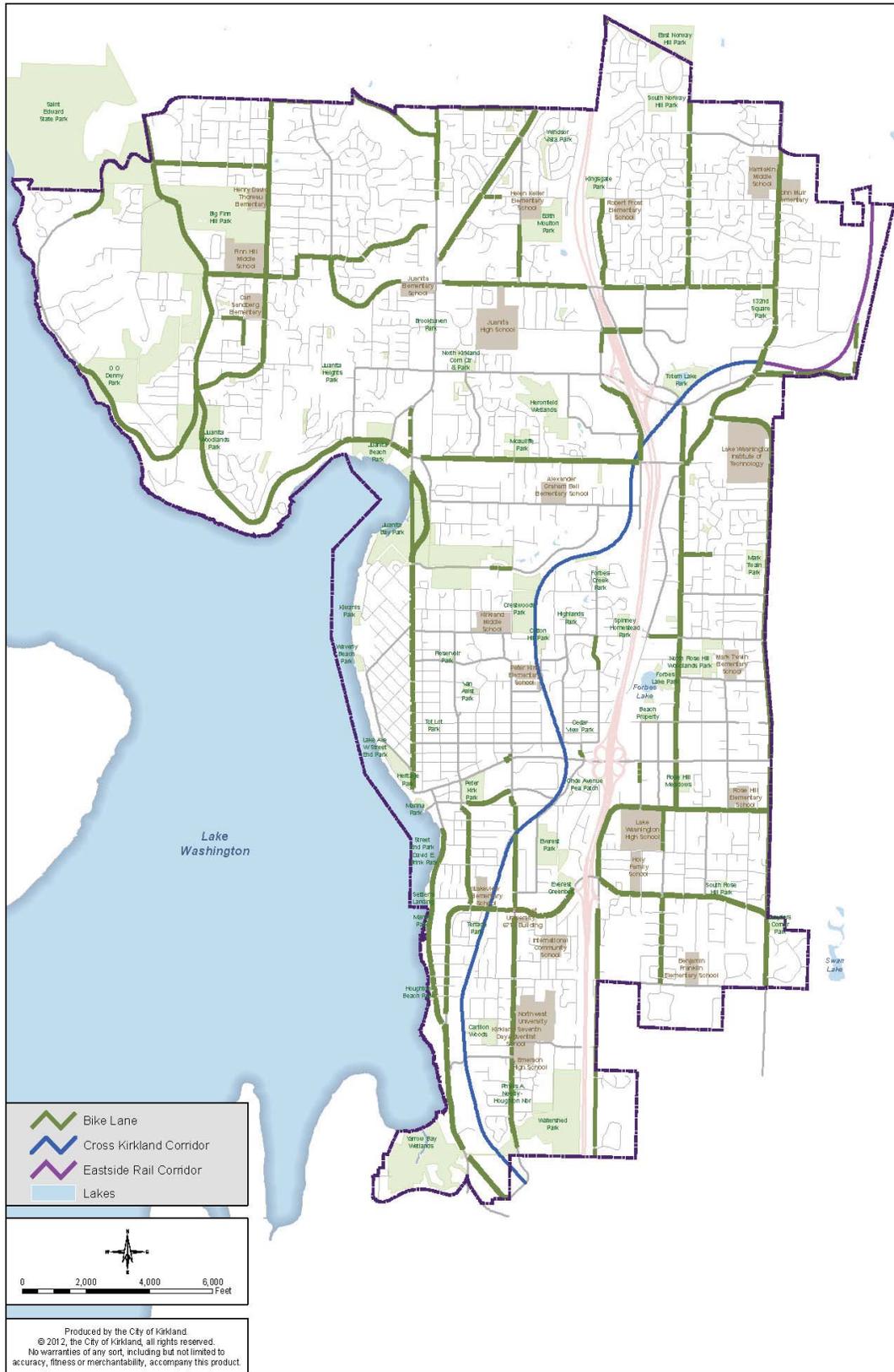


Figure T-2: Bicycle System

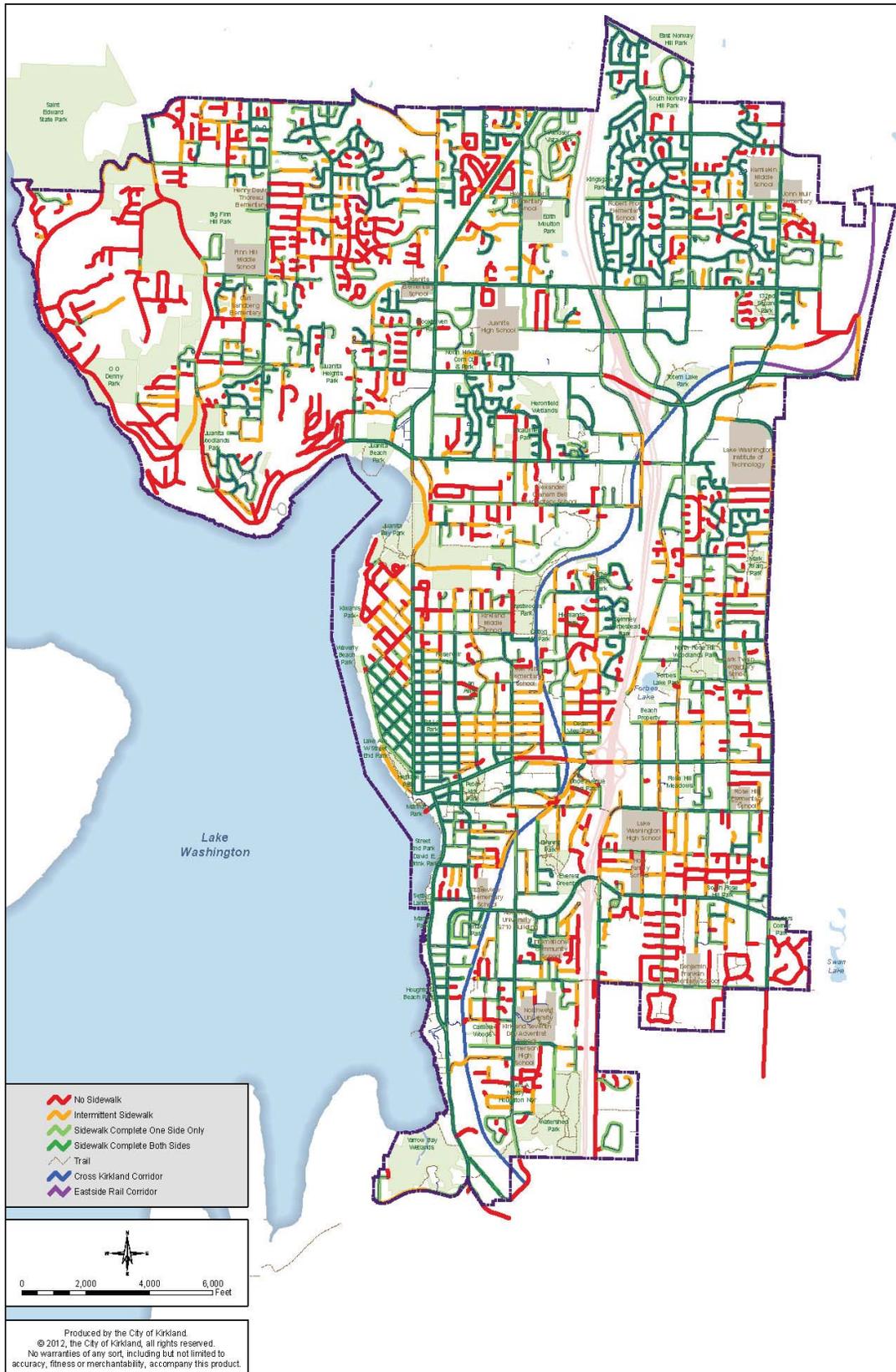


Figure T-3: Pedestrian System

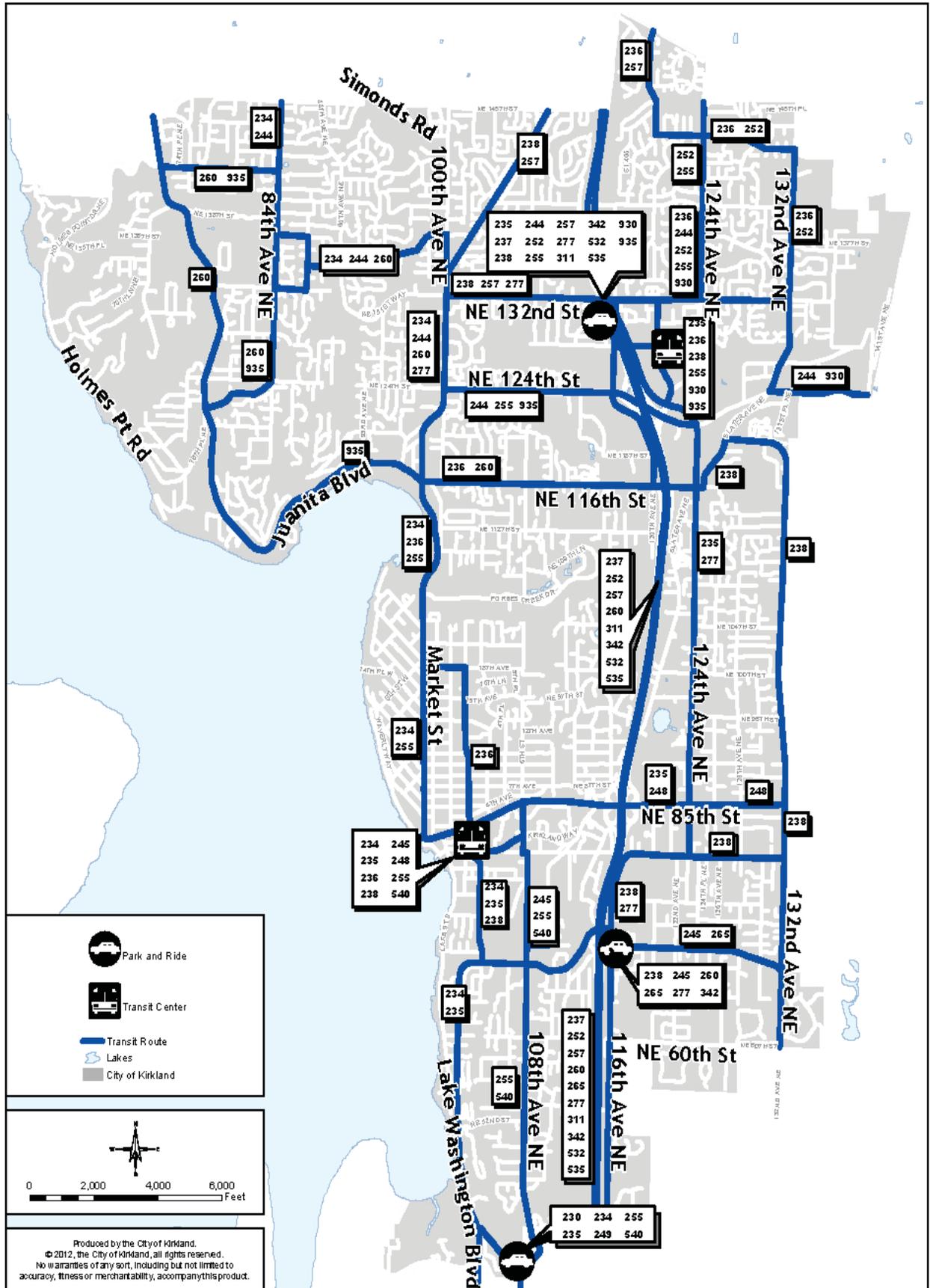


Figure T-4: Transit Service

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Figure T-2 displays existing shared use path and bike lane facilities. There are approximately 50.2 miles of bike lane facilities, which are striped lanes alongside vehicle lanes, and 0.4 miles of shared use paths.

Existing sidewalks are mapped in Figure T-3. The City has an inventory of the condition of sidewalks and a comprehensive sidewalk repair program.

Transit service in Kirkland is provided by Metro and Sound Transit. Figure T-4 and Table T-1 display the routes serving Kirkland. Time between buses on the same route during rush hour spans between 15 and 30 minutes, depending on the route. Non-rush hour frequency is generally about 30 minutes between buses, depending on the route. The Kirkland Transit Center is in the Downtown on 3rd Street by the library. There

are eight park and ride lots within the City limits. Of the three largest park and rides, the Houghton facility has the most remaining capacity.

The Cross Kirkland Corridor, formerly the BNSF Railroad right-of-way, runs north-south through Kirkland. The City acquired the right-of-way in 2012 for a nonmotorized multi-use trail and/or transit route through Kirkland. The right-of-way is 100 feet in width in most areas, and travels through many East-side cities providing critical links to other existing regional trails such as the Sammamish River Trail. The City has improved some sections of the route with trail amenities. Future interjurisdictional planning and implementation is envisioned for this multi-modal facility.

Table T-1: Transit Routes in Kirkland

All Day Service	
230	Kingsgate – Kirkland – Bellevue – Overlake – Redmond
234	Kenmore – Juanita – Kirkland – S. Kirkland – Bellevue
236	Woodinville – Totem Lake – Juanita – Kirkland
238	Bothell – Finn Hill – Kingsgate – Rose Hill – Kirkland
245	Kirkland – Overlake – Bellevue – Factoria
248	Kirkland – Rose Hill – Redmond
255	Kingsgate – Kirkland – Seattle
540	Kirkland – UW Seattle (Sound Transit)
935	Northshore – Bastyr – Kingsgate
Kirkland @ S. Kirkland Park and Ride Only	
249	Bellevue – S. Kirkland – Overlake
256	Overlake – S. Kirkland – Seattle
Peak Commuter Routes	
252	Evergreen – Kingsgate – Houghton – Seattle
257	Brickyard – Kingsgate – Houghton – Seattle
260	Kenmore – Juanita – Houghton – Seattle
265	Redmond – Houghton – Seattle
277	Juanita – Kingsgate – Houghton – UW Seattle
291	Kingsgate – Redmond

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Table T-1: Transit Routes in Kirkland (Continued)

Peak Metro Routes that Serve I-405 Freeway Stations	
237	Woodinville – Kingsgate – Houghton – Bellevue
342	Shoreline – Bothell – Brickyard – Houghton – Bellevue
Sound Transit I-405 Service	
532	Bellevue – Houghton – Kingsgate – Canyon Park – Lynnwood
535	Bellevue – Houghton – Kingsgate – Bothell – Canyon Park – Everett Station

EXISTING AND FUTURE TRAVEL DEMAND

Travel within Kirkland is currently dominated by vehicles, and single-occupant vehicles in particular. Single-occupant vehicles now carry 76 percent of work trips. Of the 24 percent of work trips involving other than single-occupant vehicles, transit carries 5.5 percent and the rest are in carpools or vanpools (source: 2000 Census). The existing pattern of travel reflects a dependence on individual vehicles for most mobility needs.

Due to projected population increases and resulting mobility needs, both vehicle miles and hours of travel will increase on City arterials. This will result in increased congestion throughout the City’s transportation network particularly during the peak hours. The City’s forecasts show that overall level of service will become worse in the future when compared to 2003 conditions. Improvements targeted at congested intersections and continued increases in nonmotorized uses and transit service will help to mitigate congestion somewhat. In general, however, the signalized intersections within the City will continue to remain congested in the future.

RELATIONSHIP TO OTHER ELEMENTS

The Transportation Element is an integral part of the Comprehensive Plan. The Element provides for the mobility of people, goods, and services in a way that supports the goals and policies of other elements. The Transportation Element provides for the transportation system necessary to support the land use (commercial and residential) pattern described in the Land Use and Housing Elements. Specific transportation goals and policies work to maintain and preserve the

community’s character and natural features presented in the Community Character and Natural Environment Elements and the Shoreline Area Chapter, while providing for mobility. The Transportation Element strives to support important aspects of the Economic Development Element by enabling goods, services, customers, and employees access to Kirkland businesses. Finally, transportation policies in this Element provide the foundation for the transportation projects identified in the Six-Year Capital Facilities Plan in the Capital Facilities Element.

B. THE TRANSPORTATION CONCEPT

The Transportation Element seeks to develop and maintain a balanced multimodal transportation system that supports the City’s land use plan and integrates with the regional transportation system.

While striving to accomplish this fundamental concept, the Element addresses the transportation problems we face: peak-hour congestion, balancing increased traffic with maintaining neighborhood character, and the limited transportation mode alternatives available.

The goals and policies which follow describe the connection between transportation and land use, establish means to increase travel options, provide for mobility within the system, describe desirable characteristics of transportation facility design, discuss the financial aspects of a transportation system and, finally, encourage coordination with other jurisdictions.

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C. TRANSPORTATION GOALS AND POLICIES

Goal T-1: Establish a transportation system that supports Kirkland's land use plan.

Goal T-2: Develop a system of pedestrian and bicycle routes that forms an interconnected network between local and regional destinations.

Goal T-3: Work to establish and promote a transit and ridesharing system that provides viable alternatives to the single-occupant vehicle.

Goal T-4: Establish and maintain a roadway network which will efficiently and safely provide for vehicular circulation.

Goal T-5: Establish level of service standards that encourage development of a multimodal transportation system.

Goal T-6: Design transportation facilities that reflect neighborhood character.

Goal T-7: Balance overall public capital expenditures and revenues for transportation.

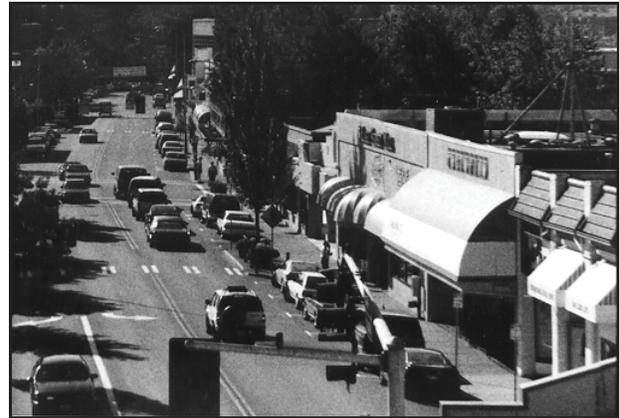
Goal T-8: Actively work to identify, review, and resolve interjurisdictional transportation concerns affecting Kirkland.

LINKING TRANSPORTATION AND LAND USE

Streets serve to both connect and separate neighborhoods and activity centers in Kirkland. Through this system of links and barriers, the street system exerts a powerful influence on land use patterns in the City. Although much of the City of Kirkland's street network is already developed, future development will bring changes. Integrating land use and transportation requires ensuring that the transportation facilities which are built serve existing and future commercial, industrial, and residential land uses, and support the land use goals of the City.

Goal T-1: *Establish a transportation system that supports Kirkland's land use plan.*

Policy T-1.1: *Establish a transportation system that provides access by a variety of modes of travel to neighborhoods, the Downtown, Totem Lake, other commercial and industrial areas, and major institutions.*



Downtown Kirkland

As the Vision Statement and Framework Goal 9 describes, a high priority for Kirkland residents is providing convenient access to all areas of Kirkland. This access can be provided by transit, cars, bicycles, or walking. It also must accommodate freight traffic to serve our commercial and industrial areas. The intent of this policy is to stress that Kirkland residents need to be able to access places not only by car, but also by other means with safe and reliable connections.

Policy T-1.2: *Mitigate adverse impacts of transportation systems and facilities on neighborhoods.*

Transportation systems and facilities can have adverse impacts on neighborhoods such as:

- ◆ Safety problems due to speeding vehicles and increasing traffic volumes;
- ◆ Increased traffic resulting from drivers seeking alternate routes to congested arterials; and/or
- ◆ Air and noise pollution.

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A combination of the following techniques should be used to avoid these impacts or mitigate them when avoidance is not possible:

- ◆ Developing and implementing neighborhood-appropriate street design standards which are appropriate for the neighborhood;
- ◆ Creating an interconnected system of streets to distribute the traffic load and lessen the burden on any given street;
- ◆ Avoiding connections through residential neighborhoods when they will create new routes for commercial/industrial traffic or by-pass routes for I-405; and/or
- ◆ Continuing use of the Neighborhood Traffic Control Program to address safety, speed, and/or volume issues.

Policy T-1.3: Establish a street system that promotes and maintains the integrity of neighborhoods.

The street system is more than a circulation route; it is a major land use that exerts a strong influence on neighborhood integrity. Too often, this influence is seen as disruptive and intrusive. The street system can, however, be a strong positive force in promoting neighborhood integrity. As an example, streets can:

- ◆ Allow for local and internal circulation;
- ◆ Contribute to a sense of safety and security;
- ◆ Have urban greenery and take advantage of opportunities for scenic views;
- ◆ Provide recreational opportunities for bicyclists and pedestrians; and
- ◆ Be a place for special events and street block parties.

To promote neighborhood integrity, streets should be classified, designed, and developed in a manner that recognizes and respects the surrounding neighborhood.

Policy T-1.4: Ensure that there is sufficient right-of-way.

Dedication of land may be required to construct, install or extend the transportation system, such as streets, sidewalks, or bicycle lanes. Dedication may be for, among other purposes, alternative ingress and egress routes, emergency vehicle and police access, safe turning movements, through road connectivity and any other improvement needed to ensure an adequate, safe and efficient transportation system. In addition, dedication may be necessary to comply with the City's adopted street standards and/or to maintain the City's adopted level of service standards for road concurrency.

The City may also relinquish its interest in streets through a street vacation. Once a vacation is approved by the City Council, the property ownership usually reverts back to the abutting property owners. When considering street vacations, the City needs to carefully evaluate the long-term impact of the vacation on the entire transportation system, including pedestrian connections, public views and open space.

INCREASING TRAVEL OPTIONS

Kirkland's vision for transportation promotes the movement of people throughout the City and region by expanding opportunities to use transit, ridesharing, and nonmotorized facilities. Increased use of alternatives to the single-occupant vehicle can break the cycle of demand for wider streets while maintaining a high level of accessibility to all areas of the City. Alternate modes of travel reduce energy consumption, air pollution, and noise levels. By encouraging high-occupancy vehicles and other modes of travel, the City may be able to save the capital expense of road construction and maintenance and enhance the environment. For these reasons, the City should pursue all possible alternatives to the single-occupant vehicle.

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Goal T-2: *Develop a system of pedestrian and bicycle routes that forms an interconnected network between local and regional destinations.*

Policy T-2.1: *Promote pedestrian and bicycle networks that safely access commercial areas, schools, transit routes, parks, and other destinations within Kirkland and connect to adjacent communities, regional destinations, and routes.*



Crosswalk in Downtown

Safety and convenient access are important considerations when prioritizing nonmotorized projects. Currently, there are places in Kirkland that are unsafe or difficult to access by foot or bicycle. Similarly, there are incomplete regional connections in our existing nonmotorized system.

Policy T-2.2: *Promote a comprehensive and interconnected network of pedestrian and bike routes within neighborhoods.*

Cul-de-sacs and dead-end roads are a common cause of incomplete pedestrian and bicycle networks. Direct and convenient nonmotorized connections on foot or by bicycle between cul-de-sac bulbs to nearby destinations should be a priority when planning the nonmotorized system.

Beyond these connections, however, the City must work to create an overall nonmotorized system that gives people a convenient alternative to driving and an opportunity for physical activity.

Policy T-2.3: *Increase the safety of the nonmotorized transportation system by removing hazards and obstructions and through proper design, construction, and maintenance, including retrofitting of existing facilities where needed.*

Safety considerations should be paramount when planning pedestrian and bicycle routes.

Policy T-2.4: *Design streets with features that encourage walking and bicycling.*

To promote the nonmotorized system and alternative modes to the single-occupant vehicle, streets should include pedestrian and bicycle facilities. Consistent with the City's Complete Streets policies, bicycle and pedestrian ways should be accommodated in the planning, development and construction of transportation facilities.

Policy T-2.5: *Maintain a detailed Active Transportation Plan (ATP).*

The ATP is a functional plan that provides a detailed examination of the existing pedestrian, bicycle, and equestrian systems, criteria for prioritizing improvement, and suggested improvements. The ATP designates specific City rights-of-way and corridors for improved pedestrian, bicycle and equestrian circulation, and sets design standards for nonmotorized facilities.

The Transportation Element lays the fundamental policy basis for the ATP.

The current ATP is consistent with the general policy direction of the Transportation Element. The ATP will need to be updated regularly to incorporate new and revised standards for facilities and to reprioritize routes to be built.

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Goal T-3: Work to establish and promote a transit and ridesharing system that provides viable alternatives to the single-occupant vehicle.

Policy T-3.1: Design transit facilities (stations, centers, park and rides, shelters, etc.) that are easily accessible from other modes of transportation, accommodating those with disabilities, and appealing to pedestrians, and that may contain residential, office, institutional and/or commercial uses where appropriate.

The location of transit facilities within the overall transportation system should be carefully considered so that they will be easily accessible by all modes.

Part of reducing reliance on the single-occupant vehicle is getting people to use transit rather than drive. Residential, office and/or commercial developments near transit facilities are helpful in achieving this reduction. When designing transit facilities, bicycle racks, ample sidewalks, and nonmotorized connections to neighborhoods should be considered.

For those that drive, parking or drop-off facilities are important considerations. Ridesharing to transit facilities should be encouraged.

The Americans with Disabilities Act requires convenient access for those with disabilities to new and remodeled facilities. Facility planning should also take into account the access needs of all ages of children, teens, adults, and seniors.

Appealing facilities that are well lit, comfortable, and clean will encourage greater use.

Policy T-3.2: Support the development of regional high-capacity transit serving Kirkland.

Kirkland should support regional transit planning and implementation because transit is provided by regional agencies and most transit trips are to destinations outside of Kirkland. Kirkland can support regional transit planning by actively participating in regional transit discussions, providing land use patterns which will ultimately support a system, and

adopting goals and policies which make our position known and are consistent with the needs of a successful regional system.

Policy T-3.3: Locate the routes and stations of the future regional high-capacity transit system to support Kirkland's transportation and land use plans.

Kirkland should provide input to the appropriate regional bodies to ensure that the locations of high-capacity transit routes and stations are consistent with our land use and transportation plans.

The Land Use Element and the Totem Lake Neighborhood Plan support creation of a transit center in Totem Lake and a compact commercial district in the northeast quadrant of the interchange with I-405 and NE 124th Street in part because it has good potential for transit service. These policies, and others, should provide the basis for transportation decisions.

Policy T-3.4: Work cooperatively with Metro, Washington State Department of Transportation and Sound Transit to provide regional and local transit service with linkages between Kirkland neighborhoods, business districts, and other important local and regional destinations.



Park and Ride at NE 70th Place

Transit service which concentrates on connections within Kirkland and to other Eastside destinations, while maintaining convenient commuter service across the lake, are high priorities. To achieve this, Kirkland should work with the transit providers in making our views known.

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Policy T-3.5: Implement the Commute Trip Reduction (CTR) Plan to reduce single occupancy vehicle (SOV) use and vehicle miles traveled (VMT) as set forth in Kirkland's CTR Plan.

The State of Washington Commute Trip Reduction Efficiency Law requires local jurisdictions to develop and implement a plan to reduce both single occupancy vehicle trips and reduce overall vehicle miles traveled. Kirkland's Commute Trip Reduction Plan is a collection of adopted goals and policies, facility and service improvements and strategies about how we will help make progress for reducing drive alone trips and vehicle miles traveled. These strategies will encourage multi-modal transportation in Kirkland. The Plan encourages partnership and coordination with other agencies and employers.

The CTR Plan goals set targets for reductions at affected work sites. The work site must contain 100 or more employees. At a minimum, the City of Kirkland works with CTR affected employers to establish transportation demand management programs to reduce SOV and VMT to meet CTR goals. Kirkland must work cooperatively with the State, Metro, and other local jurisdictions to promote the success of the CTR program.

As part of the CTR program, urban centers may be voluntarily designated to further reduce SOV and/or VMT beyond the basic CTR requirements through a Growth and Transportation Efficiency Center (GTEC) Plan. Totem Lake, as a State designated urban center, is recognized as a GTEC. The purpose of the GTEC is to increase access to the employment and residential centers while reducing the number of drive alone trips. Within the GTEC plan, the pool of affected employers may be expanded beyond CTR affected employers and may also include selected residential uses.

MAINTAINING MOBILITY

The Comprehensive Plan promotes a new balance among the various modes of travel through an expansion of transit, ridesharing, walking, and bicycling opportunities on or adjacent to the existing vehicular system.

The plan supports the maintenance and enhancement of vehicular capacity on the existing system and recognizes the continued importance of vehicular circulation to local mobility, but not at the expense of other modes of travel or community character. This strategy is likely to result in higher levels of roadway congestion in specific areas, but provides more travel options for those who choose to use alternative modes of travel.

Goal T-4: Establish and maintain a roadway network which will efficiently and safely provide for vehicular circulation.

Policy T-4.1: Promote efficient use of existing rights-of-way through measures such as:

- ***Intersection improvements;***
- ***Time-of-day parking restrictions along congested arterials;***
- ***Signal timing optimization;***
- ***Added center left-turn lanes; and***
- ***Limiting left turns along congested arterials.***

The existing vehicular circulation system in Kirkland is largely complete, and improvements to this system should focus on maximizing the use of existing vehicle lane capacity, rather than physically adding new lane capacity. Road widening solely for general purpose use is generally not preferred.

This policy supports the use of transportation system management strategies to maximize the use of existing rights-of-way. These are relatively low-cost expenditures – for intersection or signal improvements, for example – which increase the efficiency of the system.

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Policy T-4.2: Consider improvements such as queue bypasses, time-of-day parking restrictions, transit signal priority and arterial transit lanes for transit or carpool use that will increase the people-carrying capacity of roadways.

When faced with a limited transportation system and financial resources, it becomes critical to make the best of what we have. One way the City can increase the people-carrying capacity of existing roadways and encourage alternative modes of transportation is by improving mobility for transit or carpools.

In Kirkland and most other cities, transit currently sits in traffic with other vehicles. The benefit of riding transit, consequently, is diminished considerably. Lanes on arterial streets dedicated to transit or carpools are not commonly found as yet. Before Kirkland can build arterial transit lanes or queue bypasses, study is needed to ensure that it is physically possible and will be safe. Another important consideration is the impact of these facilities on community character. Transit mobility will serve Kirkland residents, but the City will have to balance the desire for transit mobility with negative impacts when making the decision whether or not to proceed.

Policy T-4.3: Maintain a system of arterials, collectors, and local access streets that forms an interconnected network for vehicular circulation.

Traffic spread over a “grid” of streets, which is designed appropriate to neighborhood and system needs, flows smoothly. Kirkland has a number of existing cul-de-sacs, which help to create quiet and private residential areas. At the same time, however, cul-de-sacs and dead ends result in uneven traffic distribution and benefit some at the expense of others. Valuable emergency response time can also be lost when connections between arterials are missing. Pedestrian and bicycle traffic is also interrupted. Future street connections should be considered when the City reviews its Citywide road network system.

In addition, future street connections should be studied and determined with each neighborhood plan update. The neighborhood plan study should include looking at efficient and convenient road connections

to schools, parks and other public facilities, and commercial centers. Adding bicycle, pedestrian and other nonmotorized connections should also be considered.

Policy T-4.4: Minimize bypass traffic and safety impacts on neighborhood streets.

Cut-through traffic onto neighborhood streets from nearby congested arterials or collectors does occur. The intent of this policy is to minimize the amount of cut-through traffic and the impacts of this traffic when it does occur by the use of various forms of traffic-calming techniques.

Policy T-4.5: Maintain and improve convenient access for emergency vehicles.

Emergency vehicles need to access sites using the shortest route possible. Providing an interconnected street network is the best way to achieve direct access.

One major barrier to direct access in Kirkland is I-405. Consideration should be given to providing for emergency vehicle access when new nonmotorized crossings of I-405 are planned.

Policy T-4.6: Ensure adequate access to commercial and industrial sites.

The transportation needs of commercial and industrial uses are important to Kirkland’s future. For our economy to prosper, freight, employees, and customers must be able to move to and from businesses. This further supports the need to minimize congestion in the community.

Policy T-4.7: Maintain the road system in a safe and usable form for all modes of travel where possible.

A significant portion of the public’s investment in City infrastructure resides in the pavement of City streets. The City must protect this investment through regular road maintenance. The Public Works Department has operated a Pavement Management Program since 1990. The pavement condition of each road has been inventoried to allow for the strategic investment of maintenance funds. Besides pavement mainte-

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nance, Public Works has a regular program for pavement marking, storm drain cleaning, street sweeping, sign maintenance, and similar street maintenance.

With current funding levels and repair strategies, the overall condition of City streets is stable. If the level of funding does not stay constant or increase, the overall condition could fall off at a rate from which it would be impossible to recover without a very large investment. A higher level of funding would cause the overall condition to improve.

Policy T-4.8: Provide for local vehicular access to arterials, while minimizing conflicts with through traffic.

One problem along some arterials is the high number of driveways or places where vehicles can enter or leave traffic lanes. An excessive number of driveways is a safety concern for pedestrians on sidewalks. Also, traffic flow is unexpectedly interrupted when vehicles turn between intersections. However, properly located and spaced driveways can benefit traffic flow.

The intent of this policy is to permit the minimum number of curb cuts needed to adequately serve abutting uses. The end result will be minimizing conflicts with pedestrian and vehicular traffic.

Goal T-5: Establish level of service standards that encourage development of a multimodal transportation system.

Policy T-5.1: Develop an approach for measuring level of service based on the standards described below in Policies T-5.2, T-5.3 and T-5.5.

Developing level of service standards for a transportation system is a difficult task. After much study and discussion, the City decided that an intersection capacity technique was the best choice for Kirkland.

Mode split (the percentage of single-occupant vehicle use and transit or other mode use) is used as the level of service standard for transit (Policy T-5.2). For vehicular level of service, the City has developed an aggregated roadway level of service measure that

averages the capacity of signalized intersections within a geographic area (Policy T-5.3). Nonmotorized level of service is expressed in terms of miles of completed bicycle and pedestrian facilities and number of complete corridors and reflects the desire to create an interconnected system of bicycle and pedestrian routes (Policy T-5.5).

Policy T-5.2: By the year 2022, strive to achieve a mode split of 65 percent single-occupant vehicle (SOV) and 35 percent transit/other mode.

The mode splits described in this policy are the level of service standard for transit. They represent a long-term goal for the City to achieve through providing improved transit accessibility, transportation demand management programs, efficient nonmotorized systems, locating shops and services close to home, and other strategies to get people out of single-occupant vehicles. The standard is expressed in terms of a desired percentage of peak-hour home to work trips by single-occupant vehicles and transit/other mode.

Policy T-5.3: Utilize the peak-hour vehicular level of service standards shown in Table T-2 – a two-part standard for the transportation subareas and for individual system intersections.

This policy establishes a peak-hour level of service (LOS) standard for vehicular traffic based on 2022 land use and road network. It is a two-part standard, based on the ratio of traffic volume to intersection capacity (V/C) for signalized system intersections. Volume to capacity ratios were determined using the planning method from *Transportation Research Circular 212*.

The two standards are as follows:

- (1) Maximum allowed subarea average V/C for signalized system intersections in each subarea may not exceed the values listed in Table T-2.
- (2) No signalized system intersection may have a V/C greater than 1.40.

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Table T-2
Maximum Allowed Subarea Average V/C Ratio for System Intersections and Individual Intersection LOS

<i>Use as Maximum Allowed Average V/C after January 1st</i> ⇒	2012	2013	2014	2015	2016	2017
Forecast for Year ⇒	2017	2018	2019	2020	2021	2022
Subarea	Average V/C Ratio					
Southwest	0.90	0.91	0.91	0.91	0.91	0.91
Northwest	0.94	0.95	0.95	0.96	0.97	0.97
Northeast	0.92	0.93	0.93	0.94	0.95	0.95
East	1.07	1.07	1.07	1.08	1.08	1.08
North	In the North subarea, no subarea LOS has been established. Appropriate standards will be established upon completion of an updated land use plan as part of the Comprehensive Plan update.					
Maximum allowed individual system intersection V/C ratio	1.40	1.40	1.40	1.40	1.40	1.40

The LOS standards were calculated through the use of a computerized transportation model shared with Bellevue and Redmond, called the BKR model. The standards are the outcome of land use and transportation network choices which were entered into the model.

In particular, a network of capacity projects was chosen that could be funded by levels of spending that are consistent with the amount spent on transportation capacity projects in recent years. The network also consists of projects that are in keeping with the community values found elsewhere in this Comprehensive Plan. It is the intention of this plan that intersection performance will be kept as high as possible, preferably with V/C ratios under 1.30. However, forecasts show that this may not be attainable so the maximum intersection V/C ratio is set at 1.40.

Table T-2 is designed to provide standards for the maximum allowed subarea average V/C ratio for the next few years. To pass the road concurrency test, new development may not exceed the maximum allowable subarea average V/C ratio for system intersections (see Table T-3 below) six years into the future starting from the date of making a concurrency application. The first row of Table T-2 (italicized) in-

dicates the year that a proposed development is submitted for a road concurrency test. The second row indicates the six-year horizon that a new development's traffic impacts are assessed. Each set of standards in the column below the application year and the horizon year is based on an LOS forecast for six years in the future. Forecasts are derived by linear interpolation between forecasts for 2004 and 2022 and include forecasted impacts of development that have been approved but not yet built.

Example of how to use Table T-2: A development is seeking concurrency approval during 2012. What is the set of standards for subarea average V/C that the development must not exceed? Since the project is seeking approval in 2012, the second column of numbers is used. This set of standards (southwest subarea standard of 0.90, northwest subarea standard of 0.90, etc.) corresponds to a forecast horizon year of 2017. The development's traffic impacts may not cause the level of service at the signalized system intersections to exceed these standards.

In addition, the LOS methodology requires both standards (subarea average V/C and V/C not to exceed 1.40) to be satisfied. Traffic from a new development may not cause the average V/C of system signalized

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intersections in a subarea to operate at an LOS lower than the average and may not cause any system signalized intersection to exceed a V/C ratio of 1.40 as shown in Table T-2.

The capacity (C) of a signalized intersection is determined by a wide variety of factors, including signal phasing, number of lanes and traffic mix. It is a measure of the maximum number of vehicles that can go through the intersection in a set period of time. The volume (V) is the sum of “critical” volumes that indicate maximum demand at the intersection. The volume to capacity ratio (V/C) is the volume divided by the capacity. For the purpose of the plan, V/C is calculated for the PM peak hour.

A V/C of less than 1.0 means that the volume at the intersection is less than the capacity. If the V/C is equal to 1.0, the intersection’s volume and capacity are equal. When the V/C is greater than 1.0, volume has exceeded capacity. As the V/C increases, the congestion at the intersection increases and the level of service gets worse.

Table T-3 describes subarea average V/C ratios for 2003 traffic counts and for forecast 2004 and 2022 volumes. These numbers are provided for reference.

Table T-3
2003 and Forecasted Subarea Average LOS for System Intersection

Subarea Average V/C Ratio			
Subarea	2003 Traffic Count	2003 Traffic Plus Projects Approved but Not Yet Built	2022
Southwest	0.77	0.89	0.92
Northwest	0.83	0.88	1.01
Northeast	0.76	0.86	0.99
East	0.94	1.04	1.10

Underlying the standards is the concept that the system is not considered failing if the peak-hour is congested. Use of the peak-hour for measuring level of service is standard in the region. This “worst case” measure implies that traffic will flow better during the rest of the day. Although very high, the V/C ratios in the standard are acceptable because there is a limited amount of funding available to improve the situation, and it is not possible to build our way out of congestion even if funds were unlimited. Road widening has quality-of-life impacts that many in the community find unacceptable.

The standards are based on congestion becoming worse in the future. This reflects the proposed network and funding, and an increase in trips. The need to move to alternative modes becomes all the more clear when we can see the peak-hour vehicular level of service forecasted for the future.

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Table T-4 below lists intersections that are not system intersections and are therefore not considered in the calculations.

Table T-4
Signalized Intersections That Are Not System Intersections

The following signalized intersections are not system intersections.
6th Street/4th Avenue
3rd Street/Kirkland Avenue
6th Street/Kirkland Way
98th Avenue NE/NE 120th Place
93rd Avenue NE/Juanita Drive
97th Avenue NE/Juanita Drive
NE 124th Street/120th Place NE
NE 118th Street/120th Avenue NE
NE 128th Street/116th Way NE
120th Avenue NE/NE 80th Street
NE 132nd Street/108th Avenue NE
NE 132nd Street/Juanita High School
NE 132nd Street/Juanita Elementary School
120th Avenue Pedestrian Signal at Totem Lake Mall
NE 140th Street/132nd Avenue NE
NE 137th Street/100th Avenue NE

Figure T-5 below shows the City's five subareas used for the maximum allowed subarea average V/C ratio standard in Table T-2 for signalized system intersections.

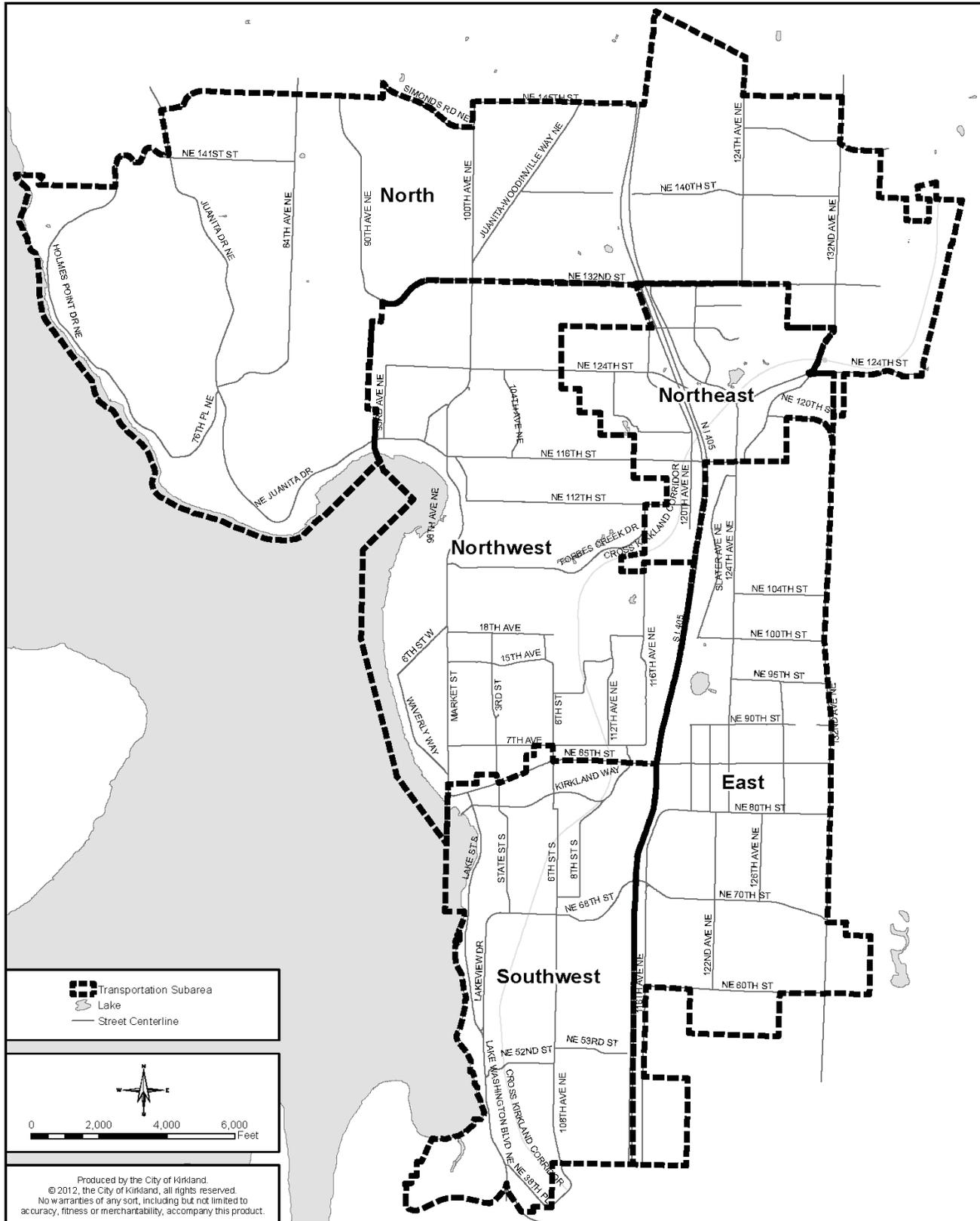


Figure T-5: Transportation Subareas

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Policy T-5.4: Require new development to mitigate site-specific transportation impacts.

The standards in T-5.3 relate to maintaining the long-term performance of the road network system throughout Kirkland. Besides meeting those standards, new development should mitigate its site-specific impacts to the transportation system. For individual development, the nature and timing of the mitigation should be based on the magnitude and proportionate share of the impacts and the timing of development. Mitigation may be necessary for impacts to intersections and local roadways, including pedestrian, bicycle and transit facilities. In addition, mitigation may be needed for site access to and from the local roadway system. The City will provide traffic impact guidelines to establish the basis for evaluating what needs to be mitigated and the timing and extent of the mitigation.

Policy T-5.5: Strive to achieve a level of service standard by 2022 of 59 miles of bicycle facilities and 155 miles of pedestrian facilities, six east-west and four north-south completed pedestrian corridors, and four east-west and two north-south completed bicycle corridors as identified in the Nonmotorized Transportation Plan.

The LOS standard for the nonmotorized system reflects the desire to create an interconnected system of pedestrian and bicycle routes. The standards for bicycle and pedestrian facilities are based on the priority routes indicated in the Nonmotorized Transportation Plan (NMTP) and the City's Transportation Program Evaluation Criteria. The City considers the following factors when determining the location of new bicycle and pedestrian facilities: completion of the interconnected system established in the NMTP, safe school routes and connections to public facilities, commercial centers and regional pedestrian and bicycle routes. The existing system has deficiencies and gaps that the proposed standards strive to complete.

Figures T-2 and T-3 show the proposed bicycle and pedestrian corridor facilities to meet Policy T-5.5.

Policy T-5.6: Promote transportation demand management (TDM) strategies to help achieve mode split goals. TDM may include incentives, programs, or regulations to reduce the number of single-occupant vehicle trips.

Transportation demand management seeks to modify travel behavior and encourage economical alternatives to the single-occupant vehicle. Transportation demand management strategies try to influence behavior in a way that keeps expansion of the transportation system at a minimum. The more successful TDM strategies are, the more successful the City will be at achieving the mode split goals described in Policy T-5.2.

The following are some TDM strategies: (1) working cooperatively with employers to implement programs that encourage employees not to drive alone; (2) requiring certain new developments to implement programs to reduce single-occupant vehicle use; (3) adjusting parking standards to meet existing demand and reducing them further when transportation options increase; and (4) supporting paid parking or other parking policy measures.

Policy T-5.7: Assure that transportation improvements are concurrent with development to maintain the vehicular level of service standard for the development's subarea.

The Growth Management Act requires that transportation improvements and programs needed to accommodate planned growth be provided concurrently as new development occurs. Concurrency requires the balancing of three primary factors: available financial resources, acceptable transportation system performance conditions (level of service), and the community's long-range vision for land use and transportation.

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DESIGN OF TRANSPORTATION FACILITIES

Streets, transit stops or centers, sidewalks, and other transportation facilities make up a large part of the community. The physical appearance and condition of these facilities greatly impact the “look” of Kirkland. Also, their design impacts the users’ convenience and safety and can be a factor in whether people drive, ride bicycles, or walk. The design of facilities is very important given our goal to encourage alternatives to the single-occupant vehicle.

Goal T-6: Design transportation facilities that reflect neighborhood character.

Policy T-6.1: Pave streets and access easements to the smallest dimensions necessary to accommodate their designed function, including emergency access.

This is accomplished through standards currently in use. Appropriate street standards also help support sustainable building practices called for elsewhere in the plan.

Policy T-6.2: Design and construct transportation facilities to be barrier-free and easily accessible to all citizens, consistent with the Americans with Disabilities Act.

Sidewalks and transit facilities (see related Policy T-3.1) should be available and accessible to all.

Policy T-6.3: Strive to preserve existing significant trees and include appropriate street trees and landscaping in the right-of-way that enhance the streetscape and provide shade, but do not interfere with existing overhead utility lines or other preexisting conditions.



Street trees along Market Street

Prior to any roadway design, existing conditions in the area should be thoroughly assessed. New rights-of-way should be landscaped to create attractive corridors that will complement, rather than disrupt, existing neighborhood amenities. However, public views from rights-of-way should not be blocked with landscaping; appropriate landscaping should be used for rights-of-way with public views to maintain the views as the vegetation matures. If existing significant trees are removed, they should be replaced or the loss should be otherwise mitigated. In some cases, transportation projects may be modified to preserve significant trees.

Policy T-6.4: Use corridor, neighborhood or regional plans to study the relationship of transportation facilities and the adjacent neighborhoods in detail.

Corridors in the City are unique and planning for them will vary. The character of each particular neighborhood should be considered to successfully integrate transportation facilities. The neighborhood plan update process is an appropriate time to identify the important characteristics of the neighborhood and the preferences of its residents to use in evaluating transportation projects. Along with the individual neighborhood characteristics and residents’ preferences, regional and State transportation plans should be considered in developing City transportation corridors.

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Policy T-6.5: Minimize change to topography to the extent feasible when building new rights-of-way.

The provision of streets requires large public expenditures for construction and maintenance, as well as other nonmonetary costs to the living environment. This policy is intended to minimize these costs by preserving land and the natural landscape to the maximum extent possible.

Policy T-6.6: Identify, evaluate, and minimize or mitigate the negative environmental impacts of transportation facilities and services whenever feasible.

When planning transportation facilities, both public and private, the environmental impacts of the facility need to be evaluated and minimized, and appropriate mitigation included. Environmental impacts of transportation facilities and services can include shoreline, wetland and stream encroachment, vegetation removal, air quality deterioration, noise pollution, and landform changes.

FINANCE

The Comprehensive Plan's funding strategy gives high priority to maintenance of the existing circulation system in a safe and serviceable condition. The strategy for the remaining transportation resources largely devotes them to creating a better balance among travel modes. These new systems include pedestrian, bicycle, transit, and ridesharing facilities and services. This support of new systems results in a funding trade-off, financing the creation of a new, more balanced, circulation environment that gets more use by pedestrians and transit users, instead of financing road improvements that could potentially make it easier to travel by single-occupant vehicle.

Through mitigation some of the forecasted congestion could be reduced (though not eliminated) by substantially increasing the amount of transportation funding and using the revenues to increase system capacity (particularly road capacity). However, it has been assumed in the Comprehensive Plan that available financial resources will continue to be substantially

limited. In addition, the region's jurisdictions have already reached a consensus not to base their transportation future (nor funding for it) on a vastly expanded road system or the dispersed patterns of development that these systems support. This consensus is supported by State and federal policies and funding guidelines. Kirkland's plan and funding strategy are consistent with these larger systems and financial commitments.

The Growth Management Act requires local jurisdictions, including Kirkland, to identify and fund transportation improvements that are sufficient to sustain the level of service standard that has been selected and approved by that jurisdiction. The program of improvements must be funded by revenues that Kirkland agrees to commit toward their construction over the next six-year period. Revenues may include sources such as transportation mitigation fees, State and federal grants, and others.

Section D of this chapter contains a list and map of transportation projects that have been identified for the 20-year planning period. The Capital Facilities Element includes the six-year program of improvements with identified funding sources. Each year the six-year program will be reassessed with regard to funding commitments, project feasibility, and relationship to the implementation of the Comprehensive Plan. The Capital Facilities Element also includes a list of projects over a multi-year period in time as noted in the combined Tables CF-8 and CF-8A.

In addition to local projects managed and financed primarily by Kirkland, a number of regional projects are expected to be implemented during the planning period. These projects include improvements to I-405 and its interchanges as well as a regional high-capacity transit system. For this Comprehensive Plan, the high-capacity transit system is assumed to be funded and constructed within the planning period consistent with transportation plans for the adjoining cities of Bellevue and Redmond. The Kirkland Comprehensive Plan can be amended to reflect any future changes in the regional system.

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Goal T-7: Balance overall public capital expenditures and revenues for transportation.

Policy T-7.1: Actively seek financial resources to pursue construction and maintenance of transportation facilities.

The City pursues funds authorized by federal transportation funding legislation and various State sources. The City also uses revenue sources such as road impact fees and the Second One-Quarter Percent Real Estate Excise Tax.

Policy T-7.2: Recognize financial constraints when planning transportation facilities.

Transportation funding is limited and unpredictable. Proposals for transportation facilities must be realistic and reflect this condition.

Policy T-7.3: Provide transportation investments in transit and nonmotorized improvements, and support federal and State efforts for high-occupancy vehicle improvements that provide alternatives to single-occupant vehicles.

In order to meet goals for creating a multimodal transportation system, investments must be made in the effective modes which have historically been overlooked.

COORDINATION

Kirkland's transportation system is not isolated but is integrally connected with a system of federal, State, and County transportation systems and the systems of adjacent jurisdictions. Consequently, transportation planning requires careful interjurisdictional coordination.

The Growth Management Act requires close coordination among local, regional, and State plans and programs. This requirement assumes that each jurisdiction is part of a larger whole and that the actions of one affect and are affected by the actions of other jurisdictions, particularly in the area of transportation planning.

Goal T-8: Actively work to identify, review, and resolve interjurisdictional transportation concerns affecting Kirkland.

Policy T-8.1: Participate in regional transportation planning.

The City of Kirkland is represented on a variety of regional transportation planning programs along with other municipalities, King County, Washington State Department of Transportation and Sound Transit.

Policy T-8.2: Participate in the planning, design, funding, and development of a regional high-capacity transit system as a travel option for regional passenger travel.

A regional system will greatly influence Kirkland's pattern of development, character, and mobility. For this reason it is important for the City to be actively involved in the decisions which will shape the system. We need to ensure that it will be developed in a way that is consistent with our land use and transportation plans.

Policy T-8.3: Coordinate City transportation plans with the transportation and land use plans of neighboring jurisdictions, special districts and State and regional transportation agencies, as appropriate, to identify opportunities to maximize benefits while minimizing financial expense.

Kirkland is already actively coordinating with Bellevue and Redmond through the use of a shared computerized transportation model. Regional transportation planning programs are other useful forums for coordinating plans. In addition, the City should look for new opportunities for interlocal and regional coordination.

Policy T-8.4: Investigate interlocal agreements which will require development within neighboring jurisdictions to pay transportation impact fees to Kirkland and require development within Kirkland to mitigate significant impacts on the transportation systems of neighboring jurisdictions.

Traffic, and its impacts, is not affected by City limits. Development close to City boundaries will generate

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traffic which may impact intersections or streets in adjoining cities. Interlocal agreements are legally binding documents spelling out how two adjoining cities will handle mitigation of impacts in these cases.

Policy T-8.5: Cooperate with adjacent jurisdictions to develop a regional network of facilities for nonmotorized transportation.

Bicyclists and pedestrians, like vehicular traffic, have needs which cross City boundaries. The best regional nonmotorized system is one which is carefully coordinated to provide the most convenient and safe routes to major destinations.

Policy T-8.6: Strive to meet federal and State air quality standards.

Kirkland is part of the central Puget Sound region which is a federally designated non-attainment area. In order to comply with the Washington State Clean Air Conformity Act, the federal Clean Air Act, and to be consistent with the Growth Management Act, Metropolitan Transportation Plan, and Electric Vehicle Infrastructure Act, the City must commit to strategies to reduce pollutants. As described previously in this Element, the City is committed to creating a balanced multimodal transportation system and decreased dependence on fossil fuel. The emphasis on increasing travel options and reducing single-occupant vehicle use is the City's primary strategy for complying with air quality legislation. Additionally, encouraging electric vehicle use helps maintain air quality. The City will also coordinate with the Puget Sound Air Pollution Control Agency as needed to address air quality issues.

D. TRANSPORTATION FACILITY PLAN

Tables CF-8, CF-8A and CF-9, located in the Capital Facilities Plan, and Table T-5 and Figures T-2, T-3, T-6 and T-7 in this Element are interrelated. Together they comprise the overall transportation system and network for the City. Table CF-8 is a list of funded six-year transportation projects along with a financing plan; Table CF-8A, combined with Table CF-8, pro-

vides a multi-year financing plan for transportation projects projecting beyond the adopted six-year Capital Facilities Plan. Table CF-9 is a list of all 2022 transportation projects and is divided into three sections: (1) Nonmotorized; (2) Street Improvements; and (3) Traffic Improvements (which includes transit projects). Projects are grouped under these broad categories for ease of reference.

Table CF-9 provides the following information for each transportation project listed:

- ◆ Cost;
- ◆ CIP project number (if funded in CIP);
- ◆ Source; and
- ◆ Supporting goal.

Table T-5 contains a narrative description and more information about each project. Figure T-6 is a map of the projects.

Figures T-2 and T-3 are the Potential Pedestrian System and Potential Bicycle System, respectively. The potential projects shown on these maps are also shown in Figure T-6 and listed in Table CF-9, located in the Capital Facilities Element. Figures T-2 and T-3 show both the existing and proposed system and, therefore, display the total potential nonmotorized transportation system.

Figure T-7 is a map of the existing signalized intersections. Proposed signals and signal improvements are mapped in Figure T-6 and listed in Table CF-9, located in the Capital Facilities Element.

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Table T-5
Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded)

Nonmotorized Improvements

NM20-2 Nonmotorized Facilities

Location: 116th Avenue NE (south section) (NE 60th Street to south City limits)

Description: Widen road to provide a paved five-foot bicycle lane north and southbound. Install pedestrian/equestrian trail along the east side of road. This trail will be separated from the roadway where possible. Partially funded CIP project NM 0001; schedule completion is dependent on grant funding.

NM20-3 Sidewalk

Location: 13th Avenue, Van Aalst Park to 3rd Street

Description: Install sidewalk and planter strip along the south side of 13th Avenue. Candidate CIP project NM 0054, included as a part of annual nonmotorized program NM 8888.

NM20-4 Pedestrian/Bicycle Facility

Location: 18th Avenue at Crestwoods Park/NE 100th Street, from 6th Street to 111th Avenue NE at the Cross Kirkland Corridor right-of-way

Description: Installation of paved path and overpass along the described corridor. Unfunded CIP project NM 0031.

NM20-5 Sidewalk

Location: 93rd Avenue NE from Juanita Drive to NE 124th Street

Description: Installation of curb, gutter, sidewalk and planter strip along the east side. Candidate CIP project NM 0032, included as a part of annual nonmotorized program NM 8888.

NM20-6 Sidewalk

Location: NE 52nd Street between approximately Lake Washington Boulevard and 108th Avenue NE

Description: Install curb, gutter and sidewalk along the north side of the street. Improve storm drainage along project alignment. Unfunded CIP project NM 0007.

NM20-7 Nonmotorized Facilities

Location: Cross Kirkland Corridor right-of-way, between south and north City limits (formerly the BNSF right-of-way)

Description: 10- to 12-foot-wide two-way bike/pedestrian multi-purpose asphalt trail. Unfunded CIP project NM 0024.

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Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

NM20-8	Sidewalk
Location:	122nd Avenue NE, between NE 70th Street and NE 75th Street
Description:	Install curb, gutter and sidewalk along the east side between NE 70th Street and NE 75th Street, and along the west side between NE 75th Street and NE 80th Street. Candidate CIP project NM 0055; included as a part of annual nonmotorized program NM 8888.
NM20-10	Bike Lane
Location:	NE 100th Street, Slater Avenue NE to 132nd Avenue NE
Description:	Provide markings, minor widening and other improvements to create a bicycle connection from the 100th Street overpass to 132nd Avenue NE. Candidate CIP project NM 0036, included as a part of annual nonmotorized program NM 8888.
NM20-11	Sidewalk
Location:	NE 95th Street from 112th Avenue NE to 116th Avenue NE
Description:	Install curb, gutter, sidewalk and storm drain along north side. Unfunded CIP project NM 0045.
NM20-12	Sidewalk
Location:	18th Avenue West from Market Street to Rose Point Lane
Description:	Install curb, gutter, sidewalk and storm drain along roadway. Candidate CIP project NM 0046, included as a part of annual nonmotorized program NM 8888.
NM20-13	Sidewalk
Location:	116th Avenue NE from NE 70th Street to NE 75th Street
Description:	Installation of curb, gutter, sidewalk and storm drainage along east side of roadway. Unfunded CIP project NM 0047.
NM20-14	Sidewalk
Location:	130th Avenue NE, NE 95th Street to NE 100th Street
Description:	Installation of curb, gutter, sidewalk and storm drainage along west side of roadway. Unfunded CIP project NM 0037.
NM20-15	Pedestrian/Bicycle Bridge
Location:	NE 90th Street, 116th Avenue NE to Slater Avenue; across I-405
Description:	Pedestrian/bicycle bridge approximately 10 feet wide, with approaches on each end. Unfunded CIP project NM 0030.

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Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

NM20-16A	Sidewalk
Location:	NE 90th Street, 124th Avenue NE to 128th Avenue NE (Phase I)
Description:	Installation of curb, gutter and sidewalk along the north side. Unfunded CIP project NM 0056.
NM20-16B	Sidewalk
Location:	NE 90th Street, 120th Avenue NE to 124th Avenue NE, and 128th Avenue NE to 132nd Avenue NE (Phase II)
Description:	Installation of curb, gutter and sidewalk along the north side. Unfunded CIP project NM 0026.
NM20-17	Pathway/Sidewalk
Location:	NE 60th Street from 116th Avenue NE to 132nd Avenue NE
Description:	Half-street improvements along the north side to include pathway/sidewalk, curb and gutter (where appropriate), storm drainage/conveyance (natural and/or piped) and minor widening; accommodations for equestrians will be reviewed during the design. Unfunded CIP project NM 0048.
NM20-18	Pedestrian Facility
Location:	Forbes Creek Drive from Crestwoods Park to Juanita Bay Park
Description:	Installation of curb, gutter and sidewalk along the north side of Forbes Creek Drive from approximately 108th Avenue NE to approximately Market Street. Unfunded CIP project NM 0041.
NM20-19	Pedestrian/Bicycle Facility
Location:	NE 126th Street/Totem Lake Way from 120th Avenue NE to 132nd Place NE
Description:	Installation of paved multi-purpose path and storm drainage along corridor. Candidate CIP project NM 0043, included as a part of annual nonmotorized program NM 8888.
NM20-20	Crosswalk Upgrades
Location:	Various locations throughout City
Description:	Pedestrian crossing improvements. Projects are combined and funded every two years under CIP project NM 0012.
NM20-21	Annual Pedestrian Improvements
Location:	Various locations throughout City
Description:	Continue to prioritize and install pedestrian improvements to meet the adopted level of service.
NM20-22	Annual Bicycle Improvements
Location:	Various locations throughout the City
Description:	Continue to prioritize and install bicycle improvements to meet the adopted level of service.

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Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

NM20-23	Sidewalk
Location:	112th Avenue NE from NE 87th Street to NE 90th Street
Description:	Installation of curb, gutter, sidewalk and storm drain along west side of roadway. Candidate CIP project NM 0049, included as a part of annual nonmotorized program NM 8888.
NM20-24	Sidewalk
Location:	NE 80th Street from 126th Avenue NE to 130th Avenue NE
Description:	Installation of curb, gutter, sidewalk and storm drain along south side of roadway. Candidate CIP project NM 0050, included as a part of annual nonmotorized program NM 8888.
NM20-26	Sidewalk
Location:	Kirkland Way from 8th Street to Ohde Avenue
Description:	Installation of curb, gutter, sidewalk and storm drain along the roadway. Unfunded CIP project NM 0063.
NM20-27	Sidewalk
Location:	NE 112th Street from 117th Place NE to the Cross Kirkland Corridor right-of-way crossing
Description:	Installation of curb, gutter, sidewalk and storm drain along north side of roadway. Candidate CIP project NM 0053, included as a part of annual nonmotorized program NM 8888.
NM20-28	Annual Sidewalk Maintenance Program
Location:	Citywide
Description:	Repair and replacement of existing sidewalks to provide safe pedestrian travel ways and to maintain the value of the sidewalk infrastructure. Funded CIP project NM 0057.
NM20-29	Nonmotorized/Emergency Access Connection
Location:	111th Avenue from Cross Kirkland Corridor north to Forbes Creek Drive
Description:	Install paved nonmotorized facility with retractable bollards and/or emergency vehicle actuated gate(s) to prevent through traffic. Identified in the Highlands Neighborhood Plan; unfunded CIP project NM 0058.
NM20-32	Pedestrian Enhancements
Location:	Park Lane from Lake Street to Peter Kirk Park – Phase II
Description:	Repair and replacement of aged and broken sidewalks, curb, gutter and storm drain along this heavily used downtown pedestrian corridor. Existing trees will be reviewed with the objective of improving the overall tree canopy; low impact development standards will be incorporated into the project. Unfunded CIP project NM 0064 001.

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Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

NM20-35	Annual Nonmotorized Program
Location:	Citywide
Description:	Install up to various funding levels in annually any number of funded or unfunded CIP projects based on the active transportation plan criteria. Funded CIP project NM 8888.
NM20-36	Sidewalk
Location:	NE 104th Street between 126th Avenue NE and 132nd Avenue NE
Description:	Install curb, gutter, sidewalk and storm drainage along roadway to improve existing Mark Twain Elementary School walk route. Unfunded CIP project NM 0061.
NM20-37	Sidewalk
Location:	19th Avenue from Market Street to 4th Street
Description:	Install curb, gutter, sidewalk and storm drainage along south side of road to improve existing walk route to Kirkland Jr. High School. Unfunded CIP project NM 0062.
NM20-38	Sidewalk
Location:	NE 132nd Street from 84th Avenue NE to 87th Avenue NE
Description:	Install curb, gutter, sidewalk and planter strip along NE 132nd Street that currently does not have a sidewalk. ADA compliant wheelchair ramps will be installed at crosswalk locations. Unfunded CIP project NM 0071 as grant funding is sought.
NM20-40	Nonmotorized Facilities
Location:	Cross Kirkland Corridor right-of-way, between south and north City limits (formerly the BNSF right-of-way)
Description:	A Master Plan to develop the Cross Kirkland Corridor as a public asset for future transportation purposes. Development of the corridor is envisioned to include facilities for pedestrians and bicycles, and in the future, transit. Unfunded CIP project NM 0024. Funded CIP project CNM 0024 101.
NM20-41	Nonmotorized Facilities
Location:	NE 132nd Street from 82nd Avenue NE to 84th Avenue NE
Description:	Install curb, gutter and sidewalk along south side of NE 132nd Street and west side of 84th Ave NE to complete missing links between Carl Sandberg Elementary and Finn Hill Middle School. Unfunded CIP project CNM 0072.
NM20-42	Nonmotorized Facilities
Location:	Citywide
Description:	Establishing a new neighborhoods-based project for minor transportation related improvements throughout the city. Funded CIP project NM 0073.

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Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

NM20-43	Nonmotorized Facilities
Location:	90th Avenue NE north of NE 134th Street
Description:	Construct curb, gutter and sidewalk along west side of 90th Avenue NE from NE 134th Street to the north, connecting existing sidewalk near 13427 90th Avenue NE. Unfunded CIP project NM 0074.
NM20-44	Nonmotorized Facilities
Location:	84th Avenue NE from NE 145th Street to NE 124th Street
Description:	Construct curb, gutter and sidewalk along the west side of 84th Avenue NE between NE 145th Street to Finn Hill Junior High School, and along west side of 84th Avenue NE between NE 128th Street and NE 124th Street. Unfunded CIP project CNM 0075.
NM20-45	Nonmotorized Facilities
Location:	NE 140th Street between 127th Place NE and 132nd Avenue NE
Description:	Construct curb, gutter and sidewalk along south side of NE 140th Street between 127th Place NE and 132nd Avenue NE. Unfunded CIP project NM 0026.
NM20-46	Nonmotorized Facilities
Location:	North side of NE 140th Street from Juanita-Woodinville Way to 113th Avenue NE
Description:	Construct curb, gutter and sidewalk along south side of NE 140th Street from Juanita-Woodinville Way to 113th Avenue NE. Unfunded CIP project NM 0077.
NM20-47	Nonmotorized Facilities
Location:	South side of NE 140th Street from Juanita-Woodinville Way to 113th Avenue NE
Description:	Construct curb, gutter and sidewalk along south side of NE 140th Street between Juanita-Woodinville Way and 113th Avenue NE. Unfunded CIP project NM 0078.
NM20-48	Nonmotorized Facilities
Location:	NE 140th Street between 124th Avenue NE and 127th Place NE
Description:	Construct curb, gutter and sidewalk along south side of NE 140th Street between 124th Avenue NE and 127th Place NE. Unfunded CIP project NM 0079.

Street Improvements

ST20-1	New Street
Location:	118th Avenue NE, NE 116th Street to NE 118th Street
Description:	Extend two-lane roadway, including sidewalk facilities, storm drainage and landscaping. Unfunded CIP project ST 0060.

IX. TRANSPORTATION

Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

ST20-2	New Street
Location:	119th Avenue NE, NE 128th Street to NE 130th Street
Description:	Extend two-lane roadway, including sidewalk facilities, storm drainage and landscaping. Unfunded CIP project ST 0061.
ST20-3	Street Widening
Location:	120th Avenue NE, NE 128th Street to NE 132nd Street
Description:	Reconstruct from the existing three-lane section to five lanes with sidewalks. Candidate CIP project ST 0063, included as a part of the annual concurrency street improvements ST 8888.
ST20-4	Street Widening
Location:	124th Avenue NE, NE 116th Street to NE 124th Street
Description:	Widen to five lanes, from existing three lanes with sidewalks. Candidate CIP project ST 0059; design began in 2007; however, completion is dependent upon grant funding included as part of the annual concurrency street improvements ST 8888.
ST20-5	Street Widening
Location:	124th Avenue NE, NE 85th Street to NE 116th Street
Description:	Widen to three lanes, with a center two-way left-turn lane (including landscaped center median islands where possible) and two travel lanes, construct bicycle lanes, curb and gutter, sidewalk, storm drainage and landscaping. Unfunded CIP project ST 0064.
ST20-6	Street Widening
Location:	132nd Avenue NE/NE 85th Street to NE 120th Street
Description:	Widen to three lanes with bike lanes, sidewalks, curb and gutter, landscaping and storm drainage improvements. Unfunded CIP project ST 0056.
ST20-7	Bridge Replacement
Location:	98th Avenue NE at Forbes Creek
Description:	Reconstruct bridge across Forbes Creek from Market Street into Juanita area in order to meet current seismic requirements. Unfunded CIP project ST 0055.
ST20-8	New Street
Location:	120th Avenue NE from NE 116th Street to Cross Kirkland Corridor crossing
Description:	Construct 2/3 lanes as needed with pedestrian/bicycle facilities. Unfunded CIP project ST 0073.

IX. TRANSPORTATION

Table T-5
Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

ST20-9	New Street
Location:	NE 120th Street (east section), from Slater Avenue NE to 124th Avenue NE
Description:	Construct 2/3 lanes as needed with pedestrian/bicycle facilities. Project ST 0057-001 moved to funded for 2012 due to receipt of federal STP grant.
ST20-10	Street Improvements
Location:	120th Avenue NE, from Totem Lake Boulevard to NE 128th Street and Totem Lake Plaza
Description:	Install various traffic calming measures, on-street parking, pedestrian and landscape improvements. Unfunded CIP project ST 0070.
ST20-11	New Street
Location:	NE 130th Street, Totem Lake Boulevard to 120th Avenue NE
Description:	Extend two-lane roadway including nonmotorized facilities, storm drainage and landscaping. Unfunded CIP project ST 0062.
ST20-12	New Street
Location:	NE 120th Street (west section) from 124th Avenue NE to Cross Kirkland Corridor crossing
Description:	Construct 2/3 lanes as needed with pedestrian/bicycle facilities. Unfunded CIP project ST 0072.
ST20-13	Annual Street Preservation Program
Location:	Various sites throughout the City based on Pavement Management Program
Description:	Patch and overlay existing streets to provide safe travel ways and maintain the value of the street infrastructure. Funded CIP project ST 0006.
ST20-14	Street Widening
Location:	NE 132nd Street from 100th Avenue NE to the WSDOT interchange
Description:	Addition of landscape and median islands, repair of curb, gutter and sidewalk. Repaving and restriping to accommodate bike lanes. Configuration as outlined in the 2008 NE 132nd Street master plan. Unfunded CIP project ST 0077.
ST20-15	Street Widening
Location:	NE 132nd Street from WSDOT Interchange to 124th Avenue NE
Description:	Addition of landscape and median islands, repair of curb, gutter and sidewalk. Repaving and restriping to accommodate bike lanes. Configuration as outlined in the 2008 NE 132nd Street master plan. Unfunded CIP project ST 0078.

IX. TRANSPORTATION

Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

ST20-16	Street Widening
Location:	NE 132nd Street from 124th Avenue NE to 132nd Avenue NE
Description:	Addition of landscape and median islands, repair of curb, gutter and sidewalk. Repaving and restriping to accommodate bike lanes. Configuration as outlined in the 2008 NE 132nd Street master plan. Unfunded CIP project ST 0079.
ST20-17	Street Improvements
Location:	Annual Striping Program
Description:	Annual program to maintain markings that identify travel lanes and other guidance markings for auto, pedestrian, bicycle, transit and other forms of transportation. The program will result in restriping of more than 30 miles of collector and arterial streets throughout the City. Funded CIP project ST 0080.
ST20-18	Annual Concurrency Street Improvements
Location:	Citywide
Description:	This project provides for the construction and reconstruction of city roadways to meet concurrency needs to help the City attain the 2022 level of service standards established in the Comprehensive Plan. Candidate projects under this annual program are identified above and include other improvements, as deemed appropriate. Funded CIP project ST 8888.
ST20-19	Annual Street Preservation Program – One Time Project
Location:	NE 85th Street
Description:	The overlay of NE 85th Street coincident with intersection, roadway and other improvements associated with CIP projects NM 0051, ST 0075, TR 0078, and TR 0080. Funds became available through the State Department of Transportation (WSDOT) as a result of the recent jurisdictional transfer of SR908 from the WSDOT to the City of Kirkland. Funded CIP project ST 0006 002.
ST20-20	Street Maintenance and Pedestrian Safety
Location:	Citywide
Description:	Voter approved levy funded annual project to meet City Council goals for dependable infrastructure, balanced transportation, neighborhoods, public safety, and financial stability. Funded CIP project ST 0006 003.
ST20-21	Development Opportunity Program
Location:	Totem Lake
Description:	Establishing a new project in anticipation of development opportunities funded through grants that may require a City matching portion. Unfunded CIP project ST 0081.

IX. TRANSPORTATION

Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

ST20-22	Street
Location:	Juanita Drive Corridor
Description:	Master plan to guide future capital improvement construction phases for Juanita Drive. Funded CIP project ST 0082.
ST20-23	Street
Location:	100th Avenue NE from NE 139th Street to NE 145th Street
Description:	Widen existing roadway to improve existing five-lane to two-lane transition. Unfunded CIP project ST 0083.

Intersection Improvements

TR20-1	Traffic Signal
Location:	100th Avenue NE/NE 124th Street
Description:	Construct a northbound receiving lane on the north leg of the intersection and conversion of existing northbound right-turn lane to a through/right-turn configuration. Unfunded CIP project TR 0084.
TR20-2	Intersection Improvements
Location:	Kirkland Way/Cross Kirkland Corridor Abutment/Intersection Improvements
Description:	New railroad undercrossing along Kirkland Way, installation of sidewalks and bike lanes in immediate vicinity, improve clearance between roadway surface and overpass, and improve sight distance. Unfunded CIP project TR 0067.
TR20-3	Traffic Signal
Location:	6th Street/Kirkland Way
Description:	Construct a new signal at this intersection. The project will include controlled pedestrian crosswalks. Funded CIP project TR 0065.
TR20-4	Intersection Improvements
Location:	Totem Lake Way/120th Avenue NE
Description:	Install traffic signal to minimize traffic conflict, improve safety and traffic operation. It is anticipated that the design and construction timing is concurrent with the development of Totem Lake Mall which will be required to install the traffic signal as part of SEPA mitigation. Unfunded CIP project TR 0099.

IX. TRANSPORTATION

Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

TR20-5	HOV Queue Bypass
Location:	NE 124th Street and I-405, east to southbound
Description:	Construct an additional lane and signal improvements to allow connection from NE 124th Street to the HOV lane on the southbound freeway access ramp. Unfunded CIP project TR 0057.
TR20-6	Intersection Improvements
Location:	NE 85th Street/120th Avenue NE
Description:	Project will add one northbound right-turn lane and one new westbound and one new eastbound travel lane on NE 85th Street. Candidate CIP project TR 0088, included as a part of the annual concurrency traffic improvements TR 8888.
TR20-7	Intersection Improvements
Location:	NE 85th Street/132nd Avenue NE
Description:	Project will add one new westbound and one new eastbound travel lane on NE 85th Street. Unfunded CIP project TR 0089.
TR20-8	HOV Queue Bypass
Location:	NE 85th Street and I-405, east to southbound
Description:	Construct an additional lane and signal improvements to allow connection from NE 85th Street to the HOV lane on the southbound freeway access ramp. Funded CIP project TR 0056.
TR20-9	HOV Queue Bypass
Location:	Lake Washington Boulevard at Northup Way
Description:	Add southbound Lake Washington Boulevard queue bypass lane from Cochran Springs to westbound SR 520. Unfunded CIP project TR 0068.
TR20-10	Queue Bypass and HOV Facilities
Location:	Various as identified
Description:	Intersection improvements or HOV lanes that are not included in other projects as follows: <ol style="list-style-type: none"> 1. NE 116th Street/I-405 queue bypass eastbound to southbound (unfunded CIP project TR 0072) 2. NE 85th Street/I-405 queue bypass westbound to northbound (unfunded CIP project TR 0074) 3. NE 70th Street/I-405 queue bypass eastbound to southbound (unfunded CIP project TR 0073) 4. NE 124th Street/I-405 westbound to northbound (unfunded CIP project TR 0075)

IX. TRANSPORTATION

Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

TR20-11 Intersection Improvements

Location: Various as identified

Description: New signals or signal improvements that are not included in other projects are as follows:

1. Kirkland Avenue/Lake Street South
2. Lake Street South/2nd Avenue South
3. Market Street/Central Way
4. Market Street/7th Avenue NE
5. NE 53rd Street/108th Avenue NE
6. NE 60th Street/116th Avenue NE
7. NE 60th Street/132nd Avenue NE
8. NE 64th Street/Lake Washington Boulevard
9. NE 70th Street/120th Avenue NE or 122nd Avenue NE
10. NE 80th Street/132nd Avenue NE
11. NE 112th Street/124th Avenue NE
12. NE 116th Street/118th Avenue NE
13. NE 116th Street/124th Avenue NE (northbound dual left turn) (TR 0092)
14. NE 126th Street/132nd Place NE
15. NE 128th Street/Totem Lake Boulevard
16. NE 100th Street/132nd Avenue NE
17. Market Street/Forbes Creek Drive
18. NE 112th Street/120th Avenue NE
19. Totem Lake Boulevard/120th Avenue NE

TR20-12 Intersection Improvements

Location: NE 70th Street/132nd Avenue NE

Description: Install westbound and northbound right-turn lanes. Candidate CIP project TR 0086, included as a part of the annual concurrency traffic improvements TR 8888.

TR20-13 Intersection Improvements

Location: Lake Washington Boulevard at NE 38th Place

Description: Install upgrades to the existing signalized intersection including one additional northbound Lake Washington Boulevard travel lane through the intersection. Replace all existing pedestrian facilities and consolidate commercial driveways where feasible. Funded CIP project TR 0090.

IX. TRANSPORTATION

Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

TR20-14	Intersection Improvements
Location:	124th Avenue NE at NE 124th Street – Phase III
Description:	Install improvements on the north leg of this intersection. Candidate CIP project TR 0091; included as a part of the annual concurrency traffic improvements, TR 8888.
TR20-15	Intersection Improvements
Location:	100th Avenue NE/NE 132nd Street
Description:	Construct a northbound receiving lane on the north leg of the intersection and conversion of existing northbound right-turn lane to a through/right-turn configuration. Construct a second southbound left-turn lane. Candidate CIP project TR 0083, included as a part of the annual concurrency traffic improvements TR 8888.
TR20-16	Traffic Signal
Location:	Central Way and Park Place entrance (between 4th Street and 5th Street)
Description:	Install traffic signal to minimize traffic conflict, improve safety and traffic operation; in addition to these vehicular improvements, existing un-signalized crosswalks at 5th Street and 4th Street will be eliminated. It is anticipated that the design and construction timing is concurrent with the development of Park Place which will be required to install the traffic signal as part of SEPA mitigation. Funded CIP project TR 0082.
TR20-17	Intersection Improvements
Location:	NE 132nd Street/124th Avenue NE
Description:	Extend existing eastbound left-turn lane to 500 feet and add a second 500-foot eastbound left-turn lane. Widen and restripe east leg to match west leg, widen and restripe north leg for 1,000 feet to provide two northbound through lanes with one southbound left-turn lane and one southbound through/right turn lane. Restripe south leg to match north leg; these improvements will allow this intersection to maintain a vehicular level of service less than the required 1.4 volume to capacity ratio. Funded CIP project TR 0096.
TR20-18	Intersection Improvements
Location:	NE 132nd Street at 116th Way NE to Totem Lake Boulevard/I-405
Description:	Coordination of City ROW and intersection improvements in association with the WSDOT's Half-Diamond Interchange at NE 132nd Street and I-405 as recommended in the NE 132nd Street Master Plan. Funded CIP project TR 0098.
TR20-20	Intersection Improvements
Location:	Central Way/4th Street
Description:	Extend two-way left turn by moving crosswalk to Park Place Signal. Funded CIP project TR 0103.

IX. TRANSPORTATION

Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

TR20-21	Intersection Improvements
Location:	6th Street South/4th Avenue
Description:	Dual eastbound left turn, with widening on 6th Street. Funded CIP project TR 0104.
TR20-22	Intersection Improvements
Location:	Central Way/5th Street
Description:	Install new traffic signal. These improvements will allow the intersection to maintain a level of service less than the required 1.4 volume to capacity ratio. Funded CIP project TR 0105.
TR20-23	Intersection Improvements
Location:	6th Street/7th Avenue
Description:	Add left-turn lanes on northbound and southbound approaches. Funded CIP project TR 0106.
TR20-24	Intersection Improvements
Location:	Market Street/15th Avenue
Description:	Install new traffic signal. These improvements will allow the intersection to maintain a level of service less than the required 1.4 volume to capacity ratio. Funded CIP project TR 0107.
TR20-25	Intersection Improvements
Location:	NE 85th Street/124th Avenue NE
Description:	Add northbound right-turn-only pocket. Funded CIP project TR 0108.
TR20-26	Intersection Improvements
Location:	NE 132nd Street/Juanita High School
Description:	Construct a 250-foot eastbound right turn lane to allow this intersection to maintain a vehicular level of service less than the required 1.4 volume to capacity ratio. Unfunded CIP project TR 0093.
TR20-27	Intersection Improvements
Location:	Totem Lake Plaza/120th Ave NE Intersection Improvements
Description:	Install traffic signal to minimize traffic conflict, improve safety and traffic operation. It is anticipated that the design and construction timing is concurrent with the development of Totem Lake Mall which will be required to install the traffic signal as part of SEPA mitigation. Funded CIP project TR 0110.

IX. TRANSPORTATION

Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

TR20-28	Intersection Improvements
Location:	Totem Lake Plaza/Totem Lake Boulevard
Description:	Install traffic signal and associated roadway improvements between Totem Lake Boulevard and 120th Avenue NE to minimize traffic conflict, improve safety and traffic operations through the Totem Lake Mall. It is anticipated that the design and construction timing is concurrent with the development of Totem Lake Mall which will be required to install the improvements as part of SEPA mitigation. Funded CIP project TR 0109.
TR20-29	Intersection Improvements
Location:	NE 132nd Street/108th Avenue NE
Description:	Construct a 250-foot westbound right turn lane to allow this intersection to maintain a vehicular level of service less than the required 1.4 volume to capacity ratio. Unfunded CIP project TR 0094.
TR20-30	Intersection Improvements
Location:	NE 132nd Street/Fire Station Access
Description:	Modify existing signal to include pedestrian actuated option, as recommended in the NE 132nd Street Master Plan, to aid in helping the corridor with capacity issues in anticipation of the WSDOT Half-Diamond interchange at I-405 and NE 132nd Street and Totem Lake redevelopment. Unfunded CIP project TR 0095.
TR20-31	Intersection Improvements
Location:	NE 132nd Street/132nd Ave NE
Description:	Extend the eastbound left turn and right turn lanes to 500 feet; these improvements will allow this intersection to maintain a vehicular level of service less than the required 1.4 volume to capacity ratio. Unfunded CIP project TR 0097.
TR20-34	Annual Concurrency Traffic Improvements
Location:	Citywide
Description:	This project provides for the construction and reconstruction of traffic signals and/or intersections to meet concurrency needs to help the City attain the 2022 level of service standards established in the Comprehensive Plan. Candidate projects under this annual program are identified above and include other improvements, as deemed appropriate. Funded CIP project TR 8888.
TR20-36	Kirkland ITS Improvements – Phase II
Location:	Citywide
Description:	The incorporation of Intelligent Transportation System (ITS) needs, as identified in the Kirkland Intelligent Transportation System (KITS) Plan approved by Council in 2008. ITS measures will be employed to upgrade current signal equipment, connect signals and ITS field locations with a new central operations management location. Unfunded CIP Project TR 0111 001.

IX. TRANSPORTATION

Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded) (Continued)

TR20-38	Kirkland Citywide Safety and Traffic Flow Improvements
Location:	Citywide
Description:	Improvements to safety and traffic flow on Kirkland’s main arterial corridors through signal timing optimization, signal interconnection enhancements and communication improvements. The project will also enhance signal interconnection and improve communication with the NE 124th Street ITS corridor. Funded CIP project TR 0113 000.
TR20-39	6th Street and Central Way Intersection Improvement Phase 2
Location:	6th Street and Central Way
Description:	New signature “Gateway” to the Central Downtown area of Kirkland, and frontage improvements on 6th Street, additional travel lanes, a bicycle lane, and pedestrian improvements. Unfunded CIP project TR 0100 100.
TR20-40	Kirkland ITS Phase IIB
Location:	NE 132nd Street, 120th Avenue/124th Avenue NE in Totem Lake
Description:	Intelligent Transportation System improvements at nine signals to connect these corridors to the Phase I ITS project and to the City’s Traffic Management Center. Unfunded CIP project TR 0111 002.
TR20-41	Kirkland ITS Phase IIC
Location:	NE 132nd Street, 120th Avenue/124th Avenue NE in Totem Lake
Description:	Intelligent Transportation System improvements at 15 signals to connect these corridors to the Phase I ITS project and to the City’s Traffic Management Center. Unfunded CIP project TR 0111 003.
TR20-42	Slater Avenue NE Traffic Calming Phase I
Location:	Slater Avenue from 100th Street NE to NE 112th Street
Description:	Traffic calming measures along Slater Avenue, including traffic circles, curb bulbs, and a mid-block raised crosswalk. Activated emergency vehicle beacon may also be installed, if further study deems it necessary.

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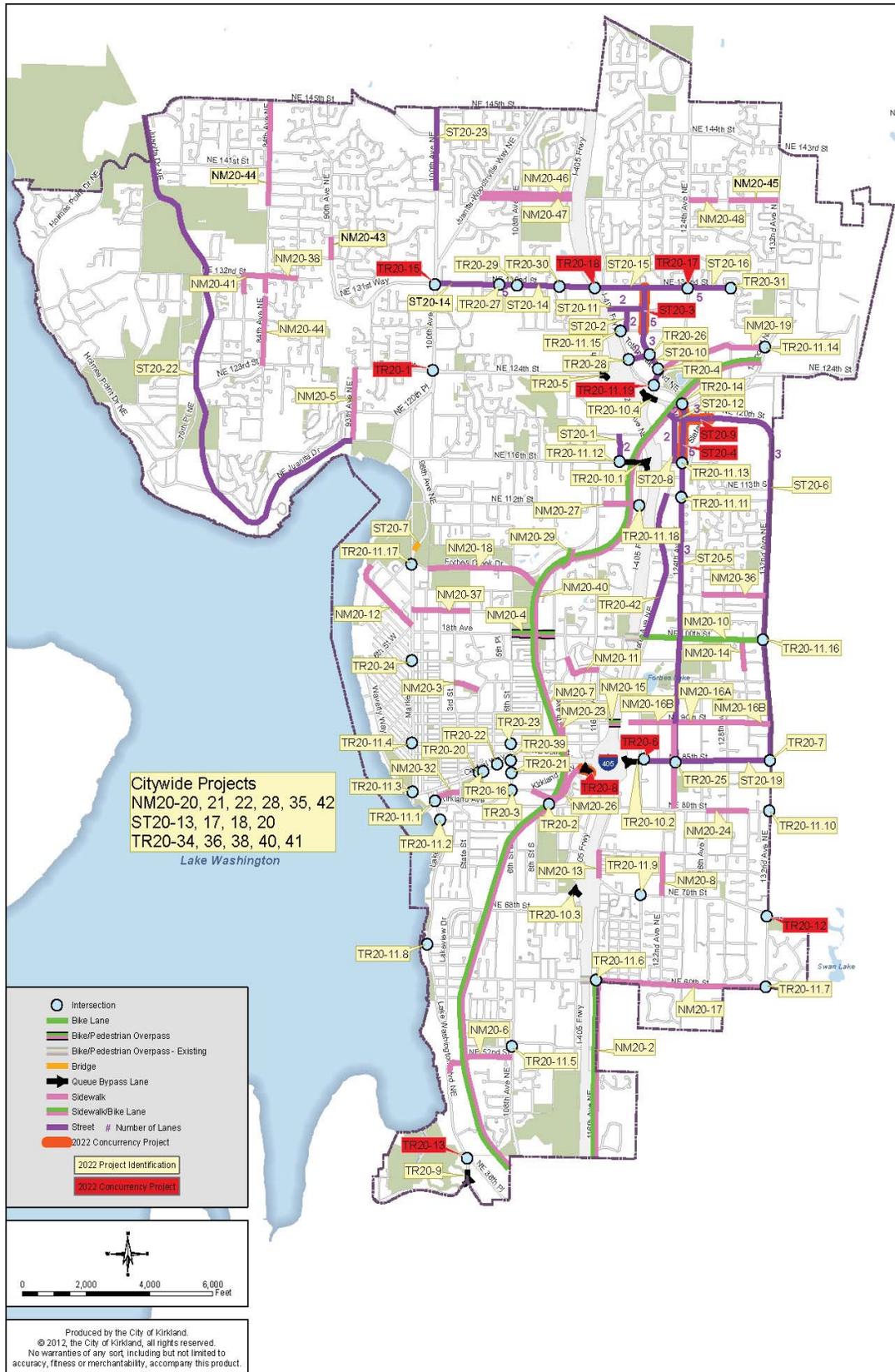


Figure T-6: Transportation Project List Funded/Unfunded

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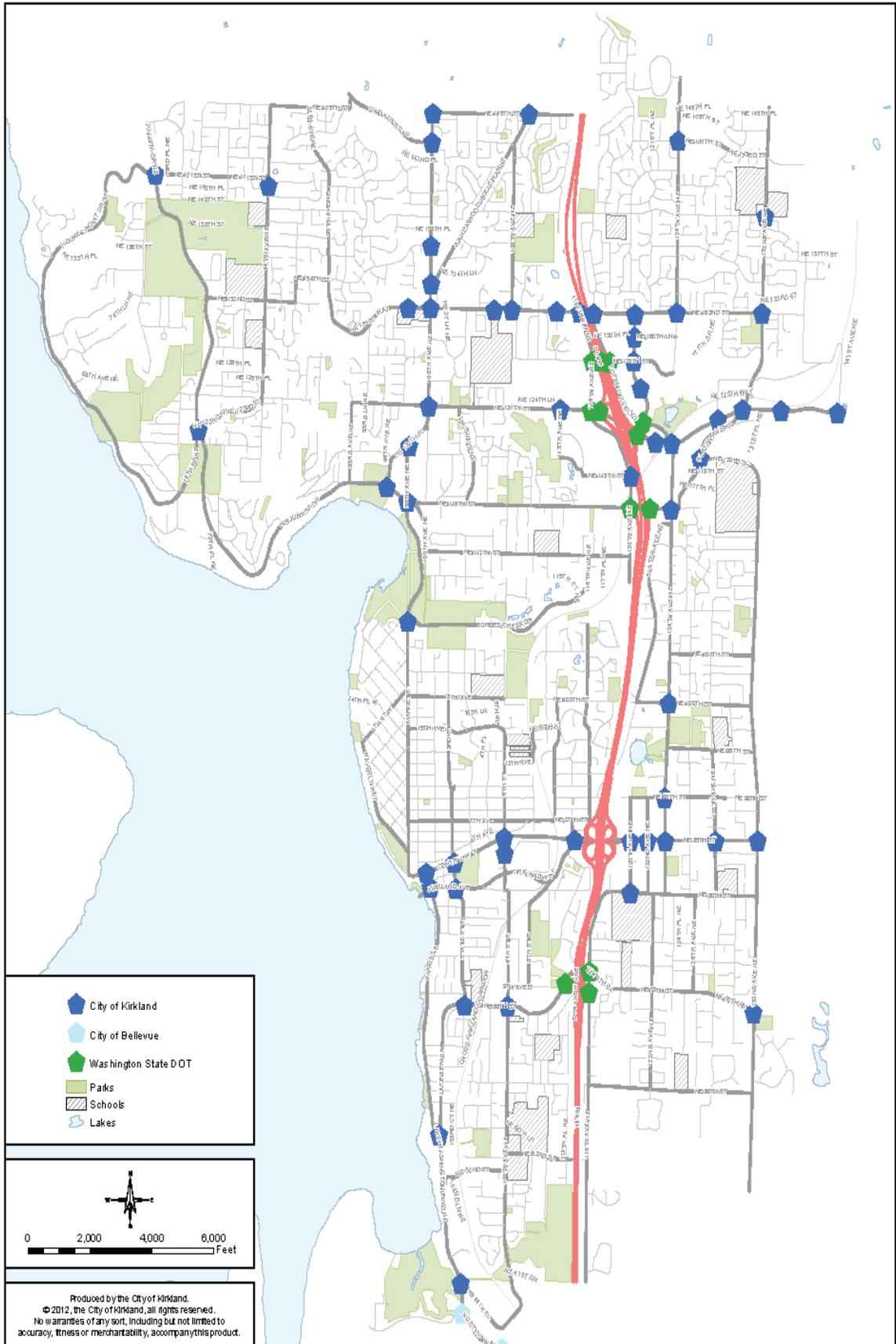


Figure T-7: Signaled Intersections

IX. TRANSPORTATION

E. STATE TRANSPORTATION PLANS AND POLICIES

State law requires that certain information about State facilities be provided in local comprehensive plans. The information does not represent a standard that must be met, but rather a disclosure of the status of State facilities now and in the future. Much of the required information is contained in Tables T-6 and T-7. Also, Figure T-1 shows State facilities in Kirkland. There are two State facilities in Kirkland, SR 908 and I-405. SR 908 runs from just west of I-405 to 132nd Avenue along NE 85th Street, a distance of 0.99 miles. It is an urban principal arterial and is not designated as a Highway of Statewide Significance. From the southern border to the northern border of Kirkland, I-405 is 5.07 miles in length and is an Urban Interstate as well as a Highway of Statewide Significance.

For Highways of Statewide Significance, Washington State Department of Transportation (WSDOT) uses an Annual Average Daily Traffic to one-hour capacity ratio (AADT/C) to determine the severity of congestion over a 24-hour period. AADT/C is the ratio of traffic volume to the physical capacity of the roadway. This is also known as the Average Congestion Ratio or ACR. Index values under this system range from one (little to no congestion) to 24 (theoretically, congestion over the entire 24-hour day). This congestion indicator enables the comparison of each highway's daily volume of traffic to a one-hour capacity. WSDOT has set the current LOS standard for I-405 in Kirkland at ACR 10.

The Washington State Transportation Commission adopted this congestion index measure (ACR) and established thresholds to identify "congested" highways at the index values of 10 for urban highways and six for rural highways. When compared to traditional peak hour measures, these thresholds approximate LOS D operation in urban areas and LOS C operation in rural areas. Highways which exceed these are identified as deficient. SR 908 is a Highway of Regional Significance. Adoption of LOS standards for highways of regional significance (HRS) followed a year-

long process involving WSDOT and the region's cities and counties. WSDOT has set the level of service standard for SR 908 at E-mitigated.

Since 2003, a corridor study for the entire I-405 corridor has been underway. A programmatic EIS has been completed, with further analysis of the alternates occurring in 2004. The exact nature and timing of improvements to I-405 is contingent upon funding.

IX. TRANSPORTATION

Table T-6: State Routes

State Route		PM Peak Hour Two-Way Traffic Volumes					WSDOT ACR-LOS		
		Roadway Capacity 2005/2022	Existing 2006 PM Peak Hour	Forecasted 2022 Traffic Volumes	Existing AADT	2022 AADT	Adopted LOS Standard	Existing 2005 V/C LOS	Future 2022 V/C LOS
I-405									
From	To								
NE 39th St.	NE 70th St.	15,000/19,000	14,260	19,423	199,870	271,635	10	13	14
NE 70th St.	NE 85th St.	15,000/19,000	13,550	18,975	189,680	265,366	10	13	14
NE 85th St.	NE 116th St.	15,000/19,000	13,820	18,944	192,660	264,940	10	13	14
NE 116th St.	NE 124th St.	15,000/19,000	10,136	15,705	141,749	219,641	10	9	12
NE 124th St.	NE 132nd St.	15,000/19,000	8,550	12,218	119,579	170,865	10	8	9
I-405 and NE 85th Street									
SB-405 Ramp	NB-405 Ramp	4,172	3,926	4,596	–	–	E-mitigated	0.94	1.10
NB-405 Ramp	120th Ave. NE	4,172	3,660	4,764	–	–	E-mitigated	0.88	1.14

Table T-7: Signalized State Route Intersections

Signalized State Route Intersections	PM Peak Hour Traffic Volumes		PM Peak Hour LOS			Planned Improvement Projects
	Existing 2007	Future 2022	Existing 2007	Future 2022	Corresponding Letter Grade LOS for 2022	
I-405						
116th Ave. NE/NB Ramp	2,295	3,017	0.92	1.35	F	None
NE 72nd Place/SB Ramp	2,195	2,880	0.89	1.22	F	HOV queue bypass
NE 116th St./NB Ramp	2,914	3,471	0.78	0.90	E	None
NE 124th St./NB Ramp	3,711	4,552	0.52	0.60	B	HOV queue bypass
NE 124th St./SB Ramp	4,396	4,878	0.68	0.74	C	HOV queue bypass
Totem Lake Blvd./120th Ave. NE	3,294	3,181	0.80	0.89	D	None

**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

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MEMORANDUM

To: Kurt Triplett, City Manager

From: David Godfrey, P.E., Transportation Engineering Manager
Ray Steiger, P.E., Public Works Director

Date: Presented in the November 20, 2012 Council Study Session Packet

Subject: Level of Service/Concurrency/Project selection

Over 10 years ago, the Transportation Commission was formed to grapple with the questions of concurrency and level of service. Although the scope of the Commission's work has broadened, the question of improving concurrency has remained on the Commission's work program for much of its history.

Most recently, the Commission has been working on three concurrency and level of service related items arising from the Transportation Conversations document presented to Council in June of 2010:

1. Review and revise concurrency system
2. Develop new level of service standards that align with transportation principles and further define what are those principles
3. Develop clear goals and prioritization systems for project categories

The Transportation Conversations document (Attachment 1) lays out the reasoning behind the need for addressing these issues in more detail. This memo summarizes Commission thinking that has been developed over more than 18 months of working on these questions. The Transportation Commission has agreed to a fairly clear plan of action for items 1 and 2. For item 3, the missing pieces have been identified, but filling in those pieces is not simple. Further, full development of item 1 requires a clear set of projects and completing item 3 is needed to develop that set of projects.

1. Review and revise concurrency system

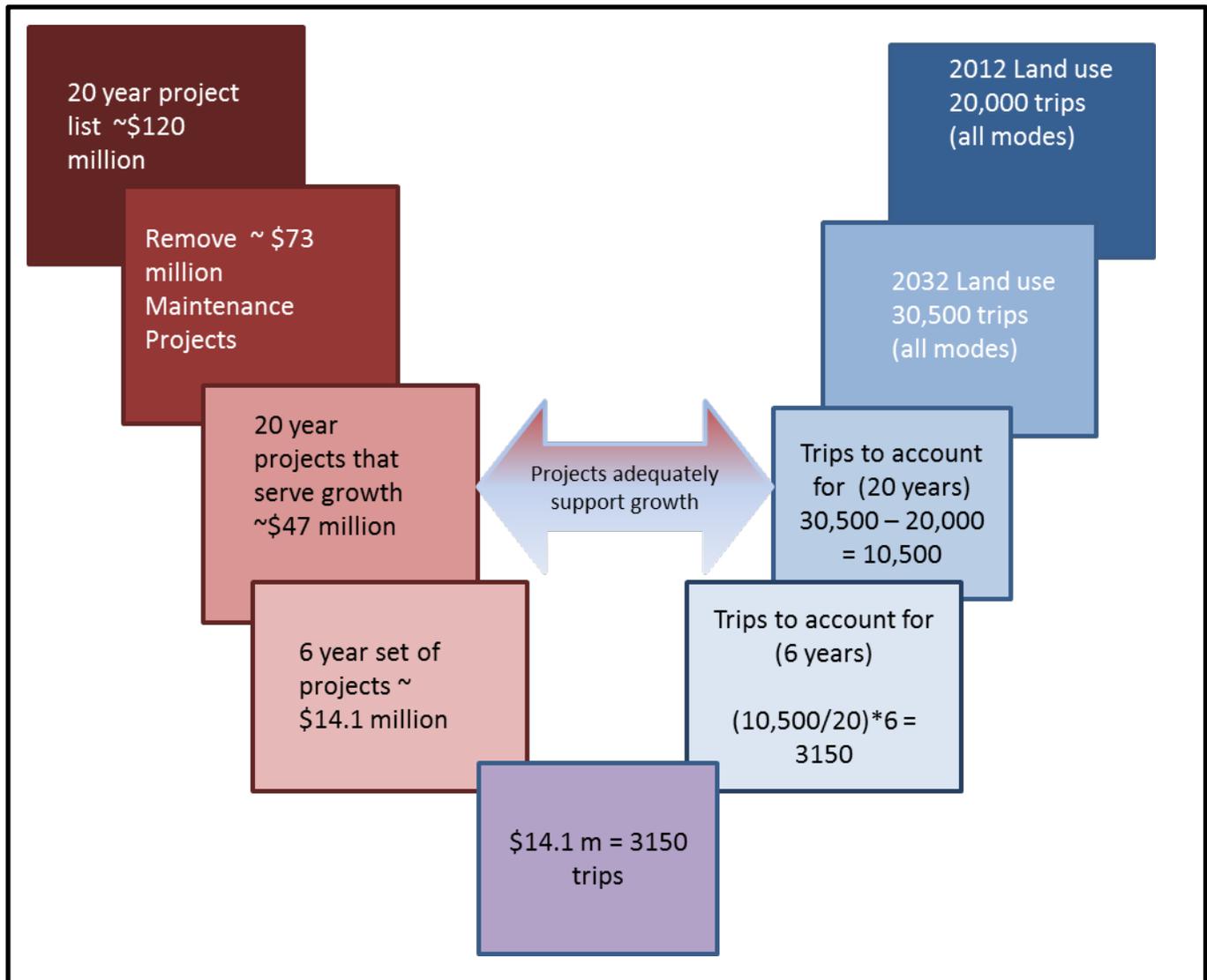
As recommended in Transportation Conversations, "Concurrency should be simplified and should consider transit, bicycling and walking...Concurrency should principally monitor the approved land use and transportation plans and insure that they are being completed in relative balance." Concurrency should help achieve land use and transportation goals, not be an impediment to achieving the goals. With its sole focus on auto capacity at traffic signals, the current concurrency

system does not help achieve the performance measures associated with a balanced transportation plan.

The Commission recommends adopting a concurrency system similar to the system in use by the City of Redmond. The City of Redmond has been successfully using their system for about 2 years. In this system, an agreed upon transportation project list that is fundable over the next 20 years is developed. This list does not include maintenance projects; only those projects that add capacity for any mode. Similarly, a land use plan for that same 20 year time period is identified.

The number of total new trips is assigned to be equal to the new capacity of the total project list. This translation between trips and projects means that the capacity (in trips) can be determined for a given list of projects, such as funded projects on the 6-year CIP.

Figure 1, Relationship between Trips and Transportation Projects



The number of total new PM peak person trips is assigned to be equal to the new capacity of the total project list as shown by the arrow in the chart above. This is an important concept because this is the point where the plans for land use and transportation are joined. Success requires having strong plans that are supported by the community. Concurrency will not decide whether or not development projects are "good" or "bad" only whether or not the number of new trips is being added at approximately the rate that capacity is being added. Furthermore, Concurrency will not decide whether or not the capacity being provided is the "right type" capacity. Again, this is decided when the transportation project list is determined and compared to the land use plan.

Equating trips and projects means that the capacity (in trips) can be determined for a given list of projects, such as funded projects on the following hypothetical 6-year CIP.

Table 1 Hypothetical 6 year funded list (excluding maintenance projects)		
Project	Cost	New person trips
ITS project	\$1,400,000	312
Road project 1	\$1,100,000	245
Road project 2	\$2,043,000	456
Ped project 1	\$5,000,000	1115
Ped project 2	\$400,000	89
Bike project 1	\$1,210,000	270
Bike project 2	\$470,000	105
Bike project 3	\$2,500,000	558
TOTAL	\$14,100,000	3150

Note that all project types in the Transportation Plan contribute to capacity. A concerned person might ask "Do you expect all that new growth to be handled by bike lanes?" That question should be answered earlier in the process, where the Land Use Plan and Transportation Plan are developed. These two plans have to be in balance with the balance representing level of service. Concurrency's role is to indicate whether or not the transportation facilities, regardless of their type, are being constructed at a rate approximately equal to the rate at which the land use plan is being fulfilled.

A ledger system can be set up, with a balance of trips “available” based on funded projects. As new land development projects are considered, the trips being proposed are compared to the trips available. If more trips are available than are being proposed by the new land development project, the project passes concurrency. If a project passes concurrency, its future trips are subtracted from the balance. Trips are added to the balance when transportation projects are added to the funded CIP. This system requires that if concurrency is to be maintained, the 20-year project list needs to be implemented at a rate equal or faster than the rate of development.

If fewer trips are available than what are required by the development, the development can:

- construct transportation improvements that add trip capacity
- wait until more trip capacity is built by the City
- scale back the development scope so that it requires less trip capacity.

Table 2 Sample ledger system for Concurrency

Date	Item	Trips	Balance	Pass?
1/1	Start with 6 years of funded projects	+3150	3150	n/a
Throughout the year	Development 1 (10,000 sq. ft. retail; 100 units residential)	-124	3026	Yes
	Development 2 (200 units residential)	-109	2917	Yes
	Development 3 (Retail store expansion)	-65	2852	Yes
	Other projects (details omitted here) total	-200	2758	Yes
12/31	New CIP approved resulting in another year of funded projects	+525	3283	n/a

One of the advantages of this system is its simplicity. It’s clear to developers, staff and the public how many trips are available for development at any given time. Because many land uses have standard trip rates associated with them, a table showing the number of trips a given size of development will contribute can be made. This allows anyone to understand the implications of a development to concurrency, and it streamlines the development review process.

Table 3 Sample Trip rates for various land uses		
Example Land use	Unit	Trips
Attached and stacked housing	Dwelling	0.56
Restaurant	1000 sq ft	7.49
Drive-in bank	1000 sq ft	45.74
Shopping Center	1000 sq ft	3.75
General Office Building	1000 sq ft	1.49
Supermarket	1000 sq ft	10.45

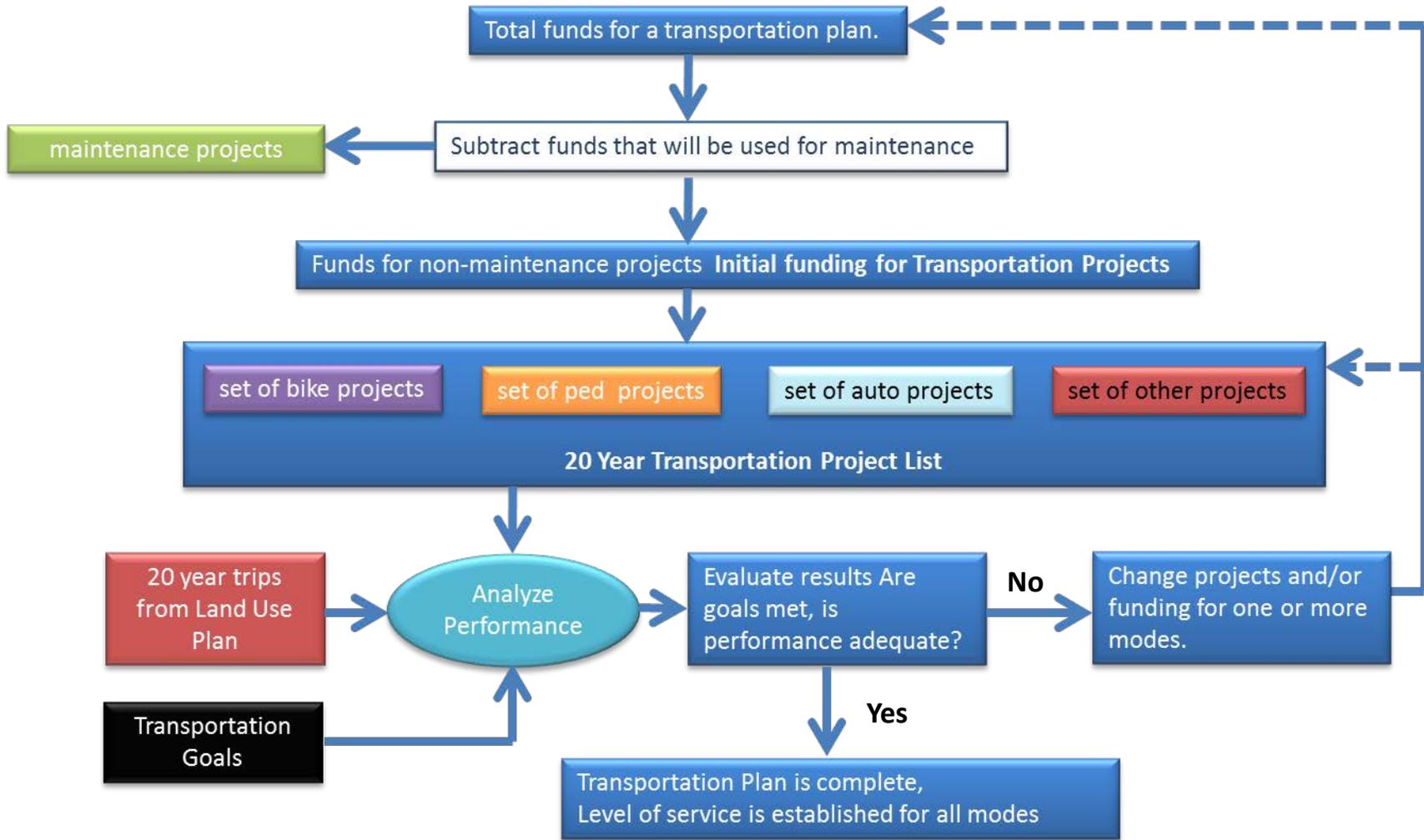
In contrast, the concurrency system we use today requires that, for each development, the number of trips that will go through each signalized intersection are estimated. Then, for each signal, a calculation is performed to determine the projected level of service at that signal. Finally, the performance of the signals is compared to the allowed level of service.

When concurrency is measured in this way – level of service at signalized intersections – only construction projects that add capacity at signalized intersections aid in meeting concurrency. It does not consider the full range of projects that should be in a transportation plan if that plan supports a balanced multi-modal transportation system. This is one reason why the Transportation Commission has recommended replacing the existing concurrency system.

2. Develop new level of service standards that align with transportation principles

As described above, Kirkland's current vehicular level of service standard measures the auto volume to capacity ratio at signalized intersections. The primary purpose of the existing level of service is for use in concurrency testing. With the concurrency system proposed in 1 above, a level of service is established for various modes when the capacity of the 20 year project list is set equal to the number of new trips to be added to the system over the same number of years. Level of service is used to decide whether or not the transportation system is adequate for the Land Use being proposed. The diagram below shows how, by using funding levels and performance goals for the transportation system, a set of projects can be developed. An iterative process is envisioned where performance and funding across modes is adjusted until a satisfactory transportation plan for these performance measures can be tracked annually to help monitor transportation system performance.

Figure 2. Setting Level of Service



3. Develop clear goals and prioritization systems for project categories

The Commission has explored this issue extensively in the context of developing a set of funded projects for the CIP. We looked at a framework for preparing a project list that suggests:

- Adopted Plan documents (e.g. Active Transportation Plan, ITS Plan) are based on adopted goals and performance measures.
- Projects enter into the CIP from adopted plans which contain clear prioritization methods and which can be used to develop project lists.
- As funding is available, prioritized lists of projects are completed. Level of service is used here to determine the types of projects that should receive funding.
- Evaluation of the system is based on adopted performance measures that come from the original goals. This evaluation drives new projects.

The table below shows, for different project types, where elements of the framework are missing (blank squares) and where they exist.

Table 4 Project types across a framework for project development non-maintenance

Project type	High level goals	Specific plan document	Prioritization methods	Funding	Evaluation
ITS	Council adopted Performance measure	ITS Plan	Priorities in plan	Grant funding has been the source of ITS funding	Performance measure
Bicycle network	Council adopted Performance measure	Active Transportation Plan describes a network			
Sidewalk construction		Active Transportation Plan establishes goals	Method in Active Transportation Plan and existing project selection method		
Crosswalk upgrades				Funding has been traditionally \$35k/yr	
Auto network improvements	Comprehensive Plan sets traffic signal levels of service		Projects that are needed to meet concurrency		
School walk routes	Council adopted Performance measure for completion			Typically grant funded	

Table 5 Project types across a framework for project development Maintenance

Project type	High level goals	Specific plan document	Prioritization methods	Funding	Evaluation
Pavement maintenance	Council adopted Performance measure		Pavement maintenance software	Set in coordination with PCI goal	Measure PCI
Pavement marking Maintenance				Funding has been traditionally \$250k/yr	
Traffic signal maintenance					
Sidewalk maintenance				Funding has been traditionally \$200k/yr	

Although a complete or practically complete system exists for some project types, for example pavement maintenance, there are several key missing pieces in the city's current methods.

In order to fill in the missing pieces, the Commission recommends preparation of a comprehensive multimodal transportation plan that describes how all elements of the transportation system fit together under over-arching goals. Without clear, complete, integrated goals, it is difficult to develop a comprehensive set of prioritization methods. Without prioritization methods, project lists can't be developed in a straightforward manner. Without project lists it is difficult to determine where to best spend limited resources and identify critical funding gaps. It's worth noting that the City of Kirkland has never developed a multimodal Transportation Plan.

One helpful step in the process of filling in the table above was the Council's development of Performance measures (Figure 3) Unfortunately, given historic CIP funding, and the costs of the projects necessary to meet the measures, it is not possible to achieve all the measures simultaneously. Looking at a range of transportation projects under one plan will help alleviate this problem.

An update of the City's Comprehensive Plan is scheduled to begin in 2013. A Transportation Master Plan could potentially also serve as the Transportation Element of the revised Comprehensive Plan. The Comprehensive Plan update would also require an updating of the City's land use and transportation network.

Recommendation

The Commission recommends:

- Council affirm the direction proposed for the concurrency and Level of service systems. If the Council supports the proposal, the Transportation Commission would meet with the Planning Commission to hear their concerns and comments. Developing a complete Concurrency System requires a clear future land use plan and a companion list of transportation projects. The City's Comprehensive Plan update requires a revised land use plan and so will give the opportunity to supply the needed land use information.
- Funding for a transportation master plan be considered in the 2013-2014 budget process. A transportation master plan will allow missing gaps in project development system to be filled. Therefore such a plan would be an ideal opportunity to establish a transportation plan that reflects the needs of the new neighborhoods.

Figure 3 Performance measures for balanced transportation:

MEASURE	2008	2009	2010	2011	Target
<i>Percent of Capital Improvement Program Transportation funding devoted to Active Transportation</i>	17.65%	28.76%	34.48%	21%	33%
<i>Percent of proposed Intelligent Transportation Systems projects completed</i>	*	*	4%	6%	100% of ITS Strategic Plan
<i>Complete sidewalk construction on at least one side of all school walk routes</i>	78.6%	*	81.1%	83%	100% by 2019
<i>Percent of bicycle network construction improvement projects completed</i>	*	*	50%	50%	100% by 2018
<i>Percentage of arterials that are complete streets</i>	*	*	58%	58%	100%
<i>Residents surveyed are satisfied with maintenance of active transportation facilities¹</i>	83%	**	84%	**	90%
<i>Automobile crashes involving bikes</i>	12	8	17	14	0
<i>Automobile crashes involving pedestrians</i>	15	13	16	20	0
<i>Percent of total trips using active transportation mode (transit, pedestrian, bicycle)</i>	***	***	***	***	35% of trips in transit/other mode by 2022
<i>Major arterial travel times</i>	***	***	***	***	***

¹ Active Transportation Facilities include sidewalks, bike lanes, pedestrian flags, in-pavement lights, etc

*No data available

**Community Survey occurs in even years

***Measure being refined for future reports

****2011 data excludes needs in annexation area. Assessment of need will take place in 2012.

Attachment 1: Transportation Conversations



DRAFT GOALS AND POLICIES

Attachment 3

OVERVIEW

Livable, vibrant cities like Kirkland offer safe, accessible, well maintained and fully connected alternatives for getting people where they need to go. Because of their safety and approachability, interconnected walking and biking networks offer everyone options for all kinds of trips. Transit is viewed as a viable choice; by focusing frequent service on main streets it is efficient, easy to understand and connects popular destinations. Congestion is heavy during some of the day, because many people drive on a network where efficient operation is favored over expansion. Efficient deliveries are prioritized to support economic development.

Land use and transportation visions are inextricably linked. Auto oriented big-box retail doesn't work in a tightly gridded network of narrow streets and a mixed use "urban village" can't be successful amongst super blocks of six lane arterials. Economic development is nurtured a careful Land Use-Transportation balance. This plan tailors a transportation network to a land use vision and the companion land use plan is based on realistic transportation expectations.

Sustainability is a multi-dimensional concept. It refers to transportation practices that value the health of the environment, but it also encompasses fiscal restraint, sound maintenance, and equitable accessibility for all.

Transit providers and the Washington State Department of Transportation immediately come to mind as important partners in implementing Kirkland's Transportation Plan. In order for the Plan's goals to be fully recognized however, entities such as schools, neighboring cities, regional groups and the private sector must also be considered partners.

Measurement and reporting of progress to accomplishing goals, policies and actions is critical to ensuring that the plan is well understood and effective. A revised concurrency system offers a simpler more multimodal approach to balancing land use changes and network development.

GOALS

1. *Get people where they need to go*

1.1 Walking - *Form a safe network of sidewalks, trails and crosswalks where walking is comfortable and the first choice for many trips.*



City of Kirkland

Transportation Master Plan



1.2 Biking – Interconnect bicycle facilities that are safe, nearby, easy to use and popular for people of all ages and abilities.

1.3 Public Transportation - Support and promote a transit system that is viable and realistic for many trips.

1.4 Motor Vehicles - Efficiently and safely provide for vehicular circulation recognizing congestion is present during parts of most days.

2. **Link to Land Use** - Create a transportation system that is united with Kirkland's land use plan.
3. **Be Sustainable** – As the transportation system is planned, built and maintained, provide mobility for all using reasonably assured revenue sources while minimizing environmental impacts.
4. **Be an Active Partner** - Coordinate with a broad range of groups to help meet Kirkland's transportation Goals.
5. **Transportation Measurement** - Measure and report on progress toward achieving goals and actions.

DRAFT



Get people where they want to go

With the expressed purpose of moving people, goods, and services, the City's transportation decisions will generally reflect a hierarchy of modes:

1. Walking
2. Biking
3. Transit
4. Motor vehicles

This hierarchy is intended to help ensure that the needs of each group of users is considered in the City's planning process. This approach does not mean that users at the top of the hierarchy will always receive the most beneficial treatment on every street. It is not possible to provide ideal accommodations for every mode in every location. However, this hierarchy does indicate that when lower hierarchy modes are prioritized, the underlying reasons for this approach will be shared and the city will make special efforts to provide reasonable alternative accommodations such as parallel routes.

WALKING

Goal T-1.1 - Form a safe network of sidewalks, trails and crosswalks where walking is comfortable and the first choice for many trips.

Background

Walking supports a livable community through increased interpersonal interaction, commerce, and health. Pedestrians, including those who use wheelchairs or other mobility aids, take first priority on Kirkland's transportation network because every traveler is a pedestrian at some stage of their trip, regardless of travel mode.

Walking has long been a cornerstone of the transportation system in Kirkland as evidenced by the creation of lakefront walkways, use of innovative crossing treatments and, most recently, through the purchase of the Cross Kirkland Corridor. Because of an emphasis on walking facilities around schools improvements have been made at almost every school in Kirkland during the past few years.



Despite these efforts there is more to be done. I-405 is a barrier to pedestrians, too many busy streets do not have sidewalks, crosswalks need upgrades and there are still areas around schools, parks and commercial areas that need improvements. Better lighting, separation from traffic, wayfinding, and facilities to help those who rely on curb ramps and other aids are also areas where improvement is needed.

Focusing on what makes a great walking environment –accessibility, safety, comfort, clarity, completeness –and applying these throughout Kirkland are the aim of this plan. Two places in particular, the shores of Lake Washington and the Cross Kirkland Corridor offer the opportunity to create places that are both transportation facilities and spaces that offer truly remarkable experiences.

Draft Policies

- Measure and improve the safety of walking in Kirkland.
- Make getting around Kirkland on foot intuitive.
- Prioritize sidewalk construction in a manner that supports other goals in the Plan
- Develop world-class walking facilities along the Cross Kirkland Corridor and the shore of Lake Washington with ample connections to the rest of Kirkland
- Identify and remove barriers to walking
- Make it safer and easier to walk to school
- Improve street crossings
- Focus on regional transportation as a key destination for walking

BICYCLING

Goal T-1.2 Interconnect bicycle facilities that are safe, nearby, easy to use and popular with people of all ages and abilities.

Background

This plan aims to make bicycling available to more people in Kirkland. Like walking, bicycling is a clean, healthy and efficient way to make many trips in a livable city. When combined with transit, trips of regional scope can be made easily. Today, many Kirkland residents would like to make more trips by bicycle, but find the current network of on-street bicycle lanes unfriendly. In order to unlock the potential of bicycling, the existing network of on-street bicycle lanes should be improved and supplemented by facilities that people of all ages and abilities find safe and welcoming.

Cities around the globe, including Portland OR and Vancouver BC have documented the relationship between more facilities and safety. When top notch facilities are available, bicycle ridership increases and safety (for all vehicles) improves. This leads to more ridership, support for more facilities and further safety improvements.



For bicycling to be a viable for a wide variety of people making a wide variety of trips, bicycle parking must be widespread and plentiful, not just at commercial locations but at parks and transit facilities. Signing and marking for the bicycle network should be applied generously but in a way that fits with the surrounding neighborhood. Routes need to be supported by carefully chosen wayfinding that is integrated with that of neighboring cities.

Draft Policies

- Create and improve on-street bike facilities .
- Build a network of greenways
- Support facilities that make cycling easier
- Make it easy to navigate the bicycle network
- Measure bicycle use and safety
- Make the Cross Kirkland Corridor an integral part of the bicycle network and connect it to the region

PUBLIC TRANSPORTATION

Goal T-1.3 Support and promote a transit system that is recognized as viable and realistic for many trips.

Background

Historically, transit in Kirkland focused on connections to Seattle oriented to Seattle in the morning and from Seattle in the afternoon. Bus frequencies were sometimes 1 hour especially in off-peak periods. Today, Kirkland is served by a number of routes connecting to a variety of Eastside destinations as well as Seattle. Frequency on some routes is 15 minutes, with most service at 30 minute intervals over most of the system.

Transit with the right characteristics can make an important contribution to Kirkland's transportation system. At its best, transit is

- Fast – making long trips competitive with driving
- Frequent – frequencies of 15 minutes or less with service hours extending from early morning to late night
- Reliable – trip times are consistent from day-to-day and riders trust they'll arrive on time
- Accessible – facilities and vehicles are designed for all users.
- Comfortable – all elements of the system are sized to meet demand and offer amenities that make trips pleasant.



- Complete – popular destinations are served and transfers between routes are easy and clear

Transit providers will continue to be faced with limited resources for maintaining existing service hours let alone adding new service. This, combined with the characteristics above, suggest that . Kirkland's transit needs will best be served by a focused network of higher frequency service near major concentrations of residential and commercial land uses.

This plan challenges the idea that because Kirkland does not provide Transit service, it has little effect on the quality of that service. Because transit more than any other mode is dependent on land use for success, Kirkland's land use choices will have an important influence on where transit service is deployed. Additionally, Kirkland can make improvements to waiting areas such as improved lighting, more shelters and clearer wayfinding. Favorable parking policy and projects that increase transit speed and frequency are other ways that Kirkland can support good transit.

In the next 20 years, Sound Transit will have a greater service presence in Kirkland. This is likely to come in the form of bus rapid transit and Link light rail, both of which will connect to the Totem Lake Urban Center. Transit has been assumed throughout the planning of the Cross Kirkland Corridor and is an important priority for Kirkland. Regardless of where Sound Transit provides service, walking, biking and local transit connections to the regional transit system are paramount.

Other modes of public transportation such as taxis and ridesharing can help fill gaps when residents have mobility needs that traditional public transit cannot serve. Also, Kirkland should consider other forms of service provision such as partnering with the private sector, human service agencies and aggressive adoption of new technology that make sharing rides easier.

Draft Policies

- Create an environment for frequent and reliable service on arterials.
- Support safe and comfortable passenger facilities.
- Integrate transit facilities with pedestrian and bicycle networks.
- Support ridesharing for trips around and through Kirkland.
- Pursue transit on the CKC
- Partner with transit providers to coordinate land use and transit service (see coordination)
- Work with Sound Transit to incorporate ST3 investments in Kirkland.



MOTOR VEHICLES

Goal T-1.4 Efficiently and safely provide for vehicular circulation recognizing congestion is present during parts of most days.

Background

Many Kirkland residents travel by private automobile for a high proportion of their trips. In the peak period there is considerable congestion at many intersections. Both of these phenomena are expected to continue over the next 20 years. At the same time, trends such as decreased motor vehicle ownership, decreased vehicle miles of travel and the increased age at which young people obtain their driver's licenses mark fundamental change from the past 50 years.

Over 20 years ago Kirkland recognized that wide ranging automobile capacity improvements in an attempt to entirely eliminate congestion are neither in keeping with Kirkland's desired urban form nor are they financially sustainable. Because the sole measure of level of service was performance of motor vehicles at signalized intersections, fulfillment of the land use vision may have suffered in favor of providing capacity for motor vehicles.

This plan seeks to maximize the operational efficiency and safety of the existing road network rather than look primarily to expansion. Intelligent Transportation Systems (ITS) will play a role in this, but so will the aggressive promotion of technologies. Autonomous vehicles, or vehicles that can change speeds in relationship to the vehicles around them in order to maximize safety and flow are examples of this. Businesses continue to rely on motor vehicles for deliveries and other needs critical to their operations and these needs must be served.

Totem Lake was developed around the assumption that people are traveling mainly by automobile. The future Land Use vision for Totem Lake is completely different. In order to support this new vision and associated economic development, a finer grid of smaller scale streets and new connections will be needed.

Parking policy is an important factor in determining how vehicles will be used in Kirkland. Totem Lake and Downtown are areas where active refinement of parking policy will continue to be needed. More uniform implementation of a broad set of Transportation Demand Management strategies can be used to make easier to drive less.

I-405 and SR 520 are important travel arteries for Kirkland are under the jurisdiction of the Washington State Department of Transportation. New and revised interchanges will be needed to better fit Kirkland's Transportation and Land Use goals. Operating policies such as tolling and HOT lanes have promising benefits but also have potential downsides for Kirkland that require careful monitoring.



Motor vehicles can have negative impacts on neighborhood streets, where higher speeds and volumes need mitigation to improve livability.

Draft Policies

- Make limited, strategic investments in intersections and street capacity to support existing and proposed land use.
- Use Intelligent Transportation Systems (ITS) to support optimization of roadway network operations.
- Position Kirkland to respond to technological innovations, such as electric vehicles and driverless cars
- Take an active approach to managing on-street and off-street parking.
- Work with WSDOT to improve the way I-405 and SR 520 meet Kirkland's needs. (see coordination)
- Reduce crash rates for motor vehicles.
- Mitigate impacts of motor vehicles on neighborhood streets

Link to Land Use -

Goal T-2 Create a transportation system that is united with Kirkland's land use plan.

Background

The Land Use chapter of the Comprehensive Plan provides a blueprint to which Kirkland's transportation network responds. "Transportation improvements" should truly be improvements to the community that helps creates place and reflects the character of Kirkland, not just about mobility. Because the built environment influences travel behavior in so many ways, it's often said that the best transportation plan is a good land use plan. This is demonstrated by the land use transportation connections illustrated in the smart growth Ds:

- **Density:** dwellings, jobs per acre. Higher densities shorten trip lengths, allow for more walking and biking, and support quality transit.
- **Diversity:** mix of housing, jobs, retail. A diverse neighborhood allows for easier trip linking and shortens distances between trips. It also promotes higher levels of walking and biking and allows for shared parking.
- **Design:** connectivity, walkability. Good design improves connectivity, encourages walking and biking, and reduces travel distance.
- **Destinations:** regional accessibility. Destination accessibility links travel purposes, shortens trips, and offers transportation options.
- **Distance to Transit:** Close proximity to transit encourages its use, along with trip-linking and walking, and often creates accessible walking environments.



- **Development Scale:** residents, jobs. Appropriate development scale provides critical mass, increases local opportunities, and supports transit investment.

The Land Use-Transportation Connection is not one way. For example increased density should be supported by an emphasis on transit, but at the same time, increased density should be planned in areas that are easy to serve by transit.

As the Totem Lake Urban Center transitions from an auto oriented district to one that relies on a range of modes to support increased density, but in particular transit, improved access to transit hubs by walking and bicycling access should be a focus.

In neighborhoods where larger areas of single family residences make it difficult to support high quality transit nearby, greenways, on-street bike lanes and sidewalks will offer options that help support a more livable community. Connections should focus on schools, parks and neighborhood areas.

For employers in Kirkland to be competitive with those in other cities, they must be able to get their employees to job sites quickly and easily.

Draft Policies

- Create a transportation network that supports economic development goals.
- Develop transportation improvements tailored to commercial land use districts such as Totem Lake, Downtown and neighborhood business areas.
- Focus transportation system developments around schools, transit routes, and Kirkland's key commercial areas.
- Adopt requirements and practices for all future development that support planned transportation infrastructure.



Be Sustainable

Goal T-3 As the transportation system is planned, built and maintained, provide mobility for all using reasonably assured revenue sources while minimizing environmental impacts.

Background

If the transportation system is sustainable, its condition is stable or improving over time. Kirkland faces challenges related to both fiscal and environmental sustainability.

Because roughly half of greenhouse gasses are transportation related, it is impossible to forward adopted climate change goals without changing the way we travel. Electric vehicles may be one way that technology can help meet this challenge. Transportation is also the primary contributor to water and air pollution. It is increasingly being recognized that active transportation like walking and bicycling can play important roles in promoting health in a community.

Maintaining what we have in good condition is a sound principal. New funding methods must be brought to bear if Kirkland is to continue to maintain transportation facilities at a high level. Kirkland's residents have continued to show support for maintenance efforts by passing a Street Levy in 2012. The bulk of the funding from the levy goes toward pavement maintenance. There are a number of other systems – sidewalks, traffic signals, lighting systems, that do not have robust maintenance programs and this plan proposes remedying that shortcoming.

Sustainability also encompasses social impacts of transportation. The transportation system should be accessible and provide benefit to all users throughout Kirkland regardless of mobility, vision, hearing and cognitive impairments.

Draft Policies

- Balance overall public capital expenditures and revenues for transportation.
- Ensure that the transportation network can be developed, maintained, and operated within expected revenues for the foreseeable future.
- Place highest priority for funding on reasonable maintenance of existing infrastructure rather construction of new facilities.
- Identify and perform needed maintenance to maximize the useful lifetime of the transportation network at optimum lifecycle cost.
- Minimize the contribution of transportation to air and water pollution.
- Create an equitable system that provides mobility for all users.
- Actively pursue grant funding and innovative funding sources



Be an active Partner

Goal T-4 Coordinate with a broad range of groups to help meet Kirkland's transportation Goals.

Background

Traffic doesn't stop at city borders. Cars, buses, and bicycles all travel between cities. Kirkland is bisected by I-405, a facility which is the responsibility of the WSDOT. Transit service is provided by King County Metro and Sound Transit both of which are governed by separate boards of elected officials. Regional policy determines, to a large extent, the minimum number of person trips that Kirkland must plan for. For all these reasons, working with other agencies is a requirement for achieving Kirkland's transportation goals. This section of the plan should make clear statements about positions on regional issues that can guide action in the future.

Kirkland must be proactive in its work with regional partners. Kirkland should come to other partners with a strong sense of our needs rather than reacting to what is offered by others. An example of this can be seen in the work of our City Council and State Legislature, where recent sessions of the have resulted in securing important funding for the Cross Kirkland Corridor.

At the county wide and regional level, there are an number of groups that influence funding decisions and transportation policy. Staff groups make recommendation to boards of elected officials. Kirkland should have an active role in these groups.

Partnerships should not end with the obvious transportation agencies. Partnering with the private sector, schools, advocacy groups and neighboring cities will each help achieve Kirkland's transportation goals.

Draft Policies

- Play a major role in development of Sound Transit facilities in Kirkland
- Establish commitments from transit providers by Kirkland for density and improvements in exchange for high quality transit service.
- Work with WSDOT to achieve mutually beneficial decisions on freeway interchanges and other facilities.
- Participate in and provide leadership for regional transportation decision making.
- Work closely with the Lake Washington School District to get more children using active transportation to travel to school.



- Coordinate multi-modal transportation systems with neighboring jurisdictions.
- Partner with the public sector and other “new” partners.

Transportation Measurement

Goal T-5 Measure and report on progress toward achieving goals and actions.

Background

For several years the transportation Commission and Council have contemplated a revised concurrency system that relieves some of the deficiencies of the existing system. The new system would be more multi-modal and easier to understand for all the stakeholders. Council approved the outline for such a system in 2012.

Progress toward the goals of this plan should be reported annually. This would consist of a few measures that give an overall sense of the City’s transportation system. Reports should be widely distributed and should be based on meaningful measures that are easy to interpret and that are compelling to those using them

The plan should include an implementation section that is carefully thought out in order that it is viable and has support from the community, the Council and the Transportation Commission.

Draft Policies

- Establish a multi-modal plan based concurrency method
- Develop an action plan for plan implementation
- Deliver annual transportation report cards

We recognize the well thought out, clear and compelling structure and wording of the Transportation 2040 plan from City of Vancouver, BC from which we have borrowed heavily, at times verbatim.

TRANSPORTATION CONVERSATIONS

PERSPECTIVES ON KIRKLAND'S TRANSPORTATION POLICY



Move People
Be Sustainable

Be an Active Partner
Link to Land Use



City of Kirkland Transportation Commission

JUNE 2010

This document was prepared by the City of Kirkland Transportation Commission and endorsed by the City Council

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The Commission wishes to acknowledge former Commissioner and Chair Jon Pascal. His vision, inspiration and leadership helped create this document.

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Cover photo credits Clockwise from upper left: Juanita Drive, City of Kirkland; Eastside Rail Corridor, Georgine Foster; Totem Lake Area 1936, 2007, King County; www.pedbikeimages.org Dan Burden

Modern style, Paper colors, median font

INTRODUCTION

This document began as a tool to organize thinking around Kirkland's transportation policy. Kirkland is making progress in many areas of transportation, but principles underlying the different programs have not been enunciated. The Transportation Commission felt that the alignment illustrated in Figure 1 was missing --Kirkland's transportation vision wasn't clear and project priorities, policies and programs didn't flow logically. Securing agreement on principles that guide decision making is an important factor in achieving alignment of these elements. At a retreat in the spring of 2009, the Commission first developed these four principles.

- Move People
- Be Sustainable
- Create Partnerships
- Link to land use

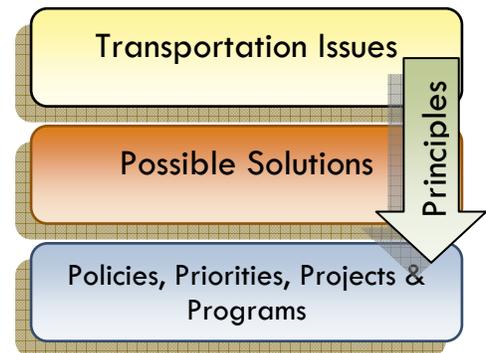


Figure 1 Consistent principles help align issues with possible solutions.

Often, the Transportation Commission is asked to recommend positions on issues for the City Council. Using the principles as a guide will help to give the Commission a uniform way of considering issues, and will also help ensure that the Commission's recommendations are grounded in principles that are supported by the Council and the Community (see Figure 2 Selected City of Kirkland City Council Goals. The principles identified in this document are closely aligned with these Council Goals. As the City's Comprehensive Plan undergoes a major update in 2011,

SELECTED CITY OF KIRKLAND CITY COUNCIL GOALS

(updated September 2009)

FINANCIAL STABILITY *Citizens of Kirkland enjoy high-quality services that meet the community's priorities.*

Council Goal: Provide a sustainable level of core services that are funded from predictable revenue.

BALANCED TRANSPORTATION *Kirkland values an integrated multi-modal system of transportation choices.*

Council Goal: To reduce reliance on single occupancy vehicles.

DEPENDABLE INFRASTRUCTURE *Kirkland has a well-maintained and sustainable infrastructure that meets the functional needs of the community.*

Council Goal: To maintain levels of service commensurate with growing community requirements at optimum life-cycle costs.

ENVIRONMENT *We are committed to the protection of the natural environment through an integrated natural resource management system.*

Council Goal: To protect our natural environment for current residents and future generations.

Figure 2 Selected City of Kirkland City Council Goals. The principles identified in this document are closely aligned with these Council Goals.

revisions to the Transportation Element of the Comprehensive Plan should rest on a foundation of the principles.

During the first months of 2010, the Commission discussed the principles with the Community. Based on those discussions, the principles were refined and then applied to three important transportation issues. Specific recommendations for each issue, developed by the Commission, and based on the principles are presented in the next part of the document. These recommendations are in the form of work items for the Commission or policy goals to be adopted by City Council.

THE PRINCIPLES

MOVE PEOPLE

SUPPORT A TRANSPORTATION SYSTEM, AND RELATED GOVERNMENT AND PRIVATE ACTIONS THAT PROMOTE ALL VIABLE FORMS OF TRANSPORTATION.

For more than 70 years, Kirkland's transportation system has been focused on moving cars. The principle of Moving People requires development of facilities and programs that support not only cars but travel by bicycle, transit and walking to move people where they want to go. The movement of people includes people who are moving in support of commerce, moving goods, freight and providing services. Moving cars has been the organizing concept for transportation during the past 70 years, but today people are seeking alternatives.



Figure 3 Juanita Drive is a complete street, with facilities for bicycles, pedestrians and cars.

Instead of considering how people can move around Kirkland, the city's transportation policy decisions have been based mainly on building and supporting infrastructure for automobiles. Level of service standards in our Comprehensive Plan that require transportation projects to be built consider only automobiles. Fees paid by developers to mitigate the transportation impacts of their developments can be spent only on projects that provide capacity for cars. Capital project spending is not currently balanced across modes; only a small fraction directly benefits cyclists and pedestrians.

Except for a few missing segments, Kirkland's street system is fully developed for auto travel. In order to have a complete transportation system however, the street system has to be complemented by additional facilities for other modes, such as the following:

- Facilities identified in the Active Transportation Plan¹ including bicycle lanes, trails and sidewalks
- Actions that allow buses to have increased speed and on-time performance
- Implementing Intelligent Transportation Systems² to operate the existing transportation system more efficiently
- Consideration of possible long-term availability of convenient rail access to our citizens

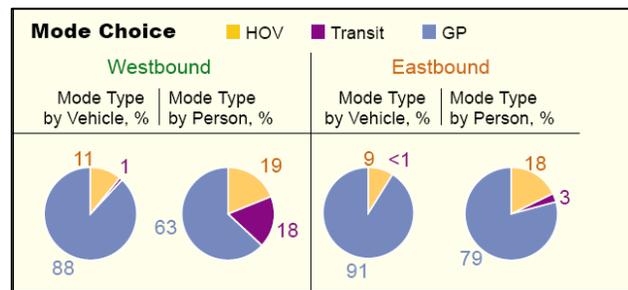


Figure 4 Mode split by vehicle trips and person trips, SR 520 bridge, AM period. In the westbound direction, transit carries 18% of the person trips in 1% of the vehicles. Source: WSDOT

¹More People, More Places, More Often the City of Kirkland Active Transportation Plan is available on the City website www.ci.kirkland.wa.us

² Intelligent Transportation Systems are the application of information and communications technology to transportation. Video cameras that relay information to travelers, remote operation of traffic signal systems, interconnection of traffic signals are all examples of ITS.

BE SUSTAINABLE

SUPPORT A TRANSPORTATION SYSTEM THAT CAN BE SUSTAINED OVER THE NEXT 50 YEARS. ACT TO ASSURE A TRANSPORTATION SYSTEM THAT:

- **WILL BE PLANNED, DESIGNED, BUILT, OPERATED AND MAINTAINED USING REASONABLY ASSURED REVENUE SOURCES**
- **MINIMIZES OVERALL ENVIRONMENTAL IMPACTS.**

If the transportation system is sustainable, its condition is stable or improving over time. Kirkland faces challenges in both sustainability areas. Because approximately 50% of greenhouse gasses are transportation related, (Figure 5) it will be impossible to meet the Council's and State's adopted climate change goals without changing the way we travel. Transportation is also the primary contributor to water and air pollution. Fiscally, even if all the current capital budget were spent on pavement preservation, it's likely that current maintenance standards could not be met. This is without funding the construction of other types of projects, like development of ITS and preservation of other transportation infrastructure. New funding methods and alternate transportation configurations must figure in our future transportation solutions if Kirkland is to move toward sustainability.

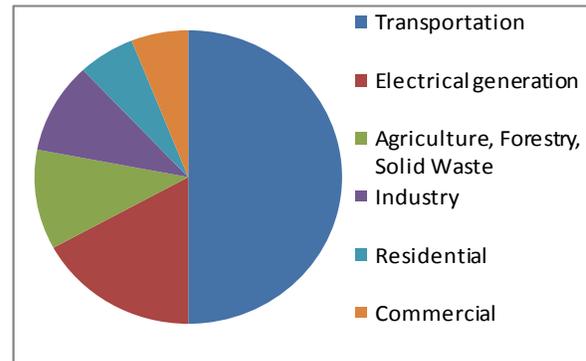


Figure 5 Relative contributions of various sources to greenhouse gas emissions, 2002. Source: Puget Sound Clean Air Agency.

BE AN ACTIVE PARTNER

ACTIVELY BUILD AND MAINTAIN PARTNERSHIPS LOCALLY, REGIONALLY AND NATIONALLY, TO FURTHER OUR TRANSPORTATION GOALS.

A shared vision is vital to accomplishing transportation goals and leveraging resources. Partnerships must be created locally –between neighborhoods, businesses and others; as well as regionally –among Kirkland, other cities and transportation agencies like Metro, Sound Transit and the Washington State Department of Transportation (WSDOT).

In order to be successful, a renewed vision for transportation policy has to have support from stakeholders. At the same time, once agreement on a course of action is achieved, implementation must follow. The City of Kirkland has a sterling reputation for involving local stakeholders in decision making. However, too many times in the past plans have been adopted only to unravel during implementation when criticism from a few undermines previous resolve. Recent struggles around downtown land use decisions exemplify this problem. Traffic doesn't stop at city borders. Cars, buses, bicycles and pedestrians all travel within and between cities.

Kirkland is bisected by I-405, which is the responsibility of the WSDOT. Transit service is provided by King County Metro and Sound Transit both of which are governed by separate boards. Regional policy determines, to a large extent, the minimum number of person trips that Kirkland must plan for. For all these reasons, working with other agencies is a requirement for achieving Kirkland's transportation goals. Kirkland must be proactive in its work with regional partners. Kirkland should come to other partners with a strong sense of our needs rather than reacting to what is offered by others.

LINK TO LAND USE

ENSURE CONSISTENCY BETWEEN LAND USE AND TRANSPORTATION PLANNING AND IMPLEMENTATION.

Transportation networks are often designed to support certain land use patterns. At the same time, transportation facilities can alter and influence land use patterns. Land use and transportation plans must be developed with consideration of effects each has on the other.

The interchange at I-405 and NE 124th Street has been reconstructed several times since it was first built. In 1936 (see Figure 6) the area was rural. A modest interchange supported the semi-rural land of the mid 1960's. However, the fact that there was an interchange at all presented an opportunity to intensify the land use. As the land use changes increased, more capacity was added to the interchange which in turn supported more land use growth.

System performance is a result of land use and transportation (Figure 7). The intersection of land use and



Figure 6 The I-405 NE 124th Street area 1936 (left) and 2007 (right). Land use and transportation changes combined to transform the area. Source: King County

transportation network takes place most fundamentally in Kirkland's Comprehensive Plan where the Land Use and Transportation Plans reside. Discussions about the implications of land use and transportation often take place during development review where the impacts of development are quantified and mitigations are proposed.



Figure 7 Transportation system performance is as much a function of land use as it is of facilities and programs.

Transportation plans need to be support/respond to the City's land use vision. That vision will not be realized without a transportation plan that supports it.

ISSUES

The Commission selected three issues to examine in more detail. These issues are relevant, timely and offer opportunities for progress. Taken together, they span Kirkland’s transportation spectrum and touch the life of every Kirkland citizen. Each issue is examined in the context of the principles identified above.

Development Review. New developments cause impacts on the transportation system. Development review is the process by which city staff reviews those impacts and prescribes mitigating measures. Elements of development review include Transportation Impact Analysis, concurrency, State Environmental Policy Act (SEPA) and impact fees. In 2008, the Commission proposed several ideas for improvements to concurrency but was not able to achieve adequate consensus to move forward. Several other aspects of development review are in need of improvement. Development review has important influences on both project funding and land use decisions.

Funding. Project funding and prioritization has not been comprehensively looked at for 10 years. Ensuring the adequacy of capital funding and its proper allocation is the most important challenge facing Kirkland’s transportation system.

Pollution, climate change and public health. Increasing attention is being paid to the role of transportation in climate change and in public health issues such as obesity. Automobiles are important contributors to air and water pollution. Kirkland has not yet comprehensively examined this relationship. The following table shows how the three issues fit within the framework of the principles

TABLE 1 ISSUES AND PRINCIPLES

Issue →		Development Review	Funding	Climate change/public health/pollution
Principle ↓				
Move People		Analysis and mitigation currently focus on moving motor vehicles. This needs to change in order to give equal or greater weight to other modes.	Clear funding levels and priorities have not been identified across all kinds of projects. Most funding goes to projects focused on moving cars.	How people move will determine impacts on climate change, health and pollution.
Be Sustainable	fiscal	Fiscal sustainability will have to address concurrency because funding projects to meet concurrency account for a large portion of the capital budget costs.	Funding of transportation is not tied to sustainability goals.	Fiscal sustainability will require changing transportation pricing to account for the costs of climate change, pollution and public health impacts.
	environment	Environmental sustainability is not currently part of the development review process.	Choices of funding mechanisms can impact vehicle miles of travel and green house gas production.	Environmental sustainability is directly impacted through this issue.
Create Partnerships		Changing development review practices requires acceptance from a number of internal and external stakeholders.	Funding priorities and funding levels will require agreement from many groups.	Kirkland cannot meet its goals on its own and requires state and regional partners.
Link to Land Use		Development review is intended to coordinate land use choices and transportation facilities.	Land use decisions affect the need for transportation facilities and services and influence funding priorities.	Combining land use and transportation choices is central to this issues and can significantly impact quality of life in Kirkland.

DEVELOPMENT REVIEW

Background

Concurrency is a requirement of the Growth Management Act adopted by the State Legislature in 1990. It is based on the notion that any land use growth should be supported by transportation facilities available so that appropriate levels of service are preserved. If growth in development outpaces the ability of the transportation system to accommodate the growth, development must stop. Theoretically, this will allow time for more transportation system improvements to be made and the level of service to improve at which time development may resume.

Impact Fees are levied on developers to help pay for capital projects necessary to meet levels of service. Impact fee rates are based on the total cost of the network necessary to provide a given future level of service divided by the number of future trips.

SEPA Analysis looks for impacts from development projects and prescribes mitigation. SEPA analysis looks at project level impacts not covered by the system wide concurrency analysis, such as how project driveways access streets or the development's impact on safety.

Traffic Impact Analysis is the report which must be submitted by a developer to the city and which shows the calculations necessary for calculation of concurrency, SEPA and impact fees. It contains certain tests to make sure that large impacts to intersections are mitigated. In practice, current procedures require improvements for only the biggest developments.

Concerns

- **The role of development review is misunderstood.** Stopping “too much growth or “wrong projects” or even promoting good growth are not the functions of development review. These are the roles of carefully developed and broadly supported land use and transportation plans. Concurrency is sometimes mischaracterized as a tool for solving congestion problems. One of the major roadblocks to improving concurrency has been the lack of a shared understanding of concurrency's role in the development process and lack of a shared transportation vision for Kirkland. *Development review's effects are often overemphasized.* Development review's power is limited because it only affects a small portion (the redeveloping portion) of a city's land use, while traffic comes from the comparatively vast areas of surrounding communities. These misunderstandings make designing and implementing development review difficult; stakeholders are disappointed in outcomes and expectations are often not met.
- **Kirkland's level of service measures only auto traffic.** Because the level of service standard directly affects concurrency and impact fees it is central to development review. The current focus on only cars is a source of misalignment between development review results and the transportation principles.
- **Kirkland's current Concurrency system is cumbersome and unpredictable.** Currently, lengthy calculations are needed to know if a development project passes concurrency. It is difficult for those interested in development; developers themselves, neighbors, City Council, to know when concurrency is close to its limits. The most critical factor in designing a concurrency system is choosing the point where a moratorium is triggered. Triggering growth moratoriums cause harm and don't solve the problem concurrency is intended to solve. Recognizing this, expensive and sometimes unpopular auto capacity projects have been funded to ensure that concurrency doesn't cause a moratorium. Agreeing on concurrency's purpose will help determine where trigger points should be set.

Recommendations

- **Develop new level of service standards that align with the transportation principles.** This will mean incorporating transit, bicycling and walking into the standards. A new, less auto-centric level of service standard could reduce the requirement for construction of expensive projects to meet that standard. Because impact fees are proportional to the cost of projects needed to meet the level of service, reducing the cost of projects could reduce impact fee rates. The design of concurrency systems are heavily reliant on appropriate selection of level of service.
- **Review and revise the Concurrency system.** Concurrency should be simplified and should consider transit, bicycling and walking in coordination with a new level of service. Concurrency should principally monitor the approved land use and transportation plans and insure that they are being completed in relative balance.
- **Streamline the development review process.** Create a new document/website to replace the existing Traffic Impact Analysis Guidelines. This document should serve as a “one-stop” guide for anyone interested in the development review process. It should include a section that explains how development review elements relate to each other and to the transportation principles. These relationships should be woven through methods prescribed for analysis. The calculations in the existing Guidelines should be revised to include a multimodal approach and more explicitly consider the impacts of shared use development.

TABLE 2 HOW DO THE DEVELOPMENT REVIEW RECOMMENDATIONS MEET THE PRINCIPLES?

Transportation Principle →	Move People	Be sustainable		Create Partnerships	Link to Land Use
		fiscal	environment		
Development Review	Revised level of service standards would focus on transit, bicycling and walking in addition to motor vehicles.	A multi-modal concurrency program will help to balance funding priorities	Development review will more explicitly consider environmental impacts	There are many stakeholders in the development review process. They should each feel as though they have accurate information and understanding of the review process.	Concurrency will do a better job of monitoring the balance of Land Use and transportation at a planning level important to setting citywide priorities.

TRANSPORTATION FUNDING

Background

The City of Kirkland delivers quality projects in a timely and thrifty way. Systems are in place to prioritize sidewalk projects and projects that add capacity for cars. Other project categories have needed less precise prioritizing in the past. Council has struggled with funding the projects necessary to meet auto level of service standards while adequately funding other types of projects. Some funding sources are limited in the type of projects they can pay for. This creates a lack of alignment between funding sources and fulfillment of transportation vision. Capital funding for transportation is programmed through the Capital Improvement Program (CIP) which is usually updated in even numbered years. Changes in policy, technology and costs make it impossible to precisely determine the funding needs over the next 20 years. Instead we should focus on *priorities* for funding and for project selection.

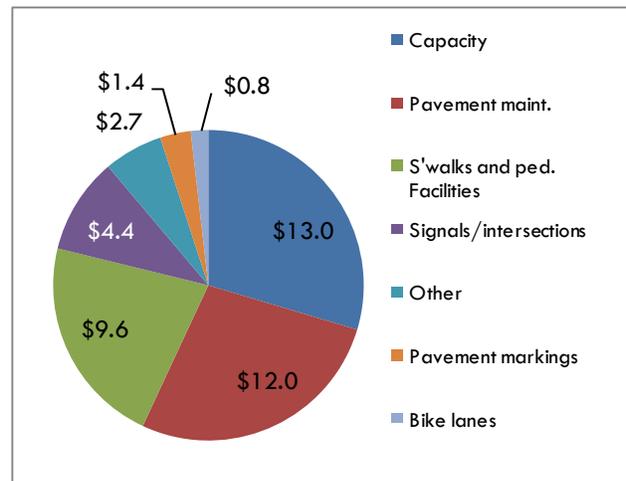


Figure 8 Cumulative CIP transportation spending by project type in millions of dollars. 1997-2007

Concerns

- Funding for capital projects and replacement of transportation infrastructure is not currently adequate.** For example, based on past performance, even if all revenue were spent on pavement maintenance it would not be sufficient to maintain Kirkland's pavement at targeted levels of condition. Funding to replace transportation infrastructure is not planned for. In contrast to a water utility model where rates are set in order to account for replacement of system elements at the end of their service life, there is not a similar mechanism for funding replacement of traffic signals or other infrastructure.
- Funding sources are not necessarily in line with our goals.** For example, gas tax revenue cannot be used for sidewalks and bicycle facilities.
- Clear priorities need to be identified for spending.** It's not currently clear, as an example, whether capacity improvements from the concurrency system or maintenance and preservation of our pavement system, or something else should get the first available funding. It's also not clear how funds are distributed between transportation improvements and, say, park improvements or other macro project categories.
- Investments in efficiency improvements have been small.** Improving signal timing, developing an Intelligent Transportation System and implementing Transportation Demand Management strategies have each been shown to have substantial benefit cost ratios. In the past there have been large investments in infrastructure, but little investment in operating the transportation system more efficiently.

Recommendations

- Give first funding priority to preservation of existing investments.** Therefore, the maintenance categories should be funded with a greater fraction of available funding than the other capital projects. Cost effective projects to improve operations should also be a high priority.

- Consider new ways of doing business and develop new and more flexible funding sources.** New funding options such as transportation benefit districts, street utilities and bond issues for specific projects may be necessary to fund a full transportation system. New funding sources should be supported with creative methods to make the most of existing resources. State laws govern the use of impact fees and gas tax funding to certain

An example of combining strategies to improve pavement management

In February of 2010, Public Works Staff presented City Council with a series of strategies to improve pavement management. Some of the ideas in each of the four strategies areas are shown below

- Efficiencies
 - More aggressive crack sealing
 - Improved paving strategies
- Regulatory and policy changes
 - Modify the acceptable Pavement Condition Index
 - Increase the amount utilities pay for pavement impacts
- Pursue partnerships at the State level
 - Eliminate studded tires
 - Increase gas tax revenue
- New revenue sources
 - Institute Transportation Benefit District

This is an example of using ideas other than simply raising revenues to help solve a funding shortfall, as proposed in the second recommendation (see left).

types of projects. Some real estate excise tax sources have restrictions as well. Kirkland should work to add flexibility to funding so that multiple funding sources are available to construct projects in line with Kirkland’s transportation goals. Maintenance costs should be considered when determining the costs of new infrastructure.

- Develop clear goals and prioritization systems for those project categories where it does not currently exist.** These will guide funding decisions regardless of the amount of total funding available. For example, pavement maintenance has a well developed and sophisticated project prioritization methodology, but maintenance of traffic signals does not.

TABLE 3 HOW DO THE FUNDING RECOMMENDATIONS MEET THE PRINCIPLES?

Transportation Principle →	Move People	Be sustainable		Create Partnerships	Link to Land Use
		fiscal	environment		
Transportation funding	Given limits to funding, clear priorities will be made across the entire range of modal projects.	Priorities, funding methods, and funding alignment will be clarified to assure long-term sustainability.	What is funded, and how it is funded, can influence the patterns of use and the related environmental impact or our transport system.	Potential funding sources are numerous. Partnerships/relationships will be developed with each significant source of funds.	Land use decisions impact our transportation system’s financial viability.

POLLUTION, CLIMATE CHANGE AND HEALTH

Background

It is undeniable that the future of transportation will not rely on automobiles fueled by petroleum. In part because of concerns about pollution, climate change and public health, the next Federal transportation bill is likely to radically depart from previous orientations around construction of motor vehicle facilities funded by a gas tax. The regional transportation plan does not reduce greenhouse gasses, to state target levels, despite aggressive plans to shift emphasis away from roads toward bicycling, walking and transit. Meeting Kirkland's own adopted climate change reduction targets will similarly require changes in transportation policy. Changes in automobile technology can be significant and helpful in the areas of pollution and climate change, but the auto fleet is so large major change may take years to accomplish. In Washington, the age-adjusted percent of adults who are obese more than doubled over the past 17 years, increasing from 10% in 1990 to 25% in 2007. Physical inactivity is a proven contributor to obesity and chronic disease. Transportation choices such as walking and bicycling are relatively simple ways of increasing physical activity that are available to almost everyone. Additionally, our current transportation system is a major contributor to health concerns linked with air and water pollution.

Selected Recommendations for Improving Health through Transportation Policy

US Centers for Disease Control and Prevention April 2010

Reduce injuries associated with motor vehicle crashes *Motor vehicle crashes are the leading cause of death for people ages 1-34.*

Improve Air Quality *Transportation-related air pollutant are one of the largest contributors to unhealthy air quality.*

Expand Public Transportation *Public transportation systems reduce the necessity for single occupancy vehicle trips, reduce the production of automobile emissions, increase incidental physical activity, and provide necessary transportation access for people with physical, economic, or other limitations that impede their access to an use of a single occupancy motor vehicle.*

Promote Active Transportation *Active Transportation systems should connect the places where people live, learn, work, shop, and play by providing safe and convenient walking and bicycling facilities.*

Encourage Healthy Community Design *Healthy community design incorporates elements (such as transportation networks, street designs, and zoning/land use policies) that work synergistically to promote health and safety.*

Source: <http://www.cdc.gov/transportation/recommendation.htm>

Concerns

- **Transportation policy goals have not been specifically linked to climate change, health or pollution goals.** High-level policy support is necessary to create change in a timely manner.
- **Auto dominated transportation causes a host of negative consequences.** Cars represent the largest single emitter of greenhouse gases and contributor to air pollution and water pollution in Kirkland. Studies by Public Health experts have implicated our current transportation system as a contributor to obesity and other "lifestyle" diseases.
- **Transportation and land use are closely linked in the areas of climate change, health and pollution.** When people can live close to work and other common destinations trip lengths are shortened and the health benefits of active transportation can be felt.

Recommendations

- **Make specific links in the Comprehensive Plan between transportation policy and pollution, climate change and health goals.** Because transportation plays key roles in pollution, climate change and public health, it must be linked to goals in those areas.
- **Implement actions that will begin to reduce vehicle miles of travel and emissions.** Kirkland has a strong statement supporting pricing. This support should continue in order to put driving cost signals in line with

community goals. Implementing infrastructure that supports more efficient vehicles should also be encouraged. This could include easy access to energy for electric vehicles.

- **Proactively meet the goals of the Active Transportation Plan.** The plan encourages development of more facilities for walking and cycling. It has been shown in many other cities that when the number of facilities increase, walking and cycling increase. This increased level of activity can have positive health benefits.

TABLE 4 HOW DO THE POLLUTION, CLIMATE CHANGE AND HEALTH RECOMMENDATIONS MEET THE PRINCIPLES?

Transportation Principle →	Move People	Be sustainable		Create Partnerships	Link to Land Use
		fiscal	environment		
Pollution/ Climate change/public health	Emphasis on non-motorized and transit modes will reduce emissions and encourage public health.	Fiscal sustainability should match the objectives of environmental sustainability.	A transportation system emphasizes the health of our citizens and supports alternative modes directly adds to the overall sustainability of our City.	The health of our citizens is inexorably linked to that of our neighbors near and far. Partnering with those organizations and groups will positively impact our success in addressing these issues	The combination of land use and transportation choices are central to working on these issues.

CONCLUSIONS

Every community needs principles to organize its transportation policy making. This report proposes four principles tailored to Kirkland's needs

- Move People
- Be Sustainable
- Create Partnerships
- Link to Land Use

Incorporating these principles into the Comprehensive Plan will give a consistent lens with which to view transportation decisions now and in the future.

Looking at three issues in the context of the principles illustrates how the principles can be brought to bear on existing problems to generate meaningful recommendations and actions. Implementing the recommendations contained in this report will require perseverance and the unified work of many interests. It is the goal of the Transportation Commission to incorporate the recommendations into its work plan in order to bring forth meaningful change in the way Kirkland plans, designs, constructs, operates and maintains its transportation projects and programs.

RECOMMENDATION SUMMARY

DEVELOPMENT REVIEW

- *Develop new level of service standards that align with the transportation principles*
- *Review and revise the Concurrency system*
- *Streamline the development review process*

FUNDING

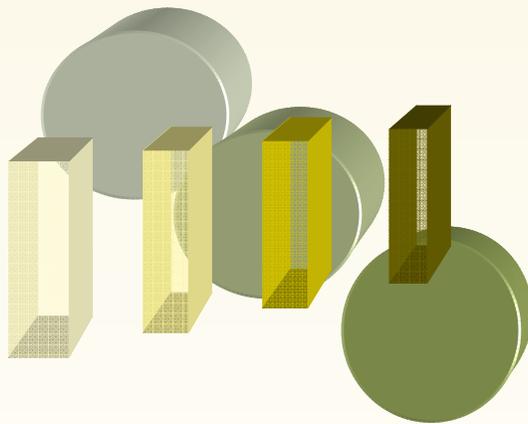
- *Give first funding priority to preservation of existing investments .*
- *Consider new ways of doing business and develop new and more flexible funding sources*
- *Develop clear goals and prioritization systems for those project categories where it does not currently exist.*

POLLUTION, CLIMATE CHANGE AND HEALTH

- *Make specific links in the Comprehensive Plan between transportation policy and pollution, climate change and health goals.*
- *Implement actions that will begin to reduce vehicle miles of travel and emissions.*
- *Proactively meet the goals of the Active Transportation Plan.*

TRANSPORTATION CONVERSATIONS

Perspectives on Kirkland's Transportation Policy



City of Kirkland Transportation Commission
www.ci.kirkland.wa.us

KIRKLAND CITY COUNCIL SPECIAL MEETING

Minutes

December 10, 2013

1. CALL TO ORDER

Mayor McBride called the Special Meeting of the Kirkland City Council to order at 5:30 p.m.

2. ROLL CALL

Members Present: Mayor Joan McBride, Deputy Mayor Doreen Marchione, Councilmembers Dave Asher, Shelley Kloba, Toby Nixon, Penny Sweet and Amy Walen.

3. TOURISM DEVELOPMENT COMMITTEE INTERVIEW

a. Vicci Sorensen

4. SELECTION AND APPOINTMENT OF TOURISM DEVELOPMENT COMMITTEE MEMBER

Following discussion of the applicant's qualifications, Councilmember Asher moved to appoint Vicci Sorensen to the Tourism Development Committee for the remainder of an unexpired term ending March 31, 2014. Councilmember Kloba seconded the motion, which passed unanimously.

5. ADJOURNMENT

The December 10, 2013 Special Meeting of the Kirkland City Council was adjourned at 5:43 p.m.

City Clerk

Mayor



KIRKLAND CITY COUNCIL SPECIAL MEETING MINUTES
December 10, 2013

1. CALL TO ORDER
2. ROLL CALL

ROLL CALL:

Members Present: Councilmember Dave Asher, Councilmember Shelley Kloba, Deputy Mayor Doreen Marchione, Mayor Joan McBride, Councilmember Toby Nixon, Councilmember Penny Sweet, and Councilmember Amy Walen.

Members Absent: None.

3. STUDY SESSION
 - a. Aquatic Center Replacement

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Parks and Community Services Director Jennifer Schroder, Recreation Manager Linda Murphy and from The Sports Management Group, Lauren Livingston, President.

4. EXECUTIVE SESSION

Mayor McBride announced that Council would enter into executive session to discuss labor negotiations and the potential property acquisition, and would return to their special meeting at 7:30 p.m., which they did. City Attorney Robin Jenkinson was also in attendance.

- a. To Discuss Labor Negotiations
 - b. To Discuss Potential Property Acquisition
5. HONORS AND PROCLAMATIONS
6. COMMUNICATIONS

- a. Announcements
 - b. Items from the Audience

Kirstin Larson
Kerry Isbister
Lisa McConnell
Deirdre Johnson
Jim McElwee

- c. Petitions

7. SPECIAL PRESENTATIONS

- a. Puget Sound Energy Infrastructure Update

Puget Sound Energy Communications Manager and Energize Eastside core team member Gretchen Aliabadi presented information on the Energize Eastside project for expanding the electric transmission system.

- b. Government Finance Officers Association (GFOA) Certificate of Achievement for Financial Reporting

Director of Finance and Administration Tracey Dunlap accepted the award from Mayor McBride and Councilmember Walen. Also recognized were Financial Planning Manager Sri Krishnan, Senior Accounting Associate Chris Lynch, Administrative Assistant Jessica Clem, Senior Financial Analyst Neil Kruse, and Budget Analysts George Dugdale and Kyle Butler.

- c. Recognition of Outgoing Mayor McBride

The Councilmembers took the opportunity to each say a few words of appreciation and recognition of Mayor McBride's service on the City Council.

Council recessed for a short break.

8. CONSENT CALENDAR

- a. Approval of Minutes

(1) November 19, 2013

(2) November 20, 2013

- b. Audit of Accounts:

Payroll \$6,357,082.47

Bills \$8,258,786.94

run #1269 checks #548399 - 548400

run #1270 check #548433

run #1271 checks #548435 - 548448

run #1272 checks #548450 - 548636

run #1273 checks #548803 - 548799

run #1274 checks #548803 - 548861

run #1275 checks #548862 - 549010

- c. General Correspondence

d. Claims

Claims from Mark Lord, Penelope Smith, Stacey McCrath-Smith, Mona Petrou, and Elizabeth Staal were acknowledged via the Consent Calendar.

e. Award of Bids

(1) Lee Johnson Field Lighting Replacement, Musco Lighting Systems, Muscatine, Iowa

The construction contract for ball field lighting at Lee Johnson Field at Peter Kirk Park was awarded to Musco Lighting Systems of Muscatine, Iowa, in the amount of \$150,217 via approval of the Consent Calendar.

(2) Firefighter Turnout Gear, L. N. Curtis and Sons, Seattle, Washington

The contract to purchase ninety-eight (98) sets of Globe G-Xtreme model firefighter turnout gear, protective jackets and trousers for structural firefighting, was awarded to L.N. Curtis & Sons of Seattle, Washington, for the estimated amount of \$290,175.00 via approval of the Consent Calendar.

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

(1) Resolution R-5021, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN AMENDMENT TO THE FRANCHISE GRANTED TO NORTSHORE UTILITY DISTRICT PURSUANT TO ORDINANCE NO. 4141 AND AUTHORIZING THE CITY MANAGER TO SIGN THE AMENDMENT."

h. Other Items of Business

(1) Resolution R-5022, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING A MASTER PLAN FOR TOTEM LAKE PARK."

(2) Peter Kirk Restroom Renovation - Budget Adjustment Request

(3) Accepting Planning Commission Resignation

Planning Commissioner and City Councilmember-elect Jay Arnold's resignation was acknowledged.

(4) Supplementary Response to Traffic Petition Regarding Lake Washington Boulevard

(5) Yarrow Point Annexation Report

(6) Report on Procurement Activities

Motion to Approve the Consent Calendar.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Deputy Mayor Doreen Marchione, Mayor Joan McBride, Councilmember Toby Nixon, Councilmember Penny Sweet, and Councilmember Amy Walen.

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

- a. Ordinance O-4429, Amending the Biennial Budget for 2013-2014.

Motion to Approve Ordinance O-4429, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2013-2014."

Moved by Councilmember Amy Walen, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Deputy Mayor Doreen Marchione, Mayor Joan McBride, Councilmember Toby Nixon, Councilmember Penny Sweet, and Councilmember Amy Walen.

- b. Ordinance O-4430, Establishing the Amount of Property Taxes to be Levied for the Year 2014, the Second Year of the City of Kirkland 2013-2014 Fiscal Biennium and Repealing Ordinance O-4425.

Director of Finance and Administration Tracey Dunlap recommended that the Council take no action on this item as the final levy worksheet was not available from King County at the time of the meeting and instead to take action in January when the Department of Finance and Administration brings back the Ordinance with the updated figures.

- c. Ordinance O-4431 and its Summary, Amending and Updating Chapter 19.24 of the Kirkland Municipal Code Relating to Special Events.

Deputy Parks and Community Services Director Michael Cogle provided a presentation on the recommended policy changes outlined in the Ordinance.

Motion to Approve Substitute Ordinance O-4431 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING AND UPDATING CHAPTER 19.24 OF THE KIRKLAND MUNICIPAL CODE RELATING TO SPECIAL EVENTS," as amended.

Moved by Deputy Mayor Doreen Marchione, seconded by Councilmember Amy Walen

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Deputy Mayor

Doreen Marchione, Mayor Joan McBride, Councilmember Toby Nixon, Councilmember Penny Sweet, and Councilmember Amy Walen.

Motion to Amend Substitute Ordinance O-4431, Section 6(e) to read, "The Director of Parks and Community Services, in consultation with the Police Department and the Special Events Team, shall have the authority to limit the number of participants in athletic events if deemed necessary by the Director to protect the health, safety and welfare of both the participants and the surrounding community."

Moved by Councilmember Dave Asher, seconded by Councilmember Amy Walen
Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Deputy Mayor Doreen Marchione, Mayor Joan McBride, Councilmember Toby Nixon, Councilmember Penny Sweet, and Councilmember Amy Walen.

- d. Resolution R-5023, Declaring the Kirkland 4th of July Celebration and the Kirkland Holiday Tree Lighting Festival as Official Community Events.

Councilmember Sweet recused herself from the vote for the appearance of fairness.

Motion to Approve Resolution R-5023, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND DECLARING THE KIRKLAND 4TH OF JULY CELEBRATION AND THE KIRKLAND HOLIDAY TREE LIGHTING FESTIVAL AS OFFICIAL COMMUNITY EVENTS."

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Doreen Marchione

Vote: Motion carried 6-0

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Deputy Mayor Doreen Marchione, Mayor Joan McBride, Councilmember Toby Nixon, and Councilmember Amy Walen.

- e. NE 85th Street Corridor Project - Status Update and Authorization to Bid

Capital Projects Manager Dave Snider provided a status update for the project, including the successful results of the recent Transportation Improvement Board (TIB) grant selection process.

Motion to Approve the staff recommended project funding for completing certain elements of the project as soon as possible and authorized staff to advertise for contractor bids for one bidder package for the NE 85th Street Corridor Project, including NM 0051, TR 0078, TR 0080, WA 0140 and SD 0025.

Moved by Deputy Mayor Doreen Marchione, seconded by Councilmember Penny Sweet

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Deputy Mayor Doreen Marchione, Mayor Joan McBride, Councilmember Toby Nixon, Councilmember Penny Sweet, and Councilmember Amy Walen.

- f. Resolution R-5024, Authorizing the City Manager to Execute the Growing Transit Communities Compact on Behalf of the City of Kirkland.

Planning and Community Development Director Eric Shields provided a short introduction to the Growing Transit Communities Compact.

Motion to Approve Resolution R-5024, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO EXECUTE THE GROWING TRANSIT COMMUNITIES COMPACT ON BEHALF OF THE CITY OF KIRKLAND."

Moved by Councilmember Dave Asher, seconded by Councilmember Amy Walen
Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Deputy Mayor Doreen Marchione, Mayor Joan McBride, Councilmember Toby Nixon, Councilmember Penny Sweet, and Councilmember Amy Walen.

- g. Resolution R-5025, Authorizing the Expenditure of \$15,000 from Council Contingency Funds for the Support of a Kirkland Performance Center Capital Project.

Deputy Mayor Marchione recused herself for the appearance of fairness, and left the chamber, returning following the vote.

Motion to Approve Resolution R-5025, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE EXPENDITURE OF \$15,000 FROM COUNCIL CONTINGENCY FUNDS FOR THE SUPPORT OF A KIRKLAND PERFORMANCE CENTER CAPITAL PROJECT."

Moved by Councilmember Amy Walen, seconded by Councilmember Dave Asher
Vote: Motion carried 6-0

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Mayor Joan McBride, Councilmember Toby Nixon, Councilmember Penny Sweet, and Councilmember Amy Walen.

11. NEW BUSINESS

- a. Review City of Kirkland Draft 2014 Legislative Agenda

Intergovernmental Relations Manager Lorrie McKay presented information on the proposed draft 2014 Legislative Agenda and responded to Council questions and concerns.

- b. Ordinance O-4428 and its Summary, Relating to Comprehensive Planning and Land Use and Amending the Comprehensive Plan Ordinance 3481, as Amended, and Approving a Summary for Publication, File No. CAM13-01249.

Senior Planner Joan Lieberman-Brill provided a brief summary of the proposed changes to the Comprehensive Plan.

Motion to Approve Ordinance O-4428 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM13-01249."

Moved by Councilmember Dave Asher, seconded by Councilmember Amy Walen
Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Deputy Mayor Doreen Marchione, Mayor Joan McBride, Councilmember Toby Nixon, Councilmember Penny Sweet, and Councilmember Amy Walen.

c. Appointing Planning Commission Interview Selection Committee

Councilmembers Asher, Kloba and Sweet were appointed to the interview selection committee after their names were drawn by lot.

12. REPORTS

a. City Council

(1) Regional and Council Committees Appointment Process

(2) Finance and Administration Committee

Have not met.

(3) Public Safety Committee

Chair Sweet reported on the tour of the Public Safety Building.

(4) Community Planning, Housing and Economic Development Committee

Chair Marchione reported on the Economic Development section of the Comprehensive Plan.

(5) Public Works, Parks and Human Services Committee

Chair Marchione reported on a presentation by the Eastside Rail Corridor Regional Advisory Council, an update Capital Improvement Program performance, and a proposal for Sewer system fines for Fats, Oil and Grease (FOG) discharge.

(6) Regional Issues

Councilmembers shared information regarding the Eastside Human Services Forum annual meeting; Association of Washington Cities Elected Officials Essentials training; Sandburg Elementary civics class; ribbon cutting for the

new GoDaddy Kirkland office; Public Safety Building tour; Downtown Tree Lighting; Puget Sound Regional Council Executive Board meeting; King County Regional Law, Safety and Justice Committee meeting; Shop Small Saturday; induction of Chris Warren to the Plaza of Champions; International School tour; status update on Watershed Investment strategies; Sound Cities Association Public Issues Committee meeting; Governing Board for the Committee to End Homelessness; Climate Legislative and Executive Workgroup; Eastside Rail Corridor Regional Advisory Council meeting; Issaquah Comprehensive Plan statement, "every citizen in Issaquah is essential;" Sound Cities Association Public Issues Committee Agenda.

b. City Manager

(1) Calendar Update

City Manager Kurt Triplett had some additional words for Mayor McBride in appreciation for her service on the Council.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council special meeting of December 10, 2013 was adjourned at 10:08 p.m.

City Clerk

Mayor



CITY OF KIRKLAND
Department of Finance and Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Kathi Anderson, City Clerk
Date: December 19, 2013
Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION

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

POLICY IMPLICATIONS

This is consistent with City policy and procedure and is in accordance with the requirements of state law (RCW 35.31.040).

BACKGROUND DISCUSSION

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

- (1) 307 Homeowners Association
307 5th Avenue
Kirkland, WA 98033

Amount: Unspecified Amount

Nature of Claim: Claimant states damage to property resulted from broken water main.

- (2) Sergio and Patricia Miralda
12404 98th Avenue NE
Kirkland, WA 98034

Amount: \$7,000.00

Nature of Claim: Claimant states damage to property resulted from storm drains overflowing.

Note: Names of claimant are no longer listed on the Agenda since names are listed in the memo.



CITY OF KIRKLAND
Department of Public Works
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
 www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Dave Snider, P.E., Capital Projects Manager
Pam Bissonnette, Interim Public Works Director

Date: December 23, 2013

Subject: 2013 Street Preservation Program, Phase I Curb Ramp and Concrete Repairs Accept Work

RECOMMENDATION:

It is recommended that City Council accepts the work on the 2013 Street Preservation Program, Phase I Curb Ramp & Concrete Repairs Project, as completed by West Coast Construction Co., Inc., Woodinville, WA, and establish the statutory lien period.

BACKGROUND DISCUSSION:

The Curb Ramp & Concrete Repairs Project is Phase I of the Annual Street Preservation Program for the maintenance and rehabilitation of the City's street network. The Curb Ramp & Concrete Repairs Project included the installation of 68 new curb ramps as required by the Americans with Disabilities Act. The Project also provided for the replacement of broken concrete curb and sidewalk panels immediately adjacent to the five streets that were resurfaced in 2013, as part of the annual Street Overlay Project - Phase II (see Attachment A).

In past years the concrete repairs were bid together with the overlay project under one contract. Since the passage of Proposition 1, staff split the work into two contracts to facilitate an earlier construction start in order to maximize the time for completing a larger-scale program.

The total budget of \$4,165,483 for the 2013 Annual Street Preservation Program is a combination of five revenue sources, including the base CIP, Proposition 1 Levy funds, a City Council approved carry-over from the 2012 program, and street-cut mitigation payments from PSE and from a private developer:

Revenue Source	Amount
2013-2018 base CIP	\$1,750,000
Prop 1 Levy funds	\$1,959,000
2012 Carry-over	\$ 268,606
PSE Contribution	\$ 170,329
Development Contribution	\$17,548
TOTAL	\$4,165,483

At their regular meeting of March 19, 2013, Council awarded the 2013 Curb Ramp and Concrete Repairs Project to West Coast Construction Company in the amount of \$475,943.00. The construction began on April 8 and all concrete work was substantially complete in June. The total of all payments made to the contractor was \$426,265.58, with the reduced contract amount due to bid item quantities being less than originally estimated.

The current anticipated expenses for the Annual Street Preservation Program, in 2013, are as follows:

Phase	Budget Amount	Status	Final Amount
Phase I Curbs and Ramps	\$475,943	Accept – This Memo	\$426,265
Phase II Overlay Awarded	\$2,348,067	Substantially Complete	\$2,180,000*
Phase III Slurry Seal	\$ 511,794	Substantially Complete	\$490,000*
Engineering, Admin, Inspection	\$ 600,000	On-Going	\$710,000*
Contingency	\$ 229,679	Balance Remaining	\$359,217
TOTAL	\$4,165,483		\$4,165,483

** Current Estimated Final Amount*

The Phase II (Street Overlay Project) and Phase III (Slurry Seal Project) are scheduled to be recommended for acceptance in early 2014.

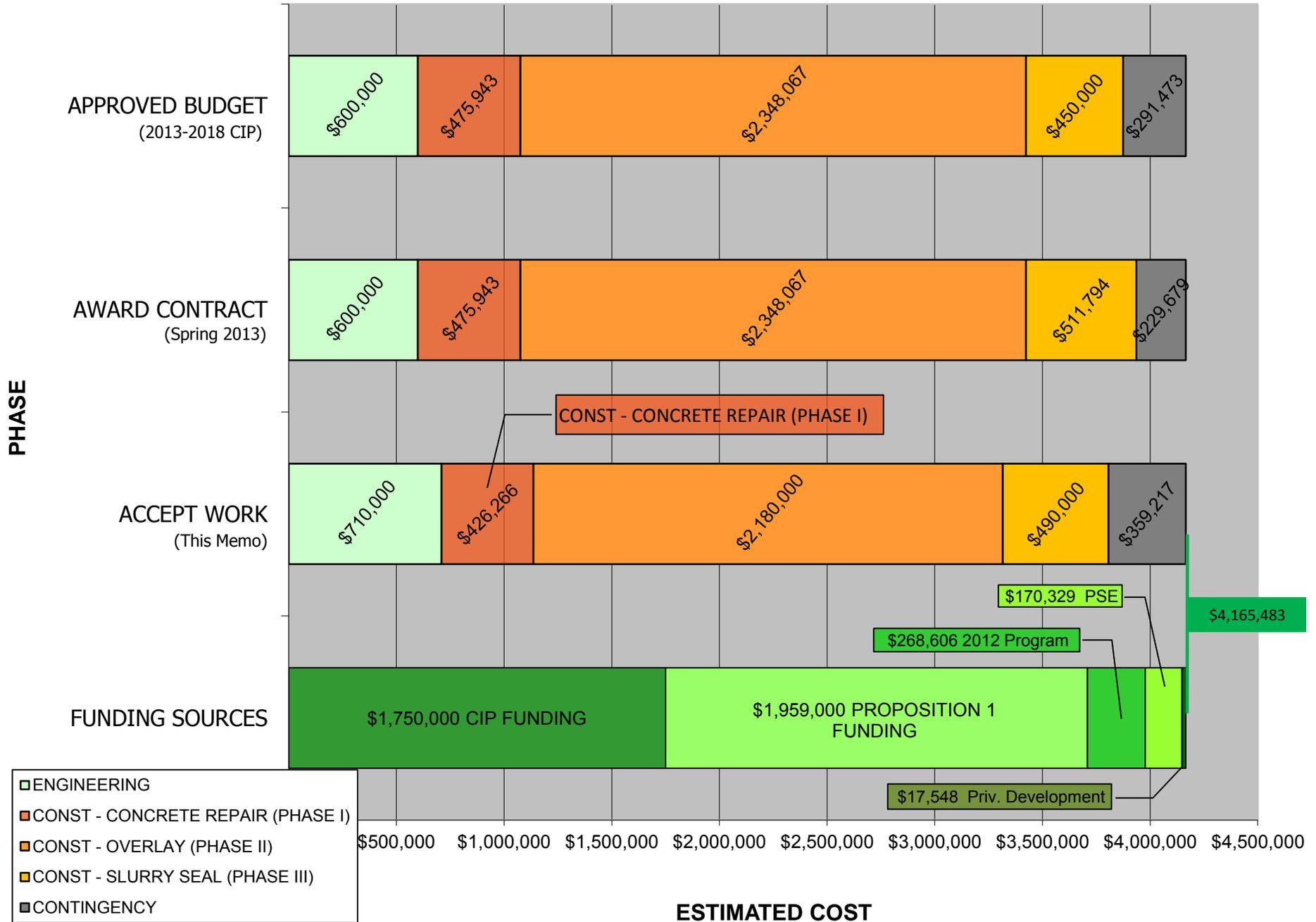
Attachment A – Vicinity Map

Attachment B – Project Budget Report

2013 Curb Ramp & Concrete Repairs Project (ST-1306)

Attachment B

Project Budget Report





CITY OF KIRKLAND
Human Resources Department
 505 Market Street Suite B, Kirkland, WA 98033 425.587.3210
 www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: James C. Lopez, Director of Human Resources & Performance Management

Date: December 18, 2013

Subject: RATIFICATION OF KIRKLAND POLICE GUILD SUPPORT STAFF COLLECTIVE BARGAINING AGREEMENT – 2013 - 2015

RECOMMENDATION

City Council adopts the 2013-2015 Collective Bargaining Agreement between the City of Kirkland and the Kirkland Police Guild Support Staff.

BACKGROUND DISCUSSION

On December 17, 2013, the City of Kirkland was advised that the members of the Police Guild Support Staff voted for ratification of the 2013 – 2015 Collective Bargaining Agreement. This Agreement was the result of a collaborative negotiation process between the City and the Union.

Some highlights of the agreement are:

- Three year agreement (January 1, 2013 – December 31, 2015)
- Percentage based wage increases:
 - 2013 - 2.7 %
 - 2014 - 0 %
 - 2015 - 2.3 %
- Reclassification of an existing Police Support Associate (1.0 FTE) to a new Police Support Associate Lead position, effective January 1, 2015.
- Negotiated salary increase for Police Support Supervisor position, based upon comparable cities' market data.
- "4/10" work schedule (four consecutive days of ten hour shifts, followed by three consecutive days off) for the Corrections Unit. Schedule implementation anticipated in early 2014.
- Life insurance language change to reflect a maximum guarantee of \$250K (current practice consistent with other bargaining units)

Members of the Negotiation Teams warrant commendation for this collaborative negotiation process, which occurred during challenging economic times.

Staff is pleased to recommend to City Council the ratification and adoption of this Agreement (or a substantially similar version if minor corrections become necessary) with the Kirkland Police Guild Support Staff.

Attachments: City of Kirkland and Kirkland Police Guild Support Staff Collective Bargaining Agreement, 2013 – 2015
Corrections Work Schedule Memorandum of Understanding
Police Support Associate Lead Memorandum of Understanding

2013 - 2015 Agreement

By and Between



CITY OF KIRKLAND
and
KIRKLAND POLICE GUILD
SUPPORT STAFF



2013-2015 Agreement
By and Between
City of Kirkland
And
Kirkland Police Officers' Guild
Support Staff

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2013-2015 Agreement
By and Between
City of Kirkland
And
Kirkland Police Officers' Guild
Support Staff

PREAMBLE

This Agreement is made, by and between the City of Kirkland, hereinafter referred to as the "Employer" and the Kirkland Police Officers' Guild, hereinafter referred to as the "Guild."

The purpose of the Employer and the Guild in entering into this agreement is to set forth their entire agreement with regard to wages, hours, and working conditions, so as to promote uninterrupted public service, efficient operations and harmonious relations, giving full recognition to the rights and responsibilities of the Employer and Employee.

ARTICLE 1 – DEFINITIONS

As used herein, the following terms shall be defined as follows:

"Bargaining Unit" or "Guild" shall mean all Employees represented by the Kirkland Police Officers' Guild for the classifications identified in Article 9 or new classifications as may be added consistent with Article 2.2.

"Department" shall mean the Kirkland Police Department.

"Department Head" shall mean the Chief of Police or designee.

"Employee" shall mean a person occupying a position and paid a salary or wage by the City of Kirkland who is a member of the Bargaining Unit covered by this Agreement, as defined by Article 5.2.

"Employer" or "City" shall mean the City of Kirkland.

"Health Care Provider's Statement" shall mean a written statement from a professional health care provider certifying an illness or injury, the date an Employee is anticipated as able to return to full duty or a recommendation of temporary duty with reasonable accommodation, and the Employee's ability to perform the required duties.

"Immediate family" shall be defined as persons related by blood, marriage, or legal adoption in the degree of relationship of grandparent, parent, wife, husband, brother, sister, child, grandchild,

domestic partner (as defined by Employer Policy), and other persons with the approval of the City Manager, or designee.

“Non-Essential Personnel” includes all non-commissioned personnel with the exception of the Corrections officers.

ARTICLE 2 – RECOGNITION

2.1 RECOGNITION

The Employer recognizes the Guild as the sole and exclusive bargaining representative for all non-commissioned Employees, excluding supervisory (except those specified in Article 9), confidential, and fully Commissioned Personnel of the Employer.

2.2 NEW CLASSIFICATIONS

If new classifications are established by the Employer and added to the bargaining unit, if the duties of existing classifications are substantially changed, or if an Employee is appointed to a position substantially different than the Employee’s classification, a proposed wage scale shall be assigned thereto, and the Employer shall forward the new or changed class and proposed wage to the Guild for review. The contract will then be subject to reopening for the sole purpose of negotiating a wage for the class, and only if so requested by the Guild.

If either party disagrees with the designation of a new or reclassified position, the parties recognize that the determination as to whether the position is included within the bargaining unit may be reviewed by PERC upon petition by either party or jointly. Should PERC determine the classification is to be included in the bargaining unit, the position shall be placed within the Guild salary schedule at the appropriate rate of pay and at a step arrived at by mutual agreement / negotiation. If the parties cannot reach agreement the matter will be sent to arbitration.

2.3 CONTRACT PROPOSALS

The Employer recognizes and agrees to discuss contract proposals with the members of the Guild’s Executive Board or their designated representative(s) only. The Guild recognizes the City as the representative of the people of the City of Kirkland and agrees to negotiate only with the City through the negotiating agent or agents officially designated by the City Manager to act on its behalf.

The Guild will promptly notify the Human Resource Director and the Chief of Police in writing of their designated representative(s).

ARTICLE 3 - GUILD SECURITY

3.1 MEMBERSHIP

The Employer recognizes that members of the Kirkland Police Department may, at their discretion, become members of the Guild. The Guild accepts its responsibility to fairly represent all Employees in the bargaining unit regardless of membership status.

3.2 DUES DEDUCTION

The Employer, when authorized and directed by a member of the Guild in writing upon an authorization form provided by the Employer to do so, shall deduct Guild dues from the wages of an Employee.

3.2.1 Payroll Deductions – Upon written authorization from an Employee within the bargaining unit, the Employer shall deduct from the wages of that Employee the sum certified as assessments and monthly dues of the Guild and shall forward such sum to the Guild. Should any Employee not have any monies due him/her or the amount of such monies is not sufficient to satisfy the assessments, no deduction shall be made for that Employee for that month.

3.2.2 An authorization for payroll deduction may be canceled upon written notice to the Employer and the Guild before the fifteenth (15th) day of the month in which the cancellation is to become effective, subject to the provisions of this article.

3.2.3 The Guild shall indemnify, defend, and hold the Employer harmless against any claims made and against any suit instituted against the Employer on account of any check-off of dues for the Guild. The Guild shall refund to the Employer any amounts paid to it in error on account of the check-off provision upon presentation of proper evidence thereof.

3.2.4 Any regular Employee in a classification represented by the bargaining unit, who elects to not join the Guild within thirty (30) calendar days, shall complete an authorization form and have deducted from their pay by the Employer, as a condition of employment, a monthly service fee in the amount of monthly dues to the Guild. This service fee shall be segregated by the Guild and used on a pro-rata basis solely to defray the cost for its services in negotiating and administering this agreement. A service fee deduction for an Employee may be made only if the accrued earnings of the Employee are sufficient to cover the service fee after all other authorized payroll deductions for the Employee have been made. The Guild shall assume the liability for all check-off matters beyond the Employer responsibility to make deductions in accordance with this Article.

3.2.5 An Employee who objects to membership in the Guild on the basis of religious tenets or teachings of a church or religious body of which such Employee is a member shall inform the Employer and the Guild of the objection. The Employee shall establish with the representatives of the Guild an arrangement for contributing to a non-religious charity an amount of money equivalent to regular Guild membership dues.

3.3 BARGAINING UNIT ROSTER

The Employer shall provide the Guild with a roster of Employees covered by this Agreement upon request, or the appointment of a new hire.

The Guild agrees to supply both the Chief and Human Resources with a current list of officers. The Employer will recognize the officers as soon as the list is received, in writing, by the Department and Human Resources.

3.4 NONDISCRIMINATION – GUILD ACTIVITY

Neither party shall discriminate against any Employee or applicant for employment because of membership in or non-membership in or activity on behalf of the Guild.

ARTICLE 4 - GUILD/EMPLOYER RELATIONS

4.1 GUILD ACCESS

The Guild's authorized staff representatives shall have access to the Employer's premises where Employees covered by this Agreement are working for the purpose of investigating grievances and contract compliance, after notifying the Employer. Access for other purposes shall not be unreasonably denied by the Employer. Such visits shall not interfere with or disturb Employees in the performance of their work during working hours.

4.2 FACILITY USE

Guild meetings may be scheduled and held on City premises. The Chief of Police or designee's approval pursuant to this section shall not be unreasonably withheld.

4.3 STEWARDS

The Guild will provide to the City names and contact numbers for all Guild stewards and update the list on an annual basis unless changes occur more frequently. The Guild will notify the City no later than five (5) calendar days from the selection of new Guild Stewards.

4.4 ORIENTATION

During the new Employee orientation process, the Employer will notify the Employee of the requirements of Article 3.1 and Guild contact information.

4.5 BULLETIN BOARDS

The City shall permit the reasonable and lawful use of bulletin boards by the Guild for the posting of notices relating to official Guild business.

4.6 CONTRACT DISTRIBUTION

The Guild will provide access to a copy of this Agreement to each new and current Employee in the unit.

4.7 NEGOTIATIONS RELEASE TIME

The Employer shall endeavor to allow a minimum of three (3) members of the Guild's negotiation committee to attend negotiation sessions during on-duty time provided, however, that operational necessities shall remain the priority and not more than two of the on-duty members shall be from any single division or workgroup, without prior authorization of the Chief or designee. Such members shall be designated by the Guild at least one (1) week in advance, where possible, and may include individuals assigned to other than day shift if the Employer determines that staffing on that shift is adequate, without the necessity of overtime (such individuals shall be considered to be transferred to day shift for the day on which the negotiations session is held).

4.8 GRIEVANCE RELEASE TIME

Prior to any proposed investigation of a grievance requiring any substantial use of on-duty time, stewards or officers shall provide notice to the Chief or designee.

4.9 GUILD BUSINESS

The Chief or designee shall endeavor to allow Guild Officials time off while conducting official “duty to represent” Guild business on behalf of Employees in the bargaining unit, including grievance resolution and arbitration, provided that:

- 4.9.1 They notify the Employer at least forty-eight (48) hours prior to the time off, unless such notice is not reasonably possible;
- 4.9.2 The Employer is able to properly staff the Employees’ job duties during time off; and
- 4.9.3 The wage cost to the Employer is no greater than the cost that would have been incurred had the Guild Official not taken time off (i.e., no overtime expenses).

ARTICLE 5 – EMPLOYMENT

5.1 PROBATIONARY PERIODS

Newly hired Employees covered by this Agreement are subject to a twelve (12) month probationary period. A probationary Employee shall be considered “at will” until successful completion of probation.

Should the represented classification require an Academy certification, the twelve (12) month period will be in addition to the period necessary to complete the Academy.

Where an unavoidable delay occurs in securing an Academy slot for a newly hired Corrections Officer, the probationary period for that Corrections Officer shall be extended by the length of that delay, up to ninety (90) calendar days. Should that delay be anticipated to go or in fact goes beyond ninety (90) calendar days from the date of hire, notice to the Guild shall be provided and expeditious bargaining of the matter will occur, upon request.

5.2 TYPES OF EMPLOYMENT

5.2.1 Regular Full-Time Employees:

A regular full time Employee is scheduled to work forty (40) hours per week in a regularly budgeted, on-going position. Regular Full-Time Employees are eligible to receive the standard benefit package.

5.2.2 Regular Part-Time Employees:

A regular part-time Employee typically is scheduled to work a minimum of twenty (20) hours per week but no more than forty (40) hours per week in a regularly budgeted, on-going position. Regular Part-Time Employees are eligible to receive the standard benefit package, prorated to match the FTE percentage and adjusted by actual hours worked.

5.2.3 Temporary Employees:

A temporary Employee is hired for a specific assignment that has a duration of employment and schedule that is anticipated to work one thousand and forty (1,040) hours or more in a twelve (12) month period.

A temporary Employee is eligible for the standard benefits package, prorated to match the anticipated FTE percentage and adjusted by actual hours worked.

If a regular Employee accepts an assignment of a temporary position, that Employee will be eligible for return rights to their former position upon completion of the specific assignment or term of the temporary employment or upon twenty (20) calendar days notice from the Employer or thirty (30) calendar days notice from the Employee, whichever is earlier. Any new-hire Employee who is hired to fill the vacancy, which was created by the regular Employee accepting a temporary position, will also be hired as a temporary Employee and that Employee will cease to have employment rights upon the return of the regular Employee to the former position.

Guild membership will be required per Article 3 for represented classifications, per the terms of the Agreement. Regular Employees moving to a temporary position, as above, will become or remain Guild members, per the Agreement representing the temporary position.

After a temporary position is filled longer than two (2) years, the Employer will meet and discuss the status of the position with the Guild. If or when the position is fully funded, a temporary Employee may apply for that position.

Employees in temporary positions serve an anticipated but not guaranteed term. While a term of employment is anticipated, the assignment / project may be terminated at any time for any reason, with or without notice.

5.2.4 Seasonal Employees:

A seasonal Employee works for a specific amount of time and is not anticipated to meet or exceed one thousand and forty (1,040) accumulated hours in a twelve (12) month period. A seasonal Employee is not eligible to receive the benefits package.

If the one thousand and forty (1,040) hour limitation is met or exceeded in any one (1) type of employment within a twelve (12) month period, the Employee will become eligible for the standard benefits package, consistent with current personnel rules. Benefits shall be prorated to match the FTE percentage, as determined by service to that point, and adjusted by actual hours worked. Guild membership will then be required per Article 3 for represented classifications, per the terms of the Agreement.

5.2.5 On-Call / Extra Help Employees:

An on-call / extra help Employee works in a limited, but on-going capacity. They do not have a specific end date. Their schedule may consist of an intermittent or varying schedule per week on an as needed basis, and are anticipated to work fewer than one

thousand and forty (1,040) hours within a twelve (12) month period. They are not eligible for the benefits package.

If the one thousand and forty (1,040) hour limitation is met or exceeded in any one (1) type of employment within a twelve (12) month period, the Employee will become eligible for the standard benefits package, consistent with current personnel rules. Benefits shall be prorated to match the FTE percentage, as determined by service to that point, and adjusted by actual hours worked. Guild membership will then be required per Article 3 for represented classifications, per the terms of the Agreement.

5.3 CONTRACTORS

The Employer will make good faith efforts to limit bargaining unit work to Employees covered by this Agreement. "Contractors" who are not Employees of the Employer will be permitted to do bargaining unit work where both the need is occasional and temporary and when there are not regular staff either qualified or available to do such work.

5.4 STUDENTS/INTERNS/VOLUNTEERS

Student, volunteers and Internship programs may be created by the Employer provided such programs do not involve bargaining unit work. In the event the Employer seeks to have volunteers conduct bargaining unit work, it will provide notice to the Guild and, upon request, negotiate any such change.

ARTICLE 6 - HOURS OF WORK AND OVERTIME

6.1 WORKDAY/WORKWEEK

The work week shall be composed of three (3) or more consecutive days on duty with two (2) or more consecutive days off duty and may consist of eight (8), nine (9), ten (10), or twelve (12) hour shifts, combinations thereof, or others by mutual agreement. The working hours shall be equivalent to forty (40) hours per week on an annualized basis.

A regular full-time workweek shall consist of forty (40) hours of time actually worked or compensated within a seven (7) day period (typically Sunday 12:00 a.m. through Saturday 11:59 p.m.). Changes in work schedule, which may include changes in the schedule or total hours, shall be consistent with Article 6.2.

Emergency shift schedule changes -

6.1.1 The Chief of Police may temporarily adjust the existing shifts if an emergency event is deemed to hamper the effectiveness of the Police Department. Work performed outside of the Employee's regular schedule for the first seventy-two (72) hours will be compensated at time and one half. Once the emergency event is over, the Employee will return to the previous bid upon schedule.

6.1.2 If Management makes non-emergency changes in the Employee's work schedule, the Employee shall be given at least fourteen (14) calendar days notice prior to the new schedule going into effect. This does not pertain to staff in training and probationary

Employees. The Guild retains the right to bargain the impacts of such decisions, including identification of the need and the anticipated duration of the new schedule. The parties agree that such changes shall be based upon operational need and not used as a means to circumvent the shift bid process. The parties further agree that upon an end of the operational need necessitating the shift change, the Employee shall return to the shift designated in the shift bid process.

6.2 SHIFT SCHEDULES

The schedule shall be determined by bidding based upon seniority such that in the event that more than one Employee bids for a shift, it shall be awarded to the Employee with the longest unbroken service in the job classification of the position being bid, provided, however that the Chief retains the right to balance the shifts for levels of experience or operational needs in those classifications where multiple Employees in the same classification work any given shift. Bidding shall occur once a year in September for the following year.

6.2.1 Shift Openings: Within two (2) weeks of an opening on a shift, existing Employees will be given an opportunity, based on seniority, to fill the opening. Once the opening has been filled the position vacated by the movement of the senior officer will then be filled by a new hire until the next shift bid as outlined in Article 6.2., provided such does not alter time-off already scheduled, consistent with Article 6.2.2.

Actual movement to the new vacancy will occur as staffing and operational needs allow.

6.2.2 An Employee who voluntarily moves to a different shift upon a vacancy will need to resubmit any leave requests (i.e. vacation, holiday, comp, etc.) for leave which was previously approved, in the event there is a conflict with the previously approved leaves for that shift.

6.3 SHIFT TRADES

Shift Trades are a civil arrangement between Employees. No compensatory time or overtime is payable in conjunction with a shift trade. Shift trades shall be allowed if a request is made by the Employee and approved by the Lead or above of the Employee's division prior to the shift trade. An Employee who agrees to a shift trade and is subsequently unable to work shall obtain another Employee to fill the position. If no relief can be obtained, an equal amount of vacation and/or holiday time will be charged for the shift traded time against him or her, and may be subject to progressive discipline. If the Employer must replace the individual on an overtime basis, an amount equal to one and one-half (1 1/2) times vacation and/or holiday time will be charged against him or her. The Chief of Police or designee may waive this penalty. The Employer has no obligation to ensure or facilitate the repayment of shift trades between Employees.

6.3.1 Shift trades shall be allowed between "like positions" and are traded on a position for position basis. For purposes of this section, "like positions" shall be defined as those positions where the Employee is performing the duties the City is currently compensating them for.

6.3.2 Shift trades may be allowed as long as the trade does not result in any negative

economic impact to the City and does not result in undue interference with the operations of the City and the Police Department.

6.3.3 Shift trades are not intended to be used to routinely modify an Employee's regularly assigned shift.

6.4 REST/MEAL BREAKS

For Employees on eight (8) and ten (10) hour shifts, a work day shall include a paid thirty (30) minute lunch break and 2 fifteen (15) minute breaks. For Employees on twelve (12) hour shifts, a workday shall include at least 2 paid thirty (30) minute breaks.

6.5 OVERTIME

All pre-approved work performed by (a) full-time Employees in excess of the normal work day or on a day off, or (b) by regular part-time Employees in excess of forty (40) hours in any workweek, shall constitute overtime and shall be paid for at one and one-half (1 ½) times the Employee's straight time hourly rate. To the basic hourly rates, certain additional payments (per the FLSA) are included to calculate an Employee's regular rate for overtime purposes.

Premium or overtime pay in this article shall not be duplicated or pyramided.

6.5.1 All overtime shall be compensated for in increments of fifteen (15) minutes with the major portion of fifteen (15) minutes being paid as fifteen (15) minutes.

6.5.2 Hourly rate of pay shall be determined by dividing the annual straight time hourly rate by two thousand eighty (2080). To the basic hourly rates, certain additional payments (per the FLSA) are included to calculate an Employee's regular rate for overtime purposes.

6.5.3 Overtime premium pay is not payable when caused by a change of shift according to present practice, or special assignment, such as out-of-city training.

6.5.4 Overtime compensation will be made on shifts worked during Daylight Savings Time changes.

6.5.5.1 Minimum Overtime – Call-Back, Court Appearances, BAC Hearings: In the event that overtime, which has been specifically pre-approved by Command Staff, is not an extension at the beginning or end of a normal shift, the Employee shall be paid at the rate of one and one-half (1 ½) times their straight time hourly rate for the actual time worked with a minimum of three (3) hours, consistent with Article 10.2. Court hearings, as well as BAC hearings, shall be considered, upon notification, as specifically preapproved by Command Staff. It will be mandatory for an Employee to respond to work if so directed by Command Staff or the shift Supervisor.

6.6 COMPENSATORY TIME

6.6.1 Compensatory time will be granted at the Employee's request, at the time of authorizing the overtime, in lieu of overtime pay. Absent Employee request, overtime shall be paid rather than compensatory time granted.

Overtime shall be compensated or compensatory time awarded at the rate of one and one-half (1½) times the Employee's regular rate of pay or in the case of Call-back a minimum of three (3) hours of overtime or compensatory time shall be granted.

Should an Employee be ordered / "mandatoried" to work overtime, the Employee may make an election within the pay period for either compensatory time to be awarded or for the overtime to be paid.

An Employee may only accrue compensatory time up to a maximum balance of sixty (60) hours.

6.6.2 Compensatory time, accrued in lieu of cash compensation for overtime hours worked, shall be paid out on an annual basis, on the first pay day following November 1st, for all hours earned through October 31st.

6.7 MINIMUM STAFFING

6.7.1 Minimum staffing for the Records Division between the hours of 9 a.m. to 3 p.m. shall be two (2). Minimum staffing for Corrections shall be two (2) at all times.

ARTICLE 7 – EMPLOYMENT PRACTICES

7.1 NONDISCRIMINATION

The Guild and the Employer agree to provide equal opportunity as to the provisions of this Agreement to all their members and Employees. Neither the Employer nor the Guild shall discriminate against any person on the basis of such person's race, sex, marital status, color, creed or religion, national origin, age, veteran status, sexual orientation or the presence of any sensory, mental or physical disability, unless based upon a bona fide occupational qualification.

Wherever words denoting a specific gender are used in this Agreement, they are intended and shall be construed so as to apply equally to either gender.

7.2 JOB POSTING

When any position becomes vacant, the Employer will make every reasonable effort to fill it as soon as possible.

7.3 PROMOTIONS

When a new position is created or a vacancy occurs, the Employer shall select the most qualified candidate to fill the position, consistent with Article 8.2.1. At the discretion of the Employer, outside recruitment and selection may take place. When an Employee applies and is not selected for a vacancy, he/she will receive notification.

7.4 JOB SHARE

No language.

7.5 PERSONNEL FILES

Personnel Files – The City Human Resources Division will retain the permanent personnel file. The Police Department shall maintain only one working personnel file for each Employee.

Supervisory notes - This does not preclude a Supervisor from maintaining notes regarding an Employee's performance for purposes of formulating evaluation and performance appraisal or the Department from maintaining separate computerized records relating to training, promotion, assignment, or similar data.

Information related to medical, psychological, background check information and grievance records shall be maintained in separate files.

Employees shall have access to their personnel file with reasonable frequency. Upon request, access shall be provided within a maximum of four (4) working days. Conditions of hiring, termination, change in status, shift, evaluations, commendations and disciplinary actions shall be in writing with a copy to the Employee prior to placement in their personnel file.

Upon receiving a request for all or part of a personnel file from any third party, the affected Employee shall be notified of the request, and the information shall not be released for a period of three (3) business days from the time of said notification, except as part of an investigation being conducted by another law enforcement agency, the disclosure of which is necessary for effective law enforcement. Upon service of a court order or subpoena properly recorded and signed by a judge or magistrate demanding immediate release or as otherwise required by law, the Employee shall be notified of the request and release will be made as required by law or as above. The City Attorney will advise the Department in all matters pertaining to the release of information contained in a personnel file.

Employees shall have the right to provide a written response to any written evaluations or disciplinary actions to be included in the personnel file, which, together with the action, will be retained with the action in the personnel file.

Personnel Records Retention:

Records of disciplinary action may be retained in an Employee's personnel file for a period of not more than seven (7) years. After seven (7) years has elapsed, the Employee may request in writing the removal of such records which shall be granted unless the Employee's personnel record indicates a pattern of similar types of discipline, in which case, all such records may be retained until an additional period of two (2) years has elapsed, during which there has been no further disciplinary action for the same or similar behavior. After two (2) years has elapsed, the Employee may request in writing removal of the record of disciplinary action.

Records retained in an Employee's Department personnel file longer than provided in this section shall not be admissible in any proceedings concerning disciplinary action, provided that the parties retain the right to introduce evidence regarding prior discipline of other Employees

for the purpose of establishing the consistency or non-consistency of discipline imposed in a case subject to a disciplinary appeal.

7.6 EVALUATIONS

The purpose of evaluation is to help an Employee to be successful in performance and to understand the standards and goals of their position and their Department. The evaluation will assess and focus on the Employee's accomplishment of their job functions and the goals and standards of the position. Where the Employee does not meet the above, a plan for correction, training or support should be developed with the Employee.

Evaluation may occur in two forms:

7.6.1 All regular Employees should be formally evaluated in writing by their immediate Supervisor and/or Department head or designee during the probationary or trial service period and at least annually (at date of hire or a common date) thereafter.

7.6.2 Additionally, evaluation of job performance may occur at any time and on an ongoing basis. Evaluation may occur in various ways and may include coaching, counseling or written assessment.

The evaluation process shall also include a review of the current job description.

Evaluation shall not, by itself, constitute disciplinary action – disciplinary action must be specifically identified as such, in writing, consistent with Article 7.8.

Employees will be given a copy of the evaluation. Employees will be required to sign the evaluation, acknowledging its receipt. Evaluations are not grievable, however, Employees may elect to provide a written response to the evaluation, which will be retained with the evaluation in the Employee's personnel file.

7.7 BILL OF RIGHTS

All Employees within the bargaining unit shall be entitled to the protection of what shall hereafter be termed as the "Police Officers Bill of Rights." The wide-ranging powers and duties given to the Department and its members involve them in all manner of contacts and relationships with the public. Of these contacts come many questions concerning the actions of members of the force. These questions often require an immediate investigation by superior officers designated by the Chief of Police. In an effort to ensure that these investigations are conducted in a manner, which is conducive to good order and discipline, the following guidelines are promulgated:

7.7.1 Employees shall be informed in writing, of the nature of the investigation, the right to request Guild representation, and whether they are a witness or a subject of the investigation before any interview of the Employee commences. In investigations other than criminal, this will include the name, address, and other information necessary to reasonably apprise them of the allegations of such complaint.

An Employee who is identified as a subject of the investigation, shall be advised in writing a minimum of forty-eight (48) hours prior to the time of the interview, if the interviewer either knows or reasonably should know that the questioning concerns a matter that could lead to criminal charges or misconduct that could be grounds for termination. Employees who are given a forty-eight (48) hour notification may waive that delay by signing a written waiver form, provided that the Employee either has Guild representation or waives the right to such representation in writing.

7.7.2 Any interview of an Employee shall be at a reasonable hour, preferably when the Employee is on duty unless the exigencies of the investigation dictate otherwise. Where practicable, interviews shall be scheduled for the daytime.

7.7.3 The interview, which shall not violate the Employee's constitutional rights, shall take place at the Kirkland Police Station facility, except where impractical. The Employee shall be afforded the opportunity and facilities to contact and consult privately with an attorney of the Employee's own choosing and/or a representative of the Guild. Said attorney and/or representative of the Guild may be present during the interview but shall not participate in the interview except to counsel the Employee, provided that the Guild representative or attorney may participate to the extent permitted by law.

7.7.4 The questioning shall not be overly long, and the Employee shall be entitled to such reasonable intermissions as they shall request for personal necessities, meals, telephone calls, and rest periods.

7.7.5 The Employee shall not be subjected to any offensive language, nor shall he be threatened with dismissal, transfer, or other disciplinary punishment as a guise to attempt to obtain their resignation, nor shall they be intimidated in any other manner. No promises or rewards shall be made as an inducement to answer questions.

7.7.6 It shall be unlawful for the City to require any Employee covered by this agreement to take or be subjected to any polygraph or any polygraph type of examination as the condition of continued or continuous employment or to avoid any threatened disciplinary action.

7.7.7 By mutual agreement, the interview shall be recorded on tape. One copy shall be provided to the Guild representative or Employee. There shall be no "off-the record" questions. Within seven (7) calendar days of the completion of the investigation, and no later than three (3) calendar days prior to a pre-disciplinary hearing, the Employee shall be advised of the results of the investigation and the recommended disposition and shall be furnished a complete copy of the investigation report, provided that the Employer is not required to release statements made by persons requesting confidentiality where the request was initiated by such persons and provided further that such confidential statements may not be relied upon to form the basis of discipline. All interviews shall be limited in scope to activities, circumstances, events, conduct or actions which pertain to the incident which is the subject of the investigation. Nothing in this section shall prohibit the Employer from questioning the Employee about information which is developed during the course of the interview.

7.7.8 Use of Deadly Force Situations: When an Employee, whether on or off duty, uses deadly force which results in the injury or death of a person, or discharges a firearm in which no injury occurs, the Employee shall not be required to make a written or recorded statement for twenty-four (24) hours after the incident except that immediately following the incident the Employee shall verbally report to a superior a brief summary of the incident and any information necessary to secure evidence, identify witnesses, or apprehend suspects. The affected Employee may waive the requirement to wait twenty-four (24) hours. The Department and the Guild shall mutually agree on designated peer support counselors.

7.7.9 Medical or Psychological Examinations: When there is reasonable suspicion to believe that an Employee is medically or psychologically unfit to perform his/her duties, the Employer may require the Employee to undergo a medical or psychological examination in accordance with current standards as may be established by the Washington Association of Sheriffs and Police Chiefs, the International Association of Chiefs of Police, and the Americans with Disabilities Act, and other applicable State or Federal laws. Consultations with the City's Employee Assistance Program are not considered medical or psychological examinations.

7.8 DISCIPLINE/CORRECTIVE ACTION

No Employee shall, by reason of his employment, be deprived of any rights or freedoms, which are afforded to other citizens of the United States by the State and Federal Constitutions and Washington law.

No Employee shall be compelled by the City to give self-incriminating information, either verbal or written, during any criminal investigation when such investigation involves allegations against the Employee nor in any internal investigation which could lead to a criminal charge against the Employee. Any refusal by an Employee to give self-incriminating information under these conditions will not result in the Employee's termination, suspension, reprimand, transfer, or any other form of disciplinary action by the City.

The Employer agrees to act in good faith in the discipline, dismissal or demotion of any regular Employee and any such discipline, dismissal or demotion shall be made only for just cause.

The parties recognize that just cause requires progressive discipline. Progressive discipline may include:

- oral reprimands, which will be documented;
- written reprimands;
- disciplinary transfer;
- suspension with or without pay;
- demotion; or
- discharge.

The intent of progressive discipline is to assist the Employee with performance improvement or to correct misconduct. Progressive discipline shall not apply where the offense requires more serious discipline in the first instance. Both the sequencing and the steps of progressive discipline are determined on a case-by-case basis, given the nature of the problem.

All disciplinary actions shall be clearly identified as such in writing. The Employee will be requested to sign the disciplinary action. The Employee's signature thereon shall not be construed as admission of guilt or concurrence with the discipline. Employees shall have the right to provide a written response to any written disciplinary action to be included in the personnel file, which, together with the action, will be retained in the personnel file, for so long as the disciplinary action is retained.

A copy of all disciplinary notices shall be provided to the Employee before such material is placed in their personnel file. Employees disciplined or discharged shall be entitled to utilize the grievance procedure. If, as a result of the grievance procedure utilization, just cause is not shown, personnel records shall be cleared of reference to the incident, which gave rise to the grievance.

The Employer will notify the Guild in writing within three (3) working days after any notice of discharge. The failure to provide such notice shall not affect such discharge but will extend the period within which the affected Employee may file a grievance.

The Employer recognizes the right of an Employee who reasonably believes that an investigatory interview with a Supervisor may result in discipline to request the presence of a Guild representative at such an interview, provided such is neither a material witness nor the subject of the investigation. Upon request, the Employee shall be afforded a Guild representative. The Employer will delay the interview for a reasonable period of time in order to allow a Guild representative an opportunity to attend. If a Guild representative is not available or delay is not reasonable, the Employee may request the presence of a bargaining unit witness. (Weingarten rights)

Employees shall also have a right to a notice and a determination meeting prior to any disciplinary action (except oral reprimands). The Employer must provide a notice and statement in writing to the Employee identifying the performance violations or misconduct alleged, a copy of the investigative file as per Article 7.7.7, and a finding of fact and the reasons for the proposed action. The Employee shall be given an opportunity to respond to the charges in a meeting with the Employer, and shall have the right to Guild representation during that meeting, upon request. (Loudermill rights)

The Employer shall endeavor to correct Employee errors or misjudgments in private, with appropriate Guild representation if requested by the Employee.

Discipline shall be subject to the grievance procedure in this Agreement as to whether or not such action as to any post-probationary Employee was for just cause.

ARTICLE 8 – SENIORITY

8.1 DEFINITIONS

Seniority shall be established upon appointment to a regular, full-time or part-time budgeted position within the bargaining unit.

Bargaining Unit Seniority: the total length of continuous calendar-based service with the Employer and in the bargaining unit.

Employer Seniority: the total length of continuous calendar-based service with the Employer.

Classification Seniority: the total length of continuous calendar-based service within a position and employment type represented by the bargaining unit. Classification seniority shall include all time at a higher ranked classification, for which the Employee does not have continuing job rights.

No seniority shall be established while an employee is employed in a Temporary, Seasonal or On-Call position. Time in service in a Temporary or benefitted Seasonal / On-Call position shall count for leave accrual or step movement purposes only. A Temporary employee or a Regular employee in a Temporary position who is hired without a break in service directly into a Regular position in the same classification shall be credited for classification seniority from the date of hire into that classification.

Consistent with Article 14.5, the Employer shall adjust the Employee's anniversary date to reflect any period of unpaid leave of thirty (30) continuous days or more. Seniority shall continue to accrue and the Employee's anniversary date shall not be adjusted for periods of legally protected leave, such as FMLA, L&I or military leave adjusted for periods of up to six (6) months (or as otherwise required by USERRA).

No seniority shall be established while an Employee is employed in a seasonal or on-call position.

8.2 APPLICATION OF SENIORITY

In the event of reassignment, transfer, layoff, or recall, seniority shall be the determining factor where Employees are equally qualified to do the job.

Seniority shall be applied in the following manner:

8.2.1 Postings / promotions

In regard to job postings, promotion and reassignment, "qualifications" and/or "ability" will be the primary consideration, with seniority determinative where Employees are equally qualified. Qualifications will include the minimum qualifications of education, training and experience as set forth in the job description, as well as the job performance, ability, employment record and contribution to the needs of the Department.

8.2.2 Layoffs

Total classification seniority shall determine who is to be laid off within the selected classification (affected group). The least senior regular Employee(s) within the classification shall be the affected Employee(s). In the event of two Employees having the same classification seniority, bargaining unit seniority shall be determinative. In the event of two (2) Employees having the same bargaining unit seniority, Employer seniority shall be determinative.

8.2.3 Bumping

As to bumping, the Employee's "competence" and the ability to adequately perform the unique functions of the job assignment will be the primary consideration, applied in accordance with seniority. Competence / Ability to adequately perform will be defined as the immediate, clear and full performance on the job, with a minimal period of orientation and no material reduction in the efficiency of the operation or services, as determined by the Employer.

8.2.4 Recall

Seniority shall be determinative in the identification of which Employee is to be recalled, when there are more than one (1) who is qualified and/or have previously performed a position. In the event that an Employee is being recalled to a new position, the Employee's qualification and the ability to adequately perform the unique functions of the job assignment will be the primary consideration, applied in accordance with seniority, consistent with Article 8.2.3.

8.3 PROBATIONARY PERIOD

Upon successful completion of the probationary period, the Employer Seniority of the Employee shall be established as the initial date of hire including the service during the probationary period. Department seniority shall then be based on continuous service with the Department.

8.4 LOSS OF SENIORITY

An Employee will lose seniority rights by and/or upon:

8.4.1 Resignation.

8.4.2 Discharge.

8.4.3 Retirement.

8.4.4 Layoff / Recall list of more than fourteen (14) consecutive months, consistent with Article 8.15.

8.4.5 Medical Reinstatement / Recall list of more than twenty-four (24) consecutive months, consistent with Article 8.15.

8.4.6 Failure to respond to an offer of recall to former or comparable employment.

Employees who are re-employed following the loss of their seniority, shall be deemed a newly-hired Employee for all purposes under this Agreement, except if an Employee is recalled consistent with Article 8.15 and the time-lines therein, they shall regain the seniority that they had as of their last date of employment.

8.5 LAYOFFS

A layoff is identified as the anticipated and on-going or prolonged reduction in the number of full-time equivalent (FTE) positions or in the number of partial FTEs within the Employer or within a job classification covered by this Agreement. A reduction in force in classification may occur for reasons of lack of funds, lack of work, efficiency or reorganization. Reductions in force are identified by classification within the affected Department.

Total Classification seniority shall determine who is to be laid off within the selected classification. Bumping rights are determined by bargaining unit seniority, consistent with Article 8.2.

For purposes of this article, layoff is further identified as any reduction in hours which results in a regular position being less than their budgeted FTE.

8.6 NOTICE

The Guild shall be notified of all proposed layoffs and of positions to which laid off Employees may be eligible to bump through the attachment of a current seniority list.

Employees affected / being laid off shall be given written notice of such layoff thirty (30) calendar days prior to the layoff if possible. In no event shall written notice of layoff be less than fourteen (14) calendar days. If the Employer does not provide fourteen (14) calendar days written notice, the Employer shall compensate the Employee at his or her normal rate of pay for the time between the last day of work and fourteen (14) calendar from the date the Employee receives the notice of layoff, in addition to any other compensation due the Employee.

The Employee shall inform the Employer within five (5) working days of the receipt of the notice of layoff of their intention to exercise bumping rights. When all bumping rights have been acted upon, or when someone has chosen not to act on their bumping right, the Employee least senior or the Employee choosing not to bump shall be the person laid off. Only one (1) thirty (30) day notice of layoff is required, irrespective of the number of bumps.

An Employee desiring to exercise bumping rights must do so by delivering written notice to the Employer within five (5) working days of receipt of notice of layoff. The written notice must state the proposed position to be bumped and contain a statement of the Employee's qualifications for that position. Within five (5) working days of receipt of the Employee's notice to exercise the bumping rights, the Employer shall communicate the decision to the Employee as to whether the Employee meets the qualifications for the position the Employee has chosen to bump.

8.7 MEETING WITH GUILD

The Guild shall also be notified in writing of any reduction in hours proposed by the Employer, including the purpose, scope, and duration of the proposed reduction.

Upon the Guild's request, the Employer and the Guild shall meet promptly during the first two (2) weeks of the notice period identified in Article 8.6 to discuss the reasons and the time-lines for the layoff and to review any suggestions concerning possible alternatives to layoff. Guild concerns shall be considered by the Employer prior to implementation of any reduction in hours. This procedure shall not preclude the Employer from providing notice to Employees or requesting volunteers to take leaves of absence without pay, provided the Employer notifies the Guild of the proposed request.

8.8 AFFECTED GROUP

The following procedure shall apply to any layoff:

8.8.1 Affected Employees

The Employer shall first determine by job classification the number of Employees or FTEs to be affected by the layoff. The Employee(s) holding such FTEs, which are subject to layoff, shall be the "affected Employee(s)."

The least senior Employee within the affected job classification shall be selected for layoff, consistent with Article 8.2.2. The exception would be only when the Employer determines that the position requires unique qualifications and abilities necessary to perform the specialized and required functions of that position, which would then become an overriding factor.

In cases where seniority within a job classification is equal, bargaining unit seniority will be the determining factor. In the event this is also equal, Employer seniority will control. If all of the seniorities are equal, then the Department shall make the final decision based on performance and job skills.

8.8.2 Volunteers

Simultaneous with implementing the provisions of the layoff procedure, the Employer may first seek, by a five (5) working day posting process, volunteers for layoff or voluntary resignation from among those Employees who work within the same job classification as the affected Employees. If there are more volunteers than affected Employees, volunteers will be chosen by bargaining unit seniority. Employees who volunteer for layoff may opt for recall rights as described in this article at the time of layoff.

If there are no or insufficient volunteers within the affected job classification, the remaining affected Employees who have received notice must choose promptly (within five (5) full working days of receipt of the Notice) among the layoff options set forth in Article 8.13.

8.8.3 Probationary Employees

If the number of volunteers is not sufficient to meet the announced number of necessary layoffs, and if the affected Employee is an initial probationary Employee, then that Employee shall be laid off and is ineligible to select among layoff options.

8.9 VACANT POSITIONS

Positions will be filled in accordance with Article 8.2 and other sections of this Article.

Within the bargaining unit and the Department, affected Employees and Employees on the recall list shall be given first opportunity for vacant bargaining unit positions for which they are qualified prior to outside hiring by the Employer, consistent with Article 8.13.1. Within other departments, affected Employees will be given consideration for vacant positions for which they are qualified.

8.10 SENIORITY LIST

The Employer shall update the seniority list and provide it to the Guild monthly, consistent with Article 3.3. If a layoff is announced, a current ranked seniority list including job classifications, names, job locations, and FTE or hours per week shall be provided to the Guild and posted in the affected Department.

8.11 ORDER OF LAYOFF

The least senior Employee (by classification seniority) within the affected job classification shall be selected for layoff. No regular Employee shall be laid off while another Employee in the same classification within the Department is employed on a probationary basis.

8.12 COMPARABLE EMPLOYMENT

For purposes of this Article, “comparable employment,” “comparable position” or vacancy shall be defined to include a position which has the same salary pay range and, additionally, the educational and experience qualifications, FTE and work-week are substantially similar.

8.13 LAYOFF OPTIONS

Affected Employees who have completed their probationary period shall have the following options:

8.13.1 Assume a Vacant Position

On a bargaining unit seniority basis, to assume a vacant position in the same Department and bargaining unit, for which they are qualified. On a bargaining unit seniority basis, the Employee shall also be considered for available job openings within the Employer for which the Employee is qualified.

8.13.2 Bump

Laid off Employees, including bumped Employees, shall be allowed to bump less senior Employees (by bargaining unit seniority) within their Department in lower classifications and are still competent to perform the work of the classification.

Part-time regular Employees shall have the option of remaining in the reduced position (if above the twenty (20) hour threshold) or bumping to a lower classification, if competent as defined in Article 8.2.3. Competent shall mean having demonstrated skills and required experience to perform the job; and in case of disputes, the final decision shall be made by the Employer.

An Employee who has bumped shall move to the highest step of the new range that does not exceed their current salary.

If there is no Employee in the next lower classification who is less senior than the person scheduled for layoff, that person may look progressively to the next lower classification for such bumping rights.

The Employee who is bumped by the affected Employee shall have the same rights under this Article.

8.13.3 Recall

If the affected Employee elects not to take a vacant position or elects not to bump, then that Employee will be placed on the recall list and will be eligible for recall under Article 8.15.

Nothing contained in this layoff section shall be construed as requiring the Employer to modify its position and classification structure in order to accommodate bumping or other re-employment rights.

Employees bumping to another position shall retain their old anniversary date for purposes of step increases. Persons recalled to the same salary range shall be placed in their former step and time in step.

8.14 REDUCTION HOURS/FTE

An Employee will not be subject to an involuntary reduction in their FTE (i.e. less than full-time) absent notice and negotiation of the matter with the Guild. If the reduction results in hours less than their budgeted FTE, it will be considered a layoff and the affected Employee shall have either the right to bump or go onto the recall list.

8.15 RECALL

Any reference to recall rights and recall lists pertains to both those Employees who are laid off or on medical reinstatement, as below:

An Employee who has been laid off shall be entitled to recall rights for a period of fourteen (14) months from the effective date of their layoff.

An Employee who is placed on the medical reinstatement list shall be entitled to recall rights for a period of twenty-four (24) months from the Employee's last date of employment. Recall under this provision requires that the individual has been certified as fit for duty or fit for duty with reasonable accommodation by a medical health care provider statement. The Department may, at its own expense, request a second opinion by another health care provider(s) or panel. Should the Employee be certified as fit for duty, that Employee shall then be considered as laid-off and the provisions of Article 8.17 shall apply. Should that certification occur during the last six (6) months of the twenty-four (24) month period, that Employee shall be entitled to recall for a period of six (6) months from the date of that certification.

Employees recalled after the initial fourteen (14) month period shall be subject to the background check process.

If a vacancy occurs in a position, Employees on the recall list shall be notified of such vacancies at the Employee's address on file with the Human Resources Department. The vacancy will be filled, in accordance with seniority, among current Employees and those on the recall list. If Employees on the recall list elect not to accept an offer to return to work in the former or a comparable position or fail to respond within seven (7) consecutive days of the offer of recall, they shall be considered to have terminated or abandoned their right to re-employment and relinquished all recall rights. If Employees on the recall list elect not to accept an offer of a non-comparable position, they may retain their recall rights for the balance of their recall period.

As long as any Employee remains on the recall list, the Employer shall not newly employ by hiring persons into the affected bargaining unit classification(s), within their Department, until all qualified Employees holding recall rights to that affected classification have been offered recall.

8.16 VACATION & LEAVE CASH OUTS/PAY

Upon separation of employment, an Employee shall be paid for all unused, earned vacation leave, holiday leave and compensatory time, to the extent of established maximums. Sick leave balances at the date of layoff shall be restored upon re-employment with the Employer from the recall list. No sick leave shall accrue during the period of time on the recall list / layoff.

8.17 UNEMPLOYMENT CLAIMS

If laid off Employees apply for unemployment compensation benefits, the Employer will not contest the claim and will confirm that the Employee was laid off.

ARTICLE 9 – WAGES

9.1 WAGE SCHEDULE

The monthly salaries for Employees and classifications covered by this Agreement are located in Appendix A. The salary schedule reflects both the wage and market adjustments agreed to by the parties for 2013.

9.1.1 Wage Adjustments

9.1.1.a Effective January 1, 2013, the 2012 monthly rates of pay shall be increased by two and seven-tenths percent (2.7%) through December 31, 2013.

9.1.1.b Effective January 1, 2014, the 2013 monthly rates of pay shall be increased by zero percent (0%) through December 31, 2014.

9.1.1.c Effective January 1, 2015, the 2014 monthly rates of pay shall be increased by two and three-tenths percent (2.3%) through December 31, 2015.

For all retroactive amounts, the Employer shall, within thirty (30) days of signature of this Agreement, make all appropriate salary adjustments for the next regular pay period.

9.1.2 2013 Salary Schedule:

2013 Salary Schedule: Job Title	Step A (0-6m)	Step B (7-12m)	Step C (13-24m)	Step D (25-36m)	Step E (37-48m)	Step F (49-60m)	Step G (61m +)
Police Analyst	5,067	5,219	5,364	5,662	5,965	6,143	6,326
PSA Supervisor					5,451	5,613	5,781
Corrections Officer	4,059	4,180	4,297	4,535	4,778	4,920	5,067
Police Support Associate	3,703	3,814	3,920	4,138	4,359	4,489	4,623
Police Support Associate Lead							4,970
Parking Enforcement Officer	3,428	3,531	3,629	3,831	4,036	4,156	4,280
Admin Support Associate	3,590	3,698	3,801	4,011	4,227	4,352	4,482
Admin Assistant	4,268	4,396	4,518	4,769	5,024	5,173	5,328
Family/Youth Advocate	4,627	4,765	4,898	5,170	5,447	5,608	5,776
Evidence Technician	3,923	4,041	4,154	4,384	4,619	4,756	4,898
Corrections Corporal	4,458	4,591	4,719	4,981	5,248	5,404	5,565

9.2 HIRE-IN RATES

Lateral Entry: Typically, upon hire an Employee will start at Step A of the salary range and progress through the steps according to the time in service as noted in the salary schedule. However, for some situations, such as an applicant possessing extraordinary qualifications or for certain positions that are significantly “market driven”, the Chief of Police may elect to take a more competitive salary posture. In those instances, the Chief of Police may approve a starting salary up to Step D of the salary range. A hiring offer above Step D shall require justification to the Human Resources Director and approval by the City Manager.

9.3 SPECIALTY PAY

9.3.1 An accreditation premium of one percent (1%) shall be paid on the paycheck of the 23rd of the month. The premium pay shall be pro-rated for any portion of a month worked.

9.3.2 Field Training Officer: State Certified Field Training Officers shall receive one-half (1/2) hour of overtime for each day engaged in active training.

9.4 LONGEVITY

Longevity shall be paid based on the following schedule:

<u>Years of Service</u>	<u>Monthly Premium</u>
5-10 years	1.5%
11-15 years	3.0%
16-19 years	5.0%
20 years or more	6.0%

9.5 OUT OF CLASS PAY

Out of Class: In the event an Employee works in a higher classification than that to which they are regularly assigned, the Employee shall be paid at the equivalent pay step of the higher classification for the period worked, provided such work exceeds two (2) hours or more during a workday. This Article shall not apply to on-the-job training under the direction of an instructor/trainer or maintenance of proficiency.

9.6 SHIFT DIFFERENTIAL

No language

9.7 EDUCATION INCENTIVE

Corrections Officers with a BA/BS degree and higher from an accredited institution will be eligible for an educational/performance incentive, as set forth below:

Education / Performance Premium

BA/BS Degree	2.0%
Graduate Degree	3.0%

It is the employee's responsibility to have their diploma or transcripts provided from an accredited institution to the department time-keeper in order to be eligible for the Incentive. The Education Incentive shall be added to the monthly rate of pay of the employee's current classification and paid in the same manner, but on alternate pay periods, as the Longevity pay described in Article 9.4.

ARTICLE 10 – OTHER COMPENSATION

10.1 STANDBY PAY

Employees specifically pre-approved by Command Staff to be ready reserve for a specific period of time shall be paid at the overtime rate for actual time worked. Standby shall not be subject to a three (3) hour minimum.

10.2 CALL-BACK PAY

All Employees will respond to call-outs unless extenuating circumstances such as illness or other incapacitation prevent the Employee from responding.

Full-time Employees who are called back to work after leaving the job site shall receive a minimum of three (3) hours' pay at the overtime rate.

10.3 MILEAGE REIMBURSEMENT

All bargaining unit Employees who are required to use their own vehicles for Employer business shall be reimbursed at the mileage rate set by the current policy for all miles driven on such business.

10.4 CLOTHING AND EQUIPMENT

The Employer shall continue to provide necessary uniforms and equipment. In addition, the Employer agrees to replace or repair equipment or clothing belonging to the Employee which is damaged in the line of duty, including watches up to seventy-five dollar (\$75.00) in value. Equipment or clothing shall be construed to mean items owned by the Employee which are required to perform their duties. To be considered for repair or replacement, equipment or clothing damaged in the line of duty must be submitted to the officer in charge of that shift on the day of occurrence. A written report must also be submitted with the damaged items.

10.4.1 Uniform Cleaning: The Employer shall provide for the cleaning of uniforms for Employees.

10.4.2 Corrections Officers, Evidence Techs and Parking Enforcement Officers will be allowed to purchase their own footwear according to current Department policy. Upon submission of receipt, Employee will be reimbursed up to a maximum of \$150/year.

ARTICLE 11 – HOLIDAYS

11.1 HOLIDAYS

Regular Employees shall be granted the following holidays and other such days as the City Council may fix, without a reduction in pay. Other types of employment shall receive the following holidays, consistent with Article 5.2:

<u>Holiday</u>	<u>Observed</u>
1. New Year's Day	January 1
2. Martin Luther King Day	Third Monday in January
3. President's Day	Third Monday in February
4. Memorial Day	Last Monday in May
5. Independence Day	July 4
6. Labor Day	First Monday in September
7. Veteran's Day	November 11
8. Thanksgiving Day	Fourth Thursday in November
9. Day after Thanksgiving	Fourth Friday in November
10. Christmas Day	December 25
11. One Floating Holiday	At Employee's choice
12. One Floating Holiday	At Employee's choice

Support Staff Employees working eight (8) hour shifts shall be granted ninety-six (96) hours in lieu of the above holidays. Support Staff Employees working ten (10) and twelve (12) hour shifts amounting to a forty (40) hour week shall be granted one hundred and twenty (120) hours

in lieu of the above holidays. Holiday hours must be used within twelve (12) months of the holiday hours earned. Employees assigned to work within the Corrections facility shall accrue all hours granted to them on January 1st of each year, subject to the requirement that an Employee within one of these work groups shall pay back any unused hours for holidays that have yet to occur in a given year should they separate from employment prior to the end of the calendar year. A conversion will be done of the holiday hours should an Employee move from one shift to another.

Holiday Time will be approved by the Supervisor, with the approval of the Lieutenant, at a time of the Employee's choice that will not cause undue interference with the operations of the City and Police Department. An Employee desiring to claim accrued holiday leave must first procure the approval of their respective Supervisor and Lieutenant, and such request shall be made seven (7) days prior to the desired time off. The request will also be approved or denied within seven (7) days of the request. Nothing herein will prohibit an employee from submitting a request at less than seven (7) days and having that approved; however, there is no obligation on the part of the Employer to consider approval of an expedited request.

Leave requests must be written, and submitted to the Employee's Supervisor. Leave requests shall be considered on a first-come, first-served basis, provided that requests for leave ending more than twelve (12) months following the date of submission will not be considered.

Non-essential personnel covered by this agreement shall be permitted to go to zero staffing after 12:00 p.m. on Christmas Eve under this article.

All other Support Staff personnel shall observe the above holidays unless authorization to work is obtained from or required by the Employee's Supervisor.

Once scheduled, the City will strive to avoid cancellation of holiday leave except in cases of emergencies.

11.2 HOLIDAY ELIGIBILITY

An Employee must be employed for six (6) consecutive months in order to be eligible for a Floating Holiday. In selecting a Floating Holiday, the Employee's choice will be granted, provided that prior approval is given by the immediate Supervisor or the Division Commander. A Floating Holiday must be taken during the calendar year, or entitlement to the day will be forfeited.

11.3 HOLIDAY OBSERVANCE

Employees will observe the Holiday on the day the City observes the respective Holiday indicated in Article 11.1 as "Observed." Corrections will observe the Holiday on the date of the actual Holiday.

11.4 HOLIDAY ON DAY OFF

When the Holiday falls upon the Employee's day off, the Holiday shall be banked and used on a regularly scheduled workday mutually agreeable to the Employee and the Employer.

11.5 HOLIDAY COMPENSATION

Employees who are assigned to work on the Holidays (designated as the date “Observed,” excluding Floating Holidays , shall be eligible for-compensation at one and one-half (1 ½) times the Employee’s hourly rate for the number of hours actually worked on the specified holiday. Corrections will apply this Article to hours actually worked on the date of the actual Holiday, consistent with Article 11.3.

11.5.1 An Employee, who gives fourteen (14) calendar days notice and terminates for any reason other than discharge for cause is entitled to compensation for all unused accrued holidays and shall be compensated for such days on the final paycheck. The time limit of the resignation may be waived at the discretion of the Chief of Police. Pay in lieu of unused holiday shall be forfeited if fourteen (14) calendar days written notice is not provided or waived.

ARTICLE 12 – VACATION

12.1 VACATION ACCRUAL

Each regular full-time Employee shall accrue vacation leave at the rate of one –twelfth (1/12) of annual vacation per month of service, based on the following schedule:

Years of Employment	Annual Vacation (Working Hours)
1st year of employment	104 hours
2 – 3 – 4 years	104 hours
5 – 6 – 7 years	128 hours
8 – 9 – 10 years	136 hours
11 – 12 – 13 years	144 hours
14 – 15 – 16 years	160 hours
17 – 18 – 19 years	176 hours
20th year and beyond	192 hours

The vacation schedule herein adopted shall be used in determination of vacation leave accrual as to each Employee commencing with his/her anniversary date.

Taking leave without pay in any month shall result in prorated vacation accruals for that month, calculated upon actual hours worked as a percentage of the total hours of the pay period.

Vacation leave shall not be accumulated in excess of three hundred (300) hours within a calendar year without the express prior written authorization of the City Manager or his or her designee. No more than two hundred and forty (240) hours may be carried over from one calendar year to the next, except as provided in Article 12.1.1.

12.1.1 Requests to the City Manager or designee for exceptions shall be for a specific number of hours to be used for a specific purpose and to be taken by a specific date. Generally, the basis for requesting an exception would be that the Employee requested to utilize the leave and their service and work requirements precluded the Employer from

granting the leave at that time. Accrued unused vacation leave shall not, under any circumstance, exceed three hundred twenty (320) hours.

12.1.2 Any vacation leave accrued in excess of the above referenced maximums shall be forfeited and shall not form the basis of any severance pay or additional compensation. Upon termination of employment, no payment for vacation accumulation shall exceed two hundred forty (240) hours.

Vacation leave may not be taken during the first six (6) months of employment.

12.2 VACATION SCHEDULING

Vacation will be approved by the Supervisor with the approval of the Lieutenant at a time of the Employee's choice that will not cause undue interference with the operations of the City and Police Department. An Employee desiring to claim accrued vacation leave must first procure the approval of their respective Supervisor and Lieutenant, and such request shall be made seven (7) day prior to desired time off. The request will also be approved or denied within seven (7) days of the request. Nothing herein will prohibit an employee from submitting a request at less than seven (7) days and having that approved; however, there is no obligation on the part of the employer to consider approval of an expedited request.

Leave requests must be written, and submitted to the Employee's Supervisor. Leave requests shall be considered on a first-come, first-served basis, provided that requests for leave ending more than twelve (12) months following the date of submission will not be considered.

An Employee who voluntarily moves to a different shift upon a vacancy, will need to resubmit leave requests for that leave which was previously approved.

Once scheduled, the City will strive to avoid cancellation of vacation, except in cases of emergencies.

12.3 VACATION PAY

Vacation pay shall be the amount that the Employee would have earned if the Employee had worked their regular position during the vacation period.

If an authorized holiday occurs within an Employee's vacation period, that day will be paid as a holiday and not deducted from the Employee's vacation accruals. Employees cannot receive vacation, sick leave or holiday pay simultaneously for the same days.

12.4 VACATION UPON TERMINATION

Upon separation from Employer employment, Employees who have six (6) or more consecutive months of employment shall receive pay in lieu of unused earned vacation leave, consistent with Article 12.1.

An Employee shall provide at least fourteen (14) calendar days written notice of his or her effective resignation date. The time limit of the resignation may be waived at the discretion of the Chief of Police. Pay in lieu of unused vacation shall be forfeited if fourteen (14) calendar days written notice is not provided or waived.

ARTICLE 13 - SICK LEAVE

13.1 SICK LEAVE ACCRUAL

Regular Employees' sick leave with pay shall accrue at the rate of eight (8) hours of leave for each full calendar month of the Employee's service, and any such leave accrued in any year shall be accumulative for succeeding years to a maximum of nine hundred and sixty (960) hours.

Sick leave shall be available to Employees after they have worked for a minimum of thirty (30) consecutive calendar days after the most recent date of hire. Consistent with the confidentiality provisions of the Americans with Disabilities Act, and upon good cause, a health care provider's statement may be required.

Upon appointment as a Corrections Officer or Parking Enforcement Officer, an Employee shall be credited with ninety-six (96) hours of sick leave. If an Employee terminates before the unearned sick leave hours used are repaid, the unearned sick leave time will be deducted from the final paycheck.

For the positions of Corrections Officer and Parking Enforcement Officer, after the completion of the one (1) year probationary period, the regular Employee's sick leave with pay shall accrue at the rate of eight (8) hours of leave for each full calendar month of the Employee's service, and any such leave shall be accumulative for succeeding years to a maximum of nine hundred and sixty (960) hours.

Taking leave without pay in any month shall result in prorated sick leave accruals for that month, calculated upon the ratio of hours worked by the Employee in that month divided by one hundred seventy-four (174) hours.

13.2 SICK LEAVE USAGE

Employees are expected to be on the job unless excused by Supervisor or Administrator because of illness. The Employer may make periodic reviews of individual attendance records. Excessive absenteeism or use of sick leave for purposes other than those provided for in this Agreement may result in disciplinary action or termination of the Employee.

13.2.1 Sick leave shall be granted for the following reasons: Personal illness or physical incapacity which renders the Employee unable to perform the duties of his or her position, care for or serious illness of immediate family, medical or dental appointments or as otherwise required by law or this Agreement.

13.2.2 Employees may be required to submit a statement from a professional health care provider certifying their illness or injury. "Health Care Provider's Statement" shall mean a written statement from a professional health care provider certifying an illness or injury, the date an Employee is anticipated as able to return to full duty or a recommendation of temporary duty with reasonable accommodation, and the Employee's ability to perform the required duties. Excessive use, abuse, or inappropriate patterns shall result in the request for a professional health care statement.

13.2.3 Use of accrued sick leave is contingent upon the Employee or someone on his or her behalf notifying his or her immediate Supervisor of the need for absence, as soon as possible and not later than one (1) hour of the regular start time each day (unless the inability to provide such notice is reasonably unavoidable).

In cases of hospitalization or extended illness, daily notice is not required, provided that the Employee's Supervisor is kept informed of the expected duration of absence and the date of return. For scheduled medical appointments or when sick leave use can be anticipated, the Employee will give advance notice of not less than one (1) week to his or her immediate Supervisor, unless there are extenuating circumstances.

13.3 SHARED LEAVE

The Employer may permit an employee to receive vacation or compensatory time consistent with the current Shared Leave Policy.

13.4 COORDINATION – WORKERS' COMPENSATION

In the event an Employee shall be entitled to benefits or payments under any program of disability insurance furnished by the Employer, Worker's Compensation Act or similar legislation by the State of Washington or other governmental unit, the Employer shall pay to the Employee only the difference between the benefits and payments received under such insurance or act by such Employee and the regular rate of compensation that he/she would have received from the Employer if able to work. In such event, the number of hours deducted from the Employee's total accrued sick leave shall be the hourly equivalent of the Employer's payment. The foregoing payment or contribution by the Employer shall be limited to the period of time that such Employee has accumulated sick leave credits as herein above specified.

13.5 FAMILY MEMBER

Sick leave may be utilized as above for illness in the immediate family requiring the Employee's attendance.

Immediate Family shall mean persons related by blood, marriage, or legal adoption in the degree of relationship of grandparent, parent, wife, husband, brother, sister, child, grandchild, or domestic partner (as defined by Employer Policy) and other persons with the approval of the City Manager or designee.

ARTICLE 14 – LEAVES OF ABSENCE

14.1 IN GENERAL

Employer reserves the right to schedule leave requests at a time that will cause minimum interference with the operation and service needs of the Department.

Leave of absence requests shall not be unreasonably denied. All leaves are to be requested in writing as far in advance as possible.

As appropriate for the type of leave requested, paid leave accruals will be utilized prior to unpaid leave, unless otherwise provided for in this Agreement.

Leave does not accrue nor may it be used until the first day following the pay period in which it is earned (no “negative” leave use during the period in which it is earned).

14.2 JURY DUTY/COURT

An Employee who is required to serve on jury duty shall be authorized leave with pay, for such service, up to two (2) weeks. Employees shall notify the Employer in writing, with documentation within seventy-two (72) hours of being called. Jury duty pay received by the Employee while serving as a juror shall be turned over to the City. Travel pay from the Court shall be the sole property of the Employee.

14.3 MILITARY LEAVE

All regular Employees shall be allowed military leave as required by RCW 38.40.060 and as interpreted by the Court. This provides for twenty-one (21) working days of military leave per year (October 1 through September 30).

14.4 BEREAVEMENT

Bereavement Leave: Bereavement leave shall be granted to an Employee in an amount not to exceed five (5) days upon the death of a member of the Employee’s immediate family. This paid leave is not cumulative from year to year. Additional time off as may be required for travel or other circumstances may be granted if approved in advance by the Employer. Such additional time shall be deducted from an accrued leave of the Employee’s choice.

14.5 MAINTENANCE OF SENIORITY

The Employer shall adjust the Employee’s anniversary date to reflect any period of unpaid leave of thirty (30) continuous days or more. Seniority shall continue to accrue and the Employee’s anniversary date shall not be adjusted for periods of legally protected leave, such as FMLA or military leave.

14.6 LEAVE WITHOUT PAY

Unpaid Leave of Absence shall be governed by existing City policies.

14.7 FAMILY LEAVE FMLA

Family Medical leave will be allowed consistent with State and Federal law and with existing City policies.

Under the terms of the Family and Medical Leave Act of 1993 (FMLA) and the state law, upon the completion of one (1) year of employment, any Employee who has worked at least one thousand two hundred and fifty (1250) hours during the prior twelve (12) months shall be entitled to up to twelve (12) weeks of leave per rolling year for the birth, adoption or placement of a foster child; to care for a spouse or immediate family member with a serious health condition; or when the Employee is unable to work due to a serious health condition. For purposes of this Article, the definition of “immediate family” will be found in Article 13.5.

The Employer shall maintain the Employee’s health benefits during this leave. If the Employee fails to return from leave for any reason other than the medical condition initially qualifying for the FMLA absence, the Employer may recover from the Employee the insurance premiums paid during any period of unpaid leave.

If a leave qualifies under both federal and state law, the leave shall run concurrently. Ordinarily, the Employee must provide thirty (30) days written advance notice to the Employer when the leave is foreseeable. The Employee should report qualifying events as soon as known and practicable.

The combination of FMLA and other types of leave(s) is not precluded and, in fact, leave utilizations are to be concurrent, with the intent that appropriate paid accruals are to be utilized first, consistent with other Articles of this Agreement. The Employee may elect to retain up to forty (40) hours of sick leave and up to forty (40) hours of vacation (prorated by their FTE) for use upon return to work, consistent with the process identified in the personnel policy. Upon the Employee's election, any accrued comp time may be utilized prior to any period of unpaid leave.

14.8 MATERNITY LEAVE

Consistent with WAC 162-30-020, the Employer will grant a leave of absence for a period of temporary disability because of pregnancy or childbirth. This may be in addition to the leave entitlements of FMLA.

This leave provides female Employees with the right to a leave of absence equivalent to the disability phase of pregnancy and childbirth. There is no eligibility requirement, however the Employer has no obligation to pay for health insurance benefits while on this leave (unless utilized concurrent with FMLA).

Leave for temporary disability due to pregnancy or childbirth will be medically verifiable. There is no limit to the length of the disability phase, except for the right for medical verification and the right of second opinion at the Employer's expense. At the end of the disability leave, the Employee is entitled to return to the same job or a similar job of at least the same pay. Employees must use their accrued vacation and sick leave, if any, during the leave period and, at their election, any accrued comp time, consistent with the retention provision as provided in Article 14.7. Once this paid leave is exhausted, the Employee's leave may be switched over to unpaid leave.

14.9 INCLEMENT WEATHER

Employee rights and responsibilities during severe weather and emergency or disaster conditions are covered by the current Inclement Weather Policy of the Employer. The goal shall be to continue to provide essential Employer services, consistent with public and Employee safety and emergency operations priorities. Public Safety is critical to these essential services and the expectation is that Employees will report to duty as scheduled.

ARTICLE 15 – HEALTH & WELFARE

15.1 MAINTENANCE OF BENEFITS

Medical Insurance - The Employer shall self-insure medical benefits coverage. The Employer will offer the Prime Medical Plan and shall make every effort to maintain substantially equivalent benefits.

The Guild shall take part in and have an appointed representative on the Health and Welfare Benefits Committee. The purpose of the Committee is to monitor and evaluate the benefits costs and the plan designs. Among the items to be considered would be identification of options for retiree medical participation.

The Benefits Committee representative shall have no authority to negotiate on behalf of the Guild any changes to be scheduled or content of benefit plans. The Employer shall continue with collective bargaining obligations with the Guild, as currently exist under law for any such changes.

Participation in benefits shall be consistent with Article 15.2 of this Agreement.

15.2 HEALTH AND LIFE INSURANCE

Medical Insurance - The Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of Employee coverage and one hundred percent (100%) of the premium necessary for the purchase of dependent coverage under the City of Kirkland Prime Plan or Group Health Plan (or its equivalent) for each Employee of the bargaining unit.

Dental and Vision - The Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of Employee coverage and one hundred percent (100%) of the premium necessary for the purchase of dependent coverage under Washington Dental Services (or its equivalent) or Willamette Dental (or its equivalent) and Vision Service Plan (or its equivalent).

Life Insurance - the Employer shall pay each month one hundred percent (100%) of the premium necessary for the purchase of Employee term life insurance coverage that has a policy value of two (2) times the annual base rate of pay of the employee, up to a guaranteed issue amount of \$250,000. The employee is responsible for any taxes associated with this benefit.

15.2.1 The City agrees to continue payment of the City portion of the premium for the spouse and eligible dependents medical and dental premiums for a period of twelve (12) calendar months following the death of an active Corrections or Parking Enforcement Employee whose death is the direct result of injuries incurred in the line of duty. In the event the surviving spouse remarries within that twelve (12) month period, the City payment of premiums shall cease with payment of the premium for the month in which the marriage occurs. The parties agree this provision shall specifically not apply to presumptive illnesses which cause the death of the officer.

15.3 FLEXIBLE SPENDING ACCOUNT – FSA

The Employer participates in a special program under the provisions of IRS Section 125. Employees may voluntarily elect to participate in the reimbursement program to pay medical or dependent care expenses with pre-tax dollars. The Employer makes no contribution, makes no assurance of ongoing participation, and assumes no liability for claims or benefits.

15.4 RETIREMENT

Pensions for Employees and contributions to pension funds will be governed by applicable Washington State Statutes in relation thereto in existence during the contract period.

ARTICLE 16 – TRAINING

16.1 TRAINING

Employees may request scheduled training shift adjustments up to thirty (30) days of the actual training date(s). Training adjustment time off must be pre-approved and scheduled without impacting shift minimums and/or incurring overtime expense to the Department.

Upon fourteen (14) calendar days advance notice by the Employer, an Employee's shift may be modified for one (1) or more weeks to five (5) consecutive eight (8) hour days or four (4) days at ten (10) hours for training.

Attendance at optional special training classes outside scheduled training hours shall not be compensated for unless specifically pre-approved by Command Staff.

Probationary Employees who are in training may be transferred to their next duty assignment in accordance with Section 6.1.2.

16.2 TRAINING REIMBURSEMENT

Compensation associated with training or representation of the Employer on official business shall be consistent with the current policy and the Fair Labor Standards Act (FLSA) and WAC 296-128-500. Reimbursement of associated costs shall be consistent with City Policy.

ARTICLE 17 - LABOR/MANAGEMENT COMMITTEES

17.1 PURPOSE AND COMPOSITION OF COMMITTEES

The Executive Employee Relations Committee shall meet as needed at the request of either party, provided that five (5) working days notice of the meeting is given to discuss and resolve issues of continuing importance to the Guild and/or Employer.

17.2 COMPENSATION

All meeting time spent by members of the joint Labor-Management Committee will be considered time worked if during duty hours and will be paid at the appropriate regular rate of pay.

ARTICLE 18 – HEALTH & SAFETY

18.1 SAFE WORKPLACE

The Employer is responsible for maintaining a safe and healthful workplace. The Employer shall comply with all federal, state, and local laws applicable to the safety and health of its Employees.

Recognizing that danger is an inherent aspect of Public Safety work, Employees who have a reasonable basis for believing the assignment would constitute a danger to their health and safety, should report the concern. The Employee shall immediately contact a Supervisor who shall make a final determination with regard to safety. No directive shall be delayed pending such determination.

All on-the-job injuries, no matter how slight, must be reported. Employees must immediately notify their Supervisor if they are unable to work because of a work-related injury or illness.

18.2 HEALTH & SAFETY PLAN

The Employer shall develop and follow written policies and procedures to deal with on-the-job safety and shall have effective safety and accident prevention plans in conformance with state (WAC 296-800) and federal laws.

18.3 DRUG FREE WORKPLACE

The City and the Guild agree to abide by the City of Kirkland Police Department Substance Abuse Policy that is attached as Appendix A.

18.4 WORK PLACE VIOLENCE

The Employer is committed to Employee health and safety. Workplace violence, including threats of violence by or against a City Employee, will not be tolerated and should be immediately reported whether or not physical injury occurs – understanding that threat or violence in the course and performance of Public Safety duties are an inherent part of the position and may have differing reporting requirements.

ARTICLE 19 - GRIEVANCE PROCEDURE

19.1 GRIEVANCE DEFINED

A grievance means a claim or dispute by a grieved Employee or group of grieved Employees, or the Guild Executive Board with respect to the interpretation or application of the provisions of this agreement.

In the event that a grieved Employee(s) or any member of the Guild Executive Board believes that the City is operating in violation of this Agreement, the grievant Employee or Executive Board member may notify his immediate Supervisor. The parties will attempt to resolve this issue in a good faith manner. If a solution cannot be reached the Employee may file an official grievance.

Reference to days in this Article shall refer to calendar days. Any extension of the grievance timeline may be requested based on extenuating circumstances and may be granted with agreement by both parties. The extension agreement shall be documented in writing and signed by both parties.

19.2 GRIEVANCE PROCEDURE

Notification: In the event that an Employee believes that the City is operating in violation of this agreement, the Employee may notify his immediate Supervisor.

19.2.1 Filing Formal Grievance: Within fourteen (14) days after the Employee first becomes aware or reasonably should have become aware of the violation, a written grievance shall be submitted to the Lieutenant. This notification must be signed by the Employee and must state the issue, section of the agreement violated, facts giving rise to the grievance, and the remedy sought. This notification will be forwarded through the chain of command and will be designated as receipted, based on the date stamp of the authority designated at the appropriate step of the grievance.

19.2.3 Step 1: The Lieutenant shall respond in writing within fourteen (14) days. If the action taken by the Lieutenant corrects the alleged violation to the satisfaction of the presenting party, the grievance shall be deemed resolved. In the event the presenting party(s) do not feel the alleged violation has been corrected to their satisfaction, the presenting party(s) shall proceed to Step 2 within seven (7) days.

19.2.4 Step 2: The Captain shall respond in writing within fourteen (14) days of receipt and date stamp of the grievance. If the action taken by the Captain corrects the alleged violation to the satisfaction of the presenting party, the grievance shall be deemed resolved. In the event the presenting party(s) does not feel the alleged violation has been corrected to their satisfaction, the presenting party(s) shall proceed to Step 3 within seven (7) days.

19.2.5 Step 3: Upon receiving a written grievance from an Employee or the Guild, the Chief of Police shall attempt to resolve the grievance within fourteen (14) days. If the Chief of Police is unable to resolve the grievance to the satisfaction of the presenting party(s), the grievance, together with all other pertinent materials, shall be presented to the City Manager, and the presenting party shall be notified in writing. In the event the presenting party(s) does not feel the alleged violation has been corrected to their satisfaction, notice may be given and the grievance shall proceed to Step 4 within seven (7) days.

19.2.6 Step 4: Upon receiving a written grievance, the City Manager or designee shall attempt to resolve it within thirty (30) days. If the grievance is not resolved by the City Manager or designee, the presenting party(s) will be notified in writing. In the event the Guild does not feel the alleged violation has been corrected to their satisfaction the grievance may, within thirty (30) calendar days, be referred to arbitration by the Guild.

19.2.7 Binding Arbitration: If agreement cannot be reached as to the arbitrator within fourteen (14) days of notice of the desire to proceed, the parties shall jointly request the American Arbitration Association to provide a panel of eleven (11) arbitrators from which the parties may select one (1). The representatives of the Employer and the Guild shall alternately eliminate the name of one (1) person from the list until only one (1) name remains. The person whose name was not eliminated shall be the arbitrator. It shall be the function of the arbitrator to hold a hearing at which the parties may submit their cases concerning the grievance. The arbitrator shall render their decision based on the interpretation and application of the provisions of this agreement within thirty (30) days after such hearing. The decision shall not add to, modify, or delete any provision of the agreement; and it shall be final and binding upon both parties to the grievance

provided the decision does not involve action by the Employer, which is beyond its jurisdiction. The expenses of the arbitration hearing shall be borne equally by the Employer and the Kirkland Police Officers Guild. Each party shall be completely responsible for all costs of preparing and presenting its own case, including compensating its own representatives and witnesses. If either party desires a record of the proceedings, it shall solely bear the cost of producing such a record.

19.3 GUILD/EMPLOYER GRIEVANCE

Either the Guild or the Employer may initiate a grievance.

The Employer may not grieve the acts of individual Employees, but rather, only orchestrated acts or actions of authorized representatives believed to be in conflict with this Agreement. An Employer grievance will not be subject to Arbitration and may only go to mediation upon mutual agreement.

The Guild may initiate a Grievance at Step 2 anytime that it involves a group of Employees from different workgroups. Such grievances may be referred to mediation services by mutual agreement prior to Arbitration.

19.4 SCHEDULE OF MEETINGS

Consistent with Article 4.8, grievance investigations and meetings on duty time shall be subject to prior notice and approval. If authorization cannot be immediately granted, the Employer will arrange to allow investigation of the grievance at the earliest possible time.

ARTICLE 20 - NO STRIKE / NO LOCKOUT

20.1 NO STRIKE / NO LOCKOUT

It is understood and agreed that the services performed by City Employees included in this Agreement are essential to the public health, safety, and welfare. Therefore, the Employees agree that there shall be no strikes, slowdowns, or stoppage of work, or any interference with the efficient operation of the Police Department. Violation of this Article shall subject the Employee to discipline action or discharge.

ARTICLE 21 – MANAGEMENT RIGHTS AND RESPONSIBILITIES

21.1 MANAGEMENT RIGHTS AND RESPONSIBILITIES

Any and all rights concerned with management and operation of the Department are exclusively that of the Employer unless otherwise provided by the terms of this agreement. The Employer has the authority to adopt rules for the operation of the Department, provided such rules are not in conflict with the provisions of this Agreement or with applicable law. The Employer has the right, among other actions, to discipline or discharge for cause, to assign duties customarily performed by Support Staff Employees, to determine the required number of personnel, to determine new work methods, to contract for goods and services, to determine the specific programs and services offered by the Employer and the methods, means and facilities by which they shall be effectuated; to determine the nature and qualifications of the work force, to

introduce and assign the duties and equipment and to direct and evaluate the Employees in the performance of their work assignments; to hire, promote, train, retain and layoff Employees; and to perform all of the functions not otherwise expressly limited by this Agreement or other applicable law.

21.2 COMMUNICATION

The Employer has the right to communicate with the Guild on matters of concern using e-mail, written correspondence, and telephonic communications. The Parties agree to ensure that all are notified and copied appropriately. The parties agree to respond within a reasonable timeframe.

21.3 INDEMNIFICATION

Consistent with existing Kirkland Municipal Code provisions the City shall secure and maintain with responsible insurers such false arrest, malicious prosecution and liability insurance as is customarily maintained by public bodies with respect to the operation of police departments, all to the extent that such insurance can be secured and maintained at reasonable costs. The coverage to be so provided shall, to the extent available, be substantially equal to such coverage provided by the City immediately prior to the effective date of this Agreement.

ARTICLE 22 - GENERAL PROVISIONS

22.1 SAVINGS CLAUSE

If any provision of this Agreement shall be held invalid by operation of law, or any tribunal of competent jurisdiction, or if compliance or enforcement of any provision should be restrained by such tribunal pending final determination as to its validity, the remainder of this agreement shall not be invalid and will remain in full force and effect provided that should either party so request, the parties shall enter into immediate collective bargaining negotiations for the purpose of arriving at a mutually satisfactory replacement of such invalid provision.

ARTICLE 23 – ENTIRE AGREEMENT

23.1 DURATION CLAUSE

The Agreement shall become effective on January 1, 2013 and remain in full force and effect through December 31, 2015.

Upon mutual written agreement of the parties, the provisions of this Agreement may be modified from time to time by written supplemental agreement. In the event either party wishes to pursue such modification, that party shall give notice of the offer to negotiate a modification. The other party is free to accept or reject the offer to negotiate a modification at its discretion no later than five (5) working days after receipt of the offer, which time period may be extended upon mutual written agreement of the parties. If the parties are agreeable to negotiations, they will meet within ten (10) workings days to discuss ground rules, time frames and interests. Negotiations shall be concluded within the time frame agreed upon by both parties unless extended by mutual agreement. Otherwise, the proposed modification shall be deemed rejected.

The Employer will maintain the status quo with respect to the matters covered by this Agreement during negotiations for a new agreement, following the procedures and time-lines of RCW 41.56.

23.2 ENTIRE AGREEMENT

This agreement expressed herein in writing constitutes the entire agreement between the parties, and there shall be no amendments, except in writing and with the agreement of both parties.

SIGNATURES

Dated this ____ day of _____, 2014.

CITY OF KIRKLAND;

By _____
Kurt Triplett, City Manager

KIRKLAND POLICE OFFICER'S GUILD;

By _____
Jack Keesee, President

By _____
Chuck Pierce, Secretary

APPROVED AS TO FORM:

William Evans, Assistant City Attorney

Date _____

**Memorandum of Understanding
to the Agreement by and between
City of Kirkland
and
Kirkland Police Guild
Non-Commissioned / Support Staff
January 1, 2013 through December 31, 2015**

This Memorandum of Understanding is entered into to document the mutual agreement between the CITY OF KIRKLAND, WASHINGTON, hereinafter referred to as the "Employer", and the Kirkland Police Guild, hereinafter referred to as the "Guild" relative to the 2013 – 2015 Collective Bargaining Agreement (CBA) for the Non-Commissioned bargaining unit.

WHEREAS, the Employer and Guild have been in negotiations for a successor CBA for a term of 2013 through 2015, which agreement is scheduled for a ratification vote by the parties in the near future;

WHEREAS, during the course of these good faith negotiations, the parties had extensive negotiations over a new schedule for the Corrections Officers;

WHEREAS, pursuant to Section 6.1 of the new CBA, the City has the ability to establish a work week consisting of four (4) consecutive days of ten (10) hour shifts, followed by three (3) consecutive days off;

WHEREAS, through these good faith negotiations and as a result of organizational changes in the City as a result of the recent annexation, both parties desire to move the Corrections Officers to a new 4/10 schedule following ratification of this agreement;

Now, therefore, the parties agree as follows:

1. Within sixty (60) days following ratification and execution of this agreement, the City shall establish and schedule a new shift bidding process for the Corrections Officers to take effect on January 1, 2014. The bid shall be completed consistent with the terms of the new 2013-2015 CBA;
2. The schedule to be implemented and bid upon by the Corrections Officers shall be a "4/10" schedule, consisting of four (4) consecutive days of ten (10) hour shifts, followed by three (3) consecutive days off. A copy of the proposed schedule is attached herein as Appendix 1;
3. Nothing in this Agreement shall limit the City's right to make individual or collective changes in work schedules as outlined in Article 6.

4. All other rights reserved and protected to the parties pursuant to the 2013-2015 CBA shall be maintained.

City of Kirkland

Kirkland Police Guild

By:

Kurt Triplett City Manager

By:

Jack Keesee, President

Date

Date

APPROVED AS TO FORM
City Attorney

LABOR RELATIONS REVIEW
Human Resources Director

**Memorandum of Understanding
to the Agreement by and between
City of Kirkland
and
Kirkland Police Guild
Non-Commissioned / Support Staff
January 1, 2013 through December 31, 2015**

This Memorandum of Understanding (MOU) is supplemental to the AGREEMENT by and between the CITY OF KIRKLAND, WASHINGTON, hereinafter referred to as the "Employer" and the Kirkland Police Guild, hereinafter referred to as the "Guild," relative to the 2013 – 2015 Collective Bargaining Agreement (CBA) of the Support Staff.

This MOU memorializes the agreements reached between the Employer and the Guild regarding the issue described below, and the parties acknowledge that these issues have been negotiated in accordance with the provisions of 41.56 RCW.

This MOU is related to adding a new classification to the existing job classifications set forth in Article 9.1.2 of the CBA, which classification shall not be immediately implemented.

The Guild has proposed adding a new Police Support Associate Lead position and the City has agreed to add a new classification to the bargaining unit. To accomplish this, the City intends to reclassify an existing Police Support Associate (1.0 FTE) to a Police Support Associate Lead position effective January 1, 2015.

The monthly salary for the Police Support Associate Lead position will be 7.5% above the top step of the Police Support Associate position. The reclassified position and associated monthly salary are shown in the salary schedule of the CBA.

Should the City fail to establish and fill the reclassified Police Support Associate Lead position as of January 1, 2015 at the rate established in the CBA, the parties agree to reopen Article 9 for further negotiation. The City agrees that the recruitment for the reclassified position shall be internal only and consistent with Article 8 of the CBA.

The parties have a mutual interest in ensuring appropriate positions are reflected in the Non – Commissioned / Support Staff bargaining unit. Further, the parties agree to meet in Joint Labor Management meetings to discuss job classification related issues as they arise.

This memorandum shall be effective upon signature of the parties and shall stay in place until the termination of the Agreement.

City of Kirkland

Kirkland Police Guild

By: _____
Kurt Triplett, City Manager

By: _____
Jack Keesee, President

Date _____

Date _____

APPROVED AS TO FORM
City Attorney

LABOR RELATIONS REVIEW
Human Resources Director



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: Ellen Miller-Wolfe, Economic Development Manager
Philly Hoshko, Special Projects Coordinator

Date: November 25, 2013

Subject: Tourism Development Committee (LTAC) Funding Recommendations

RECOMMENDATION

The Tourism Development Committee (TDC), which functions as Kirkland's Lodging Tax Advisory Committee, recommends that the outside organizations below receive funding for expenses related to 2014 programs and events at the levels specified below.

BACKGROUND

The total amount of funds requested for 2014 was \$191,050.00. Last year, the Committee set aside \$50,000. This year the Committee again set aside \$50,000.

Kirkland Tourism Staff sent out applications for funding in July, 2013 and received 20 applications for funding totaling \$191,050.00. TDC met on September 18th to hear presentations from the applicants. On October 3, 2013 it met again to make a final recommendation.

The Committee discussed a number of criteria in evaluating the 20 applications received:

1. Increase in hotel occupancy in Kirkland by extending length and frequency of overnight stays.
2. Increase in visitors and overnight stays during the off season (October-May).
3. Provides visitor attractions and/or promote the area's existing attractions including the Kirkland waterfront.
4. Partners with other Kirkland organizations including government, nonprofit and for-profit enterprises.
5. Attracts more businesses to Kirkland and thereby generates additional business for hotels and motels.
6. Improves the City's overall image to stimulate positive customer awareness.
7. Demonstrates capacity to implement a successful and sustainable event or program.

Members rated the 20 applications individually on a number scale based on those criteria. The scores were tabulated and the totals shared with the group. The Committee then determined levels of funding based on those scores and criteria.

The Committee voted unanimously to recommend the distribution of funds as listed below:

Organization	Event Name	2014 Funding Requested	2014 Funding Recommended
Little League Baseball and Softball, Inc	Junior Softball World Series	\$ 10,000.00	\$ 9,000.00
Kirkland Performance Center	"Sit 'n Stay"	\$ 12,000.00	\$ 8,500.00
Kirkland Events Foundation	Kirkland Summerfest	\$ 10,000.00	\$ 5,000.00
Seattle International Film Festival	SIFF Kirkland	\$ 5,000.00	\$ 4,500.00
Kirkland Uncorked	Kirkland Uncorked	\$ 15,000.00	\$ 4,500.00
Kirkland Events Foundation	Kirkland Oktoberfest	\$ 10,000.00	\$ 4,000.00
Kirkland Arts Center	Kirkland Artist Studio Tours	\$ 10,200.00	\$ 2,500.00
Kirkland Downtown Association	Kirkland Classic Car Show	\$ 6,000.00	\$ 2,500.00
Woodmark Hotel	Tall Ships	\$ 5,000.00	\$ 2,500.00
Kirkland Interfaith Transitions in Housing (KITH)	Seven Hills of Kirkland Cycling to End Homelessness	\$ 5,000.00	\$ 2,000.00
Pro-Motion Events	12K's of Christmas Holiday Run	\$ 3,500.00	\$ 2,000.00
Seattle Synchro	Synchro Soiree	\$ 2,000.00	\$ 1,500.00
Greater Kirkland Chamber of Commerce	Fall Fashion Nights	\$ 10,000.00	\$ 1,000.00
Juanita Neighborhood Association	Kirkland Garden Tour	\$ 1,175.00	\$ 250.00
TriFREAKS	Kirkland Triathlon	\$ 19,975.00	\$ 250.00
Kirkland Events Foundation or Kirkland Downtown Association	Kirkland Summer Concert Series	\$ 7,500.00	\$ 0
Kirkland Events Foundation	Kirkland Events Guide	\$ 4,000.00	\$ 0
Early Music Guild	Early Music Fridays	\$ 1,000.00	\$ 0
Loomis House Bed & Breakfast	Loomis House Marketing Strategy	\$ 4,500.00	\$ 0
TriFREAKS	Mighty Tightly Whitey	\$ 49,200.00	\$ 0
Total Available Funding: \$50,000		\$191,050.00	\$50,000

Minutes from the October 3, 2013 meeting of the Tourism Development Committee provide information on funding the distribution discussion (Attachment A).

The 2013 new legislation requires that the City Council "may choose only recipients from the list of candidates and recommended amounts provided by the local lodging tax advisory committee" (Attachment B). The Council may choose to remove recipients from the list but cannot add any and cannot change funding amounts. In response to a State Auditor's

interpretation of new legislation regarding the use of LTAC funds, the Tourism Development Committee met on November 22, 2013 to approve the 2014 LTAC budget. The Committee voted unanimously to support the budget that was part of the City's biennium budget and included the City tourism budget and a \$12,000 drawdown from reserves to partially fund a waterfront optimization study. Draft Minutes from the November 22, Tourism Development Committee Meeting provide further discussion (Attachment C).



City of Kirkland
Tourism Development Committee (TDC) Minutes
October 3, 2013
9:00-11:00am—Houghton Room

Present: Toby Nixon (Chair), Belinda Jensen, Kathryn McNeill, Michelle Quisenberry, Dan Mayer, Jac Cooper, Clarisa Baltazar, Ellen Miller-Wolfe (staff), Philly Hoshko (staff)

Guest: Christine Exline, Kirkland Oktoberfest

Welcome

The meeting came to order at 8:02am.

Kirkland Oktoberfest Presentation

Christine Exline came to present on Kirkland Oktoberfest. She introduced the event and partnerships. She explained that because the event is in the shoulder season there is a lot of potential to increase partnerships with hotels. They partnered with the Baymont hotel for 2013. They would like to encourage more downtown businesses to adopt a Bavarian theme for the weekend. She went over the marketing and described how now that they have year one complete they hope to expand marketing to 50 miles away or more. They hope to capture people that want a traditional Oktoberfest weekend but do not want to go to Leavenworth. They will promote hotel stays through their safe driving messaging.

Approval of Minutes

The committee approved the minutes from July 11th and September 18th with the following amendments. (Dan moved, Belinda seconded, unanimous)

July 11th amendments: Correct Kathryn McNeill's last name.

September 18th: Add who was present and absent

Criteria Discussion

The committee reviewed the criteria for ranking events. It was mentioned that the top three criteria on the list are more quantifiable and more weighted. It was suggested that in the future this is communicated to applicants.

The question of whether to focus funding on a few events or spread the funding over many events was posed. The committee had consensus that the funds should be reasonable spread over events that meet

the criteria in order to encourage as many events as possible. It was also mentioned that there are not many other city funding sources for these events and organizations. The charitable aspect of an event was questioned, however the consensus was that because it is not a state reporting requirement it should not be part of the consideration.

The committee individually ranked the proposals then after scores were combined the committee discussed the ranking and deliberated funding recommendations.

The committee did not recommend funding for the Kirkland Concert Series because it was believed to be a community event that does not attract visitors. The committee did not recommend funding for the Kirkland Events Guide because the city already produces a more comprehensive events guide. The committee did not recommend funding for Early Music Fridays because of its low attendance and lack of tourist attraction. The committee did not recommend funding for Loomis House Bed & Breakfast because there may be more appropriate resources to help with business needs and staff will work with applicant to identify resources. The committee did not recommend funding for the Mighty Tightly Whitey Run due to a lack of understanding on the event and unproven success. The committee recommended \$250 in funding for both the Kirkland Garden Tour and the Kirkland Triathlon for logo and link placement on their respective websites.

Distribution of funds

The Committee recommended the following distribution of funds, (Kathryn moved, Dan seconded, unanimous):

Event Name	Previously Awarded	2014 Funding Requested	2014 Funding Recommended	Score*
Junior Softball World Series	9,000 ('13)	10,000	9,000	30
"Sit 'n Stay"	7,000 ('13)	12,000	8,500	29
SIFF Kirkland	3,500 ('13)	5,000	4,500	29
Kirkland Summerfest	5,000 ('13)	10,000	5,000	28
Kirkland Uncorked	4,500 ('13)	15,000	4,500	26
Kirkland Oktoberfest		10,000	4,000	24
Seven Hills of Kirkland Cycling to End Homelessness	2,000 ('10)	5,000	2,000	24
Kirkland Artist Studio Tours	4,000 ('13)	10,200	2,500	22
Kirkland Classic Car Show	3,000 ('13)	6,000	2,500	21
Tall Ships	4,500 ('13)	5,000	2,500	21



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Kirkland Classic Car Show	3,000 ('13)	6,000	2,500	21
Tall Ships	4,500 ('13)	5,000	2,500	21

Synchro Soiree	1,000 ('13)	2,000	1,500	21
Kirkland Summer Concert Series		7,500	0	21
12K's of Christmas Holiday Run	2,000 ('10)	3,500	2,000	19
Fall Fashion Nights		10,000	1,000	15
Kirkland Garden Tour		1,175	250	15
Kirkland Triathlon		19,975	250	13
Kirkland Events Guide		4,000	0	9
Early Music Fridays	1,000 ('13)	1,000	0	8
Loomis House Marketing Strategy		4,500	0	8
Mighty Tightly Whitey		49,200	0	6
Total Available Funding: \$50,000		191,050	50,000	

Other Businesses

Ellen introduced the Water Optimization Study which will provide ideas for events, programs and infrastructure improvements to enhance the tourism experience in Kirkland.

The meeting adjourned at 10:47 a.m.

Minutes Prepared by Philly Hoshko

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1253

Chapter 196, Laws of 2013

63rd Legislature
2013 Regular Session

LODGING TAX

EFFECTIVE DATE: 07/01/13

Passed by the House April 24, 2013
Yeas 90 Nays 7

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 15, 2013
Yeas 47 Nays 1

BRAD OWEN

President of the Senate

Approved May 10, 2013, 10:46 a.m.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1253** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 10, 2013

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1253

AS AMENDED BY THE SENATE

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By House Finance (originally sponsored by Representatives Blake, Orcutt, Takko, Dahlquist, Haigh, Hunt, Walsh, Lytton, Nealey, Morris, Hudgins, McCoy, Zeiger, Maxwell, Pettigrew, Bergquist, Van De Wege, Upthegrove, and Freeman)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to the lodging tax; amending RCW 67.28.1816;
2 reenacting and amending RCW 67.28.080; providing an effective date; and
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 67.28.1816 and 2008 c 28 s 1 are each amended to read
6 as follows:

7 (1) Lodging tax revenues under this chapter may be used, directly
8 by ~~((local-jurisdictions))~~ any municipality or indirectly through a
9 convention and visitors bureau or destination marketing
10 organization~~((r))~~ for:

11 (a) Tourism marketing;

12 (b) The marketing and operations of special events and festivals
13 designed to attract tourists ~~((and to support))~~;

14 (c) Supporting the operations and capital expenditures of tourism-
15 related facilities owned or operated by a municipality or a public
16 facilities district created under chapters 35.57 and 36.100 RCW; or

17 (d) Supporting the operations of tourism-related facilities owned
18 or operated by nonprofit organizations described under ~~((section))~~ 26

1 U.S.C. Sec. 501(c)(3) and ~~((section))~~ 26 U.S.C. Sec. 501(c)(6) of the
2 internal revenue code of 1986, as amended.

3 ~~(2) ((Local jurisdictions that use the lodging tax revenues under
4 this section must submit an annual economic impact report to the
5 department of community, trade, and economic development for
6 expenditures made beginning January 1, 2008. These reports must
7 include the expenditures by the local jurisdiction for tourism
8 promotion purposes and what is used by a nonprofit organization exempt
9 from taxation under 26 U.S.C. Sec. 501(c)(3) or 501(c)(6). This
10 economic impact report, at a minimum, must include: (a) The total
11 revenue received under this chapter for each year; (b) the list of
12 festivals, special events, or nonprofit 501(c)(3) or 501(c)(6)
13 organizations that received funds under this chapter; (c) the list of
14 festivals, special events, or tourism facilities sponsored or owned by
15 the local jurisdiction that received funds under this chapter; (d) the
16 amount of revenue expended on each festival, special event, or
17 tourism related facility owned or sponsored by a nonprofit 501(c)(3) or
18 501(c)(6) organization or local jurisdiction; (e) the estimated number
19 of tourists, persons traveling over fifty miles to the destination,
20 persons remaining at the destination overnight, and lodging stays
21 generated per festival, special event, or tourism related facility
22 owned or sponsored by a nonprofit 501(c)(3) or 501(c)(6) organization
23 or local jurisdiction; and (f) any other measurements the local
24 government finds that demonstrate the impact of the increased tourism
25 attributable to the festival, special event, or tourism related
26 facility owned or sponsored by a nonprofit 501(c)(3) or 501(c)(6)
27 organization or local jurisdiction.~~

28 ~~(3) The joint legislative audit and review committee must report to
29 the legislature and the governor on the use and economic impact of
30 lodging tax revenues by local jurisdictions since January 1, 2008, to
31 support festivals, special events, and tourism related facilities owned
32 or sponsored by a nonprofit organization under section 501(c)(3) or
33 501(c)(6) of the internal revenue code of 1986, as amended, or a local
34 jurisdiction, and the economic impact generated by these festivals,
35 events, and facilities. This report shall be due September 1, 2012.~~

36 ~~(4) Reporting under this section must begin with calendar year
37 2008.~~

1 ~~(5) This section expires June 30, 2013.)~~ (a) Except as provided in
2 (b) of this subsection, applicants applying for use of revenues in this
3 chapter must provide the municipality to which they are applying
4 estimates of how any moneys received will result in increases in the
5 number of people traveling for business or pleasure on a trip:

6 (i) Away from their place of residence or business and staying
7 overnight in paid accommodations;

8 (ii) To a place fifty miles or more one way from their place of
9 residence or business for the day or staying overnight; or

10 (iii) From another country or state outside of their place of
11 residence or their business.

12 (b)(i) In a municipality with a population of five thousand or
13 more, applicants applying for use of revenues in this chapter must
14 submit their applications and estimates described under (a) of this
15 subsection to the local lodging tax advisory committee.

16 (ii) The local lodging tax advisory committee must select the
17 candidates from amongst the applicants applying for use of revenues in
18 this chapter and provide a list of such candidates and recommended
19 amounts of funding to the municipality for final determination. The
20 municipality may choose only recipients from the list of candidates and
21 recommended amounts provided by the local lodging tax advisory
22 committee.

23 (c)(i) All recipients must submit a report to the municipality
24 describing the actual number of people traveling for business or
25 pleasure on a trip:

26 (A) Away from their place of residence or business and staying
27 overnight in paid accommodations;

28 (B) To a place fifty miles or more one way from their place of
29 residence or business for the day or staying overnight; or

30 (C) From another country or state outside of their place of
31 residence or their business. A municipality receiving a report must:
32 Make such report available to the local legislative body and the
33 public; and furnish copies of the report to the joint legislative audit
34 and review committee and members of the local lodging tax advisory
35 committee.

36 (ii) The joint legislative audit and review committee must on a
37 biennial basis report to the economic development committees of the

1 legislature on the use of lodging tax revenues by municipalities.

2 Reporting under this subsection must begin in calendar year 2015.

3 (d) This section does not apply to the revenues of any lodging tax
4 authorized under this chapter imposed by a county with a population of
5 one million five hundred thousand or more.

6 **Sec. 2.** RCW 67.28.080 and 2007 c 497 s 1 are each reenacted and
7 amended to read as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1) "Acquisition" includes, but is not limited to, siting,
11 acquisition, design, construction, refurbishing, expansion, repair, and
12 improvement, including paying or securing the payment of all or any
13 portion of general obligation bonds, leases, revenue bonds, or other
14 obligations issued or incurred for such purpose or purposes under this
15 chapter.

16 (2) "Municipality" means any county, city or town of the state of
17 Washington.

18 (3) "Operation" includes, but is not limited to, operation,
19 management, and marketing.

20 (4) "Person" means the federal government or any agency thereof,
21 the state or any agency, subdivision, taxing district or municipal
22 corporation thereof other than county, city or town, any private
23 corporation, partnership, association, or individual.

24 (5) "Tourism" means economic activity resulting from tourists,
25 which may include sales of overnight lodging, meals, tours, gifts, or
26 souvenirs.

27 (6) "Tourism promotion" means activities, operations, and
28 expenditures designed to increase tourism, including but not limited to
29 advertising, publicizing, or otherwise distributing information for the
30 purpose of attracting and welcoming tourists; developing strategies to
31 expand tourism; operating tourism promotion agencies; and funding the
32 marketing of or the operation of special events and festivals designed
33 to attract tourists.

34 (7) "Tourism-related facility" means real or tangible personal
35 property with a usable life of three or more years, or constructed with
36 volunteer labor that is: (a)(i) Owned by a public entity; (ii) owned
37 by a nonprofit organization described under section 501(c)(3) of the

1 federal internal revenue code of 1986, as amended; or (iii) owned by a
2 nonprofit organization described under section 501(c)(6) of the federal
3 internal revenue code of 1986, as amended, a business organization,
4 destination marketing organization, main street organization, lodging
5 association, or chamber of commerce and (b) used to support tourism,
6 performing arts, or to accommodate tourist activities.

7 ~~((8) "Tourist" means a person who travels from a place of
8 residence to a different town, city, county, state, or country, for
9 purposes of business, pleasure, recreation, education, arts, heritage,
10 or culture.~~

11 ~~(9) Amendments made in section 1, chapter 497, Laws of 2007 expire
12 June 30, 2013.)~~

13 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and takes effect
16 July 1, 2013.

Passed by the House April 24, 2013.

Passed by the Senate April 15, 2013.

Approved by the Governor May 10, 2013.

Filed in Office of Secretary of State May 10, 2013.



City of Kirkland
Tourism Development Committee (TDC) Minutes
November 22, 2013
9:00-10:00am – Norkirk Room

Present: Toby Nixon (Chair), Belinda Jensen, Kathryn McNeill, Dan Mayer, Ellen Miller-Wolfe (staff), Philly Hoshko (staff)

Absent: Michelle Quisenberry, Jac Cooper

Welcome

The meeting came to order at 9:04am.

Approval of Minutes

The committee approved the minutes from October 3, 2013. (Kathryn moved, Dan seconded, unanimous)

Lodging Tax Funding Expenditures

Toby introduced the new interpretation of the Joint Legislative Review Committee that the Lodging Tax Advisory Committee (TDC) must recommend all Lodging Tax Expenditures to municipal City Councils for final budget approval. The TDC also discussed having the City request an Attorney General opinion and plans to ask Representative Larry Springer to facilitate the discussion.

The budget that was presented to the TDC was already passed by City Council as part of the biennial budget; however, due to the new legislation the Lodging Tax Advisory Committee must approve it for recommendation to Council to adopt in the mid biennial budget.

The Tourism Development Committee (TDC) acting as the Lodging Tax Advisory Committee recommended the proposed Tourism budget to City Council. (Kathryn moved, Dan seconded, unanimous).

Waterfront Optimization Study Request

Ellen presented the waterfront optimization study service package. Staff would oversee the study and seek help from consultants to identify areas of focus to further develop the waterfront as a tourism asset. A feasibility study will be conducted on the identified top priorities.

Toby brought up the idea of larger picnic shelters and outdoor performance space.

Ellen mentioned that this optimization study could be a template for other optimization studies including parks and the Cross Kirkland Corridor.

The question was raised if the timeline of the project could be aligned for inclusion in the Comprehensive Plan.

The Water optimization study service package includes \$12,000 from Lodging Tax Reserves.

The committee voted to recommend \$12,000 from Lodging Tax Reserves for the Water Optimization Study to City Council. (Dan moved, Kathryn seconded, unanimous)

Discussion regarding Lodging Tax Reserves

The committee asked about the process for taking money out of reserves and putting it into budget. Ellen will research the process and policy around using reserve funding through the year. Additionally, it was questioned if we could increase grant amounts after the Tourism Funding application process if the TDC was able to pull additional funding out of reserves.

Events Policy

Ellen summarized the status of the event policy and that a conflict has developed because two events want to have weekends that are in two different months but are back to back. The current policy under review states that there can be no more than two events per month. There has been a proposal to amend the policy to state events taking place in the same location can occur no more than every other week.

The committee indicated that a policy should be put in place and that developing rules in an ad hoc fashion tends to just make it more of a political process.

Staff Updates

Philly presented the 2014 advertising plan. Committee feedback was that the plan was too focused on summer and there should be more attention to shoulder seasons highlighting events such as Christmas Ships, holiday performances and holiday shopping.

Philly will meet with hotels to see how the Explore Kirkland brand can be included in their individual meetings and wedding advertising plans as certain subtopics like weddings had been deleted from the City advertising plan. Philly also will schedule meetings with other tourism partners to coordinate Explore Kirkland branding with their marketing plans.

Philly updated the committee on the status of the Marketing and Public Relations Consultant RFQ. Procurement rules require that this key consultant position be readvertised every few years. She will send the RFQ to the committee.

Philly summarized a proposal received from a private contractor to prepare commercials for SIFF Kirkland. She is still trying to meet with SIFF regarding promotional guidelines. The committee felt that the proposal was too costly and it was concerned about lack of a distribution plan and no information yet about SIFF participation. Toby explained potential distribution channels could be Youtube, City Channels, Comcast, and Movie Theaters.

Philly mentioned the status of the empty TDC seat

Meeting adjourned at 9:59am

Minutes prepared by Philly Hoshko

DRAFT



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Katy Coleman, Development Engineering Analyst
Pam Bissonnette, Interim Public Works Director

Date: December 13, 2013

Subject: RESOLUTION TO RELINQUISH THE CITY'S INTEREST IN A PORTION OF UNOPENED RIGHT-OF-WAY

RECOMMENDATION:

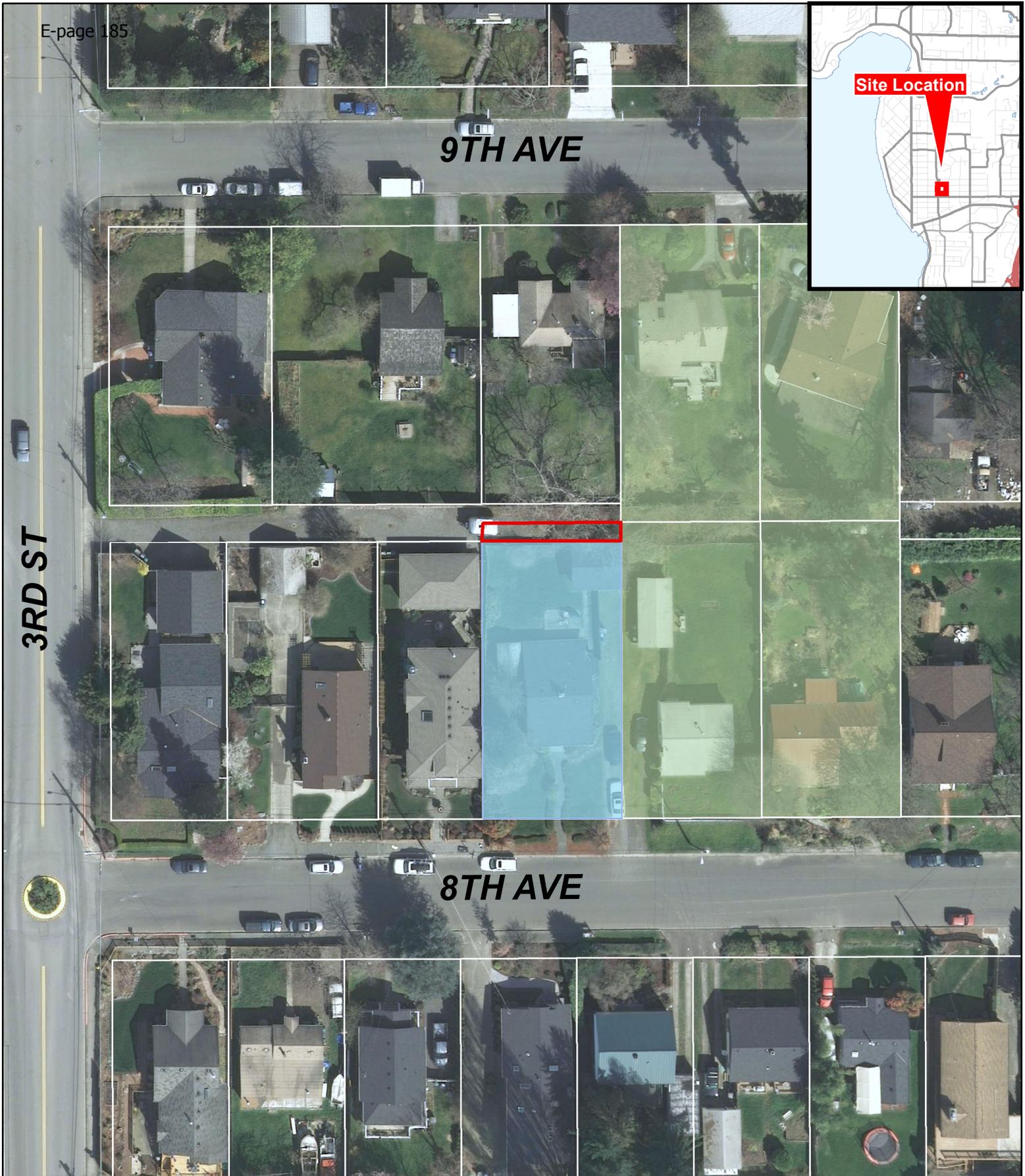
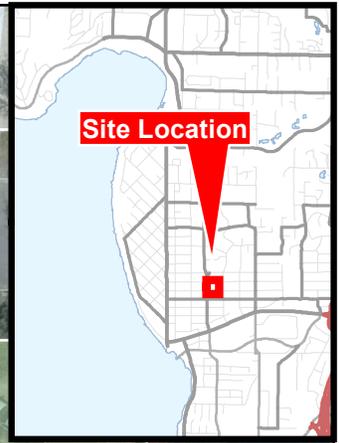
It is recommended that the City Council adopts the enclosed Resolution relinquishing interest, except for a utility easement, in a portion of unopened alley being identified as the south 8 feet of the unopened alley abutting the north boundary of the following described property: Lot 22 and 23, Block 173, Town of Kirkland, according to the plat thereof recorded in Volume 6 of Plats, page 53, records of King County, Washington.

BACKGROUND DISCUSSION:

The unopened portion of the alley abutting the property of 318 8th Avenue (Attachment 1) was originally platted and dedicated in 1890 as Kirkland Addition (aka Town of Kirkland). The Five Year Non-User Statute provides that any street or right-of-way platted, dedicated, or deeded prior to March 12, 1904, which was outside City jurisdiction when dedicated and which remains unopened or unimproved for five continuous years is then vacated. The subject right-of-way has not been opened or improved.

Jean Roux Bezuidenhout and Nelia Bezuidenhout, the owners of the property abutting this right-of-way, submitted information to the City claiming the right-of-way was subject to the Five Year Non-User Statute (Vacation by Operation of Law), Laws of 1889, Chapter 19, Section 32. After reviewing this information, the City Attorney believes the approval of the enclosed Resolution (Attachment 2) is permissible.

Attachments (2)



Bezuidenhout Non-User Vacation Exhibit
318 8th Avenue

-  Proposed Vacation
-  Bezuidenhout Property
-  Granted Non-User Vacations



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RESOLUTION R-5026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A UTILITY EASEMENT, IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS JEAN ROUX BEZUIDENHOUT AND NELIA BEZUIDENHOUT

WHEREAS, the City has received a request to recognize that any rights to the land originally dedicated in 1890 as right-of-way abutting a portion of the Town of Kirkland have been vacated by operation of law; and

WHEREAS, the Laws of 1889, Chapter 19, Section 32, provide that any county road which remains unopened for five years after authority is granted for opening the same is vacated by operation of law at that time; and

WHEREAS, the area which is the subject of this request was annexed to the City of Kirkland, with the relevant right-of-way having been unopened; and

WHEREAS, in this context it is in the public interest to resolve this matter by agreement,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. As requested by the property owners Jean Roux Bezuidenhout and Nelia Bezuidenhout, the City Council of the City of Kirkland hereby recognizes that the following described right-of-way has been vacated by operation of law and relinquishes all interest it may have, if any, except for a utility easement, in the portion of right-of-way described as follows:

A portion of unopened alley being identified as the south 8 feet of the unopened alley abutting the north boundary of the following described property: Lots 22 and 23, Block 173, Town of Kirkland, according to the plat thereof recorded in Volume 6 of Plats, page 53, records of King County, Washington.

Section 2. This resolution does not affect any third party rights in the property, if any.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2014.

Signed in authentication thereof this ____ day of _____, 2014.

MAYOR

Attest:

City Clerk



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Bobbi Wallace, Wastewater Division Manager
Pam Bissonnette, Interim Public Works Director

Date: December 18, 2013

Subject: Fats, Oils, and Grease (FOG) Fine Enforcement

RECOMMENDATION:

It is recommended that the City Council adopts the enclosed ordinance update which provides needed language for Fats, Oils and Grease (FOG) fine processing.

BACKGROUND DISCUSSION:

In spring of 2013, after review by the Public Works and Parks Council Committee, the City sent out notices to several FOG generating businesses that were not in compliance with FOG controls. The notice alerted business owners to the violation of FOG regulations and requested installation of the required FOG control devices by January 1, 2014, at which point fines would be assessed.

The City Attorneys' Office recently reviewed KMC 15.36.120 (relating to FOG violations and penalties) and determined that important enforcement procedures were missing. In addition, the Public Works and Parks Council Committee recommended that dischargers be given an option to offset FOG fines against the cost of installing required FOG devices. The offset would only be available after proper installation of the required FOG control devices to businesses that are reasonably cooperative with City staff in addressing the violation.

This ordinance update provides the necessary enforcement procedures and provides the new opportunity for violators to apply the fine to offset the cost of the installation or correction to capture the FOG prior to it entering the side sewer or public sewer main. FOG is extremely damaging to sewer conveyance systems, restricting flows and creating hazardous sewer plugs which then overflow from the system into the environment. The FOG program is in compliance with the required Capacity, Management, Operation, and Maintenance plan (CMOM) for the wastewater conveyance system, which is mandated under the Federal Water Pollution Act amended in 1972 and implements the National Pretreatment Standards.

This update allows affected business or property owners to appeal a written FOG fine notification, no later than 14 days after written receipt of the notice. The Hearing Examiner

shall apply the process set forth in KMC Section 1.12.050. If the fine notice is not appealed within 14 days, a fine will be assessed against the violator as set forth in KMC Section 5.74.040. The fine shall be \$100 per day for a maximum of 60 days. A discharger against whom fines are assessed for failure to install and maintain approved FOG pretreatment facilities, may apply to the Department of Public Works to offset the amount of the fines assessed against the cost of installing or correcting approved FOG pretreatment facilities.

Attachments (2)

ORDINANCE O-4432

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ENFORCEMENT OF REGULATIONS REGARDING DISCHARGE OF FATS, OILS AND GREASE INTO THE CITY SEWER SYSTEM.

The City Council of the City of Kirkland ordains as follows:

Section 1. Kirkland Municipal Code ("KMC") Section 15.36.120 is hereby amended to read as follows:

15.36.120 Standards for discharges and reporting—Enforcement—Penalties.

(a) Those dischargers subject to national pretreatment standards will be subject to enforcement action in accordance with this chapter for any violations of the criteria and limitations specified in the categorical standard or the general pretreatment standards set forth in 40 CFR 403, as currently written or hereafter amended, which standards are hereby adopted by reference.

(b) Maximum Daily Concentration Allowed. The maximum daily allowable concentration for dischargers not regulated under national pretreatment standards is violated under the following circumstances:

(1) The arithmetic mean of concentrations for eight consecutive samples collected within a twenty-four-hour time period over intervals of fifteen minutes or greater is in excess of the limitation.

(2) The concentration value obtained from a composite sample that is representative of the twenty-four-hour discharge is in excess of the limitation.

(3) The concentration of any single sample (whether a single grab sample or a sample within a series) exclusive of any fats, oils, and grease exceeds the limitation by a factor of two and one-half times.

(4) The arithmetic mean of the concentration of fats, oils, or greases for three grab samples, taken no more frequently than five-minute intervals, exceeds the limitation.

(c) Maximum Allowable Poundage Limitations. A violation shall occur if the maximum allowable effluent poundage limitation as established in the private wastewater discharge permit is exceeded. The daily poundage discharged shall be calculated using the volume of effluent discharged that day times the concentration for that day either reported by the discharger or obtained through sampling by the city. The poundage shall be determined utilizing the formula:

$$\text{Lb./day} = \text{conc. in mg/L} \times \text{gal./day} \\ \text{disch./1,000,000} \times 8.34$$

(d) Reporting Requirements. A violation shall occur if any reporting requirements established by permit, accidental discharges, upset

conditions, written request of the city or authorized representative, or as specified by general pretreatment standards (40 CFR 403.12) are not complied with. A violation shall occur when any person knowingly makes any false statement, representation, or certification in an application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter.

(e) "FOG" Pretreatment Facility—Maintenance. A violation shall occur if there is any failure to install or maintain grease or grit interceptors, or oil/water separators or other required FOG control devices. ~~which causes maintenance on any sewer line to be greater than once every two years caused by excessive oil, grease, or fat buildup in the sewer lines; or excess buildup of sand, gravel or other materials clogging the sewer lines.~~ The lack of any device to prevent discharge of grease, oil, fats, sand, gravel or any other materials which will cause excessive maintenance of the sewer lines shall not relieve the discharger of the responsibility of liability for any costs to city for excessive maintenance and/or other costs incurred by the city.

(f) Discharge of Dangerous Waste. A violation shall occur if any material listed on the discharge chemical products list of the state of Washington (WAC 173-303-9903) is discharged into any public sewer or building sewer tributary thereto.

(g) Explosion Meter Readings. A violation shall occur if the reading on an explosion meter at any point in the collection system or wastewater treatment plant is greater than ten percent for a single reading or greater than five percent for two successive readings.

(h) Termination of Treatment Services—Permit Revocation. The city shall have the authority to terminate wastewater treatment services of the discharger and revoke any permit issued if it determines that the discharger has:

(1) Failed to accurately report wastewater constituents and characteristics more than once; or

(2) Failed to report significant changes in wastewater constituents, characteristics, flow volumes or types of discharge to the wastewater treatment plant; or

(3) Refused reasonable access to the discharger's premises for purposes of inspection or monitoring; or

(4) Violated conditions of the wastewater discharge permit; or

(5) Violated any of the provisions of this chapter, regulations promulgated hereunder, state law or federal law; or

(6) Violated any lawful order of the city issued with respect to the discharger's permit or this chapter; or

(7) Tampers with, disrupts, damages or renders inaccurate any wastewater monitoring device required by this chapter.

(i) Other Violations.

(1) If reports required by permit, this chapter or state or federal pretreatment regulations are submitted later than thirty days after they are due, the discharger shall be subject to civil penalties as set forth in

KMC Section 5.74.040. In the event the reports have not been submitted at the time the maximum penalty is imposed, the city shall seek remedies under subsection (h) of this section.

(2) If any of the actions prescribed in any compliance schedule established by permit or by order of the city are not complete within thirty days of the time they are required to be complete, the discharger shall be subject to civil penalties as set forth in KMC Section 5.74.040. In the event the actions have not been completed ninety days after the date scheduled in the permit or order, the city shall seek remedies under subsection (h) of this section.

(3) If a discharger fails to maintain grease, oil and/or sand removal systems, which results in the city having to perform the maintenance of the collection system or treatment plant, the discharger shall be subject to the applicable civil penalty set forth in KMC Section 5.74.040, which shall be added to the costs incurred by the city to perform the maintenance. If the city must perform any maintenance for that discharger a second time within a three-year period, the penalty shall be the applicable civil penalty set forth in Section KMC 5.74.040, which shall be added to the costs of maintenance by the city. In the event the city having to perform any maintenance for that discharger continues, the city shall seek remedies under subsection (h) of this section.

(4) Failure to provide accurate or complete information on any wastewater discharge reports or the requirements of a discharge permit shall result in a civil penalty as set forth in KMC Section 5.74.040. Thereafter, the discharger shall be subject to remedies under subsection (h) of this section.

(5) In addition to the assessments described in this section, any costs incurred by the city, including but not limited to attorney's fees, shall be added to the total amount of the civil penalty assessment.

(j) Enforcement Process and Appeals.

(1) In the event the city determines there is a violation of this Chapter, the Public Works Director, or his or her designee, shall issue a written notice of civil infraction to the discharger with the following information:

(a) The name and address of the person(s) responsible for the violation;

(b) The street address or description of the property where the violation is occurring;

(c) A description of the violation and a reference to the provision of this Chapter which has been violated;

(d) The required corrective action and a date and time by which the correction must be completed;

(e) A statement of the fines for failure to comply with the notice of civil infraction by the stated compliance date.

(2) The notice of civil infraction shall be personally served or sent by regular and certified mail to the discharger's address.

(3) The discharger may appeal the issuance of the notice of civil infraction by submitting a written appeal to the city no later than 14 days after receipt of the notice of civil infraction.

(4) Appeals shall be heard by the Hearing Examiner pursuant to the process set forth KMC Section 1.12.050, provided that the hearing shall be conducted as an appeal from the notice of civil infraction issued under this chapter.

(5) If the discharger does not complete corrective action or file an appeal of the notice of civil infraction within 14 days after receipt of the notice of civil infraction, the City shall assess fines against the violator. The fines assessed are set forth in KMC Section 5.74.040; provided that if that Section does not specify a fine for a particular violation, the fine shall be \$100 per day for a maximum of 60 days.

(6) A discharger against whom fines are assessed for failure to maintain approved FOG pretreatment facilities may apply to the Department of Public Works to offset the amount of the fines assessed against the cost of installing approved FOG pretreatment facilities. The discharger shall submit proof of the cost incurred in installing the approved FOG pretreatment facilities. The decision in whether to grant all or a portion of the requested fine offset shall be in the discretion of the Director of Public Works or his or her designee and may be based on the extent to which the discharger, upon a finding of violation by the City, cooperated with City staff and promptly installed the required FOG pretreatment facilities.

Section 2. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2014.

Signed in authentication thereof this _____ day of _____, 2014.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4432

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ENFORCEMENT OF REGULATIONS REGARDING DISCHARGE OF FATS, OILS AND GREASE INTO THE CITY SEWER SYSTEM.

SECTION 1. Amends Kirkland Municipal Code Section 15.36.120 relating to enforcement of regulations regarding discharge of fats, oils and grease into the City sewer system.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2014.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

City Clerk



CITY OF KIRKLAND

Department of Finance & Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Barry Scott, Purchasing Agent

Date: December 19, 2013

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF DECEMBER 10, 2013

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

The City's major procurement activities initiated since the last report, dated November 22, 2013, are as follows:

	Project	Process	Estimate/Price	Status
1.	Cisco equipment for Intelligent Transportation System Project	Cooperative Purchase	\$64,394.32	Ordered using WA State Contract with CDW Government, Inc. of Vernon Hills, IL.
2.	Engineering Services for Cross Kirkland Corridor Water Quality Retrofit	A&E Roster	\$100,000	Contract awarded to AHBL of Seattle based on qualifications using A&E Roster process per RCW 39.80.
3.	Neighborhood Plan Update Public Outreach	Competitive process waived by City Manager	\$42,911*	Contract issued to Enviroissues.

*This contract amount is in addition to the contract and two addenda issued to Enviroissues in the total amount of \$52,500 for Public Outreach Training and support for Kirkland 2035 outreach planning in 2013.

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



CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Dave Snider, P.E., Capital Projects Manager
Pam Bissonnette, Interim Public Works Director

Date: December 19, 2013

Subject: Park Lane Pedestrian Enhancements – Project Update

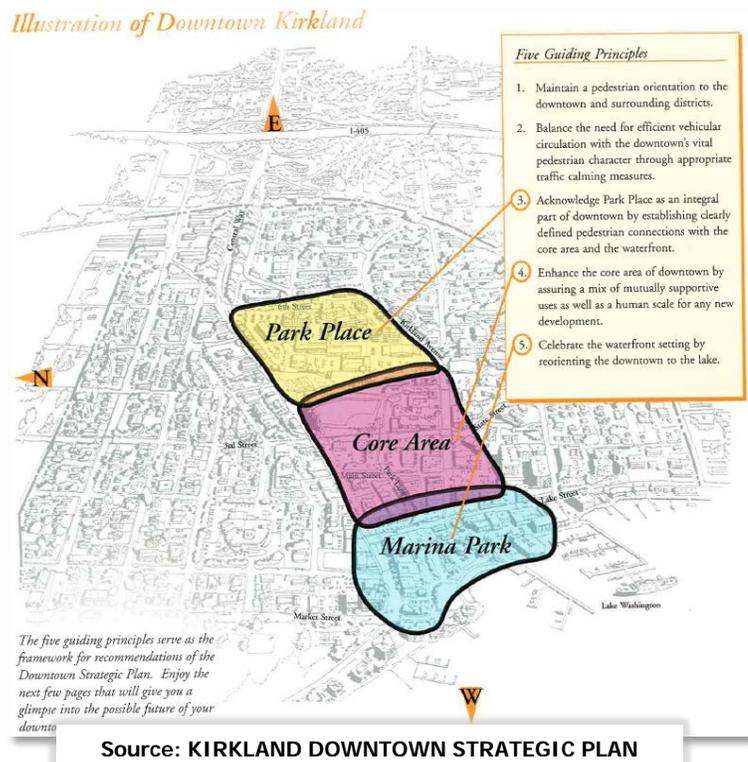
RECOMMENDATION:

It is recommended that City Council:

- Receives a status update for the Park Lane Project, including the successful results of the recent Transportation Alternatives Program (TAP) grant selection process, and
- Approves the staff recommended funding for completing the flexible street concept for the project.

BACKGROUND DISCUSSION:

In June of 2001, Kirkland City Council adopted the *Kirkland Downtown Strategic Plan (DSP)*, as developed by the Downtown Action Team. The five guiding principles contained within the *Strategic Plan* are: 1) Maintain a pedestrian orientation to the Downtown and surrounding districts; 2) Balance the need for efficient vehicular circulation with the downtown's vital pedestrian character through appropriate traffic calming measures; 3) Acknowledge Park Place as an integral part of the downtown by establishing a clearly defined pedestrian connection with the core area and the waterfront; 4) Enhance the core area of downtown by assuring a mix of mutually supportive uses as well as a human scale for any development; and 5) Celebrate the waterfront setting by reorienting the downtown to Lake Washington.¹



¹Kirkland Downtown Strategic Plan 2001

As defined in the DSP, Park Lane is at the center of the "Core Area" of Downtown Kirkland with its many positive pedestrian features. However, there are many pedestrian opportunities unrealized. For example, the strong pedestrian features of Park Lane are compromised by the lack of a consistent linkage between the core area, the Kirkland Transit Center, Peter Kirk Park, and Park Place. In addition, Park Lane is aged and not in good condition¹.

In response to the DSP in 2008, City Council approved funds for a study to establish a vision for Park Lane Corridor between Lake Street and 3rd Street. In addition to the DSP, a secondary driver for the Park Lane Study (Study) was the condition of the existing infrastructure along Park Lane with aging pavement, failed concrete curbs and sidewalks, existing tree and tree root issues, an inefficient street lighting system, and an aged surface water conveyance system reaching the end of its life expectancy. The significant mature trees and root structures were (and continue) lifting sidewalk panels creating hazardous walking conditions that require a high degree of maintenance efforts to correct. A final driver for the Study was the redevelopment of the Kirkland Transit Center, the replacement of King County Wastewater Treatment Division sanitary sewer lift station at 3rd Street and Park Lane, and an eventual redevelopment of the Antique Mall property. These provided added incentive to pursue an updated vision for the Park Lane Corridor where reconstruction efforts would meet the City's strategic vision.

A key goal of the Study was to explore and develop a community embraced concept for enhancements along Park Lane. A secondary goal was to identify various funding alternatives to accomplish the vision for the Park Lane Corridor. After an extensive 18-month public involvement process, including the participation of many stakeholders represented by Park Lane business and property owners, neighborhood association representatives and other interested parties, the Study was completed in January, 2010. At their regular meeting of February 2, 2010, City Council adopted the public preferred "Flexible Street" concept for Park Lane (Attachment A).

With the adopted vision in hand, staff submitted a grant application to the Washington State Department of Ecology (DOE) under its Storm Water Retrofit and LID Grant Program in 2010. On May 10, 2012 (two years later), the City received notice that the Park Lane project had been selected as a \$739,000 grant recipient through a legislative provision on the 2012 Supplemental Capital Budget. Staff provided City Council an update at their regular meeting of August 7, 2012 (Attachment B), and Council authorized staff to move forward with additional public outreach to notify Park Lane business and property owners of the City's eligibility for the DOE grant funding and how the community could best be involved moving forward.

Park Lane Feedback

There are approximately 23 businesses on Park Lane between Lake Street and Main Street, and in late August, 2012, staff began conducting small group meetings with the businesses. Staff also met with the Executive Director of the Kirkland Chamber of Commerce and Kirkland Downtown Association. At these meetings the 2010 Flexible Street concept was reintroduced, and preliminary construction methodology was presented. Of the 23 business owners along Park Lane, staff directly communicated with a total of 19. In addition, a flyer (Attachment C) was mailed to 12 remote Park Lane property owners from Lake Street to Third Street inviting their input and feedback.

¹Kirkland Downtown Strategic Plan 2001

In general, business owners expressed concern over the potential direct construction impacts (e.g. reduction of customers and income during construction, equipment noise levels, limited access to store fronts, etc.) and the follow-up issues related to the adopted vision of Park Lane. Some expressed a concern that various community events such as the Wednesday Market have had a negative impact on individual sales of their front-line businesses – they oppose additional focus on events that the Flexible Street could facilitate.

Of the 19 businesses contacted, representative feedback can be divided into three categories, as shown below:

Summary of business owner outreach and level of project support

	No: Do not move forward with project at this time	Maybe: Move forward with project if conditions are met	Yes: Move forward with project at this time
Number of Businesses	4 (21.1%)* *1 of the 4 businesses has multiple owners	13 (68.4%)	2 (10.5%)
Level of Support for Park Lane Improvements	Reject the concept of a "Festival" street. Do not want Park Lane construction unless strictly necessary – do not see any necessity at this time. Only address tripping hazards and health of the trees. Leave the street with its current charm.	Support the implementation of Park Lane improvements under certain operational and construction conditions listed below.	Support the implementation of Park Lane improvements knowing construction comes with impacts.
Direction to move forward:	Keep Park Lane as is. Increase Park Lane ongoing maintenance. Fix tree/sidewalk problems one at a time as needed.	City of Kirkland to explore construction and operational conditions listed below.	Proceed with project.
Reasons not to move forward:	Do not like Festival Street. Revisit Project scope when times are better.	NA	NA

Multiple attempts to communicate with the 12 remote property owners along Park Lane have occurred since the inception of the visioning process in 2008. To date, approximately half of those business owners have actively participated by attending meetings, providing input or communicating in writing over the past five years.

The majority of the on-site business owners that were interviewed are willing to entertain the adopted pedestrian and street improvements for Park Lane provided that the following measures are incorporated into the Project:

Regarding Construction:

1. Businesses can remain open at all times.
2. Construction occurs during winter season. January was a popular month. One month construction duration was thought as the maximum acceptable duration for the western end of the corridor (between Lake Street and Main Street).
3. Other construction specific conditions include:
 - Construction is completed within the timeframe agreed to by City and business owners.
 - Construction contract language involves heavy penalties should the contractor go beyond contract days.
 - Limit impacts by being open to round the clock construction (day and night). Business owners were concerned that construction delays would put them out of business.
 - Bids should be based not only on price but also schedule. The contractor must be qualified to meet construction conditions.
 - Establish a platform that supports open communication between contractor and business owners so that mitigation measures happen swiftly and efficiently.
 - Modify parking enforcement in the vicinity of Park Lane during construction to make it easier for customers to visit Park Lane.

The planned establishment of a Construction Advisory Group (CAG) with local business owners, residents, and other interested persons will help to set realistic goals and expectations for the physical construction of the project. As an example, the expressed desire of the business owners for a "one-month" construction and a "round-the-clock (day and night)" project schedule will be resolved through the CAG since these issues may be in conflict with the interests of residents who live in the downtown area. The CAG will review the above measures and serve to work through specific construction related issues as they come up during that phase.

Regarding the Festival Street Concept:

- Park Lane business owners want the ability to approve the type of festivals and nature of visiting vendors.
- Business owners want to ensure that festival activities on Park Lane:
 - i. promote their businesses and support their customer base; and
 - ii. do not prohibit or inhibit their customers from accessing their businesses.
- Flexible Street final design includes elements that enhance Park Lane businesses (i.e. patio spacing at key locations for outdoor dining or sidewalk sales).
- Regular Park Lane street maintenance after construction and prompt clean up after festivals and markets.
- Have a big celebration after construction is complete. High level marketing and advertising that attracts Kirkland residents and visitors from the greater Puget Sound region.

At their meeting of December 10, 2013, City Council adopted amendments to the Kirkland Municipal Code relating to special events. Concurrent with those amendments, all festivals or special events held on Park Lane will comply with the new ordinance.

Estimated Project Costs and Funding Strategies

The overall total Park Lane Corridor Enhancements Project costs for all Phases is currently estimated to be \$2,990,000, and includes four separate elements: 1) the previously complete Phase I project, 2) the King County Wastewater Treatment improvements adjacent to their lift station, 3) the replacement of the aging City water main, and 4) the Phase II surface and stormwater improvements between the King County lift station and Lake Street.

At their regular meeting of April 2, 2013, City Council formally accepted the DOE grant and was informed of another grant opportunity with the City's submittal of an application for \$1,000,000 in a State Capital Budget allocation. Unfortunately, the City was not selected for receipt of those additional funds and staff set out looking for other external funding opportunities.

In August, 2013, staff submitted a new application to the Puget Sound Regional Council (PSRC) on its Transportation Alternatives Program (TAP), seeking an amount of \$857,479, as the calculated maximum amount of grant eligible Project costs, with a needed City match set at \$160,000; the "flexible" street concept is more in alignment with the goals of TAP when compared to a more common street and sidewalk design approach resulting in more grant eligible expenses. The City was notified in October that the Project had made the short list of grant finalists and on December 5, 2013, the Executive Board for PSRC did vote to award the City a grant amount of "up to" \$857,479 with the caveat that Kirkland staff must work closely with our Local Programs Office of the Washington State Department of Transportation to ensure that all Project elements are ultimately grant eligible. If during the design process it is determined that there are elements that are not reflective of "Transportation Alternatives" the grant award may be diminished. To that end, staff has already met with our Local Programs Engineer to establish an early dialog and will continue to do so during the entire design process.

To date, the City has invested \$434,000 of capital improvement funds for scoping, planning and design development, sidewalk and lighting repairs, and the replacement of two trees along the Corridor (Phase I construction), and for the extensive community outreach to develop the overall vision for Park Lane. Engineering deliverables included a 30% design for the above ground improvements and a 100% design for the surface water system. The Phase I construction, completed in 2010, included removal and replacement of damaged concrete sidewalk with temporary rubber sidewalk material at various locations and two new trees in Silva Cell™ tree well units were also installed. The Silva Cell™ units support vigorous tree development and a downward tree root growth while also providing immediate point-source water quality. The downward root growth results in less future root-caused sidewalk damage.

The City's current funding for the project is \$1,720,000 and includes the money spent for the completed Phase I elements (\$434,000), the DOE grant (\$739,000), the King County Lift Station segment (\$175,000), the City's share for the King County lift station segment (\$75,000), and replacement of the new water main (\$297,000). With the receipt of a maximum of \$857,000 in TAP funds, the resultant funding shortfall is estimated to be \$413,000 to a

maximum of \$770,000, based on the ultimate determination of TAP grant eligible costs, as discussed above.

Funding Need

PARK LANE PEDESTRIAN ENHANCEMENTS

Element	Flexible Street	Fund Source (available)
TOTAL COST	\$ 2,990,000	
1) Phase I	(\$ 434,000)	Surface Water (SW)/REET (2010)
2) KCDNR	(\$ 75,000)	City Surface Water funds (Current CIP)
	(\$ 175,000)	King County DNR funds (2013/14)
3) Water main	(\$ 297,000)	City Water Utility (Current CIP)
4) Phase II	(\$ 739,000)	State DOE (2014/15)*
	(\$857,000 to \$500,000*)	TAP (Federal)
SHORTFALL	\$413,000 to \$770,000	

* *Estimated – to be determined through the design process*

Fund Sources to Meet Shortfall

Fund Source	TAP @ \$857,000	TAP @ \$500,000
Annual Street Preservation (TAP grant match)	\$100,000	\$190,000
Annual Sidewalk Maintenance (TAP grant match)	\$ 60,000	\$100,000
Surface Water Const. Reserve (DOE grant match)	\$253,000#	\$480,000
TOTAL	\$413,000	\$770,000

Presently accounted for within the current CIP

Conclusion

The Flexible Street option best reflects the studies and public outreach that have been a vital part of this important project, and best meets the eligibility requirements of both grants. Given that and the significant amount of external funding available, staff recommends that City Council authorizes the City Manager to sign the TAP grant funding agreement once it is ready for execution. It is also recommended that City Council approves the use of the identified funding sources in order to have general government funds available as the city's contribution for the TAP grant match on the transportation elements, including:

- A contribution from the Annual Street Preservation Program (ST 0006) for the new roadway surface (\$100,000) -- the 2013 Street Preservation Project is substantially complete and will have remaining (non-levy) funds available to contribute to the repaving of Park Lane.
- Funds from the Annual Sidewalk Maintenance Project (NM 0057) for use on replacing the existing sidewalks on Park lane (\$60,000) -- the Annual Sidewalk Maintenance Program has a recurring budget of \$200,000, and the available funding remaining in the 2013 Project is adequate to fund this recommendation.

As the design phase progresses over the coming year, staff will keep City Council informed on its negotiations with Local Programs. In addition, as the design advances, the engineer's estimate for completing the improvements will also likely change and staff will return to Council with current funding updates.

With City Council approval at the January 7 meeting, the project will move into the final design stage including a robust public outreach process and the formation of the Construction Advisory Group involving staff and the design team, local businesses and interested downtown residents. This next phase of the project will last a minimum of 12-months with construction intended to start in early 2015 followed by construction completion in spring, 2015.

Attachment A: Flex Street

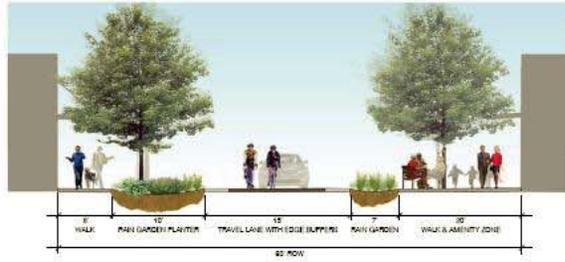
Attachment B: Council Memo Aug 2012

Attachment C: Park Lane Property Owner Flyer

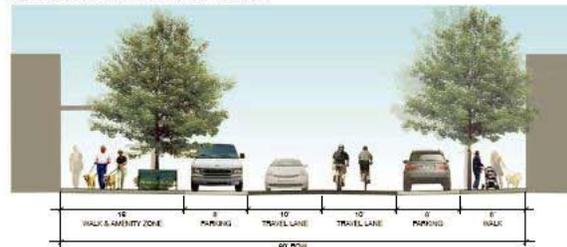
Flexible Street Concept

PREFERRED CONCEPT | FLEXIBLE FESTIVAL STREET | PLAN AND SECTIONS

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



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



**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: July 26, 2012

Subject: PARK LANE CORRIDOR ENHANCEMENTS – PROJECT UPDATE

RECOMMENDATION:

It is recommended that City Council receives an update on the Park Lane Corridor Enhancements Project, including a recent notification of an award of grant funding. It is also recommended that City Council authorize staff to renew public outreach efforts.

BACKGROUND DISCUSSION:

A study to establish the scope of Park Lane enhancements was first funded in 2008 as a part of the 2008-2013 Capital Improvement Program (CIP). The Study was the initial step in developing an overall strategy for addressing various issues along the Park Lane corridor, between Lake Street and 3rd Street South.

The primary drivers for the Study were the condition of the existing sidewalks along Park Lane, where significant mature tree roots were lifting sidewalk panels, together with other aging and deteriorating infrastructure such as pavement, curbs, lighting, and the surface water conveyance systems that are all reaching the end of their respective design lives. Additionally, the redevelopment of the Kirkland Transit Center, the replacement of King County Department of Natural Resources' (KCDNR) sanitary sewer lift station at 3rd Street South and Park Lane, and the anticipated redevelopment of the Antique Mall property provided an incentive to pursue an updated vision for the Park Lane corridor.

A key goal of the Study was to explore and develop a community embraced concept for enhancements along Park Lane (Attachment A); another goal was to identify various funding alternatives to accomplish the vision for the Corridor. Both goals were achieved and City Council adopted the preferred "Festival Street" concept for Park Lane at their regular meeting of February 2, 2010.

Study Chronology

The Park Lane Project was the subject of an extensive and robust public outreach process starting in the summer of 2008. A complete history of the public process and video of the public tour is available from the City Website at the following link: [Park Lane Enhancements Project](#). A general overview of the public process and timeframe is as follows:

Early Summer 2008

City hired a design consultant to assist staff in working with adjacent property owners, businesses, and interested citizens in creating a community vision for the future of Park Lane.

August 2008

A survey was mailed to all property and business owners along Park Lane and to other key stakeholders to obtain baseline information regarding attitudes and perceptions of Park Lane, as it looked at the time and what various aspirations were for what it could become in the future.

September 2008

Stakeholders convened to discuss the new Downtown Transit Center and to create a shared vision for the Corridor. Stakeholders participated in a design charrette to learn how Park Lane was first created through a Local Improvement District in 1974 followed by the development of concepts that could then be circulated for public comment. Three design concepts emerged from the stakeholders' long term vision for Park Lane. Concurrent with the development of the design concepts a detailed tree inventory of all trees along Park Lane was prepared.

October/November 2008

The stakeholders' three design concepts were presented to the public in a number of public meetings and venues. The information was put online along with forms for public comment. Over one hundred comments regarding the concepts were collected with the preferred concept being that of a "Festival Street". Under this design concept, the pedestrian, parking and roadway surfaces are all at the same level with pedestrian-only areas delineated through the use of textures, colors and/or physical objects such as decorative pavement, bollards and rain gardens. As a festival street, Park Lane, when closed for special events, would become a large pedestrian friendly plaza while still functioning as a through street and parking area at all other times.

February 2009

The City Council reviewed and endorsed the stakeholders' recommendation of the festival street concept (Attachment B). Design elements of the festival street concept were incorporated into the Kirkland Transit Center, as well as the roadway frontage restoration plans for the reconstruction of KCDNR's Downtown Kirkland Sewer Lift Station.

July 2009

A consultant arborist, the City's Urban Forester, the design consultant and staff met at Park Lane to re-assess trees and refine the festival street concept.

October 2009

The Tree 'report cards' were prepared and attached to 41 trees along Park Lane (see sample as Attachment C). The report cards were part of the ongoing community outreach plan to inform and engage stakeholders and other Park Lane users about the City's design process. The report cards included a "grade" and tree specific information such as species, diameter, comments on vigor, structure, health, and long term viability. On October 27, Stakeholders were invited to tour Park Lane with the City's Urban Forester, the consultant and City staff. During the tour, the tree report cards were explained and trees were compared among each other for purposes

of educating the stakeholders on tree health/structure/vigor. Trees with diseases were identified and signs of the disease were explained in detail by the City's Urban Forester.

The tour also provided the opportunity to discuss and explain the process of sidewalk buckling due to tree roots. Further, the proposed locations for surface water run-off collection and treatment using a new product known as Silva Cell (Attachment D) were shown on the tour. At the conclusion of the tour, stakeholders, consultants, and staff reconvened to review the preferred design option and discuss the proposed Phase I (discussed below) implementation plan.

January 2010

Staff presented a summary of the *Park Lane Study* to the Parking Advisory Board and to the Transportation Commission. Both groups supported the implementation of Phase I and the Festival Street concept. The Transportation Commission, however, recommended that the design development consider, among other issues, looking carefully at the amount of rain gardens being proposed and their correlation with parking operations, outdoor seating, and pedestrian movements along Park Lane.

Phase I

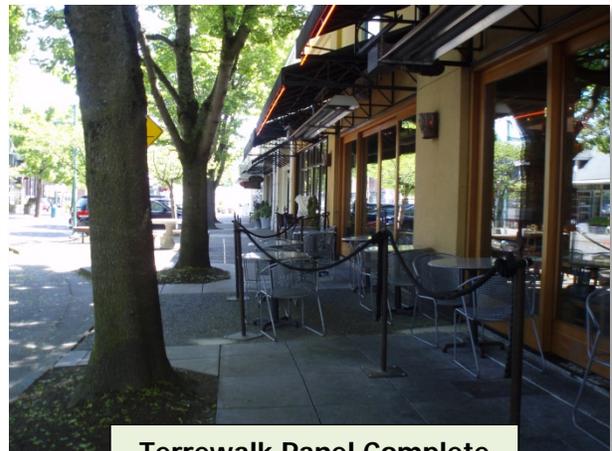
The Phase I improvements were complete in May of 2012 and included the installation of approximately 4,000 sf of Terrewalk panels (sidewalk panels made of recycled rubber and plastic) at various locations along the Corridor where the existing concrete sidewalk had buckled due to tree root uplifting.

Phase I also included the removal and replacement of two trees together with the installation of Silva Cell units to help prevent future sidewalk buckling. Silva Cell units are subterranean reinforced plastic frames that are filled with special soils to promote tree root growth. The frames fully support surface loads above while requiring less compaction efforts than conventional tree wells. This allows tree roots to go out and deeper as opposed to coming up towards the surface and adversely impacting sidewalks. This pilot use of Silva Cells for the City has been monitored and appears to be working well for its intended application; additional Silva Cell units will be incorporated into any future Park Lane improvements.

Concurrent with the implementation of Phase I, the City's consultant continued with the



Terrewalk Panel Install



Terrewalk Panel Complete

design of the Park Lane Festival Street concept to a 30% completion stage. The design efforts also brought the design of Park Lane storm system improvements to a 100% complete level, as well as to a 100% complete stage for the street frontage improvements being completed with the on-going KCDNR lift station project.

Funding/Grant Application

The visible attributes of the festival street concept along Park Lane include a barrier-free pedestrian amenity that is intended to support seasonal and annual events in Downtown. As conceived, the improvements will allow multi-modal access for businesses and customers at other times. In addition, the proposed improvements will provide significant surface water improvements in the Central Downtown core.

These proposed surface water improvements include many low impact development stormwater management elements such as tree canopy retention, the use of Silva Cells to support root growth and stormwater treatment, bioretention stormwater gardens, porous pavement, and rain gardens. Currently, there is no stormwater treatment along Park Lane and contamination from hydrocarbon compounds associated with motor vehicles is always present. Through the inclusion of significant stormwater management elements along Park Lane, improvements to water quality immediately upstream of Lake Washington will be accomplished.

To help fund these significant storm water quality/run-off improvements, staff submitted an August 31, 2010 grant application for the Washington State Department of Ecology's (DOE) Storm Water Retrofit and LID Grant Program. In order to ensure that funds are applied to the highest priority needs in the State, DOE staff evaluated and scored all of the project proposals. With all scores compiled a statewide priority list was developed and the Park Lane Pedestrian Enhancements Project application was selected as a top candidate. On May 10, 2012, the City received notice that the Park Lane Project had been selected as a grant recipient through a legislative provision in the 2012 Supplemental Capital Budget.

In order to advance the Grant to the next level, negotiations and a DOE funding agreement is required to be completed by the City before November 1, 2012. To accomplish this, DOE staff is requesting a confirmation letter from the City with a brief project status update and an indication that the City is still interested in moving forward with the Project.

Estimated Project Costs

A Funding Strategy for the Park Lane Corridor Enhancements Project was first presented to City Council at their meeting of February 2, 2010. At that time the Project was estimated to be \$2.2M in total costs, including the Phase I work previously completed (\$370K) plus the portion that will be built as a part of the KCDNR Lift Station project (\$170K); the second phase of the Project is currently listed as "Unfunded" within the Transportation element of the 2011-2016 CIP. In support of the DOE grant application, an updated engineer's estimate was produced along with an updated Funding Strategy Plan placing the current total project cost at closer to \$2.4M, including the same Phase I and KCDNR elements listed above.

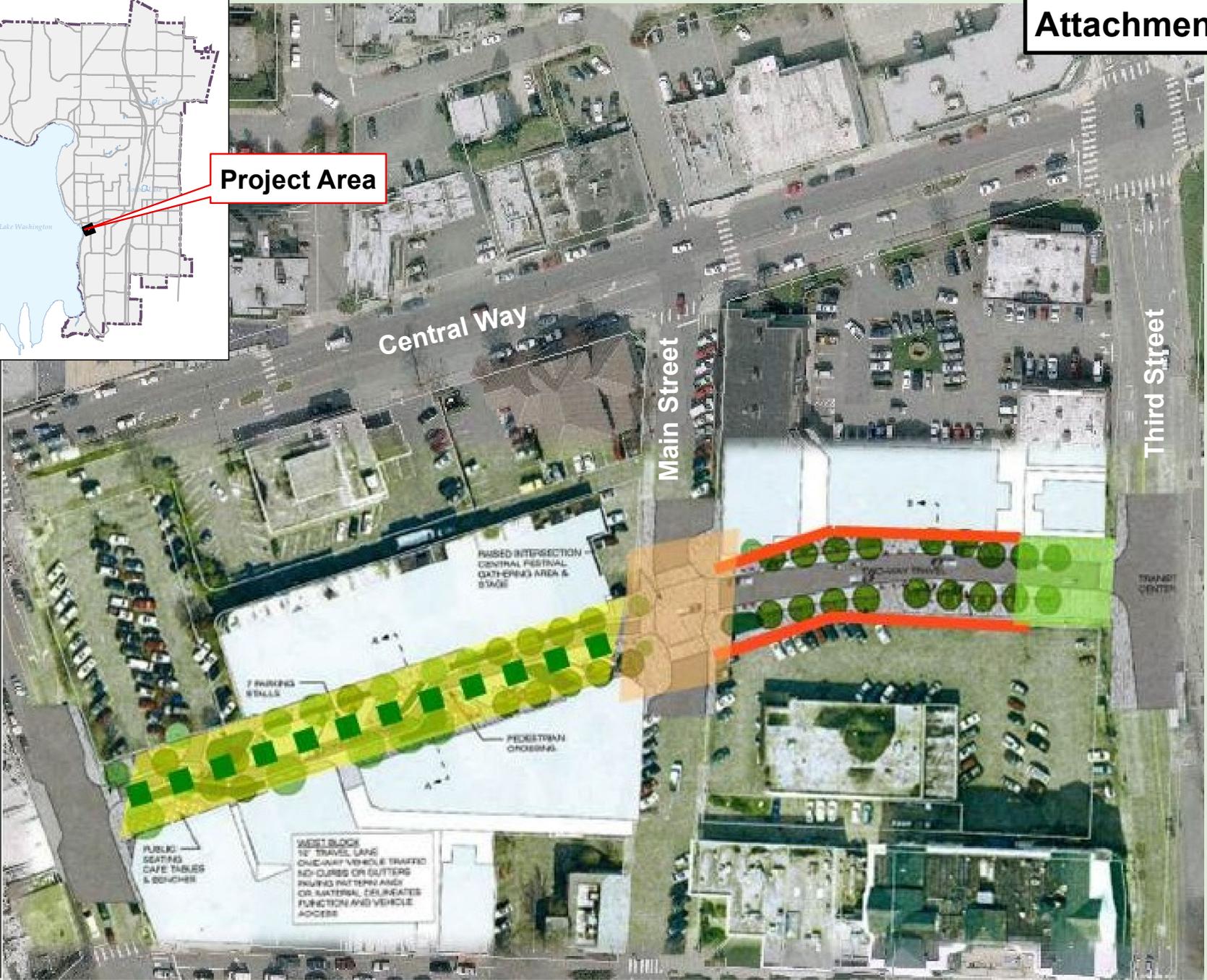
With the possible receipt of \$739K in DOE grant funds, the Project balance remaining to be funded is nearly \$1.1M and, as per the current Funding Strategy, staff has identified possible

City matching fund sources such as the Annual Overlay Program, surface water reserves, the Annual Sidewalk Program, together with other miscellaneous sources (Attachment E). As a continued part of the Funding Strategy Plan, staff is pursuing other grant opportunities through the Transportation Improvement Board and the 2012 Pedestrian and Bicycle Safety Grant Program.

Conclusion and Recommendation

It is recommended that City Council authorize staff to begin a process to re-introduce the Park Lane Festival Street concept to the public, especially to the Park Lane business and property owners, in order to better gauge the level of support for Project implementation. A number of years have passed since the Park Lane Community Visioning process was concluded. As a result, there will be new Park Lane stakeholders who may not be fully up-to-date on the Project and the process that lead to the current design concept. The [Park Lane Visioning](#) website has remained active since 2008 with the Project currently listed as "unfunded" in the current CIP. With City Council's approval, staff will begin a new dialogue with the most immediately impacted stakeholders (Park Lane business and property owners) to identify current issues and to determine options for mitigating any future construction impacts. Staff will return to Council in October with results of the renewed public outreach and make a recommendation for completing grant negotiations with the DOE and funding strategies for the remaining \$1.1M gap. Staff will also provide the notice of grant information to the Kirkland Transportation Commission, as well as continue to pursue additional grant opportunities and funding options for City Council's future consideration.

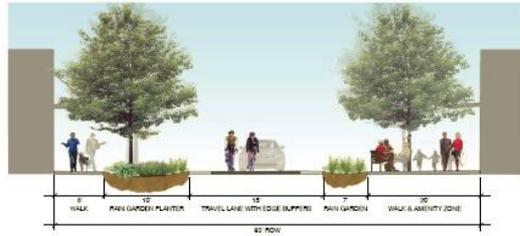
Attachments (5)



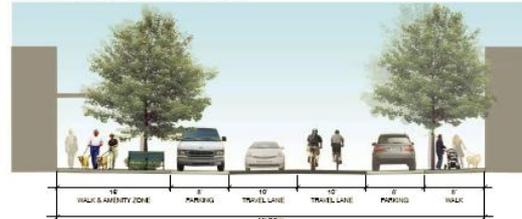
Flexible Festival Street Concept

PREFERRED CONCEPT | FLEXIBLE FESTIVAL STREET | PLAN AND SECTIONS

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



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



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



PARK LANE TREE INVENTORY

TREE REPORT CARD

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

A

Grade Definition:

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

Tree Criteria:

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

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

Tour of Park Lane Trees with City Urban Forester

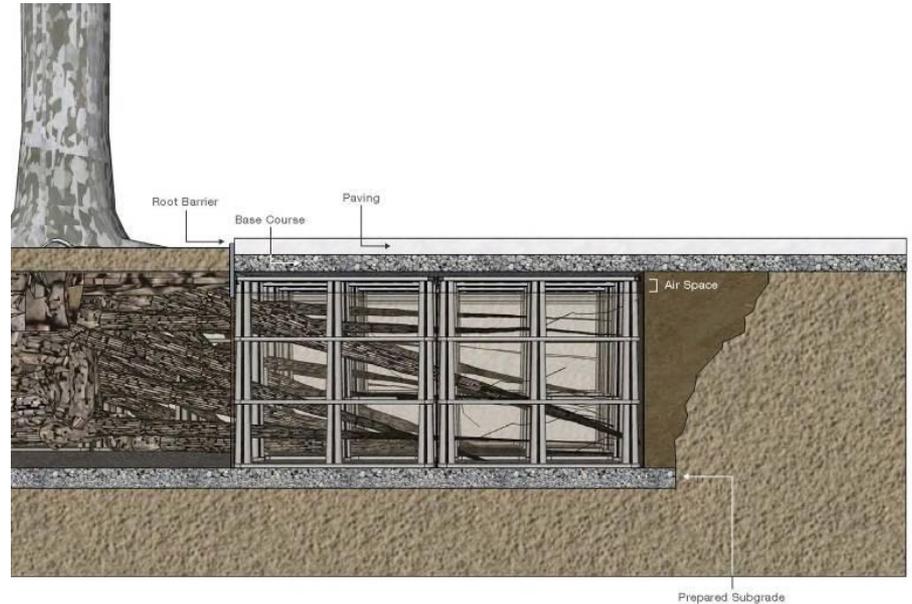
Tuesday October 27th (8:30 am – 9:15 am); Meet at Park Lane and Lake Street

Phase I Implementation Plan

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

For more information, contact Kari Page 425-587-3011 kpage@ci.kirkland.wa.us

Phase 1 – Silva Cell Units

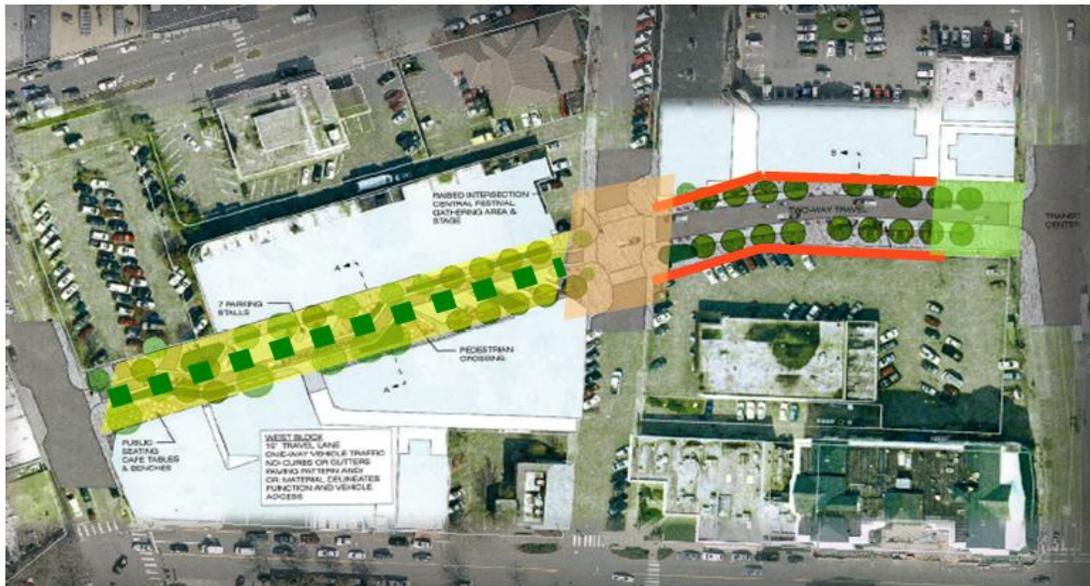


Silva cell units act as “suspended pavement”. The soil within the units requires less compaction, providing more void space for roots to grow.

Proposed Park Lane Pedestrian Corridor Funding Strategy

7/26/2012

PHASE	DESCRIPTION	Frontage (linear feet)	Total Estimate (2009)	Design (**)	Construction	Funding source
1	Replacement of damaged infrastructure (Terwalk rubber walkway panels, Silva Cell units, root pruning, conduit)	various	\$ 370,000	2009	2010 (Complete)	\$312K Transportation CIP \$58K Surface Water
2	King County DNR pump station street frontage Improvements	150	\$ 170,000	2009	2012 (ongoing)	Design funding is included in Phase 1. Construction will be completed by KCDNR; Park Lane crosswalk along west side of 3rd Street was constructed with Downtown Transit Center.
3	Festival Street Implementation: Installation of porous concrete sidewalks, new roadway, street furniture, patterned concrete, storm drainage and rain gardens.	800	\$ 1,106,746	2010 (30%)	TBD	\$739,000 DOE Grant Overlay Program Sidewalk Program Surface Water Program Centennial Program \$16K donated benches 2012 Pedestrian and Bicycle Safety Grant (Submitted July 2012) TIB (To be submitted August 2012)
4	Festival Street Implementation: Raised intersection at Main Street and Park Lane.	100	\$ 140,400	TBD	TBD	\$739,000 DOE Grant Overlay Program Sidewalk Program Surface Water Program Centennial Program \$16K donated benches 2012 Pedestrian and Bicycle Safety Grant (Submitted July 2012) TIB (To be submitted August 2012)
5 S	Antique Mall Redevelopment right of way improvements per Festival Street Concept	275	\$ 313,775	TBD	TBD	Same as above with redevelopment participation a possibility
5 N	Kirkland Square Redevelopment right of way Improvements per Festival Street Concept	275	\$ 313,775	TBD	TBD	Same as above with redevelopment participation a possibility
TOTAL		1600	\$ 2,414,696			





Park Lane: Festival Street

August 30, 2012

Planning

Design

Construction

Complete

- Create a lively public square in the heart of downtown
- Offer parking and vehicular access
- Promote festivals, outdoor concerts, street fairs, and markets
- Build a unique regional destination

Thank you in advance for helping us make a good and informed decision about the future of Park Lane.



Dear Park Lane Property Owner:

Kirkland was awarded a State Department of Ecology (DOE) grant to help bring the community vision for Park Lane into reality. The grant does not cover all of the costs of construction, leaving over a million dollar gap to fully fund the project. The City is seeking additional grants from other state and federal agencies to fill the gap. However, by late this year, the City Council has a decision to make; whether to proceed with the DOE grant under the assumption that other grants will be awarded or come up with the remaining funds itself; or to decline the grant money from the State and push off the project indefinitely. If they accept the DOE grant, Kirkland will have until late 2014 to construct the project.



Example of a festival street

The DOE grant amount is \$739,000 with approximately \$1.1M remaining to fund. Before starting a larger process to gain public input on this decision, the Council wants to know what the business and property owners of Park Lane recommend. As everyone knows, no matter how desirable the improvements are, with improvements come construction impacts. We would greatly appreciate you taking a few minutes to meet with us so we can: 1) provide an overview of the Festival Street Vision, 2) answer questions about the construction timeline/impacts, and 3) hear your input on how the Council should proceed.

Questions we will be asking include:

1. What do you like or dislike about moving forward with the DOE grant and Park Lane improvements?
2. If we do not move forward, when do you think the City should start actively pursuing funding for Park Lane improvements?
3. Should certain conditions be met before moving forward?
4. If we do move forward, what mitigation measures should be considered for construction? In the end, we will be asking if you support moving forward at this time.

Please give us a call if you would like to provide input to the Council on this decision. Contact Kari Page, Neighborhood Outreach Coordinator, KPage@kirklandwa.gov (425) 587-3011 or Gina Hortillosa, Project Engineer, GHortillosa@kirklandwa.gov (425) 587-3828.

For More Information:

24-hour project information hotline/ Para más información*, 425-587-3838
 Alternative formats available/711 (TTY Relay).
 Gina Hortillosa, Project Engineer, GHortillosa@kirklandwa.gov, or 425-587-3828
 Kari Page, Neighborhood Outreach Coordinator, KPage@kirklandwa.gov, or 425-587-3011
 Web: www.kirklandwa.gov (search Park Lane).
 (*Señale su idioma y llamaremos a un intérprete. El servicio es gratuito.)



Park Lane: Festival Street

August 30, 2012

The Festival Street vision for Park Lane was created by the community through an extensive public process involving Park Lane business and property owners as well as the broader Kirkland community. The process began in August 2008 with the formal community recommendation being accepted by the City Council in February of 2009.

The vision is a street designed like a public square but would be open to traffic and provides parking.

It would encourage pedestrian use and create a more lively urban space where people want to shop, dine and relax.

It would promote flexibility for festivals, outdoor concerts, street fairs and markets.

There would be no curbs or gutters, no white lane dividers or sidewalks, and cars would be separate from pedestrians with street furniture, planters and rain gardens.



Example of a festival street



Example of a plaza rain garden

Traffic would meander through a tree lined plaza from Lake Street all the way to Third Street (Transit Center/Peter Kirk Park).

At the intersection of Main and Park Lane, the road would rise to create a raised intersection for central festival gatherings or a stage. Park Lane would become a vital shopping district and unique regional destination.



Example of pavement marking

Thank you for taking the time to help us make a good and informed decision about the future of Park Lane.

For More Information:

24-hour project information hotline/ **Para más información***, 425-587-3838

Alternative formats available/711 (TTY Relay).

Andrea Swisstack, Project Engineer, ASwisstack@kirklandwa.gov, or 425-587-3827

Kari Page, Neighborhood Outreach Coordinator, KPage@kirklandwa.gov, or 425-587-3011

Web: www.kirklandwa.gov (search street preservation).

(*Señale su idioma y llamaremos a un intérprete. El servicio es gratuito.)

**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: Lorrie McKay, Intergovernmental Relations Manager

Date: December 19, 2013

Subject: CITY OF KIRKLAND 2014 STATE LEGISLATIVE AGENDA

RECOMMENDATION:

It is recommended that the City Council adopts a resolution approving the 2014 State Legislative Agenda which includes the priorities agenda as Exhibit A and the support agenda as Exhibit B.

BACKGROUND DISCUSSION:

At its December 10, 2013 meeting, Council was presented with a proposed draft 2014 Legislative Agenda (Attachment A), which included a set of general principles, legislative priorities for 2014 and legislative support items. Council was also presented with a draft resolution approving the 2014 Legislative Agenda.

Revisions to the General Principles and Legislative Priorities

The item "oppose legislation that proposes lending products or practices that adversely impact the middle class and the poor" was moved from the general principles section and put into the legislative priorities at Council's request because it relates to specific legislation.

On the legislative priority in support of the provision of state and local transportation revenue, Council requested that the bullet specifically mention funding for transit agencies, as there is deep concern about the funding challenges faced by King County Metro Transit. In addition to providing funding to complete projects like the 520 bridge, Council's support for a balanced statewide transportation revenue package includes support for local revenue options that fund transit agencies. These and other concerns were expressed in a December 12, 2013 letter (Attachment B) to the lead negotiators on the transportation revenue package. It should be noted that on December 18, Governor Inslee and the bipartisan House and Senate transportation negotiators jointly issued a statement (Attachment C) expressing the importance of the package but that they have not reached agreement. The statement went on to say that the discussion and negotiations will continue in the regular 2014 legislative session.

Finally, Council requested additional clarity on the proposed legislative priority to "harmonize medical marijuana regulations to reflect recreational marijuana regulations." Since 1998, the state has allowed medical use of marijuana and Initiative 502, approved with 55% of the vote last year, allowed the sale of marijuana to adults for recreational use at licensed stores, which are expected to open by late next spring. Officials with the U.S. Justice Department have warned that the State's largely untaxed and loosely regulated medical cannabis status quo is untenable, while local lawmakers have worried that the basically unregulated medical cannabis system will undercut the taxed, recreational system. State law (Chapter 69.51a RCW) currently does not explicitly authorize medical marijuana dispensaries, and doesn't govern who runs them, or how. Some lawmakers and police officials believe that a substantial percentage of medical marijuana customers are in fact recreational marijuana customers. They point to the proliferation of medical dispensaries in Washington — establishments that aren't allowed by the medical cannabis law — saying that this demonstrates that they're largely a front for commercial marijuana sales.

At the same time, legitimately sick patients who depend on cannabis to ease suffering have voiced strong concerns about being forced into the recreational market where they would face heavy excise taxes.

Initiative 502 mandated the Liquor Control Board (LCB) establish strict rules and taxation to regulate recreational marijuana growers, processors and retailers. Through a provision in the state's budget earlier this year, the Legislature directed a work group comprised of staff members from the liquor board, Department of Revenue and Department of Health to evaluate how medical and recreational marijuana markets might coexist and to send its final recommendations to the Legislature by Jan. 1, 2014. On December 18, 2013 the LCB released its official recommendations on regulating medical cannabis in the state (Attachment D). The recommendations include allowing licensed I-502 stores (with a special endorsement from the WSLCB) to sell medical cannabis, which would be subject to the same high excise taxes as recreational marijuana. However, patients who sign up for a proposed mandatory state registry of medical marijuana users would be exempt from paying sales taxes. Additional recommendations to the legislature include: Eliminating collective gardens (and dispensaries); Reducing patient possession limits; Reducing the limit of plants patients are allowed to cultivate; Restricting health care providers' practices to ensure they do not consist primarily of authorizing medical marijuana; and more. Lawmakers will take up this issue and the recommendations when the legislature convenes in January.

Revisions to the Legislative Support Items

Council requested that the Legislative Support Agenda show the City's support of Watershed Investment Authorities. Over the past few legislative sessions this issue was a selected priority item of WRIA 8 and supported by the City. Under the heading "Legislation on Kirkland's Support agenda from 2013," the 2014 Legislative Support Agenda now includes support for legislation to enable local funding sources for multi-benefit watershed projects.

Other revisions include listing the 2014 priorities of WRIA 8; the priorities of the Washington Association of Sheriffs and Police Chiefs; honing the selected items from the Washington Fire Chiefs Association's 2014 priorities; and a space-holder was added for the Washington Chapter of the American Planning Association. As of December 19, legislative agendas for several allies were not yet available. Those are noted as well.

As a reminder, formal City support of selected "support" items is contingent upon reviewing and approving the specific language of any legislative proposal drafted to advance a particular item.

Kirkland's Legislative Review Process During Session

Proposed bills are introduced (daily through the first cut-off anticipated in mid-February) in either the Senate or House or both. The City's legislative lobbyist forwards relevant bills to intergovernmental staff for review with department(s) and subject-matter experts to determine potential impacts to the City. This process also includes making an initial recommendation to intergovernmental staff on City's position (Support/Oppose/Neutral) on a given bill. From there, intergovernmental staff brings bills, reports and recommendations to the Council's Legislative Committee for consideration, discussion and validation of staff recommendation. The Legislative Committee's decisions are guided by the legislative agenda's general principles as well as the City Council's Goals. Intergovernmental staff then communicates the City's position on bills to out legislative lobbyist, Council Members and Department Directors.

If, during the session, a proposed bill (of concern to the City) is determined to be beyond the scope of the legislative agenda's general principles or not in sync with the Council Goals, then the Legislative Committee will bring the bill before the full Council for consideration and discussion at its next regular council meeting.

The State Budget Outlook – Governor’s Proposed Supplemental Budget

On December 17, Gov. Inslee proposed a “hold-steady supplemental budget” warning of challenges the state faces in the 2015–17 biennium (Attachment E). The Governor proposed modest adjustments to the state’s 2013–15 operating budget, primarily to cover a variety of mandatory cost increases, meet legal or contractual obligations and continue delivering services at current levels. The Governor stated that about one-third of those mandatory cost increases are driven by rising school enrollment and program caseloads.

The governor’s supplemental budget also includes “small, targeted investments aimed at continuing his Working Washington agenda to revitalize the state’s economy, create jobs and ensure we have workers with the knowledge and skills to fill those jobs.”

Washington enacts budgets on a two-year cycle, beginning on July 1 of each odd-numbered year. The budget approved for the 2013-15 biennium remains in effect from July 1, 2013 through June 30, 2015.

By law, the Governor must propose a biennial budget in December, the month before the Legislature convenes in regular session. The biennial budget enacted by the Legislature can be modified in any legislative session through changes to the original appropriations. Since the inception of annual legislative sessions in 1979, it has become common for the Legislature to enact annual revisions to the state’s biennial budget. These revisions are referred to as supplemental budgets.

The next State Economic and Revenue Forecast is scheduled for release on February 19, 2014.

2014 Legislative Session

The 2014 legislative session is a short, 60-day session that begins on Monday, January 13 and ends on Thursday, March 13.

- Attachments:
- A. Draft 2014 Legislative Agenda - With December 10 Changes Highlighted
 - B. Kirkland December Letter to legislators on the transportation revenue package
 - C. Joint statement from Governor Inslee and the bipartisan House and Senate transportation negotiators, issued December 18, 2013
 - D. Liquor Control Board recommendations on regulating medical cannabis, released December 18, 2013
 - E. Governor Inslee’s December 17 News Release on his proposed supplemental budget
- Resolution of the City Council Approving the 2014 Legislative Agenda
- Exhibit A. 2014 Legislative Priorities Agenda
 - Exhibit B. 2014 Legislative Support Agenda



CITY OF KIRKLAND 2014 LEGISLATIVE AGENDA

General Principles

Kirkland supports legislation to promote the City Council's goals and protect the City's ability to provide basic municipal services to its citizens.

- Protect shared state revenue sources available to the City, including the State Annexation Sales Tax Credit, and provide new revenue options and flexibility in the use of existing revenues.
- Support long-term sustainability efforts related to City financial, environmental and transportation goals.
- Oppose unfunded mandates.
- Oppose any further shifting of costs or services from the State or County to cities.
- Defend against state consolidation/central administration of taxes including business and occupation and telecommunication taxes.

City of Kirkland 2014 Legislative Priorities

1. Kirkland supports providing state and local transportation revenue to maintain infrastructure investments, fund transit agencies and complete projects that enhance economic vitality.
2. Kirkland supports \$5 million in funding for the next phase of the I-405 / NE 132 Interchange ramp design and for the I-405 / NE 132 Interchange to be included in any statewide transportation package.
3. Kirkland supports continued state financial assistance and other tools that further the development of the Cross Kirkland Corridor and implement multiple uses including recreation and transportation.
4. Kirkland supports restoring funding to the Public Works Assistance Account that was swept in 2013.
5. Kirkland supports restoring local liquor revenue sharing formulas in order to adequately fund public safety and other local impacts of liquor consumption.
6. Kirkland supports sharing marijuana revenue to address public safety needs and other local impacts.
7. Kirkland supports harmonizing medical marijuana regulations to reflect recreational marijuana regulations.
8. Kirkland opposes legislation that proposes lending products or practices that adversely impact the middle class and the poor.



CITY OF KIRKLAND 2014 LEGISLATIVE SUPPORT AGENDA

Kirkland generally supports the policy principles of the items below, however, formal City support is contingent upon reviewing and approving the specific language of any legislative proposal drafted to advance a particular item.

2014 Legislative Support

Legislation on Kirkland's Support agenda from 2013

- **Support legislation to enable local funding sources for multi-benefit watershed projects.**
- Support providing cities with financing options to support public/private partnerships.
- Support brown grease to energy conversion legislation and programs.
- 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.

Additionally, Kirkland supports selected items of the 2014 legislative agendas for the following organizations:

Association of Washington Cities

Ensure fiscal sustainability and flexibility

- Restore local liquor revenue sharing to the historic revenue sharing formulas.
- Share new marijuana revenue.

Foster and invest in infrastructure and economic development

- Fund transportation needs now, including providing new local transportation options.
- Halt and refrain from raiding infrastructure funds like the Public Works Trust Fund and Model Toxics Control Accounts and build them back to health

Transportation Issues

Eastside Transportation Partnership

- *(As of December 19th, there is not yet a draft 2014 agenda available)*

Transportation Choices Coalition

- *(As of December 19th, there is not yet a draft 2014 agenda available)*

Washington Bikes (formerly Bicycle Alliance of Washington)

- Investments that get Washingtonians where they want to go via safe routes to schools, complete streets, and trails and bikeways.
- Reducing student transportation costs by increasing safe routes to schools
- Addressing intersection safety, including clarifying how cars should cross bike lanes at intersections, approving bike head signals for everyday use(traffic lights), and consolidating groups of cyclists to pass through intersections

Human Services Issues

Eastside Human Services Forum

- **Increase Access to Basic Needs:**
 - Support local option investments in public transportation that are sustainable, flexible, and distributed directly to public transit agencies to meet local and regional priorities.
- **Prevent and End Homelessness:**
 - Protect the State investment in the Housing Trust Fund by continuing to make new investments in 2014 that address the growing need for homes affordable to low-income families and individuals. Strengthen the process for identifying which programs are funded, to reflect equity principles and sound investments.
 - Repeal sunset of document recording fees. If the document recording fees are not extended beyond 2015, King County homeless housing programs will face a \$6.6 million reduction.
- **Support the Most Vulnerable Older Adults and People with Disabilities:**
 - Maintain the investment in Family Caregiver Support.
 - Expand community based respite for family care givers.

Washington Low Income Housing Alliance

- *(As of December 19th, there is not yet a draft 2014 agenda available)*

Environmental Issues

Environmental Priorities Coalition

- *(As of December 19th, there is not yet a draft 2014 agenda available)*

Northwest Product Stewardship Council

- While the NPSC does not develop a legislative agenda, the NPSC does advocate in support of the principles of product stewardship and producer responsibility in policies and legislation.

Water Issues

WRIA 8

- Thank state legislators for \$70 million for the Puget Sound Acquisition and Restoration Fund, of which WRIA 8 received \$1.4 million to award as grants.
- Thank state legislators for continued funding for salmon recovery Lead Entities

Cascade Water Alliance

- **High Efficiency Toilet Legislation:** Cascade proposes a measure that would require By January 1, 2014, toilets sold or installed in this state must be high efficiency toilets that go beyond the current standard (1.6 gallons per flush) and use less than 1.3 gallons per flush, which would, if every home in the US replaced old toilets with new high efficiency toilets would save more than 900 billion gallons of water per year.

Public Safety Issues

Washington Association of Sheriffs and Police Chiefs

- Law Enforcement Officer Accountability Act
- Changes to misdemeanor probable cause arrests (Ortega fix)
- Legislation that would require all licensed liquor establishments to report to the Liquor Control Board their losses due to theft, breakage, or other causes

Washington Fire Chiefs Association

- All Risk Mobilization (HB 1126)
- Oppose Ambulance Billing Direct to Patient (HB 1263)
- Wildland Fire Prevention Act/Ready, Set, Go (HB 1127)
- Raise EMS Levy Cap to \$.75 (HB 1136)
- Regional Fire Authority Bills:
 - Allowing municipality to form RFA (HB 1654)

Parks Issues

Washington Recreation and Parks Association

- Protect WWRP funding in 2014 Capital Budget
- Support Department of Revenue (DOR) request legislation on "Amusement and Recreation Services" sales taxes
- Advocate for key "Safe and Healthy Communities" needs, local funding, and "lid removal" in any Transportation Investment Package worked on in late 2013 or 2014
- Support general-obligation bonds to restore a prior-year diversion of funds from the Recreation Resource Account (RRA)

Planning Issues

Washington Chapter of the American Planning Association

- *(As of December 19th, there is not yet a draft 2014 agenda available)*



December 12, 2013

The Honorable Curtis King, Co-chair, Senate Transportation Committee
The Honorable Tracey Eide, Co-chair, Senate Transportation Committee
The Honorable Judy Clibborn, Chair, House Transportation Committee
The Honorable Rodney Tom, Senate Majority Caucus Coalition Leader
The Honorable Mark Schoesler, Senate Republican Leader
The Honorable Sharon Nelson, Senate Democratic Leader
The Honorable Frank Chopp, Speaker of the House
The Honorable Pat Sullivan, House Majority Leader
The Honorable Dan Kristiansen, House Republican Leader
The Honorable Don Benton, Vice Co-chair, Senate Transportation Committee
The Honorable Steve Hobbs, Vice Co-chair, Senate Transportation Committee
The Honorable Jake Fey, Vice Chair, House Transportation Committee
The Honorable Marko Liias, Vice Chair House Transportation Committee
The Honorable Luis Moscoso, Vice Chair House Transportation Committee
The Honorable Ed Orcutt, Ranking Republican, House Transportation Committee

RE: Proposed Transportation Revenue Package Negotiations

Dear Legislators:

On behalf of the City of Kirkland, thank you for your commitment to negotiate a transportation revenue package. We understand how difficult this task must be, and appreciate your efforts. We would like to reiterate our support, and also respond to information we have received about issues you are discussing.

We respectfully request no delay for funding to complete State Route 520. Sources indicate the current package would significantly delay this project. As you know, this is a major transportation corridor – one that is already under construction. In fact, much of the east side of this project is completed. While this is positive, it also creates a potential bottleneck as the completed portion of the corridor reaches the west side, which has yet to be constructed. Delaying completion by six to eight years would create a massive traffic congestion problem impacting one of the most traveled east-west corridors in the state. In addition, it will increase costs as material and labor prices rise and inflation impacts the final price. Current funding in today's dollars would not be sufficient to finish SR 520 if the project is delayed. Let's finish what has already been started.

Don't underfund transit and alternative travel modes such as bicycle and pedestrian mobility. We understand only a few percent of the transportation dollars in the current package are available for transit and bike/pedestrian mobility. The geography east of Lake Washington limits large-scale additions to our highway system, both in the north-south direction but also across Lake Washington to the west. Transit and alternative travel options up and down the I-405 corridor and across the lake will be imperative in the years ahead to avoid complete gridlock and its detrimental impact on our state's economy and quality of life.

Please include local transportation revenue authority for King County. In line with the point above, it is clear the state's most populated county – and cities and towns within the county – need additional local authority to raise revenue for transit and local needs. King

County Metro's planned cuts beginning in January 2014 will have severe impacts on the daily lives of residents throughout the area, particularly those such as the elderly, many of whom rely on public transportation to go to the store or visit the doctor.

We respectfully request you take our specific concerns noted here into consideration as your negotiations continue.

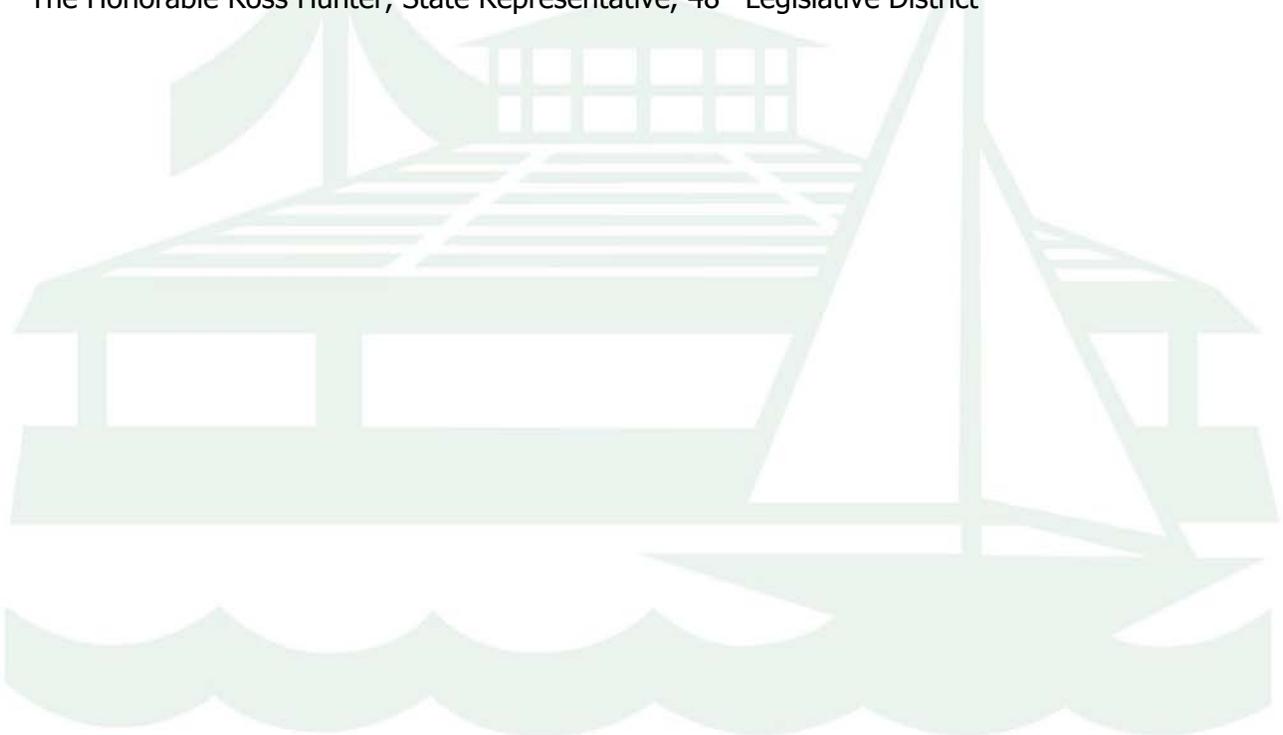
Sincerely,
KIRKLAND CITY COUNCIL



By Joan McBride, Mayor

cc:

The Honorable Rosemary McAuliffe, State Senator, 1st Legislative District
The Honorable Andy Hill, State Senator, 45th Legislative District
The Honorable Derek Stanford, State Representative, 1st Legislative District
The Honorable Roger Goodman, State Representative, 45th Legislative District
The Honorable Larry Springer, State Representative, 45th Legislative District
The Honorable Cyrus Habib, State Representative, 48th Legislative District
The Honorable Ross Hunter, State Representative, 48th Legislative District



From: [Harper, Lisa \(GOV\)](#)
To: GOVERNORS_PRESS_ROOM@LISTSERV.WA.GOV
Subject: Joint Statement from the Governor and bipartisan House and Senate transportation negotiators on transportation revenue package negotiations
Date: Wednesday, December 18, 2013 6:02:59 PM

JAY INSLEE
Governor



Dec. 18, 2013

Contacts:

David Postman, Governor Inslee's Communications Office | 360-902-4136,
david.postman@gov.wa.gov

Joint Statement issued tonight from Governor Jay Inslee and the bipartisan House and Senate transportation negotiators on the next phase of transportation revenue package negotiations

"Through 12 negotiating sessions we made progress on finding a compromise package of statewide transportation improvements. But today it has become clear this phase of the process has run its course and we have not reached an agreement.

"We agree that transportation infrastructure is important to our state and we remain committed to finding a solution in the regular legislative session that works for everyone.

"The next step in this process will be to continue this dialogue in the legislative process."

###

www.governor.wa.gov | [@GovInslee](https://twitter.com/GovInslee) | [@WaStateGov](https://www.facebook.com/WaStateGov) | www.facebook.com/WaStateGov



Washington State Liquor Control Board

Medical Marijuana Recommendations

Budget Proviso Language: 3ESSB 5034 Sec. 141(2):

(a) The liquor control board must work with the department of health and the department of revenue to develop recommendations for the legislature regarding the interaction of medical marijuana regulations and the provisions of Initiative Measure No. 502. At a minimum, the recommendations must include provisions addressing the following:

- (i) Age limits;
- (ii) Authorizing requirements for medical marijuana;
- (iii) Regulations regarding health care professionals;
- (iv) Collective gardens;
- (v) Possession amounts;
- (vi) Location requirements;
- (vii) Requirements for medical marijuana producing, processing and retail licensing; and
- (viii) Taxation of medical marijuana in relation to recreational marijuana.

(b) The board must submit its recommendations to the appropriate committees of the legislature by January 1, 2014.

1. Age limits

- Adults 18 to 20 years old should be allowed access to medical marijuana with proper authorization from a health care professional.
- Children 17 years old or younger should be allowed access to medical marijuana with parent or guardian consent to the authorization. The parent or guardian should participate in the child's treatment.
- Re-examinations occur at least once every year or more frequently as medically indicated.
- The child's parent or guardian should be required to act as the child's designated provider and be entered in the registry as such.
- The parent or guardian should have sole control over the child's medical marijuana. The child should be allowed to possess no more medical marijuana than necessary for his or her next dose.
- Medical marijuana consumed in a school setting should be held and administered by school personnel in the same manner as any other medication. Consistent with current law, schools should not be compelled to accommodate on-site use of medical marijuana on school grounds or school buses.
- Medical marijuana products should be prohibited from being labeled in a manner that mimics candy, soda or other treats attractive to children.

Under I-502:

A person must be 21 years old to legally possess marijuana, to hold a marijuana license or enter a licensed marijuana premise.

2. Authorizing requirements for medical marijuana

- A mandatory patient and designated provider registry should be established and maintained by the Department of Health.
- The registry should be mandatory for all patients as a condition of receiving an authorization.
- The registry should be used to determine eligibility for exemption from state and local retail sales and use taxes on marijuana purchases by qualified patients.
- Designated providers should be required to participate in the registry in conjunction with the patient.

- Patient and designated provider information should be entered into the registry by the authorizing health care professional. The information must contain sufficient unique identifiers (Washington driver's license or identification card number) to ensure accurate identification of the patient or designated provider.
- Registration should expire annually and the patient or designated provider may be re-entered in the registry only after a new or follow-up examination.
- Cards should be issued from the registry to identify patients and designated providers.
- The registry should be available to law enforcement and to the Department of Revenue as necessary to verify tax-exempt purchases under Title 82 RCW.
- Disciplining authorities for the health care professions allowed to authorize medical marijuana should have access to the registry to monitor compliance by their licensees.
- Consistent and reliable funding must be provided to establish and maintain the registry.
- The registry should contain sufficient security features to protect patient privacy. Information in the registry that could identify patients should be excluded from public disclosure.
- All existing authorizations should expire on a date certain to coincide with full implementation of the registry and retail market. All patients with existing authorizations would need to be re-evaluated by a health care professional pursuant to the revised standards and placed in the registry within a designated timeframe.
- Authorization system should not place an undue burden on healthcare providers.

Under I-502:

N/A

3. Regulations regarding health care professionals

- Require the Department of Health, in consultation with medical professional stakeholders, to define "debilitating" and "intractable pain" to clearly indicate the condition must be severe enough to significantly interfere with the patient's activities of daily living and ability to function, and can be objectively assessed and evaluated.
- Enact comprehensive requirements defining the standard of care for health care professionals who authorize medical marijuana similar to those required by ESHB 2876 (2010) regarding the use of opioids to manage chronic pain. The requirements should address topics such as adequacy of examination, follow-up care and recording keeping.
- Restrict a health care professional's practice to ensure it does not consist primarily of authorizing medical marijuana. Any restrictions regarding what percentage of a health care provider's practice can or should be devoted to authorizing medical marijuana shall not be considered to set a statutory precedent for limitations on other services provided by a health care provider. The boards and commissions that license health care providers who may authorize medical marijuana shall develop guidelines and/or rules to monitor and regulate the scope of a provider practice to ensure it does not consist primarily of authorizing medical marijuana.
- Require a permanent physical location for a health care professional's place of practice.
- Require in person examinations for authorizations.
- Require an expiration of authorizations to ensure a regular cycle of re-examination and follow-up care. Re-examination should occur at least once a year or more frequently as medically indicated.
- Continue to allow the provision for petitions to add qualifying conditions and amend the statute, RCW 69.51A.070, to allow the Medical Quality Assurance Commission to make a preliminary finding of good cause prior to holding a hearing and expand the time frame for the hearing to be completed.

Under I-502:

N/A

4. Collective gardens

Eliminate Collective Gardens.

Under I-502:

N/A

5. Possession amounts

- Reduce the amount a qualified patient or designated provider can possess at any given time from twenty-four ounces of useable marijuana to three ounces. Allow additional limits for marijuana infused products in solid or liquid form.
- Allow home grows and the ability for a qualified patient or designated provider to possess marijuana plants. A qualified patient or designated provider may possess 6 plants, 3 flowering and 3 nonflowering. Define “plant” to avoid any misinterpretation of this provision.
- Require labeling to include the levels of tetrahydrocannabinol (THC) and cannabinoids in medical marijuana products.
- Restrict labeling and marketing of medical marijuana products to ensure that they are not intentionally attractive to minors or recreational users.
- Continue to allow the provision in RCW 69.51A.045 that grants qualified patients or designated providers an affirmative defense to criminal charges of possession above the legal amount if they can prove at trial the patient’s necessary medical use exceeds the amount determined in law.

Under I-502:

One ounce of useable marijuana; 16 ounces of marijuana infused product in solid form; and 72 ounces of marijuana infused product in liquid form.

6. Location requirements

There would not be specific medical marijuana location requirements because only I-502 licensed retail stores may sell marijuana and accept medical marijuana authorization cards.

Under I-502: Medical marijuana licensed business cannot be within one thousand feet of the perimeter of the grounds of any of the following entities:

1. Elementary or secondary school;
2. Playground;
3. Recreational center or facility;
4. Child care center;
5. Public park;
6. Public transit center;
7. Library; or
8. Any game arcade where admission is not restricted to persons age twenty-one or older.

7. Requirements for medical marijuana producing, processing and retail licensing

Integrate medical and recreational marijuana producers, processors and retailers into one licensing system. Only recreational marijuana retailers with an endorsement may accept medical marijuana authorization cards. Make the new regulatory system for medical marijuana effective no sooner than January 1, 2015.

Under I-502:

1. Three separate license tiers: producer, processor and retailer;
2. A licensee may hold both a producer and processor license simultaneously, but not a retailer license;
3. Open registration for all license types for a 30-day window;
4. Three month state residency requirement to qualify for a license;
5. Personal criminal history, fingerprint and background checks of applicants;
6. Point system for all arrests and/or convictions;
7. License limits;
8. Production limits; and
9. Maximum allowable amount of marijuana on licensed locations.

8. Taxation of medical marijuana in relation to recreational marijuana

Utilize the same tax structure as recreational marijuana, but provide an exemption from state and local retail sales and use taxes on purchases by medical marijuana patients registered with the Department of Health.

Under I-502:

1. Producers
 - a. Pay 25% excise tax on wholesale sales*
 - b. Pay B&O tax as wholesaler
2. Processors
 - a. Pay 25% excise tax on wholesale sales*
 - b. Pay B&O tax as manufacturer
3. Retailers
 - a. Pay 25% excise tax on retail sales
 - b. Pay B&O tax as retailer
 - c. Collect state/local retail sales & use tax
4. Retail Buyers
 - a. Pay state/local retail sales & use tax

* This level of tax may not apply to certain producer/processor licensees.

From: [Harper, Lisa \(GOV\)](#)
To: GOVERNORS_PRESS_ROOM@LISTSERV.WA.GOV
Subject: Governor proposes hold-steady supplemental budget big challenges loom next year
Date: Tuesday, December 17, 2013 11:16:46 AM

JAY INSLEE
Governor



Dec. 17, 2013

Contacts:

Jaime Smith, 360-902-4136, Jaime.smith@gov.wa.gov

Ralph Thomas, 360-902-7607, Ralph.thomas@ofm.wa.gov

Governor proposes hold-steady supplemental budget, big challenges loom next year

OLYMPIA — Governor Jay Inslee today proposed modest adjustments to the state’s 2013–15 operating budget, primarily to cover mandatory cost increases and meet key obligations.

The governor’s supplemental budget also includes small, targeted investments aimed at continuing his Working Washington agenda to revitalize the state’s economy, create jobs and ensure we have workers with the knowledge and skills to fill those jobs.

Inslee noted that by sticking to a minimal supplemental budget, the state will be better positioned a year from now to begin tackling the significant fiscal challenges that loom in the 2015–17 biennium.

“The good news is, our economy continues its slow, steady recovery from the worst recession in generations,” Inslee said. “Unfortunately, the economy and our revenue collections are not growing fast enough to keep pace with the costs of maintaining current services, let alone provide the billions of dollars still needed to meet our court-mandated basic education obligations. This is a hold-steady budget that keeps us whole the remainder of the biennium, but we’ll have to make some tough decisions again next year.”

The bulk of the added spending in the governor’s supplemental budget covers a variety of mandatory cost increases, meets legal or contractual obligations and continues delivering services at current levels. About one-third of those mandatory cost increases are driven by rising school enrollment and program caseloads. The budget also includes:

- \$8 million to begin complying with a legal settlement requiring the state to significantly expand mental health services for children;

- \$10 million to fund a collectively bargained rate increase for family home child care providers; and
- \$11 million to cover wildfire costs, primarily last season's.

The budget also addresses several high-priority needs such as almost \$7 million to increase prison capacity, most of which will be used to open a medium-security unit at the Washington State Penitentiary.

It also funds key elements of the governor's plan to invest in the state's aerospace future and, ultimately, convince The Boeing Company to assemble its new 777X jetliner — and the plane's carbon fiber wing — here in Washington.

The governor is proposing several small but important investments in education, such as \$3 million for a new teacher mentoring program, \$300,000 to develop new career and technical education curricula that will provide students multiple paths to meet math and science graduation requirements and \$250,000 for an early warning dropout prevention program. The budget also makes targeted investments to enhance science, technology, engineering and math, or STEM education in the K-12 and community college systems.

Inslee urged the Legislature to adopt the budget in timely fashion, noting that the state must soon turn its attention to the next biennial budget. The governor last spring proposed extending expiring taxes and closing tax loopholes to help solve the 2013–15 budget shortfall and fund basic education. But instead, the budget that was passed relies heavily on one-time fixes, unspecified reductions and assumed savings.

“This approach is simply not sustainable in the next biennium,” Inslee said.

Barring an unforeseen increase in revenue collections, the state will face a sizable shortfall when work begins on the 2015–17 budget. Besides having to patch holes left by the one-time fixes in the current budget and address a backlog of needs, the state must make another large investment — between \$1 billion to \$2 billion — toward meeting basic education obligations.

“We cannot — and will not — meet all these needs and obligations by cutting services to vulnerable children and adults, higher education and communities,” Inslee said. “I fully expect we'll continue our rigorous discussion about closing tax loopholes and using those resources to fund our children's education.”

Proposed 2014 Supplemental Budget and Policy highlights can be found [here](#).

###

RESOLUTION R-5027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A CITY OF KIRKLAND LEGISLATIVE AGENDA TO BE ADDRESSED TO THE 2014 SESSION OF THE STATE LEGISLATURE.

WHEREAS, actions of the State Legislature in respect to local government issues, services and funding have a profound impact upon the ability of local governments to provide adequate local services; and

WHEREAS, the Kirkland City Council supports legislation that promotes the City Council's goals and protects the City's ability to provide basic municipal services to its residents; and

WHEREAS, the City of Kirkland seeks to protect shared state revenue sources available to the City, including the State Annexation Sales Tax Credit, and provide new revenue options and flexibility in the use of existing revenues; and

WHEREAS, the Kirkland City Council supports long-term sustainability efforts related to City financial, environmental and transportation goals; and

WHEREAS, the Kirkland City Council opposes the imposition of unfunded mandates that draw on City resources and opposes any further shifting of costs or services from the State or County to cities; and

WHEREAS, the Kirkland City Council seeks to defend against state consolidation/central administration of taxes including business and occupation and telecommunication taxes; and

WHEREAS, the Kirkland City Council believes it appropriate to set forth its position as to issues affecting local government operations coming before the State Legislature during its 2014 session, including issues which the City Council requests the State Legislature to consider;

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

Section 1. The "General Principles" and "City of Kirkland 2014 Legislative Priorities" set forth in the "City of Kirkland 2014 Legislative Agenda" attached as Exhibit A and by this reference incorporated, are adopted as Kirkland's recommendation to the 2014 Session of the State Legislature.

Section 2. The "2014 Legislative Support Agenda" attached as Exhibit B and incorporated by reference, is adopted as reflecting the City's support of the policy principles underlying selected priority legislative items of the City's ally organizations. Formal City support of items on this list is contingent upon reviewing and approving the

specific language of any legislative proposal drafted to advance a particular item.

Section 3. The City administration shall transmit the 2014 Legislative Agenda, including any subsequent changes or updates, to members of the State Legislature representing the legislative districts in which Kirkland is located, together with other members of the State Legislature and to the Association of Washington Cities, the Sound Cities Association and other ally organizations.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2014.

Signed in authentication thereof this ____ day of _____, 2014.

MAYOR

Attest:

City Clerk



CITY OF KIRKLAND 2014 LEGISLATIVE AGENDA

General Principles

Kirkland supports legislation to promote the City Council's goals and protect the City's ability to provide basic municipal services to its citizens.

- Protect shared state revenue sources available to the City, including the State Annexation Sales Tax Credit, and provide new revenue options and flexibility in the use of existing revenues.
- Support long-term sustainability efforts related to City financial, environmental and transportation goals.
- Oppose unfunded mandates.
- Oppose any further shifting of costs or services from the State or County to cities.
- Defend against state consolidation/central administration of taxes including business and occupation and telecommunication taxes.

City of Kirkland 2014 Legislative Priorities

1. Kirkland supports providing state and local transportation revenue to maintain infrastructure investments, fund transit agencies and complete projects that enhance economic vitality.
2. Kirkland supports \$5 million in funding for the next phase of the I-405 / NE 132 Interchange ramp design and for the I-405 / NE 132 Interchange to be included in any statewide transportation package.
3. Kirkland supports continued state financial assistance and other tools that further the development of the Cross Kirkland Corridor and implement multiple uses including recreation and transportation.
4. Kirkland supports restoring funding to the Public Works Assistance Account that was swept in 2013.
5. Kirkland supports restoring local liquor revenue sharing formulas in order to adequately fund public safety and other local impacts of liquor consumption.
6. Kirkland supports sharing marijuana revenue to address public safety needs and other local impacts.
7. Kirkland supports harmonizing medical marijuana regulations to reflect recreational marijuana regulations.
8. Kirkland opposes legislation that proposes lending products or practices that adversely impact the middle class and the poor.



CITY OF KIRKLAND 2014 LEGISLATIVE SUPPORT AGENDA

Kirkland generally supports the policy principles of the items below, however, formal City support is contingent upon reviewing and approving the specific language of any legislative proposal drafted to advance a particular item.

2014 Legislative Support

Legislation on Kirkland's Support agenda from 2013

- Support legislation to enable local funding sources for multi-benefit watershed projects.
- Support providing cities with financing options to support public/private partnerships.
- Support brown grease to energy conversion legislation and programs.
- 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.

Additionally, Kirkland supports selected items of the 2014 legislative agendas for the following organizations:

Association of Washington Cities

Ensure fiscal sustainability and flexibility

- Restore local liquor revenue sharing to the historic revenue sharing formulas.
- Share new marijuana revenue.

Foster and invest in infrastructure and economic development

- Fund transportation needs now, including providing new local transportation options.
- Halt and refrain from raiding infrastructure funds like the Public Works Trust Fund and Model Toxics Control Accounts and build them back to health

Transportation Issues

Eastside Transportation Partnership

- *(As of December 19th, there is not yet a draft 2014 agenda available)*

Transportation Choices Coalition

- *(As of December 19th, there is not yet a draft 2014 agenda available)*

Washington Bikes (formerly Bicycle Alliance of Washington)

- Investments that get Washingtonians where they want to go via safe routes to schools, complete streets, and trails and bikeways.
- Reducing student transportation costs by increasing safe routes to schools
- Addressing intersection safety, including clarifying how cars should cross bike lanes at intersections, approving bike head signals for everyday use(traffic lights), and consolidating groups of cyclists to pass through intersections

Human Services Issues

Eastside Human Services Forum

- Increase Access to Basic Needs:
 - Support local option investments in public transportation that are sustainable, flexible, and distributed directly to public transit agencies to meet local and regional priorities.
- Prevent and End Homelessness:
 - Protect the State investment in the Housing Trust Fund by continuing to make new investments in 2014 that address the growing need for homes affordable to low-income families and individuals. Strengthen the process for identifying which programs are funded, to reflect equity principles and sound investments.
 - Repeal sunset of document recording fees. If the document recording fees are not extended beyond 2015, King County homeless housing programs will face a \$6.6 million reduction.
- Support the Most Vulnerable Older Adults and People with Disabilities:
 - Maintain the investment in Family Caregiver Support.
 - Expand community based respite for family care givers.

Washington Low Income Housing Alliance

- *(As of December 19th, there is not yet a draft 2014 agenda available)*

Environmental Issues

Environmental Priorities Coalition

- *(As of December 19th, there is not yet a draft 2014 agenda available)*

Northwest Product Stewardship Council

- While the NPSC does not develop a legislative agenda, the NPSC does advocate in support of the principles of product stewardship and producer responsibility in policies and legislation.

Water Issues

WRIA 8

- Thank state legislators for \$70 million for the Puget Sound Acquisition and Restoration Fund, of which WRIA 8 received \$1.4 million to award as grants.
- Thank state legislators for continued funding for salmon recovery Lead Entities

Cascade Water Alliance

- **High Efficiency Toilet Legislation:** Cascade proposes a measure that would require By January 1, 2014, toilets sold or installed in this state must be high efficiency toilets that go beyond the current standard (1.6 gallons per flush) and use less than 1.3 gallons per flush, which would, if every home in the US replaced old toilets with new high efficiency toilets would save more than 900 billion gallons of water per year.

Public Safety Issues

Washington Association of Sheriffs and Police Chiefs

- Law Enforcement Officer Accountability Act
- Changes to misdemeanor probable cause arrests (Ortega fix)
- Legislation that would require all licensed liquor establishments to report to the Liquor Control Board their losses due to theft, breakage, or other causes

Washington Fire Chiefs Association

- Oppose Ambulance Billing Direct to Patient (HB 1263)
- Regional Fire Authority Bills:
 - Allowing municipality to form RFA (HB 1654 / SB 5520)

Parks Issues

Washington Recreation and Parks Association

- Protect WWRP funding in 2014 Capital Budget
- Support Department of Revenue (DOR) request legislation on "Amusement and Recreation Services" sales taxes
- Advocate for key "Safe and Healthy Communities" needs, local funding, and "lid removal" in any Transportation Investment Package worked on in late 2013 or 2014
- Support general-obligation bonds to restore a prior-year diversion of funds from the Recreation Resource Account (RRA)

Planning Issues

Washington Chapter of the American Planning Association

- *(As of December 19th, there is not yet a draft 2014 agenda available)*



CITY OF KIRKLAND
Department of Finance & Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Kathi Anderson, City Clerk
Tracey Dunlap, Director, Finance and Administration

Date: December 16, 2013

Subject: Planning Commission Interview Selection Committee Recommendation

RECOMMENDATION:

City Council considers the Planning Commission Interview Selection Committee's recommendation on applicants to be interviewed for the seat which is currently vacant and confirms or adjusts the list of applicants for interview.

BACKGROUND DISCUSSION:

The Council's Board and Commission Appointment and Reappointment Policy, adopted by Council Resolution R-4911 on March 6, 2012, provides that the Council will review applications and reduce the number of applicants for interview to three applicants for each vacancy. The Policy further provides for the appointment of an ad hoc committee of the Council to review and recommend those applicants to be interviewed. (A copy of Resolution R-4911 is attached. See "Appointment Process" on page 3 of the Resolution.)

At Council's December 10, 2013, special meeting, Council appointed an Interview Selection Committee comprised of Councilmembers Asher, Kloba and Sweet to review the applications for the current Planning Commission vacancy. The Committee subsequently met and recommended that the Council interview the following four applicants:

Carter Bagg
Matt Gurrad
Eric Laliberte
James Truhan

The City Council has been provided with the sixteen applications received for the position. In accordance with the Council's adopted Policy, the Council would select three of the four applicants recommended by the Committee for interview or make changes to the list of applicants to be interviewed as desired, but still interview three. If the Council wishes to depart from its adopted Policy, it is recommended that the Council take some formal action acknowledging the departure.

If the Council wishes to interview three of the four applicants recommended by the Committee, a motion listing the three applicants to be interviewed should be moved, seconded and put to a voice vote. The process would be the same if the Council wished to interview three applicants, but not necessarily from among the list of applicants recommended by the Committee.

If the Council wishes to interview more than three applicants, a motion should be made and seconded to suspend the application of the portion of the Policy which provides that the Council will interview three applicants for each vacancy. This motion should be made, voted upon and approved before the motion is made listing the applicants to be interviewed. The Council may wish to review its Board and Commission Appointment and Reappointment Policy as part of the broader review of the Council Policies and Procedures Manual to be undertaken in 2014.

A special meeting has been scheduled to conduct the interviews at 4 p.m. on January 15, 2014.

Attachment: Resolution R-4911

RESOLUTION R-4911

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE BOARD AND COMMISSION APPOINTMENT AND REAPPOINTMENT POLICY.

WHEREAS, adoption of a City Council policy for the appointment and reappointment of Kirkland board and commission members will provide guidelines for eligibility, terms, the application and appointment process, and reappointment criteria; and

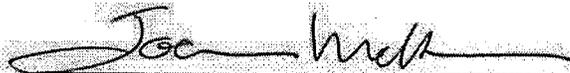
WHEREAS, providing such guidelines and criteria will aid in expeditiously filling of vacancies for boards and commissions;

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

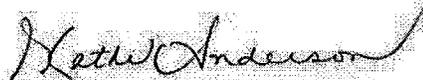
Section 1. The Board and Commission Appointment and Reappointment Policy attached as Exhibit A is adopted.

Passed by majority vote of the Kirkland City Council in open meeting this 6th day of March, 2012.

Signed in authentication thereof this 6th day of March, 2012.


MAYOR

Attest:


City Clerk

5.1 APPOINTMENT AND REAPPOINTMENT POLICY

It shall be the policy of the Kirkland City Council to make appointments to official advisory boards or commissions generally in accordance with the following:

Applicability/Definition

For the purposes of this policy, the term advisory board shall include the following appointed bodies:

Cultural Council	Library Board
Design Review Board	Lodging Tax Advisory Council
Disability Board	Park Board
Human Services Advisory Committee	Planning Commission
Kirkland Senior Council	Transportation Commission
Salary Commission	

Eligibility

Relatives, family members or domestic partners of Councilmembers will not be eligible to serve on City advisory boards. Members of the family of a City employee who works in a department, that provides staff assistance or support to an advisory board, shall not be eligible to serve on that board.

Non-Discrimination

The Council shall not discriminate on the basis of an applicant's race, ethnic background, creed, age*, sex, marital status, sexual orientation, or sensory or physical handicap in the making of appointments.

*City council has made age a qualification for specific seats on certain advisory bodies.

Concurrent Offices

At no time shall any person serve concurrently as a member of more than one of the above listed City Boards.

Terms

Appointments shall be made for four-year terms, unless otherwise provided by statute or Kirkland Municipal Code. Terms shall expire on the 31st of March of the applicable year. A member being appointed to fill a vacant position shall be appointed to fill the vacancy for the remainder of the unexpired term.

Term Limitations

No individual shall serve more than two full four-year terms as a member of a City of Kirkland appointed advisory board; provided, if an individual is appointed to fill 365 days or less of an unexpired term and serves that term, the individual is eligible to apply for and serve two additional four-year terms. If an individual is appointed to fill 366 days or more of an unexpired term and serves that term, the individual would be eligible to apply for and serve for only one additional four-year term.

Attendance

Appointees shall attend 80% of all meetings in any 12-month period for which there is no prearranged absence, but in any case shall attend no less than 60% of all meetings unless waived by the City Council.

Appointment/Reappointment

An open competitive process will be used to fill vacancies. City Council will initiate an open and competitive application process and solicit applicants for the position(s). All advisory board members completing their term who are interested in and eligible for reappointment will be required to go through the open competitive process.

Application Process

Openings for advisory board positions shall be widely advertised in local newspapers, as well as other means available and appropriate for this purpose. If an incumbent is eligible to apply for reappointment, this information shall be included in the announcement. Applicants shall be required to complete a City application form provided for this purpose, and to submit a completed application by the specified recruitment deadline. Late applications will not be accepted; however, the City Council may choose to extend an application deadline, if necessary, to obtain a sufficient number of applicants for consideration. Copies of all applications will be provided to the City Council.

Criteria for Reappointment

Information will be sought from the Board/Committee Chairs and the City Manager (or appropriate staff) when considering reappointments. Reappointments are based on the following criteria:

Minimum performance – attendance, incumbent reads the materials, has a basic understanding of the issues and participates in discussion.

Performance – has well-thought-out arguments, logically presented, and is a good advocate. Shows ability to analyze complex issues and to judge issues on substantive grounds. Understands difference between quasi-judicial and legislative matters.

Personal relations – has good understanding of relative roles of Council, Commissioners and staff and is sensitive to staff's job. Is generally respectful of others' viewpoints. Is a good team player, shows willingness to compromise, work toward a solution, without sacrificing his/her own principles.

Growth/improvement – has shown personal and/or intellectual growth in the position. Has shown improved performance, has taken advantage of continuing education opportunities or other indicia of growth or improvement.

Public benefit – reappointment provides a benefit to the commission as a body; provides or enhances balance on the commission geographically and/or philosophically.

Appointment Process

Upon receipt of applications, the Council will review the applications and reduce the number of applicants for interview to three applicants for each vacancy. For example, if there were one vacancy on a board or commission, the Council would reduce the pool of applicants to be considered to three. If there were two vacancies, the Council would reduce the pool of applicants to be considered to six. In cases where the number of applicants for interview require a reduction from the number that have applied, an ad hoc committee of the Council will be appointed by lot to review and recommend to the entire Council those to be interviewed for each board or commission and those recommended not to be interviewed.

Interviews of applicants shall be conducted in open session. The chairperson of the respective advisory board (or a representative) will also be invited to attend the interviews, and may participate in the process to the degree desired by the Council. Upon completion of the interviews, the Council shall make its appointments in open session. Following appointment, the appointee, as well as all other candidates, will be notified in writing of the Council's decision.

Criteria for Removal

Failure to continue to meet the criteria for reappointment to boards and commissions and the attendance standard set forth above is cause for the removal of a member of a board or commission by a majority vote of the Council.