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# CITY OF KIRKLAND

## CITY COUNCIL



Amy Walen, Mayor • Penny Sweet, Deputy Mayor • Jay Arnold • Dave Asher  
Shelley Kloba • Doreen Marchione • Toby Nixon • Kurt Triplett, City Manager

### *Vision Statement*

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

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### AGENDA

#### KIRKLAND CITY COUNCIL MEETING

City Council Chamber  
Tuesday, January 21, 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](http://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. Aquatic Center Follow-up
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
6. *COMMUNICATIONS*
  - a. *Announcements*
  - b. *Items from the Audience*
  - c. *Petitions*
7. *SPECIAL PRESENTATIONS*
  - a. King County Councilmember Jane Hague
  - b. Kirkland 2035 Update #9

**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.

**8. CONSENT CALENDAR**

- a. *Approval of Minutes:* (1) January 7, 2014
- b. *Audit of Accounts:*
  - Payroll* \$
  - Bills* \$
- c. *General Correspondence*
- d. *Claims*
- e. *Award of Bids*
  - (1) NE 120<sup>th</sup> Street Extension Project, Sanders General Construction, Auburn, WA
- f. *Acceptance of Public Improvements and Establishing Lien Period*
  - (1) 2013 Street Preservation Program, Phase III Slurry Seal Project, Blackline, Inc., Vancouver, WA
- g. *Approval of Agreements*
  - (1) Resolution R-5028, Approving an Amendment to the Interlocal Agreement Between the City of Kirkland and the South Correctional Entity for Jail Services and Authorizing the City Manager to Sign.
- h. *Other Items of Business*
  - (1) 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.
  - (2) Report on Procurement Activities

**9. PUBLIC HEARINGS**

**10. UNFINISHED BUSINESS**

- a. Resolution R-5029, Selecting Sites and Uses to be Considered for a Potential Facility to Replace the Juanita Aquatic Center and Directing the Parks and Community Services Department to Solicit Resident Input.
- b. Resolution R-5030, Accepting the Proposed Settlement of the Remaining Issues in the Administrative Appeal of the 2013-2018 National Pollutant Discharge Elimination System (NPDES) Phase II Permit.
- c. Recreational Marijuana Options

**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.

*11. NEW BUSINESS*

- a.* Ordinance O-4433, Relating to Admissions Tax and Amending Section 5.12.020 of the Kirkland Municipal Code.
- b.* King County Metro Transit Proposed Service Reductions

*12. REPORTS*

*a. City Council*

- (1) City Council Committee Appointments
- (2) Finance and Administration Committee
- (3) Public Safety Committee
- (4) Community Planning, Housing and Economic Development Committee
- (5) Public Works, Parks and Human Services Committee
- (6) Regional Issues

*b. City Manager*

- (1) February 21, 2014 Retreat Draft Agenda
- (2) Calendar Update

*13. ITEMS FROM THE AUDIENCE*

*14. 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 Parks &amp; Community Services

505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300

www.kirklandwa.gov

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Jennifer Schroder, Director  
Linda Murphy, Recreation Manager

**Date:** January 13, 2014

**Subject:** PRELIMINARY SITE ANALYSIS TO LOCATE A FACILITY TO REPLACE THE JUANITA AQUATIC CENTER

**RECOMMENDATION**

That the City Council receives a presentation on preliminary analysis of potential sites to locate a facility to replace the Juanita Aquatic Center by 2017, provides direction on site(s) selected for further analysis, and provides direction on scope of anticipated facility uses.

**BACKGROUND DISCUSSION**

At the City Council's December 10<sup>th</sup> meeting, staff presented an overview of the Lake Washington School District's decision to not include replacement of the Juanita Aquatic Center as part of the of Juanita High School renovation/replacement in the proposed Capital Facility bond. Should the District's bond measure be approved by voters on February 11, 2014, the District anticipates closing the pool potentially as early as March, 2017, leaving Kirkland residents without access to a public, year-round swimming pool.

**School Board Pledges Support and Funding for Pool Partnership**

On September 9, 2013, the LWSD Board adopted Resolution 2166 affirming its intent to enter into future pool partnerships with cities and/or other interested entities. The resolution also authorized directing an undetermined amount of unspent funds from the District's 2006 capital bond measure toward a portion of future pool facility project(s) enabling use by high school swim and dive teams. The District estimates that \$10 to \$12 million will remain once all the school projects are completed and much of that could be applied towards a pool facility in partnership with other entities. However, these funds would be necessary for the District's capital purposes should the proposed 2014 bond measure fail.

In response to the pending closure of the Juanita Aquatic Center, the City Council, on September 17<sup>th</sup>, amended its 2013-2014 Work Program to include development of an aquatic facility as follows:

*Partner with the Lake Washington School District and other interested public and private organizations to explore options for replacing the Juanita Aquatic Center by 2017 to further the goals of **Parks and Recreation**.*

The City Council authorized the allocation of \$215,000 as part of the 2013-2014 Biennial Adjustment to provide funding for additional resources necessary to support this work program item, and directed staff to schedule a study session to provide Council with the opportunity for further discussion on the options for replacing the pool.

### **December 10<sup>th</sup> Study Session**

At the Council's December 10, 2013, study session, staff presented an overview of the current use and operation of the Juanita Aquatic Facility at Juanita High School and current community deficiencies in aquatics facilities and programs. A review was provided of the 2007 Kirkland Indoor Recreation Facility Plan, which included a 6-lane lap pool and recreation pool. The discussion also included other types of facilities which could replace the pool and other key policy issues, including siting options.

The purpose of the study session was to seek Council direction on certain park properties or non-city owned land to conduct a preliminary site analysis for a facility, and whether to assume at this phase of the project that the facility scope be more than a straight replacement of the current facility (Juanita High School Pool 40-meter lap pool). In response, the Council directed staff to explore amenities and facilities that would serve the general public interests and meet the needs of all ages in addition to meeting the requirements of the school district's swim and dive teams. Council directed staff to test two facility types: 1) full-recreation building with 8-lane lap pool and leisure pool and 2) aquatic facility only with 8-lane lap pool and leisure pool.

Examples to guide the building program criteria expressed by the Council:

- public safety "learn to swim programs"
- fitness to wellness "warm water physical therapy"
- general recreational opportunities, "family open swim experiences"
- competitive "High school Swim and Dive teams"
- community spaces – look at downsizing the 2007 Indoor Recreation Facility Plan

Copies of the December 10<sup>th</sup> staff report and PowerPoint presentation are in the links below:

[http://kirknet/Depart/CouncilNet/Council%20Documents/Council%20Packets/2013/2013-12/CC\\_121013SpecMtg/3a\\_StudySession.pdf](http://kirknet/Depart/CouncilNet/Council%20Documents/Council%20Packets/2013/2013-12/CC_121013SpecMtg/3a_StudySession.pdf)

<http://www.kirklandwa.gov/Assets/Parks/Parks+PDFs/Aquatic+Center+Partnership+Project/Aquatic+Center+Presentation+December+10+Study+Session.pdf>

### **SITE ANALYSIS**

The identification of a building site for a possible new recreation and aquatic center is a critical "next step" in the study process. The location is important to the community and to potential partners. After initially considering various locations suggested by staff, the Council directed that the following sites be evaluated:

1. North Kirkland Community Center & Park
2. Juanita Beach Park (north side)
3. Mark Twain Park
4. Snyder's Corner Park Site
5. Former Albertson's Site at 9826 NE 132<sup>nd</sup> Street (private property)

As an additional option, the Council also expressed interest in siting a facility in the Totem Lake area. However, at this time staff has been unable to locate a specific parcel of sufficient size currently available in this area.

The study team, which is comprised of staff and consultants from The Sports Management Group, developed a listing of "site considerations" to guide the evaluation of each site and its suitability to house a new recreation and aquatic center (See Site Evaluation Matrix, Attachment A). For purposes of this site study, a 72,000 sq. ft. combined recreation and aquatic center building with parking capacity for 300 cars, or a 38,000 sq. ft. aquatic center-only building with parking capacity for 152 cars, were used to test each site. With these facility assumptions, our list of site considerations includes:

1. Size and Configuration of Site
2. Neighborhood Context
3. Surrounding Land Uses
4. Vehicular Accessibility
5. Pedestrian / Bicycle Access
6. Adequate Parking Capacity
7. Centrality within the Community
8. Prominent Siting and Visibility
9. Availability of Utilities
10. Public Transportation Access
11. Zoning Implications
12. Soils and Construction Costs
13. City-Owned Property
14. Site Aesthetics

The study team collected and analyzed existing data for each site. The study team also visited the sites and identified the opportunities and constraints of each one. The following is a brief summary of the suitability of each site for either a full community center with aquatics and/or an aquatics-only facility. Staff will provide more information for each site at the January 21<sup>st</sup> study session.

**Juanita Beach Park** (that portion north of Juanita Drive) is the only city-owned property evaluated with the size needed for a combined recreation center and requisite parking spaces. The site is flat and easily buildable. It has excellent vehicular, pedestrian, bicycle, and public transportation access, and nearby utilities. The site is prominent with good public visibility and with the opportunity to create a significant civic building. The large scale of the building is compatible with the surrounding multi-story apartments and condominiums. There are beautiful vistas to the lake with mature trees and vegetation. The site's soil conditions might necessitate a more expensive structural foundation system.

A master plan for Juanita Beach Park was completed in 2006 and would need to be revised to accommodate a new recreation facility. Existing and proposed future uses for this portion of the park, including playfields and a skate park, would be impacted. It appears that the historic Forbes House could be retained in its present location.

The **North Kirkland Community Center** site is city-owned, located in a residential neighborhood, with mature trees and vegetation that provide significant buffers to the surrounding residences. The site has excellent vehicular, pedestrian, bicycle, and public transportation access and utilities are on-site. The site is small at 5.5 acres, which includes the playground portion of the property east of 103rd Avenue N.E. The site has a significant slope, with a 30' grade change. The site can accommodate the stand-alone aquatic center or the full recreation and aquatic center. The larger building must be constructed on three levels due to the site constraints. To maximize the building area for either building, a two-level parking deck is recommended. The recreation and aquatic center requires parking on both sides of the park. A traffic signal and turn lane into the site are recommended – both the parking and the signal will add to the project cost. It is likely that the cost of construction will be the highest at this site.

**Mark Twain Park** is a 6.6 acre neighborhood park with mature trees and vegetation. The site has sufficient capacity to accommodate the combined building; however, it has parking capacity for only 250 spaces rather than the desired 280-300. It is located on the far eastern border of Kirkland and is accessible from 132<sup>nd</sup> Avenue; however, it does not have a good east/west access. The large scale of the building has a potential negative impact on the surrounding single story homes.

The **Snyder's Corner** site has a water retention basin that bisects the site and limits the buildable area to two small and irregular-shaped parcels. With re-grading to reconfigure the water retention basin it might be possible to create a building area that could accommodate the stand-alone aquatics center and 135 parking spaces. The minimum parking requirement is 152 spaces. The building and parking fill the site and there may not be sufficient space for a fire truck or service vehicle to access the back of the building. Staff recommends the elimination of Snyder's Corner as a potential site.

At the December 10<sup>th</sup> study session, the Council asked staff to evaluate the potential to site a facility on a property currently vacated by Albertsons food store, along with an adjacent parcel that had previously been occupied as a gas station. The privately-owned **Albertson's site** and the old gas station site combined are 3.81 acres. This combined site can accommodate the stand-alone aquatics center. However, the site is insufficient in size to accommodate the full recreation center. The assessed value for the 2 parcels that could accommodate the stand-alone aquatics center option is \$5,779,600. To develop the full recreation center would require an additional acquisition of the adjacent, and currently operating, drugstore property which the assessed value is \$3,151,000. The property acquisition costs and the removal of these commercially zoned properties from the tax rolls of the City are reasons that staff feel the Albertson's site should not remain under consideration.

Based upon the team's evaluation of the sites, and the goal of opening a facility in 2017, staff recommends advancing the Juanita Beach Park site and the NKCC site for further study. The next phase study will include further analysis and refinement of the building and its programmed uses, the parking on the sites, preparation of preliminary construction cost estimates of construction cost, total project cost and, a preliminary operating cost and cost recovery for each facility type.

### **POTENTIAL PROJECT SCHEDULE (VOTER-APPROVED FUNDING SCENARIO)**

To refine the timeline for this Council work plan, following the December 10<sup>th</sup> Council Study Session, the study team held a joint meeting with the City's permitting departments: Building, Fire, Planning and Public Works to identify tasks and respective review time it will take to complete the permit process.

The following revised schedule lists February 2015 as the earliest date to consider a potential ballot measure. With the goal of opening a facility in 2017 it will be necessary as an important early milestone to select a preferred site and facility scope by **no later than April 1, 2014**.

The following assumptions are built into the timeline shown below:

- Assumes need for voter-approved funding at an amount to be determined;
- Assumes site selected is City-owned and controlled (land acquisition not shown as a task);
- Assumes site selected has zoning compatible with intended use;
- Assumes facility planning moves forward irrespective of potential project partner involvement;
- Tasks shown are solely related to building development. Tasks and timelines related to determining annual operating budget, revenues, operational modeling, etc. would be developed concurrently.

Task	Estimated Completion	Notes
<b>Site Selection Tasks</b> ( 2 months )	March 2014	Tasks to include additional site analysis of Council-selected site(s); public and project partner outreach; high-level comparative cost estimates
<b>City Council Meeting: Site Selection</b>	March 18, 2014 or April 1, 2014	Review Park Board recommendation and select final site
<b>Concept Design &amp; Site Master Planning</b> ( 2.5 months )	June 2014	Site/Soil Engineering Studies; Traffic Analysis; Environmental Analysis; Public Outreach; next-level cost estimating
<b>Park Board Public Hearing: Master Plan</b>	May 14, 2014	Scheduled for Board's regular meeting date (2 <sup>nd</sup> Wednesday of each month)
<b>City Council Meeting: Master Plan Review &amp; Approval</b>	June 3, 2014	Review Park Board recommendation and approve site Master Plan
<b>Architect Selection</b> ( 2 months )	June 2014	Initiate selection process early so that design team is in place at time of Master Plan approval. Consultant contract not approved prior to Master Plan approval & approval of funding by City Council for Schematic Design
<b>City Council Meeting: Approve Funding for Schematic Design</b>	June 3, 2014	Funding approval for design consultant (architect) to develop building schematics and refined costs
<b>Schematic Design</b> ( 3 months )	September 2014	Conceptual design of building systems (structural, mechanical, electrical), finalize programming and room layout, preliminary section and elevation drawings, civil & landscaping layout, selection of materials, etc.
<b>Project Cost Estimate</b> ( 1 month )	October 2014	Project cost estimates for preliminary schematic design (Project costs to include: Construction, Design/Engineering, Project Management, Construction Inspection & Testing, Taxes, Equipment & Furnishings, and Contingency Fund)
<b>City Council Meeting: Review &amp; Approval of Schematic Design and Project Cost Estimate</b>	October 7, 2014	Deliverables anticipated at this milestone: <ul style="list-style-type: none"> <li>• Facility design, location, and cost</li> <li>• Annual operating cost &amp; revenue projections</li> <li>• Funding plan &amp; financing mechanism(s)</li> <li>• Partner identification, role(s), and capital funding commitment(s)</li> <li>• Phasing strategies if appropriate</li> </ul>
<b>Public Hearings, Public Survey Determined by City Council</b> ( up to 2 months )	December 2014	Council would have up to 2 months to gather additional information prior to making a ballot decision. Possible steps could include one or more of: public hearings, polling/surveys, revisions to design/costs, etc.

Task (continued)	Estimated Completion	Notes
<b>City Council Meeting: Review &amp; Approve Ballot Resolution</b>	December 16, 2014	For February 2015 Special Election: Ballot resolution must be submitted to County not less than 46 days prior – i.e. by approx. December 24, 2014
<b>Special Election: Bond Measure</b>	February 10, 2015	Special Election Held 2 <sup>nd</sup> Tuesday of February
<b>Final Design &amp; Engineering, Permitting, Bidding ( up to 12 months )</b>	February 2016	Allow up to 12 months
<b>Construction Begin ( 18 – 24 months )</b>	March 2016	Allow 18 – 24 months (depends on selected site, final design & facility components, weather, etc.); includes time for owner move-in and preparation for opening
<b>Facility Completion (Earliest)</b>	August 2017	Earliest Facility Opening
<b>Facility Completion (Latest)</b>	February 2018	Latest Facility Opening

### **AQUATIC FACILITY USERS**

As discussed at the December 10 Study Session, there are a variety of potential user groups for a public pool. Different populations need different pools at different temperatures with different support facilities such as lockers, showers, party rooms or viewing balconies. Determining which population the pool is serving helps determine the number and size of the pools within an aquatics facility. Smaller, focused facilities cost less to build and operate. Larger, more diverse facilities that serve a larger number of groups cost more to build and operate. Operating costs are separate from revenue recovery and it is possible with large or small facilities to develop business plans designed to recoup operating costs.

To date, staff have used the assumption that a new Kirkland Aquatic Facility would serve the needs of the Lake Washington School District, allow for the types of programs currently offered at Juanita Aquatic Facility such as synchronized and masters swimming, while also serving the general population of Kirkland with family swim and recreations times, swimming lessons and senior fitness and therapy programs. Therefore the template has included a competition and lap pool, as well as a warmer multi-purpose leisure pool that can also be used as a therapeutic pool. Staff is seeking confirmation from Council that we should continue to plan for such broad categories of general populations users.

### **PUBLIC OUTREACH**

In order to replace the Juanita Aquatic Facility sometime in 2017, the City has had to be on a fast track in developing information about potential sites and uses. The Council has not yet had a chance to conduct in-depth public outreach regarding the issue. Staff recommends that the Council directs staff to begin comprehensive outreach efforts in order to provide the results of the information gathered to the Council in subsequent Council meetings prior to any final action by the Council in April.

## **RESOLUTION R-5029**

The policy issues outlined in this memo and the staff recommendations for how to proceed are captured in Resolution R-5029, which is on the Council's regular agenda under "Unfinished Business". Staff recommends adoption of Resolution R-5029 to provide clear policy direction to staff and also demonstrate to the public that Kirkland City government is acting both swiftly and thoughtfully on the issue.

## **NEXT STEPS**

Should Council wish to continue the study on two to three sites for a general population of users, the next steps include:

- Approval of Resolution R-5029 to provide Council policy direction to staff;
- Complete further analysis and refinement of the building and the parking on the sites, and preparation of preliminary construction cost estimates;
- Conduct a public process to seek feedback on site options and preferred facility elements;
- Identify funding options and strategies;
- Continue to seek project partners; and,
- Forward a recommendation from the Park Board on a preferred site and facility type to the City Council no later than April 1, 2014.

## **FUNDING MECHANISMS**

As requested by Council at the December 10, study session, the following is a brief overview of the authorized voter-approved funding mechanisms available to a municipality to consider in funding a public facility capital project:

A **single year levy lid lift** or "**original flavor**" **levy lid lift** (RCW 84.55.050(1)) can be for any purpose and can be for any period of time or permanent. If proceeds are used for debt service on bonds, the maximum period is nine years. The initial "lift" occurs in the first year, with annual increases in subsequent years limited to the lesser of one percent or the implicit price deflator (IPD). This option requires a simple majority vote on any election date.

For a **multiyear levy lid lift** (RCW 84.55.050(2)), the purpose must be stated in ballot measure title. The lid can increase each year for up to six years. After the first year, the lift can increase by a percentage specified for each year. If the final year is designated on the ballot as the base amount after six years, the increase is limited to the lesser of one percent or the IPD thereafter. The lift can be for any period of time or permanent, unless proceeds are used for debt service on bonds, in which case the maximum period is nine years. New funds raised cannot supplant existing funds and a simple majority vote is required at a primary or general election.

An **excess levy** (Article VII, section 2(b) of the Washington State Constitution) is available for capital purposes and the term is determined by the life of the proposed bonds. An excess levy requires a supermajority (60% approval) plus minimum 40% turnout based on last general election (validation). The election can occur on any election date.

A **Metropolitan Parks District** (MPD) (RCW 35.61) is a separate taxing authority formed by a simple majority vote or petition signed by 15% of registered voters in the proposed area. The governing body can be five elected commissioners or city council, if contained within the city. The maximum tax rate is \$0.75 per \$1,000 AV (up to \$11 million annually). The MPD can issue non-voted or voted debt (subject to supermajority) within set limits.

These four funding options are summarized in the table below.

Tool	Vote Required	Could be used for:		Comments
		O&M	Capital	
"Original Flavor" Levy Lid Lift	50% + 1	X	X (max 9 yr debt)	After year 1, increases limited to 1%
Multi Year Levy Lid Lift	50% + 1	X	X (max 9 yr debt)	Subject to non-supplanting Can increase by more than 1% for up to 6 years
Excess Levy	60% with validation		X	Can only be used for capital
MPD	50% + 1 or Petition to form	X	X*	*subject to 60% w/validation Overlapping junior taxing district

Source: Municipal Research and Services Center of Washington, Finance *Advisor* "Lessons Learned from Two Successful Levy Lid Lifts," Tracey Dunlap, February 2013

Attachment:

A. Site Evaluation Matrix

### **ADDITIONAL INFORMATION**

Also attached to this memorandum is additional information requested by Council at the last study session which include the following Exhibits:

- Exhibit 1 Cost to cover Peter Kirk Pool
- Exhibit 2 Cost comparison of pool services/programs
- Exhibit 3 City of Redmond's status on plans for a new indoor recreation facility
- Exhibit 4 Rainier Beach Community Center project, costs, bid climate and program spaces
- Exhibit 5 Lynnwood Recreation Center project, costs and program spaces

## Site Evaluation

	Albertsons Site	Juanita Beach Park Site
Size & Configuration of Site	<ul style="list-style-type: none"> <li>+ Site has been developed so no loss of open space. Site can accommodate aquatic center and parking on grade.</li> <li>- Requires purchase of the adjacent drug store site for buildout of the full center and its parking.</li> </ul>	<ul style="list-style-type: none"> <li>+ Largest site. Can accommodate stand-alone aquatic center or full rec/aquatic center with associated parking.</li> <li>- Large area of site cannot be built upon because of creek setbacks.</li> </ul>
Neighborhood Context & Impacts	<ul style="list-style-type: none"> <li>+ The existing buildings on the site are at a larger scale.</li> </ul>	<ul style="list-style-type: none"> <li>+ Adjacent to large scale buildings.</li> <li>- Will require relocation of ball fields and loss of public open space.</li> </ul>
Surrounding Land Uses	<ul style="list-style-type: none"> <li>- Adjacent residential zoning to the north.</li> </ul>	<ul style="list-style-type: none"> <li>+ Site adjacent to beach and waterfront park.</li> </ul>
Vehicular Accessibility	<ul style="list-style-type: none"> <li>+ On two major arterials, 100th Ave. &amp; 132nd St.</li> </ul>	<ul style="list-style-type: none"> <li>+ Excellent access from Juanita Dr. (116th St) and proximate to 98th Ave. (Market St).</li> </ul>
Pedestrian / Bicycle Access	<ul style="list-style-type: none"> <li>+ Pedestrian and bicycle access.</li> </ul>	<ul style="list-style-type: none"> <li>+ Pedestrian and bicycle access.</li> </ul>
Adequate Parking Capacity	<ul style="list-style-type: none"> <li>+ Yes, for the stand-alone aquatics center. Potential overflow parking on surrounding commercial properties.</li> <li>- Acquisition of the drug store site is needed for the full recreation/aquatic center.</li> </ul>	<ul style="list-style-type: none"> <li>+ Yes, site has adequate parking capacity.</li> </ul>
Centrality within the Community	<ul style="list-style-type: none"> <li>- Site located furthest north.</li> </ul>	<ul style="list-style-type: none"> <li>+ Site is centrally located.</li> </ul>
Prominent Siting & Visibility	<ul style="list-style-type: none"> <li>+ High visibility on major corner.</li> </ul>	<ul style="list-style-type: none"> <li>+ High visibility on a major corner.</li> </ul>
Availability of Utilities	<ul style="list-style-type: none"> <li>+ Available on site.</li> <li>- Likely will require an upgrade / size increase.</li> </ul>	<ul style="list-style-type: none"> <li>+ Available in the adjacent roads.</li> </ul>
Public Transportation Access	<ul style="list-style-type: none"> <li>+ Good public transit connection, on bus lines 234 and 238.</li> </ul>	<ul style="list-style-type: none"> <li>+ Great access to public transit, served by bus lines 255, 234, 236, 260, and 935.</li> </ul>
Zoning Implications	<ul style="list-style-type: none"> <li>- Requires rezoning of land.</li> </ul>	<ul style="list-style-type: none"> <li>+ No zoning change required.</li> </ul>
Soils, Environmental & Construction Costs	<ul style="list-style-type: none"> <li>+ Site is level.</li> <li>- Additional cost for demolition of existing buildings.</li> </ul>	<ul style="list-style-type: none"> <li>+ Site soils allow for drainage, topography is level. Building does not impact 100 ft. creek buffer.</li> <li>- Sandy soils will require structural piers, adding to construction cost. Also added cost of relocating ball fields.</li> </ul>
City-Owned Property	<ul style="list-style-type: none"> <li>- Requires land purchase by City. Combined assessed value of 3 parcels (6.33 acres) is \$8.9 million.</li> </ul>	<ul style="list-style-type: none"> <li>+ Land is owned by City.</li> </ul>
Site Appearance / Aesthetics	<ul style="list-style-type: none"> <li>- Site lacks landscaping or views. Requires extensive landscaping.</li> </ul>	<ul style="list-style-type: none"> <li>+ Land is adjacent to lake. Beautiful site with mature trees by creek.</li> </ul>

## Site Evaluation

	Mark Twain Park Site	North Kirkland Community Center & Park Site
Size & Configuration of Site	<ul style="list-style-type: none"> <li>+ Large site, can accommodate aquatic center and parking.</li> <li>- Site not large enough to accommodate full community center with full parking.</li> </ul>	<ul style="list-style-type: none"> <li>+ Site can accommodate 42,000sf aquatic center with 168 parking spaces on two levels of parking.</li> <li>- Due to tight size and topography, building will only fit if on 3 levels, and parking on 2 levels with additional parking across the street.</li> </ul>
Neighborhood Context & Impacts	<ul style="list-style-type: none"> <li>+ Large water tower within neighborhood consistent with scale of new structure.</li> <li>- Surrounding land use is largely residential, likely to conflict with noise/traffic generated by the center.</li> </ul>	<ul style="list-style-type: none"> <li>- Site is within largely residential neighborhood. Creates loss of open space and mature trees.</li> </ul>
Surrounding Land Uses	<ul style="list-style-type: none"> <li>- Small scale residential land use on all sides.</li> </ul>	<ul style="list-style-type: none"> <li>+ Located near playground, picnic site.</li> <li>- Surrounded by residential housing.</li> </ul>
Vehicular Accessibility	<ul style="list-style-type: none"> <li>+ Accessible from 132nd Ave.</li> <li>- Not near a major east/west arterial.</li> </ul>	<ul style="list-style-type: none"> <li>+ On 124th St. with ease of access for cars. Close to major north/south arterial at 100th Ave.</li> </ul>
Pedestrian / Bicycle Access	<ul style="list-style-type: none"> <li>+ Pedestrian and bicycle access.</li> </ul>	<ul style="list-style-type: none"> <li>+ Pedestrian and bicycle access.</li> </ul>
Adequate Parking Capacity	<ul style="list-style-type: none"> <li>+ Yes, for stand-alone aquatics center.</li> <li>- Lacks adequate parking for full center. May require land acquisition.</li> </ul>	<ul style="list-style-type: none"> <li>+ Shared-use parking potential with Park-and-Ride lot across 124th Ave. at church.</li> <li>- Requires structured parking that will increase costs.</li> </ul>
Centrality within the Community	<ul style="list-style-type: none"> <li>- Site is located on far east side of town.</li> </ul>	<ul style="list-style-type: none"> <li>+ Site is centrally located.</li> </ul>
Prominent Siting & Visibility	<ul style="list-style-type: none"> <li>- Mostly hidden by houses from by-passers' view.</li> </ul>	<ul style="list-style-type: none"> <li>- Surrounded by residential housing. Site slopes down from street.</li> </ul>
Availability of Utilities	<ul style="list-style-type: none"> <li>+ Available in the adjacent roads.</li> </ul>	<ul style="list-style-type: none"> <li>+ Available on site.</li> </ul>
Public Transportation Access	<ul style="list-style-type: none"> <li>+ Located on bus line 238.</li> <li>- Limited access to public transit.</li> </ul>	<ul style="list-style-type: none"> <li>+ Great access to public transit, served by lines 255, 244, and 935.</li> </ul>
Zoning Implications	<ul style="list-style-type: none"> <li>+ No zoning change required.</li> </ul>	<ul style="list-style-type: none"> <li>+ Existing community center on site, so no zoning change required.</li> </ul>
Soils, Environmental & Construction Costs	<ul style="list-style-type: none"> <li>- Site topography will require some grading.</li> </ul>	<ul style="list-style-type: none"> <li>- The intersection will require a traffic signal that will add cost to the project. Very challenging topography and poor soils for drainage. Three level building for full center and structured parking will add substantial cost.</li> </ul>
City-Owned Property	<ul style="list-style-type: none"> <li>+ Land is owned by City.</li> </ul>	<ul style="list-style-type: none"> <li>+ Land is owned by City.</li> </ul>
Site Appearance / Aesthetics	<ul style="list-style-type: none"> <li>+ Beautiful site with mature trees.</li> <li>- Mostly hidden.</li> </ul>	<ul style="list-style-type: none"> <li>+ Beautiful site with mature trees.</li> <li>- Requires removal of many mature trees.</li> </ul>

## Site Evaluation

	Synder's Corner Park Site	Totem Lake Site
Size & Configuration of Site	<ul style="list-style-type: none"> <li>- To fit the small building option the site must be re-graded to reshape pond. Existing retention pond occupies large, irregularly shaped portion of site.</li> </ul>	<ul style="list-style-type: none"> <li>- Further work and time needed to identify the site.</li> </ul>
Neighborhood Context & Impacts	<ul style="list-style-type: none"> <li>- Site is within residential neighborhood.</li> </ul>	<ul style="list-style-type: none"> <li>+ In larger scale, commercial neighborhood.</li> </ul>
Surrounding Land Uses	<ul style="list-style-type: none"> <li>- Surrounding land use is predominantly residential.</li> </ul>	<ul style="list-style-type: none"> <li>- Surrounding land uses largely commercial.</li> </ul>
Vehicular Accessibility	<ul style="list-style-type: none"> <li>+ Accessible from 132nd Ave. &amp; 70th St.</li> </ul>	<ul style="list-style-type: none"> <li>+ Good vehicular access from 124th Ave. &amp; 124th St.</li> </ul>
Pedestrian / Bicycle Access	<ul style="list-style-type: none"> <li>+ Pedestrian and bicycle access.</li> </ul>	<ul style="list-style-type: none"> <li>+ Pedestrian and bicycle access.</li> </ul>
Adequate Parking Capacity	<ul style="list-style-type: none"> <li>- Lacks adequate parking capacity.</li> </ul>	<ul style="list-style-type: none"> <li>+ Probable.</li> </ul>
Centrality within the Community	<ul style="list-style-type: none"> <li>- Most remote from center of town.</li> </ul>	<ul style="list-style-type: none"> <li>+ Site is centrally located.</li> </ul>
Prominent Siting & Visibility	<ul style="list-style-type: none"> <li>+ Good visibility from the street.</li> <li>- Site location on the edge of town lacks civic prominence.</li> </ul>	<ul style="list-style-type: none"> <li>Unknown.</li> </ul>
Availability of Utilities	<ul style="list-style-type: none"> <li>+ Available in the adjacent roads.</li> </ul>	<ul style="list-style-type: none"> <li>Unknown.</li> </ul>
Public Transportation Access	<ul style="list-style-type: none"> <li>- Limited access to public transit.</li> </ul>	<ul style="list-style-type: none"> <li>Unknown.</li> </ul>
Zoning Implications	<ul style="list-style-type: none"> <li>+ No zoning change required.</li> </ul>	<ul style="list-style-type: none"> <li>- Likely to require change in zoning.</li> </ul>
Soils, Environmental & Construction Costs	<ul style="list-style-type: none"> <li>+ Soil composition works well for drainage.</li> <li>- Existing drainage pond takes up large portion of site. Site likely requires grading to reconfigure pond.</li> </ul>	<ul style="list-style-type: none"> <li>Unknown.</li> </ul>
City-Owned Property	<ul style="list-style-type: none"> <li>+ Land is owned by City.</li> </ul>	<ul style="list-style-type: none"> <li>- Added cost of purchasing the site(s). 9 acre parcel has assessed value of \$9.5 million.</li> </ul>
Site Appearance / Aesthetics	<ul style="list-style-type: none"> <li>- Limited vegetation; site slopes away from street.</li> </ul>	<ul style="list-style-type: none"> <li>- Commercial area.</li> </ul>

### Enclosure for Peter Kirk Outdoor Pool

Council directed staff to investigate the feasibility of enclosing the Peter Kirk outdoor pool. There are several types of enclosures available, both seasonal and permanent, and the cost varies depending on the type of structure and its features.

The most affordable option is a vinyl-coated air-supported structure, commonly referred to as a dome or bubble. These are typically installed for the winter and removed and stored during the warmer months. Fans are used to inflate the structure and continuous fan operation and positive interior air pressure are required to keep the enclosure inflated. Cables attach to beams around the dome's perimeter to serve as anchors.

With Kirkland's winter temperatures, it is desirable to provide a heating system for both patron comfort and to prevent condensation and reduce humidity inside the dome. The cost of the heating system is typically greater than the cost of the dome and the associated operational costs are very high. Air quality can be difficult to maintain and the criticism of this option is the internal environment can become "swampy" and humid. The life expectancy of the dome is 5-8 years. In addition to the expense for the purchase of the enclosure and the high-energy costs, other expenses include labor for the annual installation and removal, storage costs, and replacement costs. The annual installation and removal requires a forklift and a crane and six staff members working five to six days. The purchase of the dome is estimated at \$80,000 - \$90,000 including the heating system.

At the opposite end of the range are permanent enclosures. They can be of conventional construction or a less expensive, pre-fabricated enclosure typically constructed of aluminum with operable and transparent panels. This option can be attractive and provides an indoor-outdoor experience through operable panels. However, the panels allow heat to escape in the winter and allow heat gain in the summer. Energy usage can be costly during the winter. The construction cost ranges from \$120 to \$170 per square foot for a quality system. The total project cost for the enclosure could range from \$1.3 to \$1.9 million.

The following are examples of a glass structure dome and inflatable dome:

Glass Structure (Permanent)



Inflatable Dome Structure



Inflatable Dome Structure

## AQUATIC CENTER PROGRAM COST COMPARISON

Location	Cost of Swim Lessons Per ½ Hour	Open Swim Fee: Youth	Open Swim Fee: Teen	Open Swim Fee: Adult	Annual Cost of Swim Team
Peter Kirk Pool	\$8.00	\$4.00	\$4.00	\$4.00	\$190*
Lynnwood Pool	\$5.50	\$4.00	\$4.50	\$5.00	\$180*
Edmonds Yost Pool	\$6.50	\$3.50	\$3.50	\$4.50	\$181*
Mountlake Terrace Pool	\$6.70	\$3.75	\$3.75	\$4.75	\$213*
Bellevue Aquatic Center	\$11.25	\$5.50	\$5.50	\$6.50	n/a
Wave Aquatics- Redmond	\$15.25	\$5.50	\$5.50	\$5.50	\$2,238**
Wave Aquatics- Juanita	\$16.25	\$4.00	\$4.00	\$4.00	\$2,238**

\*Annual participation fee for 9 week recreational summer swim team league

\*\*\$2,238 represents the average annual membership cost for WAVE year round competitive swim team; there are different fees associated with each level of training group. The average monthly cost of WAVE Swim Team is \$186.50.

## CITY OF REDMOND – RECREATION BUILDINGS MASTER PLAN STUDY

City of Redmond conducted a Recreation Buildings Master Plan study in 2008-2010 to assess building conditions of the Old Redmond Community Center, teen center, senior center and the Redmond pool. Also, a statistically valid survey to identify community need and preliminary market analysis was conducted. The survey of residents showed that the indoor recreation amenities most needed in the community are: swimming pool, running/walking track, playground, theater for performing arts and other uses, gymnasium, and multipurpose space for classes and meetings.

In 2013, Redmond evaluated the merits of the following options:

Option 1: Invest in all four existing facilities at an estimate of \$39-\$41 million

Options 2: Construct a new active recreation building located on the Civic Campus at an estimated project cost of \$70-\$72 million (includes Senior Center, teen center and additional structured parking)

Option 3: Construct a new active recreation building in addition to renovating the Old Redmond Schoolhouse Community Center at an estimated cost of \$81-\$83 million. The site is owned by Lake Washington School District which does not have plans to surplus the property

Option 4: Construct a new active recreation building with public/private partnership and mixed-use development in addition to structured parking above the King County Metro Transit bus holding station. Estimated site acquisition of \$5+ million and total estimated capital costs of \$150-\$152 million

Option 5: Construct a site downtown: a new active recreation building. This option shows a more intense mixed use in public/private partnership. The City's estimated share of costs are \$4.5 million for site acquisition and \$80 million for site development.

On November 12, 2013, the Redmond City Council received a briefing on the status of the Recreation Buildings Master Plan study. After considering all the options, Council provided staff with direction to further study Option 2, a new combined aquatic and recreation building located on the northeast corner of the Civic Campus. The estimated project cost is \$70-\$72 million. The building program for the facility includes a 25 yard or 25 meter 8-lane competition pool that would serve high school swim teams.

(Schematics on the following page)

**Option - 2**  
**FIRST LEVEL**

**North**

**Option 2. Construct New Community Recreation Center on City Hall Campus  
Renovate / Expand Senior Center, Retain ORSCC**

Estimated Site Acquisition Cost: \$0 (May Depend on Parking Structure Location)  
 Estimated Capital Cost: \$72-74 million  
 Estimated Annual Cost Recovery Change from Current: \$160,000-235,000 Deficit

**City of Redmond**  
**Recreation Buildings Master Plan**  
Site Concept Development

NAC ARCHITECTURE

**Option - 2**  
**SECOND LEVEL**

**North**

**Option 2. Construct New Community Recreation Center on City Hall Campus  
Renovate / Expand Senior Center, Retain ORSCC**

Estimated Site Acquisition Cost: \$0 (May Depend on Parking Structure Location)  
 Estimated Capital Cost: \$72-74 million  
 Estimated Annual Cost Recovery Change from Current: \$160,000-235,000 Deficit

**City of Redmond**  
**Recreation Buildings Master Plan**  
Site Concept Development

NAC ARCHITECTURE

## RAINIER BEACH COMMUNITY CENTER AND POOL

**LOCATION** 8825 Rainier Ave S, Seattle WA 98118

**BUDGET** \$25 Million for total project budget which includes planning, design and construction for a new 46,500 square foot RBCC facility. Funding is a combination of General Obligation Bonds, REET I and REET II.

**SCHEDULE** **Planning:** Spring 2009 - Fall 2010  
**Design:** Spring 2009 - Winter 2010/11  
**Construction:** Summer 2011 - Fall 2013  
**Completion:** September 22, 2013

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This project was developed by Seattle Parks and Recreation in response to the Seattle School District's decision to construct a new South Shore K - 8 School, since the school shared the building with the existing community center and pool.

The new facility provides the public with improved and updated recreational opportunities and compliments the two new schools constructed on the site.

The \$25 million facility includes a gym, a large dividable multipurpose room, a kitchen, teen rooms, a computer lab, an arts and crafts room, and a childcare facility with its own entrance, a recreational pool with waterslide and baby pool, a six-lane lap pool and an additional space for birthday parties.

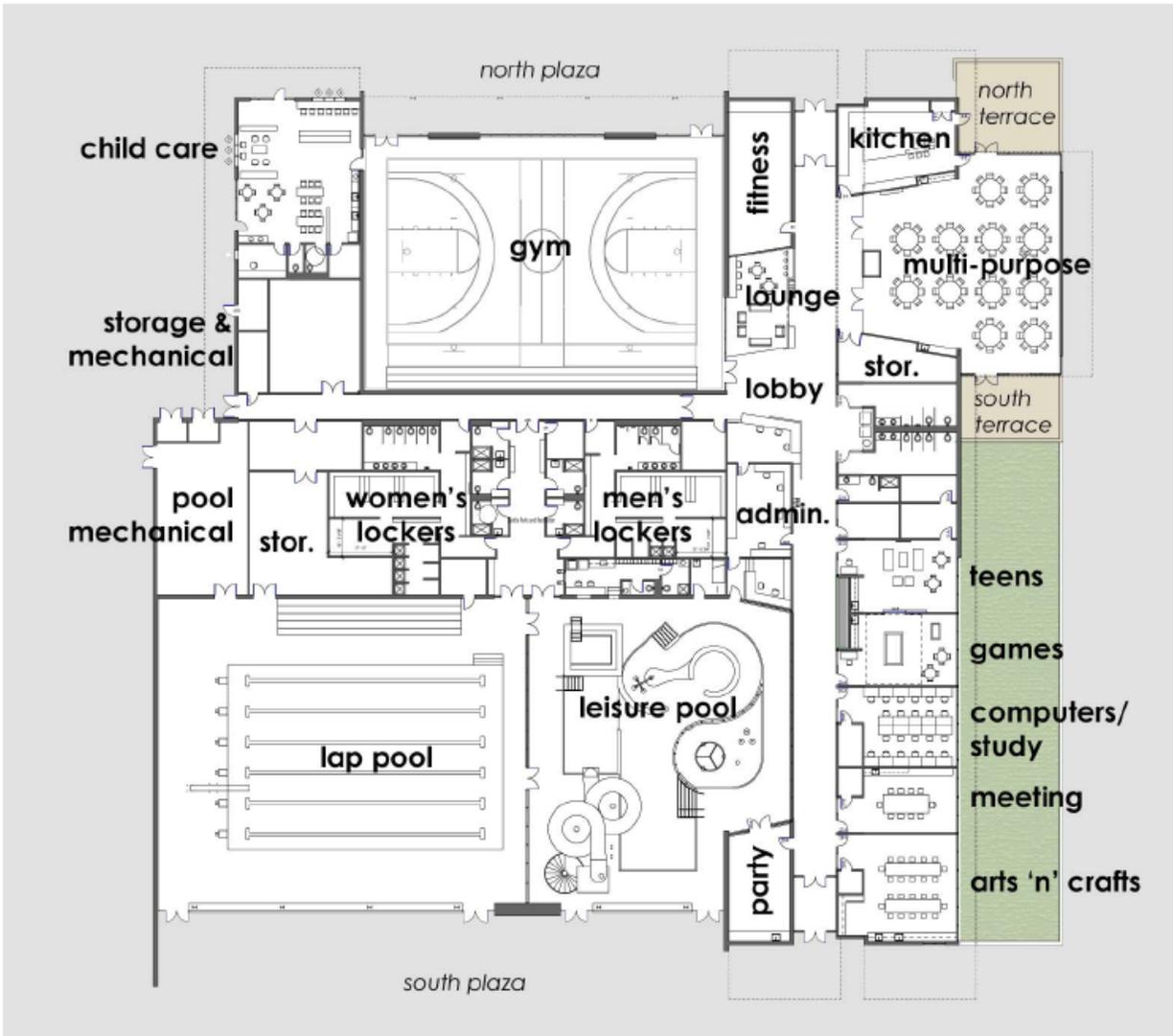
Built on the site of the former community center and pool, the new facility makes creative use of recycling. Wood beams were repurposed for siding; concrete foundations were used for onsite landfill, and the wood ceilings from the old locker rooms were re-milled and installed for the lobby ceilings.

Visually, the new building opens to the neighborhood, providing a welcoming atmosphere. The gym is located on the north for best daylighting and opens to a large plaza for multipurpose events. The pools are located on the south, and the existing plaza was extended to the building with added terrace seating and landscaping.

This project was bid late 2010, which was a time in the economy when contractors were eager for work and thus large public projects bids were benefiting from costs lower than estimated. The Rainier Beach Community Center construction was originally estimated to cost \$17,500,000 the final bid award was for \$16,000,000.

Total Project Cost: \$25 million (543/sf)

(Schematic on following page)



Space components:

- Gymnasium – one court
- Multipurpose room for 144 persons also used for exercises classes, aerobics and martial arts
- Catering/teaching kitchen
- Fitness
- Classrooms (3)
- Daycare center (not child watch)
- Teen room
- Game room
- Natatorium :Competition lap pool- 6 lane lap pool and Warm water leisure pool
- Hot tub/Sauna/Locker rooms/Family changing rooms/restrooms
- Locker rooms
- Administrative offices/reception/lobby/lounge

**LYNNWOOD RECREATION CENTER**

- LOCATION** 18900 44<sup>TH</sup> Ave W, Lynnwood WA
- BUDGET** \$25 Million Remodel and expansion project.  
New building total 44,800 sq. ft.  
(28,800 renovation /16,000 sq. ft. additions)  
This project was funded by 2008 Council Bonds.  
Council also initiated a utility tax for supporting operational costs, which has not been needed as of 2012 year-end.
- SCHEDULE** **Construction:** Jan 2010 – March 2011  
**Completion:** April 2011
- 

The Lynnwood Recreation Center recently underwent a \$25 million remodel of its 33-year old recreation facility. The original Recreation Center was built in 1976 with 28,568 sq. ft. The new renovation includes 16,232 additional sq. ft. making the new Center a total of 44,800 sq. ft.

The recreation center renovation includes a leisure pool with slide and spray features, a Lazy River, a wellness pool and enclosed competitive pool with a partially retractable pool roof. Additionally family locker rooms, group exercise space, fitness/weight room, were also added to the center. In addition to pools housed in two separate natatoriums, the Recreation Center includes a 3,000 sq. ft. cardio and weight room, two racquetball courts, classroom space for the recreation programs, preschool, and community meeting space.

Construction was completed and the center reopened in April 2011, after the 16-month renovation and expansion project and has become one of Lynnwood's finest recreation opportunities. Below is a snapshot of the Recreation Center's first year back in operations (April 2011 – March 2011)

- 411 Annual Passes sold
- 802 Open/Rec swims offered
- 949 room rentals
- 975 pool rentals
- 3,914 10–visit Passes sold
- 100,506 General Admissions sold
- 8,171 Swim Lesson enrollments
- 200,011 Total number of rec center visits
- \$2,012,878 Total revenue generated

## Recreation Center



### Space components:

- Leisure pool with zero-depth entry, lazy river, interactive water spray, tub slides
- Lap pool (6-lane) and warm-water wellness pool
- Family hot tub, adult hot tub and sauna
- Cardio/weight room and fitness studio
- Racquetball courts
- Multipurpose rooms
- New entry lobby and reception
- Locker rooms, including seven private family changing rooms
- Support facilities
- Outdoor patio areas and playground



**CITY OF KIRKLAND**  
City Manager's Office  
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## MEMORANDUM

**To:** Kurt Triplett, City Manager  
**From:** Marilynne Beard, Deputy City Manager  
**Date:** January 9, 2014  
**Subject:** KIRKLAND 2035 UPDATE #9

### RECOMMENDATION:

City Council receives an update on recent and upcoming public outreach and communication efforts related to the Kirkland 2035 plan updates.

### BACKGROUND DISCUSSION:

This report is the ninth in a series of monthly updates to keep City Council and the public informed about the results of recent public involvement activities and upcoming opportunities to get involved.

#### **Community Vision**

At the previous update, the City Council was updated on the visioning process and was able to view the cumulative "wordle" that represented the major themes emerging from the process. Since that time, Planning staff has been reviewing and synthesizing notes from all of the visioning sessions. The final visioning session was held on January 15 with the Finn Hill Neighborhood Association. The Planning Commission reviewed the draft vision statement at its January 9 meeting and the City Council will receive an update in February. Although public outreach activities were largely suspended over the holiday season, progress continues on the development of major plans.

#### **Neighborhood Plans**

One important new effort that was put in motion over the past month is a neighborhood plan update process that will begin in January and February. In 2009, the Planning Department budget was reduced, eliminating staff time dedicated to neighborhood plan updates. The Planning Commission had discussed alternative ways to approach neighborhood plans that were less staff-intensive and a memo with options was forwarded to the City Council (Attachment A). The Kirkland Alliance of Neighborhoods discussed the neighborhood planning process at their January 2013 meeting (Attachment B) and the City Council had a similar discussion at its February 2013 retreat (Attachment C). However, the process of redefining the neighborhood plan process was not resolved.

In the meantime, the City Council had received numerous inquiries as to when the neighborhood plan process would resume. In an effort to keep the neighborhoods engaged, the City Manager proposed that some form of a neighborhood plan update be undertaken as

part of the overall Comprehensive Plan update. In order to accomplish the public outreach component of this effort, the City engaged the services of EnviroIssues to help plan and implement the process. The following outline describes the proposed process.

Four meetings will be held in January and February with four follow-up meetings to be held later in the spring. Each meeting would combine adjacent neighborhoods. The following neighborhood groupings were developed based on their geographic proximity and common business districts.

North	Finn Hill, Juanita, Evergreen Hill (Kingsgate)
Central	Moss Bay, Market, Norkirk, Highlands
South	Houghton, Everest, Lakeview
East	North Rose Hill, South Rose Hill, Bridle Trails, Totem Lake

The north group was combined because they are almost entirely in the 2011 annexation area and do not presently have neighborhood plans.

A large group session for all participants will be held where staff will provide a high level overview of history and purpose of neighborhood plans, a summary of public input received on the City's Comprehensive Plan update so far and an overview of how subarea plans (e.g. neighborhood and business district plans) relate to the citywide Comprehensive Plan.

Following the general session, participants will break into neighborhood groups in separate rooms. Each neighborhood will have a facilitator who will lead the discussion. Participants will have been asked to read their existing neighborhood plan prior to the meeting. A staff person will provide a brief overview of the existing plan and discuss anticipated growth and what that might mean for residents and businesses. Discussion items will include:

- A quick "neighborhood values" future visioning exercise including a discussion about adjacent neighborhood business districts
- A comparison of future vision to existing plan
- Validation of sections that still fit
- Identification of issues that need to be considered or updated with consideration to how they align with the larger community vision
- Agreement on potential changes

**For new neighborhoods in the 2011 annexed areas,** a neighborhood plan framework will be developed rather than a complete neighborhood plan. The discussion will focus on the elements of neighborhood plans (participants from these areas will be asked to read an existing neighborhood plan from another area to get an idea of the content). The facilitator will then lead the group through a series of questions that will identify key characteristics that residents and businesses in the neighborhood believe describe their neighborhood and issues that should be addressed in establishing an initial neighborhood plan framework. The primary purpose is to capture characteristics the new neighborhoods wish to preserve as well as those they wish to change and forward those elements on to the Planning Commission and the Council.

Planning staff will be in attendance to listen and will be provided with transcribed meeting notes. From these notes, staff anticipates identifying different categories of changes:

- Amendments that can be made now and adopted with the Comprehensive Plan Update
- Proposed amendments or issues that need further study and that would be scheduled into the Planning Work Program
- Issues that may be addressed through another process or project (e.g. CIP)
- Proposed amendments that are not feasible as proposed

Planning staff will then prepare a summary of the input from the meeting with a discussion about what can be done now versus what needs further study and why.

A second meeting with the same groups will be held in the spring where the results of their analysis will be presented and further discussion, clarification and refinement can take place. All of the input will be forwarded to the Planning Commission and City Council, including recommended amendments that could be adopted at the time the Comprehensive Plan is adopted.

Staff presented the proposed format and groupings to neighborhood leaders at two meetings held within the past two months. They were supportive of the process, provided input on timing and venues and agreed to assist with outreach to encourage neighborhood attendance. A citywide postcard mailing is planned to announce the meetings and list serv announcements will also be used. Invitations to local businesses, property owners and developers will be sent to encourage their participation in the appropriate neighborhood discussions. EnviroIssues has provided text for web updates, media releases, email notifications, and blog and list serv entries. A sample of the postcard mailer is included as Attachment D.

It is not expected that a complete set of updated neighborhood plans will emerge from the process. However, it should provide an opportunity for neighborhoods to identify issues of concern for their neighborhood that they would like to see addressed. Staff will use the previous discussions about neighborhood planning and the input received at these sessions to prepare a recommended approach to future neighborhood plan updates that meet those interests after the Comprehensive Plan update is completed in the spring of 2015.

### **Kirkland Ideas Forum**

Staff has monitored and updated content on the Kirkland ideas forum. Recent topics included the Transportation Master Plan and the City's vision. The diversity of opinions expressed on Ideas Forum is interesting because it is often reflective of the larger community's views – some of which are in harmony and some that are conflicting but that highlight the important choices that the City Council and community will have to make. Attachment E includes a series of excerpts from the Ideas Forum that highlight the diverse perspectives, solutions and opportunities to educate the community.

### **Recent and Upcoming Events**

Since the last Kirkland 2035 update in November, the City Council adopted the Totem Lake Park Master Plan, approved additional funding for Kirkland 2035 outreach (December 10) to do the Neighborhood Plan updates, and received an update on the Transportation Master Plan (January 7). On February 4, the City Council is scheduled to receive an update on the Cross Kirkland Corridor Master Plan and the Juanita Drive Corridor Master Plan.

Later in February staff is planning an event (date, time and location to be determined) to meet with the public about the draft Parks, Recreation and Open Space Plan (PROS Plan) and the Cross Kirkland Corridor Master Plan. The format will involve rotating presentations (each presented more than once) on each topic and an open house format for participants to see displays of the proposals and to interact with staff.

The City Council's joint meeting with the Planning Commission scheduled for March 4 will provide an opportunity for the Commission and Council to discuss the status of the Comprehensive Plan update.

The Council is scheduled to review the draft PROS Plan at its April 1 study session and receive an update on the Transportation Master Plan at their April 15 study session. In late April, a third Community Planning Day will be held. By this point, significant progress should have been made on most of the plans and projects under the Kirkland 2035 umbrella so that the public can see the impact of their earlier involvement on the proposed plans and projects.

In May, the City Council is scheduled to receive an update on the Surface Water Master Plan, adopt the PROS Plan (May 6) and review the Cross Kirkland Corridor Master Plan (May 20) prior to its adoption in June.

The schedule for Kirkland 2035 reviews and deliverables is dynamic and subject to change. Many variables impact the schedule including the need to process and incorporate public input, the availability of consultant deliverables and other events that may divert staff, advisory committee or Council attention from the larger planning processes. It is hoped that the continuing Kirkland 2035 updates will keep the City Council abreast of the progress that is being made on all fronts.



**Improving Subarea Plans**

**Planning & Community Development**

**January, 2012**

## **Improving Subarea Plan Updates**

### **1. The Problem**

The Kirkland Comprehensive Plan contains twelve neighborhood plans and two corridor plans. With the recent annexation, two new neighborhoods were added and another neighborhood was expanded, resulting in sixteen areas for which plans potentially need to be prepared and maintained. A map of the neighborhood boundaries is attached. With current resources and other priorities, keeping the plans up to date will be a significant challenge. Consequently, it would be desirable to find a way to either speed up the cycle of neighborhood plan updates or find alternatives to neighborhood planning.

### **2. Purpose of Neighborhood Plans**

Kirkland has prepared neighborhood plans since 1977. The plans have enabled the City to examine and plan for issues at a localized scale, addressing the unique characteristics of different parts of the City. Land use policies and regulations have been developed at a very fine geographic scale.

In addition, the neighborhood plans have encouraged greater citizen participation and involvement in the planning process.

These objectives remain valid today; although localized planning need not be done at the scale of recognized neighborhoods. In acknowledgement of this, the remainder of this paper will use the term subareas, which may or may not coincide with neighborhoods.

### **3. Outcomes of Neighborhood Plans**

Neighborhood plans address a broad variety of conditions, ranging from high density mixed use business districts to low density residential areas. The update process is an opportunity to comprehensively review issues within a localized geographic area. The neighborhood planning process also provides an opportunity to review private amendment requests within the context of a broader area.

Often new ideas emerge over the course of the plan update process that were not anticipated in the initial stages of the plan update.

As an outcome of previous neighborhood plan updates, the following innovative ideas have been adopted by the City:

- **A new vision for a mixed use, pedestrian oriented mini urban village for the Yarrow Bay Business District (Lakeview Neighborhood Plan).**
- **Creative flexible development standards for clustering and smaller lots for the South Houghton slope area (Lakeview Neighborhood Plan)**
- **Small lot allowances and historic preservation incentives (Market and Norkirk plans)**
- **Increased height and development intensity (Totem Lake and NE 85<sup>th</sup> Street Corridor Plan).**

Following the completion of the Lakeview and Central Houghton Neighborhood Plans staff noted the following observations on what worked well and what didn't with these two updates. These plans didn't follow the typical process since the Houghton Community Council (HCC) took the lead on the updates.

#### What Worked Well

- Having the HCC take the lead.
- Joint meetings and public hearing with the Planning Commission (PC) and HCC.
- Joint transmittal memo on recommendations from the PC and HCC.
- Heritage Society drafting the historic section.
- Getting comments from the Parks Board and Transportation Commission.
- Combining topics for Lakeview and Central Houghton (e.g. small lot provisions)

#### What Didn't Work as Well

- Advisory group process (selection of members, the time it takes, confusion on role and participation, the number of meetings, frustration with the process). Many participants quit coming to meetings.
- Neighborhood University (holding this event in the beginning was somewhat confusing).
- Sending out a final action postcard (confusing and not cost-effective).
- Waiting to do the Houghton Business District

#### **4. How Often Should Subarea Plans Be Updated?**

In order to consider ways to improve subarea planning, it would be helpful to identify the desired frequency for examining localized land use issues and updating subarea plans.

The current status of neighborhood and corridor plans is shown below by the date the plans were most recently updated:

2011:	Lakeview and Central Houghton;
2007:	Market, Norkirk and Market Corridor;
2005:	Highlands
2003:	North Rose Hill
2002:	Totem Lake (some amendments in 2008 & 2009)
2001:	NE 85 <sup>th</sup> St.
1991:	South Rose Hill (partial update)
1990:	North/ South Juanita
1989:	Moss Bay (CBD updated more recently)
1988:	Everest
1986:	Bridle Trails
No plans:	Finn Hill, Kingsgate and recently annexed portion of North Juanita

In accordance with the Growth Management Act, major updates of the Comprehensive Plan must be done every eight years, at which time the plan must address growth issues over the subsequent 20 year period. Other plan updates are allowed on an annual basis.

An ambitious goal for subarea plan updates would be to have each plan reviewed during the eight year period between major Comprehensive Plan updates. This really amounts to reviewing plans on a six year cycle, since the major Plan updates typically take two years and dominate the attention of the Planning Commission and staff during that time. With fourteen neighborhood plans and two corridor plans, this would equate to updating an average of about three of the existing neighborhood/ corridor plans per year.

A less ambitious goal would be to strive to review all subarea plans over the course of two major Comprehensive Plan update cycles or once every sixteen years. With this schedule, however, most of the plans would be out of date well before their next scheduled update.

Another option would be to establish different update schedules for different areas. Areas experiencing greater growth pressures, business districts for example, typically need to be updated more often. Consequently, high growth areas could be assigned more frequent updates.

## **5. Staff Resources**

One of the variables that has a significant effect on how often neighborhood plans can be updated is the number of staff able to be assigned to neighborhood plans. Over the past two years, there has been 1.5 – 2.0 FTE of project planner time focused on neighborhood plans. During this time, two neighborhood plans were rewritten. However, the availability of staff is affected from year to year by competing tasks, their relative priorities, and funding levels. A copy of the most recently adopted Planning Work Program is attached.

## **6. Public Participation**

A major reason that neighborhood plans take as long to update as they do is the public participation process. Recent plan updates included the following participation elements:

- one or more kick off meetings;
- appointment of an advisory committee, with several months of committee meetings;
- several study session meetings of the Planning Commission (and where applicable the Houghton Community Council), particularly early in the process to help set direction and then again following the work of the advisory committee to review and approve the final plan;
- presentations at neighborhood meetings
- mailouts and information handouts
- posting of public notice signs
- web page listing
- listserv messages
- One or more public workshops or open houses
- One or more public hearings before the PC or HCC

Ways to streamline the process without shortchanging the opportunity for the public to influence the outcome of the plan may be explored. Some ideas include:

- Use an up-front scoping process, that narrows the topics under review;
- Eliminate the use of advisory committees, instead use focused outreach to interest groups, such as neighborhood associations and businesses;
- Use facilitated public workshops that focus input on key questions.
- Use on line surveys or web based tools

Public meetings are inherently time intensive. They must be scheduled well in advance and there needs to be adequate time between meetings for preparation, follow-up and adequate public notice. Unless there are very few issues of substance or a significant change in the process, it's unlikely that a plan update could be completed in less than a year and half or two years.

## 7. Scope of Issues Considered in Subarea Plans

One way of reducing the time it takes to complete subarea plan updates would be to limit the scope of issues addressed. The update could start with a scoping process to narrow down the range of issues that will be under review. Land use, streets, walkways and parks are typically the biggest issues. Topics that are adequately covered by citywide policies could be eliminated.

Although this may save some amount of time, the most difficult and time consuming issues to address during the sub area plan updates are land use issues – which are at the inherently at the heart of the plans.

It should also be noted that if there are to be any land use changes, it is important to incorporate any rezoned and code regulations concurrently with the plan update. This does add additional time and notice requirements. However, it is inherently more efficient do it at the time of the sub area plan rather than delaying to a future date following plan adoption.

## 8. Simplify and Standardize the Subarea Plan Format

Another idea would be to restructure sub area plans into a shortened format. For example, rather than having the plans list of a series of goals and policies, they could be oriented around a series of maps with a succinct text explanation of items identified on the maps. The key maps would be land use map, which would be broken up to highlight specific areas or districts within the neighborhood. Here's one idea:

<u>Page</u>	<u>Topic</u>
1	Overview and Vision
2	History
3	Natural Features Map and Text
4	Land Use Map – overview of entire sub area
5- 9	Land Use Districts – maps highlighting specific districts with descriptive text
10	Public Facilities (transportation, parks, etc.)
11	Public Facilities text – desired improvements
12	Urban Design

## 9. Geographic Scope of Planning Areas

**Plan for Larger Geographic Areas** Rather than preparing a plan for each neighborhood, one idea would be to prepare subarea plans for logical groupings of neighborhoods. This could involve a single plan for each subarea, or multiple neighborhood plans updated as part of a single subarea planning process. Following are two alternative approaches to subareas.

### a. Four subareas:

- Finn Hill, Juanita,
- Kingsgate, Totem Lake
- North Rose Hill, NE 85<sup>th</sup> St. Corridor, South Rose Hill, Bridle Trails
- Market, Market Corridor, Norkirk, Highlands, Moss Bay, Everest, Lakeview, Central Houghton

b. **Six subareas:**

- Finn Hill
- Juanita
- Kingsgate, Totem Lake
- North Rose Hill, NE 85<sup>th</sup> St. Corridor, South Rose Hill, Bridle Trails
- Market, Norkirk, Highlands, Market Corridor, Moss Bay
- Everest, Lakeview, Central Houghton

**Business District Focus** Another idea would be to focus detailed planning on the geographic areas where the majority of growth and development is anticipated – primarily in and adjacent to business districts. This could involve eliminating neighborhood plans altogether, except for the portions that address the business districts and other areas of higher intensity development (which are typically adjacent to business districts). This would result in thirteen or fourteen business district plans, which could be organized in groups to update over a six year cycle.

Alternatively, subarea plans would continue to cover all areas within a subarea, but updates would be limited to the geographic area within and immediately surrounding the business districts.

**Eliminate Neighborhood Plans** A more radical idea would be to eliminate neighborhood and subarea plans altogether. With this alternative, the Comprehensive Plan would consist entirely of the general elements focused on specific topics - for example, Land Use, Economic Development, Transportation, etc. The Comprehensive Land Use Map would continue to show land use designations at whatever level of detail is necessary, but there would be much less background about the rationale for the designations at specific locations or the specific policies pertaining to each area. While this would simplify the Plan, it could diminish its effectiveness. In addition, with this approach we'd no longer be systematically reviewing planning issues and engaging the community at a focused geographic level.

## 10. Plan Update Schedule

The most recent schedule (January, 2011) of neighborhood plan updates is attached.

As noted above, the following neighborhood plans have been completed in the past ten years and are in relatively good shape: North Rose Hill, NE 85<sup>th</sup> St., Market, Norkirk, Highlands, Lakeview, and Central Houghton.

We have a window of only a year before work on the major Comprehensive Plan update begins. The update will likely take up to two years beginning in early to mid 2013 and culminating by mid 2015. We've tentatively planned for the update to include an examination of planned land use for Totem Lake as called for in the Totem Lake Action Plan. Staff time needed for the update will

reduce and possibly eliminate the time available for sub area planning, but until we fully develop a scope of work and prioritize other potential work tasks, it's hard to know for sure.

Consequently, the most immediate question is where do we focus our attention in the next year or so? Options include the following:

- **Prepare plans for the new annexation neighborhoods.** Due to the geographic scope of the annexation area together with the time limitation, this may need to be a shorter plan (or plans) compared with those that we've done in the past, but this would provide an opportunity to implement a new format that can be used for all sub areas, as discussed above. In addition, the geographic scope of the plan(s) would match the selected subarea organization for future plans.
- **Update the most out of date neighborhood plans in the pre-annexation City.** The next neighborhood on the update list is the South Rose Hill/Bridle Trails plan. If this option is selected, we would need to consider if or how the plan would be integrated into a larger subarea. In both of the examples provided above, South Rose Hill and Bridle Trails would be combined into a single subarea with North Rose Hill and the NE 85<sup>th</sup> St. Corridor. It would be very ambitious to complete a new plan for such a large subarea in the limited time available. Furthermore, the North Rose Hill and NE 85<sup>th</sup> St. Corridor plans are not as out of date and in need of updating as South Rose Hill and Bridle Trails.

Other candidate pre-annexation neighborhoods with out of date plans include Moss Bay and Everest.

- **Focus on planning for targeted business districts.** In this option we could prepare the plans for one or more of the following districts:
  - Houghton Business District, as called for in the recently adopted Houghton Neighborhood Plan
  - Bridle Trails
  - Annexation neighborhood business districts

**Kirkland Alliance of Neighborhoods**

Wednesday, January 9, 2013

**Input on Neighborhood Plans and the Planning Process**

**NEIGHBORHOOD PLANS (*the product*)**

What is the value of a neighborhood plan:

- Predictability about a piece of property
- Vision of the future over a defined time period
- Focus on future
- Knowing where density is going to go
- Protection for the neighborhood
- Understanding your neighborhood in the context of wider community and adjacent neighborhoods
- Acknowledgement that neighborhoods are distinct and so are plans
- Useable at neighborhood level by residents
- Clear statement of objectives over time
- Having goals for the neighborhood
- Relevance to me – relates to my neighborhood

Opportunities for improvement:

- Write the plan so everyone can understand
- The plan should provide predictability but also acknowledge and respond to change
- Provide consistency between the Comprehensive Plan, Neighborhood Plans, and the zoning code.
- Perhaps the Plan should be more visionary and less burdened with details – concise and easily digestible
- Need an agreed upon “life” of each Neighborhood Plan (20 years is too long – 5 year is too short) and stick to it

**NEIGHBORHOOD PLANNING (*the process*)**

What we like:

- Starting with an overall vision and identification of key values – helps direct the process and bring everyone together
- Starting with big picture
- Discussion of values helps bring everyone together and helps get to solutions
- Lots of staff support
- Ability to provide input into the process
- Meetings with businesses, schools, church groups, and other community members that aren’t typically at their neighborhood meetings
- Include current status in each meeting plan ( i.e. where we have been, where we are, and where we are going in the)
- Consider using former Planning Commissioners to volunteer their expertise to various projects
- Learning about the future and deciding how we want things to change
- Understanding of where we are today, what development pressures will come to bear (growth) and what we can do to absorb growth and still maintain important neighborhood character based on local values
- New neighborhood (Finn Hill) is looking forward to in a Neighborhood Planning Process:
  - Understanding today’s zoning (what’s on the books now)
  - Understanding what Finn Hill has to absorb for their part of density

- Discover how the density can be absorbed into strategic places that can enhance their overall values and preserve the parks – etc.
- Learn about public services and other elements of the plan
- Looking for win/win alignments with growth and their mission
- Define what the residents/Finn Hill Neighborhood can do to help
- New neighborhood (Evergreen Hill) is looking forward to a Neighborhood Planning Process:
  - Most of Evergreen Hill is already developed so it may be more difficult creating interest in participating in the planning process in this area
  - Where will the parks come from (1/2 mile radius goal)
  - What happens to the private parks and all of the Homeowners Associations –
  - How can we get people involved and engaged in becoming a Neighborhood Association rather than many separate homeowners associations

Opportunities for improvement:

Timeline and Process

- Too many meetings, process is too long, and feels bureaucratic
- Hard to get continuity in membership as most people can't commit this much time (1.5 years for Houghton called fast track. When asked to raise hands - no one in the room said they could commit that much time if the Neighborhood Planning process came to their neighborhood)
- Every 20 years may be too long – couldn't we have a check in every X years?
- Try breaking up the plan into different sections and invite people to participate in the section they are most interested in (let them decide when to jump in and exit)
- Make assumptions known about density and growth for 5, 10 and 15 years out
- Speed up the education pieces and reduce the level of detail so the timeline can be reduced
- Save tough issues to the end – process can be consumed by conflict with private amendments and zone changes on one or two parcels
- Hold meetings in the evening so people who work can participate
- Very important that there be a representative and an alternate from each neighborhood involved in the Comprehensive Planning process and that either the representative or the alternate be a KAN rep for the neighborhood (so that information can flow).
- KAN is uniquely qualified to assume role of "translator" for our neighborhoods in the Comprehensive Planning Process
- KAN can and should understand and interpret Comp Plan process for our neighborhood and likewise, interpret and act on the opinions and reactions from our neighbors
- More people may participate if the process wasn't so long

Communication

- Use language that everyone understands – speak in non-planner terms
- Use email
- Keep messages short and sweet – like twitter with links for more information
- Create a step by step process (handbook) on what the Neighborhood Planning Process is and how it works so people not involved know what it is and how it works
- Make the information relevant to "me"
- How will decisions impact the people (what does it mean)
- Relate specifics of the plan to what it means to the neighborhood (4 floors of housing looks like this)

- Clearly articulate what the City's purpose of the Neighborhood Plan is and explicitly how it will be used
- Explain how the Neighborhood Plan relates to the zoning code
- Need a better way to connect the planning process/decisions with the rest of the neighborhood (who doesn't attend the meetings)

#### Geographical

- Look at surrounding neighborhoods across borders – impacts don't stop at boundary
- Could keep neighborhood process intact but do them simultaneously within a sub area for collaboration across neighborhood boundaries
- Like focus inward on my neighborhood only – keep this intact

#### Plan Changes (e.g. Private Amendment Requests)

- Mail notices to multiple people in the neighborhood if requested by the neighborhood or if they are inactive
- Change should come from the neighborhood rather than the City
- Better educate the residents to understand the plan and how to monitor it over time
- Continued education and feedback as the plan is implemented
- Want to rely on the plan – not to see it changed immediately after creation
- Follow the plan after it is adopted
- Clear process for learning about how the product/plan changes over time – create neighborhood "experts"
- Clarify if the plan is meant to be static or dynamic
- Include photos/pictures of proposed change so people better understand what is being proposed
- KAN can help neighborhoods stay on top of change
- Hot Sheet helps and can feed proposal information to the neighborhoods and KAN
- Provide feedback loop on how and why plans are changed after they have been changed (especially to neighborhoods who recently underwent the process so they better understand why)
- Make the messages more clear when they come out announcing a proposed change for the plan (people don't understand the language or importance of the message – and it gets lost or overlooked)

**Council Retreat February 8-9, 2013****What is the value of a neighborhood plan?****What about the process works well?****What are the opportunities for improving the process?****Neighborhood Plans Generally**

- Preserve the great things about neighborhoods and the vision
- Do we ever want to be static?
- Dynamic is good
  - Always room to improve
  - Not water or ice (static or dynamic)
- Comp Plan is an aspirational document
- Define characteristics of neighborhood plans
- Predictable

**Frequency**

- Math (number of neighborhoods and timeline doesn't work)
- Geographic areas—how many neighborhoods
- More often (reassurance to sub areas that we will get to them)
- Sub-regional would be great
- Must break it into pieces that we can manage
- Subareas would be the best way
  - Lakeview/CHNA/Everest
  - Not one neighborhood vs. another

**General Approach**

- Develop a base aspiration that can apply to all neighborhoods and start with that as a base
- Connect NP's with Council Goals and measurements
- Plans could be less specific block/block site/site without expectation – avoid disappointment
- Simplify (not block by block)
- More general—so we can respond to economic needs
- Avoid making general rules that react to a very specific situation
- Not so general so as to allow Potala Village again Adjacent neighborhoods
- Need input—neighborhood to neighborhood, city to city
- Make Connection across neighborhood communities
- Emphasize connection with adjacent areas
- Include education about where you are within region
- Pay close attention to transition areas -- “business buffers” and “sensitive areas”

### **Neighborhood Plans and Business Districts**

- Need education about why Economic Development is important
- Why we need Economic Development (need education)
- Be clear that neighborhoods adjacent to business areas will be seeing density

### **PAR's**

- Clarify property owners can petition for PAR's
- If there is change can we mitigate impacts
- Criteria to evaluate PAR
  - Work on this (solid criteria)
  - Provide assurances

### **Communication/Public Involvement/Process**

- Process only works if people are involved
- Deep rich involvement
- Hope it will open neighborhoods up
- People don't have time
- NP's do take time—huge amount
- Takes time to work through it
- Try to reach more people
- Cycle of input -- getting back to people afterwards
- Loop back to neighborhood association on why we made "x" decision and why
- Education—maybe things they can do on their own
  - Reading
  - Video
  - Bite-sized
- Manage expectations
- Know where growth is going to happen
- People are scared, fear
- Go through different situations

### **Other Comments**

- Communicate—it will be reviewed and changed over time
- Zoning is a challenge
- Change is a challenge
- Unpredictability is scary
  - Brings people out



# HOW SHALL YOUR NEIGHBORHOOD GROW INTO OUR FUTURE?

*Join us for a conversation about neighborhood planning!*



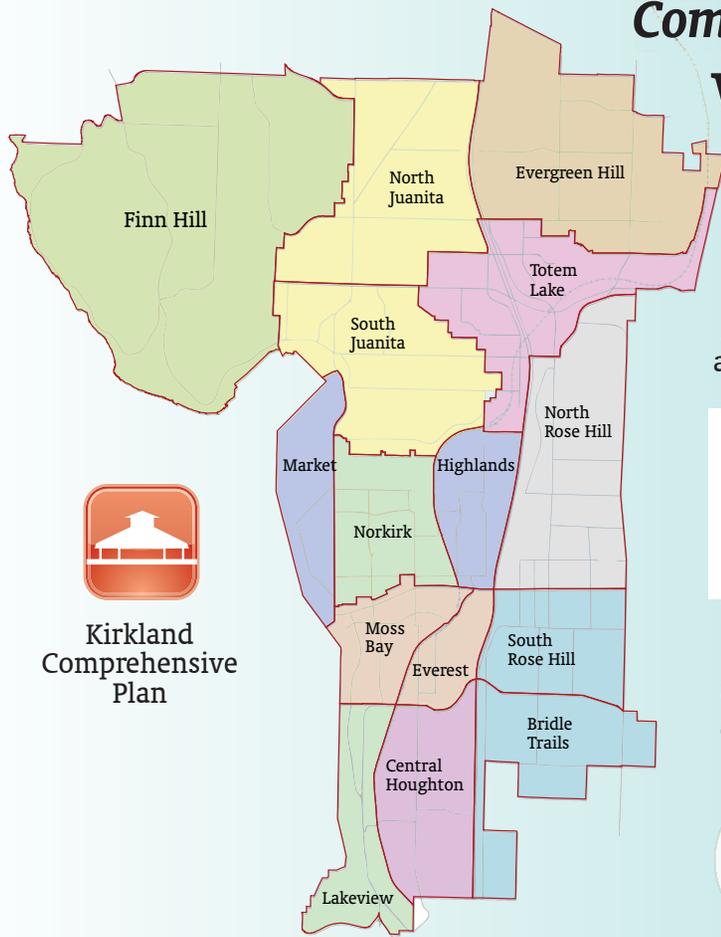
Does your neighborhood have a plan? Do you know what's in it?  
 How should the business districts in or near your neighborhood grow?  
 How can you find the answers to these questions?

***\*\*Please Note: All meetings are from 6:00 to 8:30 p.m. with a presentation at 6:15 p.m. followed by individual neighborhood sessions. Pizza provided!\*\****

**Come to a neighborhood planning meeting to:**

- » Learn how your neighborhood plan relates to the Comprehensive Plan and the City's future
- » Talk with your neighbors and local businesses about our collective hopes for the future
- » Help make sure that your neighborhood plan reflects your neighborhood's collective vision and values
- » If you're in a 2011 annexation neighborhood, help to develop your plan

Neighborhoods	Date	Location	Time
<ul style="list-style-type: none"> <li>» Houghton</li> <li>» Everest</li> <li>» Lakeview</li> </ul>	January 28	<b>Kirkland City Hall</b> 123 5th Avenue · Kirkland, WA	6:00 p.m. – 8:30 p.m.
<ul style="list-style-type: none"> <li>» Moss Bay</li> <li>» Market</li> <li>» Norkirk</li> <li>» Highlands</li> </ul>	January 30	<b>Kirkland City Hall</b> 123 5th Avenue · Kirkland, WA	6:00 p.m. – 8:30 p.m.
<ul style="list-style-type: none"> <li>» North Rose Hill</li> <li>» South Rose Hill</li> <li>» Bridle Trails</li> <li>» Totem Lake</li> </ul>	February 11	<b>Northwest University</b> 5520 108th Ave NE · Kirkland, WA Health and Sciences Center Auditorium · (HSC 104)	6:00 p.m. – 8:30 p.m.
<ul style="list-style-type: none"> <li>» Juanita</li> <li>» Finn Hill</li> <li>» Evergreen Hill</li> </ul>	February 19	<b>LDS Kirkland Stake Center</b> 7910 NE 132nd St. · Kirkland, WA at the corner of Juanita Drive and NE 132nd Street	6:00 p.m. – 8:30 p.m.



Kirkland  
Comprehensive  
Plan

## Come to a neighborhood planning meeting...

**W**e've combined neighborhood associations who share common boundaries to come together along with local businesses to talk about these issues. There will also be separate sessions for each neighborhood at these meetings.

Find neighborhood plans at: <http://www.kirklandwa.gov/neighborhoods>. Click on your neighborhood to find your neighborhood's plan. Read it before the meeting and bring thoughts and ideas.

Attend the specific meeting for your neighborhood or attend them all if you want! See reverse side for meeting schedule.

**For more information contact Janice Coogan,  
Senior Planner for the City of Kirkland:  
425-587-3257 or [JCoogan@kirklandwa.gov](mailto:JCoogan@kirklandwa.gov)**



*Share your voice, your vision, your future!*  
123 5th Avenue, Kirkland, WA 98033  
[www.kirklandwa.gov/kirkland2035](http://www.kirklandwa.gov/kirkland2035)



<b>EXCERPTS FROM KIRKLAND IDEAS FORUM ON TRANSPORTATION IN KIRKLAND</b>
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<b>What makes it difficult to get around Kirkland today?</b>
--

<p>The traffic congestion is a major problem and will also deter new business from coming into Kirkland. Kirkland has a "circular" traffic route mess. ... This all due to the planning and "layout" of Kirkland and the Center of Kirkland as well as the over burdened 405 corridor and the never ending construction of the new 520 bridge. all the upgrades to the 405 and 520 are all years too late and is NOT going to improve the traffic congestion and problems Kirkland has when these projects are completed way down in the future. It's too little, too late. Kirkland needs easier, more convenient, and more redundancy in regards to mass transit; light rail but especially buses and don't forget that people from Finn Hill, Kingsgate, etc. are part of Kirkland and we do a lot of car commuting because of the lack of other resources.</p>
--

<p>Commute traffic on our major arterials is really the difficulty. I object to the high volumes on NE 116th St, Market St, and NE 85th St. I believe one of the greatest problems we face is the increased densification of Kirkland. Allowing lots to be subdivided for more structures or allowing these large multi family complexes simply brings too many people into our city. It is unreasonable to allow these conditions to continue and then say "gee we have too much traffic, what should we do". We need to decide that our city population is finite and stop the density at that. Learn to live within that tax base.</p>
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<p>No safe sidewalks that enable residents to walk from Lake St. up 85th prevents many of us from walking to do errands. Want to get us out of our cars? Make it safe for us to walk!</p>
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<b>More traffic congestion: What are you willing to accept?</b>
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<p>I'd rather have traffic congestion during the commute hours knowing it doesn't happen all day long than have arterials that go through neighbors (example 108th/6th Street) widened.</p>
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<p>I am willing to accept the congestion on Lake St./LWB that occurs because of the "choke point" at Lake and Central. That actually keeps the commuter traffic down, similar to other calming devices like stop lights and speed bumps. Let's not make it easier for commuters to use our Downtown as an alternate to the freeway.</p>
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<p>Absolutely NO more traffic congestion. Kirkland will lose current residences and potential ones including potential businesses.</p>
--

<p>First, in 2035 we should not have increased traffic, we should not try to create it. I simply will not accept any more congestion. If we agree that building more and more multi family structures and allowing the subdivision of existing lots for more single family homes brings more people to our city, then the first order of business is to stop these practices. Realize that our city needs to find a balance of population and that will become the maximum allowed. I think we all agree that the traffic in the commute hours is very disturbing now in 2013. To have a transportation system that simply relies on the alternative modes of transit, biking, and walking is not working for us. We have to realize that walking to the market is not a reasonable solution for working people, a task that would have to be accomplished daily for a family as there is only so much a person is able to carry. Bicycles are not very well equipped to allow the rider to carry much either, as well as taking transit, only just so much one can carry. Automobiles are going to continue to be our way to do errands for supplies as the current</p>
--

shopping centers are in place. A focus should be placed on widening and straightening our existing major arterials. Perhaps using techniques like reverse lanes for commute hours, more flashing yellow left turn lights, flexible speed limits during commute.
Nothing would make increased traffic congestion more palatable or agreeable to me. Overbuilding + excessive mixed use + shared living spaces = decreased quality of life, increase in traffic - the essence of what makes Kirkland wonderful = Bellevue and Redmond .
<b>Barriers to bicycling</b>
Not having a hard, smooth surface on the CKC trail.
It seems that the City of Kirkland is wasting money on planning ways for bicyclists to get around Kirkland. There will never be very many people commuting to work until you see a much bigger presence of bikes at the elementary schools and junior high schools.
In the olden days many kids used to bike to school especially in California where I grew up. Parents didn't want to drive their kids to school everyday. Was it any safer then? ... Before the city invests in improving bike lanes and talking about bicycling as a good transportation choice they need to go to Lake Washington High School or Inglemoor High School and find out what percentage of students ride a bike to school at least twice a week. Then weigh that against the amount of students that drive a car to high school at least two days a week. If you want to spend money where it will do the most good, reconsider how much money the city spends on planning for future generations commuting by bike.
Everyone is not physically able to bike. The issue is more complex than asking why more of us don't bike. Many of us are retirees who specifically selected Kirkland to enjoy our golden years, so may I ask why I don't see a multitude of younger folks biking or walking rather than driving? I could assume when I see younger drivers that there is no physical impediment but that would be profiling. To answer your question, simply put, in my case, it's AGE!!! Put in safe sidewalks, and crosswalks and I will gladly walk to do errands.
Things preventing me from biking are weather, hills, conflict with pedestrians and vehicles. ... In a complex day to day life family's are not willing to sacrifice their free time by creating a more difficult, cold, wet, dangerous commute on bikes.
<b>Too many projects; not enough money: What's your priority?</b>
I wonder if people that promote the idea of a rail line actually live near the tracks. Having a train zooming behind your house could be incredibly annoying. I don't think it would make the Houghton, Everest, Lakeview and Moss Bay neighborhoods more pleasant to live in.
You want to get people out of their cars? Invest in infrastructure that supports that; sidewalks, crosswalks, bike lanes, mass transit. Make it safe to wait at bus stops in the evening or walk at night.
Skip all the light rail and commuter rail. Our geography is not that of dense places like Moscow, Paris, London or Tokyo, where mass transit works. Americans want their space, are willing to pay for that space, and will use cars to get to and from that space. Therefore we need roads - and no increase in density except in clearly defined areas perhaps amenable to buses.

A strong focus on resolving the commute traffic by road widening, reverse lanes, higher speeds allowable during commute, specific corridors that take precedent at the traffic lights allowing for more traffic to pass through, more flashing yellow lights on left turn movements.

If a rapid streetcar line is built in the Eastside Rail Corridor between Bellevue's Hospital light rail station and the Totem Lake Transfer Center, business density would increase to make the line viable. South Lake Union and Portland's Pearl District are two examples of this. It takes time, but the presence of Google in the corridor jump starts the process.

I agree that improving the freeway can be a good thing. But it doesn't help our neighborhoods when arterials that run right through them are widened. It turns them into commuter lanes and often cuts a neighborhood in half. I definitely don't want to see higher speeds during commuter times.



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
January 07, 2014

1. CALL TO ORDER
2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

- a. Transportation Master Plan Update

Joining Councilmembers for this discussion were City Manager Kurt Triplett and Transportation Engineering Manager David Godfrey. Also present to respond to questions was Transportation Commission Vice Chair Tom Neir.

Following the conclusion of the Study Session at 7 p.m., Council recessed for a break until the regular meeting start of 7:30 p.m.

4. EXECUTIVE SESSION

None.

5. OATH OF OFFICE

City Clerk Kathi Anderson administered the Oaths of Office to recently elected and re-elected Councilmembers.

- 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

Councilmember Sweet nominated Councilmember Walen for the office of Mayor.  
Councilmember Kloba seconded the nomination, which was approved unanimously.

Councilmember Nixon nominated Councilmember Sweet for the office of Deputy Mayor.  
Councilmember Arnold seconded the motion, which was approved unanimously.

Council recessed for a short break.

7. HONORS AND PROCLAMATIONS

None.

8. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Lisa McConnell  
Kerry Isbister  
Richard Guidice  
Troy Howe  
James Jonakin

c. Petitions

9. SPECIAL PRESENTATIONS

None.

10. CONSENT CALENDAR

a. Approval of Minutes:

(1) December 10, 2013 Special Meeting

(2) December 10, 2013 Special Meeting

b. Audit of Accounts:

Payroll \$2,704,637.33

Bills \$9,128,662.29

run #1276 checks #549034-549224

run #1277 checks #549225-549226

run #1278 checks #549227-549240

run #1279 checks #549264-549416

run #1280 checks #549417-549451

run #1281 checks #549453-549508  
run #1282 checks #549511-549600

c. General Correspondence

d. Claims

Claims from 307 Homeowners Association, and Sergio and Patricia Miralda were acknowledged via the Consent Calendar.

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 entitled, "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."

(3) Ordinance O-4432 and its Summary entitled, "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ENFORCEMENT OF REGULATIONS REGARDING DISCHARGE OF FATS, OILS AND GREASE INTO THE CITY SEWER SYSTEM."

This item was pulled from the Consent Calendar for discussion under New Business, item 13.a.

(4) Report on Procurement Activities

Motion to Approve the Consent Calendar with the exception of item 10.h.(3)., which was pulled for consideration under New Business, item 13.a.

Moved by Councilmember Doreen Marchione, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley

Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

11. PUBLIC HEARINGS

None.

12. UNFINISHED BUSINESS

a. Park Lane Project Update

Capital Projects Manager Dave Snider provided a status update for the Park Lane Project and looked to Council for some approval on funding recommendations.

Motion to Approve the staff recommended funding for completing the flexible street concept for the Park Lane project.

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

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

b. Resolution R-5027, Approving a City of Kirkland Legislative Agenda to be Addressed to the 2014 Session of the State Legislature.

Intergovernmental Relations Manager Lorrie McKay provided information about the 2014 State Legislative agenda.

Motion to Approve Resolution R-5027, entitled "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."

Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

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

c. Planning Commission Interview Selection Committee Recommendations

City Manager Triplett reviewed Council's options related to the recommendation of the Planning Commission Interview Selection Committee.

Motion to suspend the application of the portion of our policy on interviewing candidates for positions that provides that the Council will interview three applicants for each vacancy for this interview cycle only.

Moved by Councilmember Toby Nixon, seconded by Deputy Mayor Penny Sweet

Vote: Motion carried 7-0

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

Motion to interview the following applicants to fill the current vacancy on the Planning Commission, subject to their continuing desire to serve: Mr. Carter Bagg, Mr. Matt Gurrad, Mr. Eric Laliberte, and Mr. James Truhan.

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Penny Sweet

Vote: Motion carried 7-0

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

### 13. NEW BUSINESS

- a. Ordinance O-4432 and its Summary entitled, "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ENFORCEMENT OF REGULATIONS REGARDING DISCHARGE OF FATS, OILS AND GREASE INTO THE CITY SEWER SYSTEM."

This item was pulled from the Consent Calendar, 8.h.(3)., for consideration under New Business. Wastewater Division Manager Bobbi Wallace reviewed the proposed ordinance updates. Council took no action and agreed to consider instead a revised draft of the ordinance at their next regular meeting.

### 14. REPORTS

- a. City Council

- (1) Finance and Administration Committee

Have not met.

- (2) Public Safety Committee

Have not met.

- (3) Community Planning, Housing and Economic Development Committee

Have not met.

- (4) Public Works, Parks and Human Services Committee

Have not met.

(5) Regional Issues

Councilmembers shared information regarding the holiday tree lighting event; Northend Mayors' meeting cancellation; 2014 Eastside Chambers Coalition Legislative Breakfast; and Sound Cities Association Public Issues Committee meetings.

(6) Councilmember committee and seating assignments

Mayor Walen made note that she would bring back proposed committee assignments at the January 21, 2014 meeting, and asked that Councilmembers provide her with any preferences in regard to dais seating arrangements.

b. City Manager

(1) Calendar Update

City Manager Triplett noted that Council's special meeting to conduct Planning Commission interviews has been rescheduled to January 16, 2014 at 4 p.m., and that potential marijuana regulations and changes will be added to the calendar on a future date.

15. ITEMS FROM THE AUDIENCE

None.

16. ADJOURNMENT

The Kirkland City Council regular meeting of January 7, 2014 was adjourned at 8:48 p.m.

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City Clerk

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Mayor



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

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## MEMORANDUM

**To:** Kurt Triplett, City Manager  
**From:** Kathi Anderson, City Clerk  
**Date:** January 9, 2014  
**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) Jane Dickson  
11052 85<sup>th</sup> Avenue NE  
Kirkland, WA 98034

**Amount:** \$17,160.79

**Nature of Claim:** Claimant states damage to property resulted when a tree fell onto their house.

- (2) Ian Stuart Hutchinson  
Snohomish County Corrections  
3025 Oakes  
Everett, WA 98201

**Amount:** Unspecified Amount

**Nature of Claim:** Claimant states damages are due to inadequate medical care while being incarcerated at Snohomish County Jail pursuant to sentences imposed by the Kirkland Municipal Court.

**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:** January 9, 2014

**Subject:** NE 120th Street Extension Project – Award Contract

### RECOMMENDATION:

It is recommended that City Council awards the construction contract for the NE 120<sup>th</sup> Street Extension Project (Project) to Sanders General Construction of Auburn, WA, in the amount of \$2,571,555.02.

### BACKGROUND DISCUSSION:

The Kirkland Comprehensive Plan (KCP), Chapter II, contains a number of basic "Framework Goals" that express the fundamental principles for guiding growth and development in the city over a 20-year horizon. As an all new public roadway along NE 120<sup>th</sup> Street, between 124<sup>th</sup> Avenue NE and Slater Avenue NE (Attachment A), the subject Project is consistent with the following KCP Framework Goals: *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-13: Maintain existing adopted levels of service for important public facilities; and 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.*

This is the first time in at least 20 years in which the City has built a completely new street. As a new roadway in recently acquired right-of-way, the Project has been designed for multi-modal mobility and congestion mitigation, together with improved emergency vehicle access in the Totem Lake Urban Center. The improvements include a three-lane roadway section with bicycle lanes and new concrete curbs, gutters and sidewalks. The Project also includes a new Intelligent Transportation System (ITS equipped) signal at 124<sup>th</sup> Avenue NE, ITS signal upgrades at Slater Avenue NE, new street lighting, and surface water quality enhancements to treat run-off before it enters Totem Lake. In order to provide for future fiber connectivity, staff has also been in contact with various communications providers to insure that all fiber opportunities are realized along the new corridor; regular future meetings with these providers is planned to take place through the construction phase.

The Project is also eligible for Greenroads™ Certification as a result of its collection of sustainability best practices that relate to roadway design and construction. The goal of the Greenroads™ Certification program is to reduce impacts on the environment and improve life-cycle costs by incorporating numerous Greenroads™ Certification elements, including a life cycle cost analysis, use of recycled materials, low impact design (LID) surface water control design, the incorporation of intelligent transportation systems, improved access for multimodal users, and the use of warm mix asphalt pavement technologies.

The approved Project budget of \$6,509,100 includes funding for engineering, property acquisition, construction and a construction contingency. The funding sources are comprised of a \$2,502,640 Federal Surface Transportation Program (STP) grant, an \$800,000 Transportation Improvement Board Urban Arterial Program (TIB UAP) grant, \$2,322,660 in City general government funds, and \$883,800

in City surface water utility funds (See Attachment B for a detailed breakdown of budgeted cost estimates).

At their meeting of November 19 City Council received a project update, adjusted the budget, and authorized staff to advertise for contractor bids. The Project was first advertised using federally approved Supplemental Bidder Criteria on November 20 and on December 11, 2013, thirteen contractor bids were received with Sanders General Construction being the lowest responsive bidder, as shown below:

CONTRACTOR	TOTAL BID
<b>Sanders General Construction</b>	<b>\$2,571,555.02</b>
SCI Infrastructure, LLC	\$2,583,266.43
Tri-State Construction	\$2,588,037.65
Trimaxx Construction	\$2,596,809.55
Rodarte Construction, Inc.	\$2,648,756.43
Marshbank Construction	\$2,755,738.20
Kamins Construction	\$2,818,505.03
<i>Engineer's Estimate</i>	<i>\$2,873,000.00</i>
Road Construction Northwest	\$2,910,729.74
3 Kings Environmental, Inc.	\$2,940,076.87
Johansen Excavating	\$2,962,049.07
R.W. Scott Construction Co.	\$3,007,475.90
SRV Construction	\$3,098,392.18
Westwater Construction Co.	\$3,272,900.25

The low bid is approximately 12% less than the engineer's estimate. However, due to the Project's overall size and proximity to well-established Totem Lake businesses, together with the added level of documentation required for federally funded projects, staff recommends maintaining the current project funding level, as approved last month in the Amended 2013-2018 CIP (Attachment B). In doing so the highest level of construction management expertise will be retained and the overall Project Contingency will be closer to 12% (instead of a normal 10%). Staff is currently finalizing the scope and fee for inspection services with one of the area's best qualified construction management firms that has a proven track record on past City projects.

The Project has been discussed at the 2010 and 2012 Totem Lake Symposiums. It has also been presented to the Kirkland Alliance of Neighborhoods and has been included in regular Totem Lake Conversation meetings with interested area business owners, as well as being part of regular updates to the City's *Totem Lake "On-Track" Bulletin*. Prior to the start of construction, Public Works staff will send a construction informational mailer to nearby residents and businesses providing timelines and pertinent contact information. In addition, staff will continue to work closely with adjacent business owners to keep them informed of the construction schedule and impacts.

All property acquisition has been completed and an award of the contract by City Council at their January 21 meeting results in a construction start in mid to late-February; the anticipated completion is October, 2014.

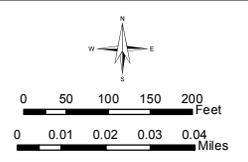
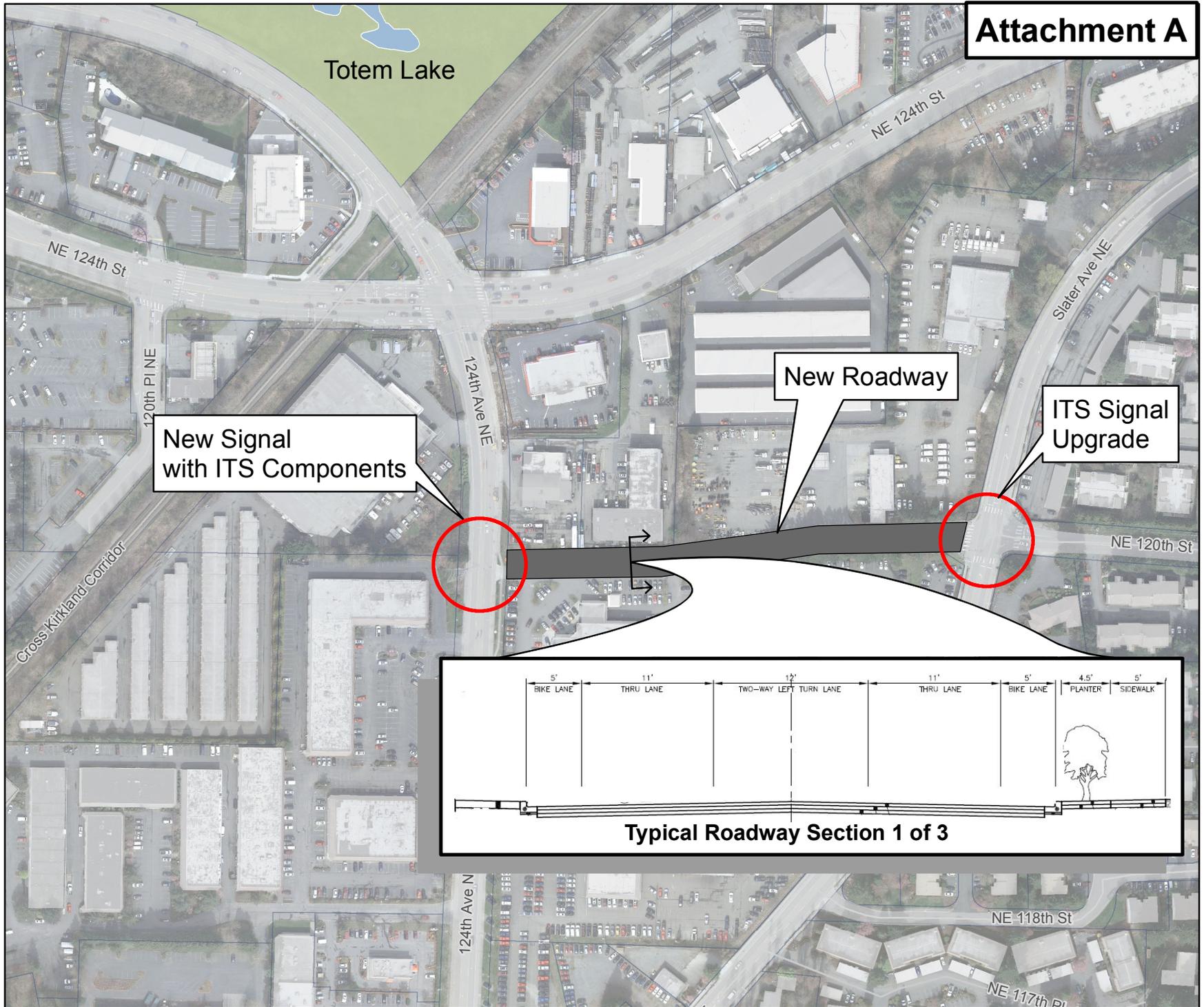
Attachment A: NE 120<sup>th</sup> Vicinity Map

Attachment B: NE 120<sup>th</sup> Street Project Budget Report



E-page 54

Area Map

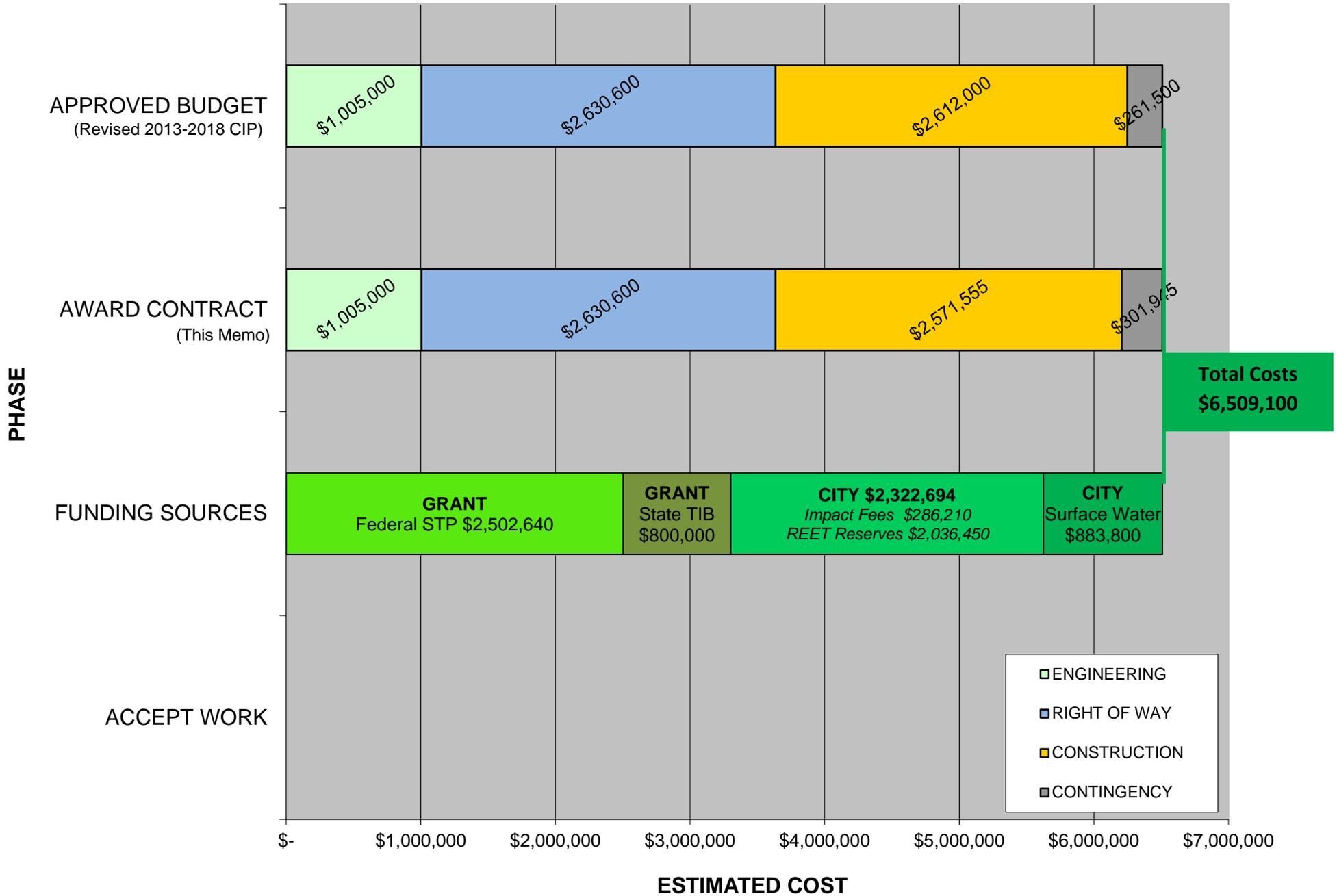


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# Project Budget Report

## NE 120th Street Roadway Extension (CIP # CST 0057)

Attachment B





**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:** January 9, 2014

**Subject:** 2013 Street Preservation Program  
(PHASE III Slurry Seal Project) – Accept Work

### RECOMMENDATION:

It is recommended that City Council accepts the work on the 2013 Street Preservation Program, Phase III Slurry Seal Project, as completed by Blackline, Inc. of Vancouver, WA, and establishes the statutory lien period.

### BACKGROUND DISCUSSION:

The 2013 Slurry Seal Project is Phase III of the Annual Street Preservation Program for the maintenance and rehabilitation of the City's street network. It involved the application of fine aggregate and liquid asphalt placed on low-volume residential streets where low to moderate surface distress of the wearing course was documented. Slurry seal is a versatile and cost effective way to extend the life of the City's residential streets where there is no significant structural damage to the pavement section. It protects the asphalt surface from the effects of aging while improving the existing pavement condition. As part of the 2013 Slurry Seal Project, 32.2 lane-miles of residential streets were treated with slurry seal in four neighborhoods (Attachment A). As a result of this year's slurry seal project, the average PCI of treated streets increased from 81 to 89 effectively extending the pavement life by approximately 7 to 10 years (Attachment B).

Phase I of the Annual Street Preservation Program is the Curb Ramp & Concrete Repairs Project which was accepted by the Council at their January 7 meeting. The Phase II project of the Annual Program is the Street Overlay Project which resurfaced seven arterial streets in the City; the Phase II Project will be done in early 2014 following the completion of some minor weather dependent punch-list corrections. The recommendation for acceptance of the Phase II work will occur at a future City Council meeting.

The total budget for the 2013 Annual Street Preservation Program is a combination of five revenue sources including the base CIP funding, Proposition 1 Levy funds, a City Council approved carry-over from the 2012 program, a street-cut mitigation payment from Puget Sound Energy (PSE), and a private developer contribution, as follows:

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
Private Development Contribution	\$17,548
<b>TOTAL</b>	<b>\$4,165,483</b>

At their regular meeting of June 18, 2013, Council awarded the 2013 Slurry Seal Project to Blackline, Inc. in the amount of \$511,793.69. The construction phase began on August 12 and the application process for all streets was substantially complete in October with the re-application of all required pavement markings.

The total of all payments made to the contractor was \$487,088.72 (Attachment C) with the reduced contract amount due to bid item quantities being less than originally estimated. The \$24,705 funding difference will remain in the Project contingency until all phases are completed. At this time, the anticipated expenses for the entire 2013 Street Preservation Program are as follows:

Phase	Status	Budgeted Amount	Final Amount
Phase I Curbs and Ramps	Accepted 1/7/2014	\$475,943	\$426,266
Phase II Overlay Awarded	Substantially Complete	\$2,348,067	* \$2,180,000
<b>Phase III Slurry Seal</b>	<b>Accept – This Memo</b>	<b>\$ 511,794</b>	<b>\$487,089</b>
Engineering, Admin, Inspection	On-Going	\$ 600,000	* \$710,000
Contingency	Balance Remaining	\$ 229,679	\$362,128
<b>TOTAL</b>		<b>\$4,165,483</b>	<b>\$4,165,483</b>

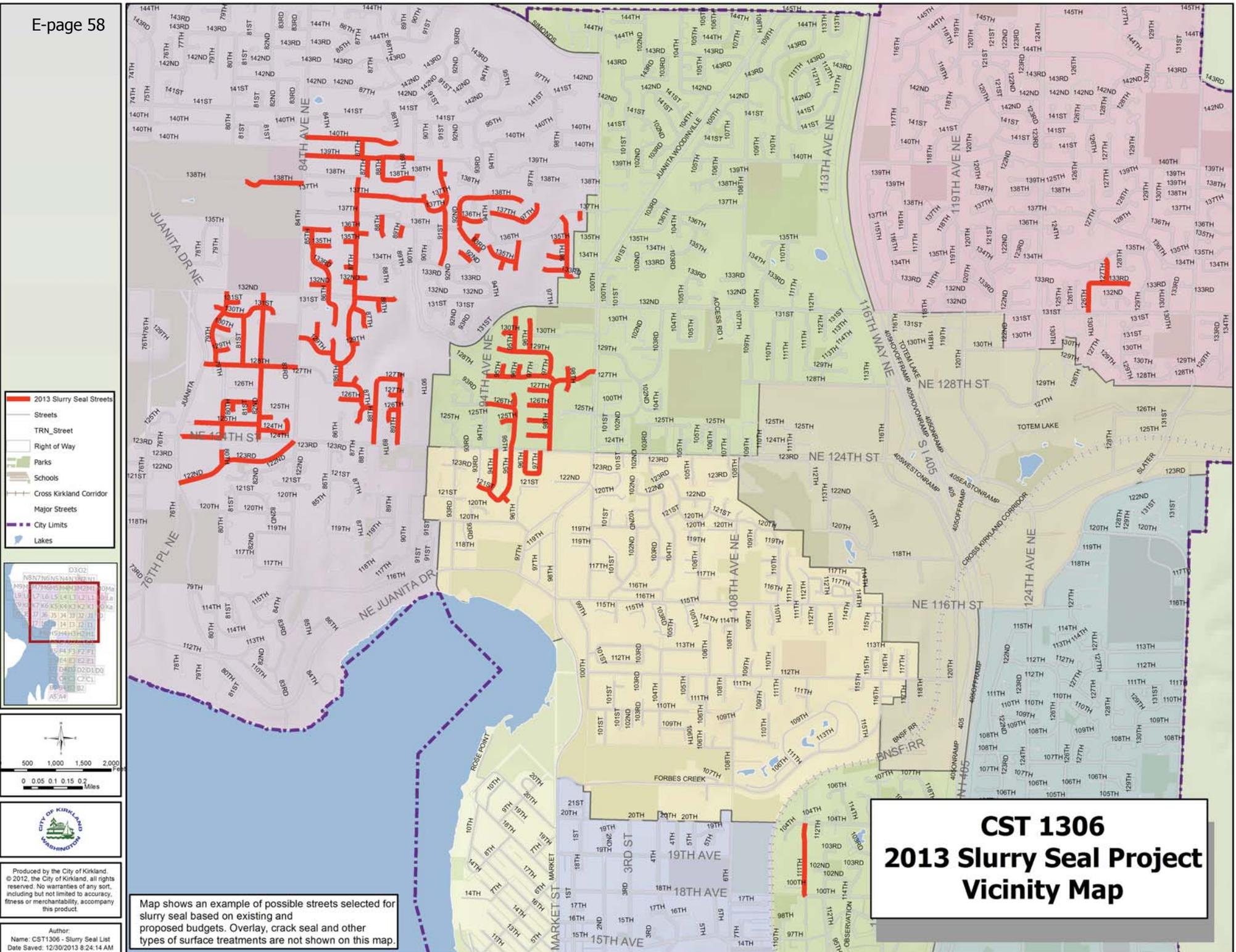
\* *Current Estimated Final Amount*

The final Phase for the 2013 Street Preservation Program is the Phase II - Street Overlay Project. As noted above, that Phase will be done upon the completion of a couple of outstanding weather dependent corrections. Staff will return to City Council with a recommendation for acceptance once all work is complete. At that time, staff will also provide City Council with a final reconciliation of the entire 2013 Street Preservation Program budget.

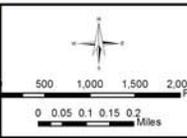
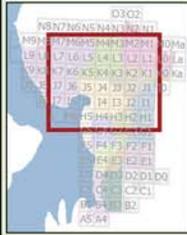
Attachment A: Vicinity Map

Attachment B: PCI Curve Report

Attachment C: Project Budget Report – Phase III



- 2013 Slurry Seal Streets
- Streets
- TRN\_Street
- Right of Way
- Parks
- Schools
- Cross Kirkland Corridor
- Major Streets
- City Limits
- Lakes



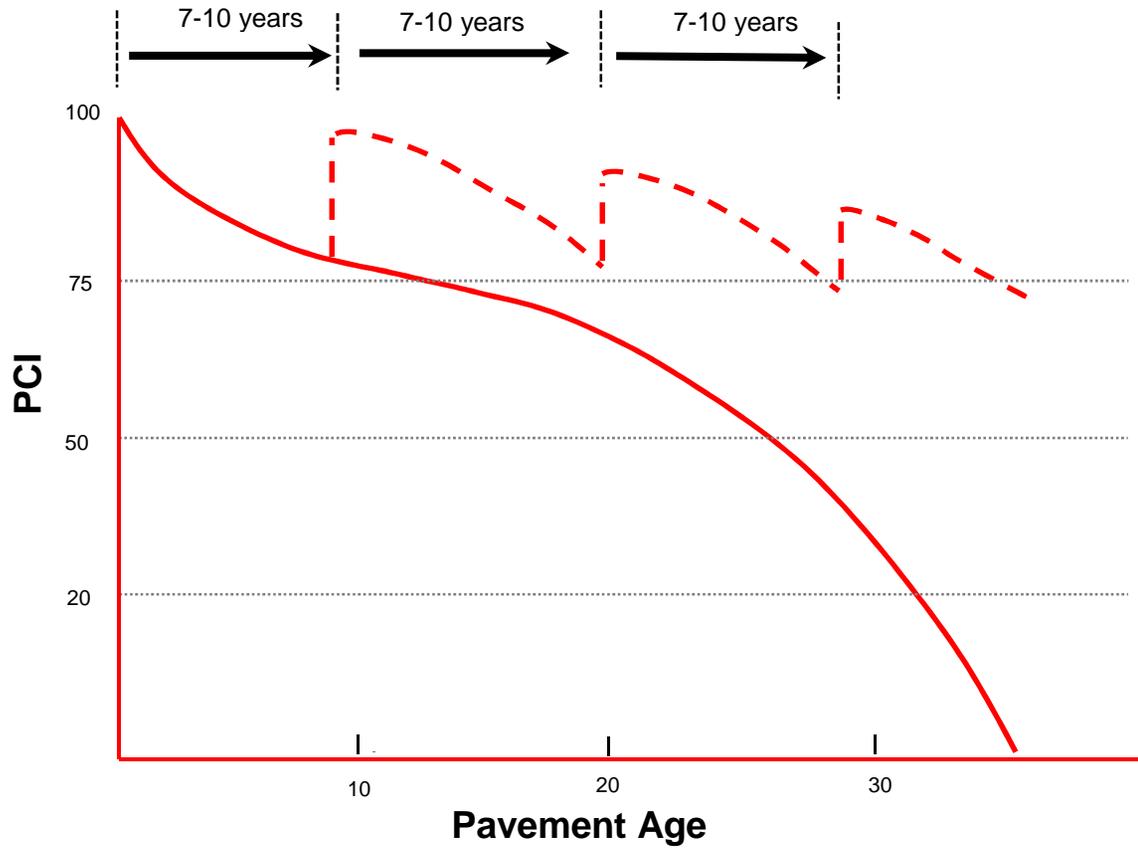
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Author:  
 Name: CST1306 - Slurry Seal List  
 Date Saved: 12/30/2013 8:24:14 AM

Map shows an example of possible streets selected for slurry seal based on existing and proposed budgets. Overlay, crack seal and other types of surface treatments are not shown on this map.

# CST 1306 2013 Slurry Seal Project Vicinity Map

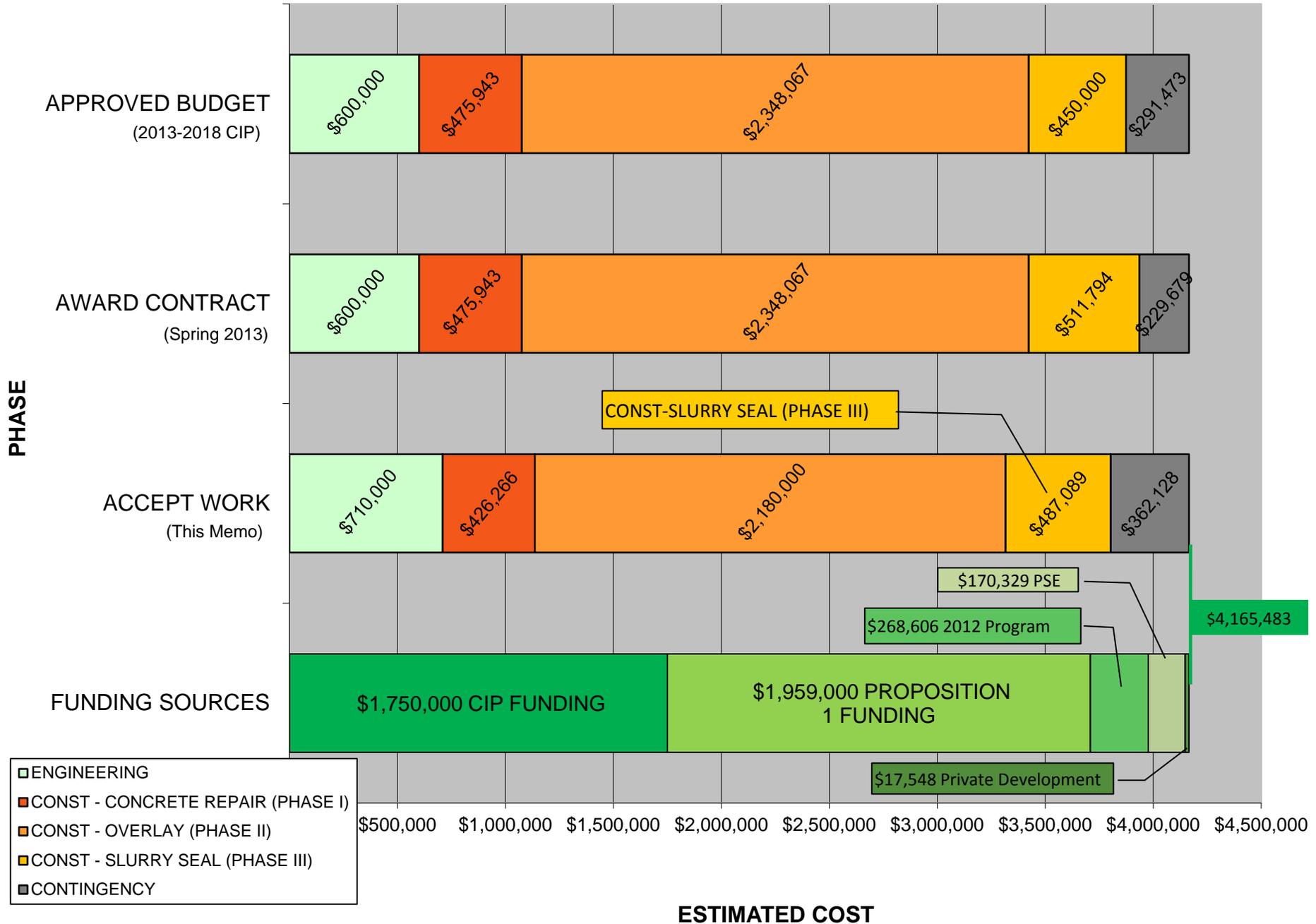
**2013 Slurry Seal Project  
(CST-1306)  
Pavement Condition Curve**



# 2013 Slurry Seal Project (ST-1306)

Attachment C

## Project Budget Report





## **CITY OF KIRKLAND**

### **Police Department**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3400

[www.kirklandwa.gov](http://www.kirklandwa.gov)

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#### **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Eric Olsen, Police Chief  
Robert Balkema, Corrections Lieutenant

**Date:** January 9, 2014

**Subject:** AMENDMENT INTERLOCAL AGREEMENT FOR JAIL SERVICES

#### **RECOMMENDATION:**

City Council adopts the attached resolution authorizing the City Manager to sign an amendment to the interlocal agreement between South Correctional Entity (SCORE) and the City of Kirkland for jail services.

#### **BACKGROUND DISCUSSION:**

The Kirkland Police Department is requesting that Council authorizes the City Manager to enter into the attached amended interlocal agreement to provide housing for City of Kirkland inmates at the SCORE jail. This amendment is needed because the Snohomish County Jail is no longer accepting inmates with misdemeanor charges from cities. Snohomish County Jail has been where the City's inmates needing medical services have been housed.

Under the terms of the amendment, the City of Kirkland will be obligated to pay for five guaranteed beds per day. Formerly, there was no provision for guaranteed beds in the interlocal agreement. The guaranteed rate includes all in-facility medical, dental (if available), mental health services, and pharmaceuticals (with some limited exceptions). SCORE wanted a 15-bed long term commitment from the City, but staff was able to negotiate down to five beds on a short term basis. This contract is valid from November 2013 to August 31, 2014, and reduces the cost per day from \$135 to \$90. This amendment is retroactive and in addition to reducing the City's per day cost, will result in the City receiving a credit of approximately \$28,000 from the November 2013 bill.

This amendment is for a short duration, coextensive with the opening of the new Public Safety Building. Once the Public Safety Building opens, staff will review the City's inmate housing needs and may propose additional amendments to the interlocal agreement. Staff will continue to work on the City's options to house inmates at other facilities at the best available rates.

RESOLUTION R-5028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND AND THE SOUTH CORRECTIONAL ENTITY FOR JAIL SERVICES AND AUTHORIZING THE CITY MANAGER TO SIGN.

WHEREAS, in May 2011, the City of Kirkland and the South Correctional Entity ("SCORE") entered into an Agreement for Inmate Housing, which established the terms and conditions under which the City will transfer custody of certain inmates to be housed at SCORE'S correctional facility (the "Facility"); and

WHEREAS, in addition to using the Facility, the City operates its own jail and uses other service providers to provide medical services to its inmates; and

WHEREAS, SCORE operates medical facilities in order to provide diagnosis and treatment services for inmates on a cost-effective and efficient basis; and

WHEREAS, the City now desires to book certain inmates at the Facility (referred to as "Medical Bookings") for the purpose of receiving medical services; and

WHEREAS, at a regular meeting held on March 28, 2012, the administrative board of SCORE approved a new rate structure for inmate housing at the Facility; and

WHEREAS, the parties now desire to amend the original agreement to authorize Medical Bookings and reflect the new rate structure;

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

Section 1. The City Manager is authorized to execute an interlocal agreement amendment substantially similar to that attached as Exhibit "A", which is entitled "First Amendment to Agreement for Inmate Housing – 2011-2021."

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

**FIRST AMENDMENT TO AGREEMENT FOR INMATE HOUSING**

THIS FIRST AMENDMENT TO AGREEMENT FOR INMATE HOUSING (hereinafter "FIRST AMENDMENT"), dated \_\_\_\_\_, 2014, is made and entered into by and between the **SOUTH CORRECTIONAL ENTITY**, a governmental administrative agency formed pursuant to RCW39.34.030(3) ("SCORE") and the **CITY OF KIRKLAND**, a municipal corporation organized under the laws of the State of Washington (hereinafter the "City," and together with SCORE, the "Parties" or individually a "Party"), and amends that certain Agreement for Inmate Housing effective for the period November 1, 2011 through December 31, 2021 by and between the Parties (the "Original Agreement").

WHEREAS, the Parties entered into the Original Agreement for the purpose of establishing the terms and conditions pursuant to which the City will transfer custody of certain inmates to SCORE to be housed at SCORE'S correctional facility (the "Facility"); and

WHEREAS, SCORE operates medical facilities in order to provide diagnosis and treatment services for inmates on a cost-effective and efficient basis; and

WHEREAS, in addition to using the Facility, the City operates its own jail and uses other service providers to provide medical services to its inmates; and

WHEREAS, the City now desires to book certain inmates at the Facility (referred to herein as "Medical Bookings") for the purpose of receiving medical services; and

WHEREAS, the Parties now desire to amend the Original Agreement to authorize Medical Bookings as provided herein; and

WHEREAS, at a regular meeting held on March 28, 2012, the Administrative Board of SCORE (the "Board") approved a new rate structure for inmate housing at the Facility; and

WHEREAS, the Parties now desire to amend the Original Agreement to reflect the new rate structure as set forth herein;

NOW, THEREFORE, the Parties hereto agree as follows:

**Section 1.01. Definitions.** All capitalized words and phrases, including those in the recitals, not otherwise defined herein shall have the meanings given to them in the Original Agreement.

**Section 1.02. Amendments to Original Agreement.**

(1) Definitions. A new definition is hereby added to Section 2 of the Original Agreement as follows:

Medical Booking - an inmate subject to City custody who is transferred to SCORE'S custody under this Agreement for the purpose of receiving medical care, which may include but is not limited to, medical screening, pharmaceutical management, and other medical procedures as deemed appropriate by the health care provider.

(2) Bookings. Section 8 of the Original Agreement is amended to read as follows:

**8. Bookings.** City Inmates shall be booked pursuant to SCORE'S booking policies and procedures.

Pursuant to RCW 70.48.130, and as part of the booking procedure, SCORE shall obtain general information concerning the City Inmate's ability to pay for medical care, including insurance or other medical benefits or resources to which a City Inmate is entitled. The information is to be used for third party billing.

In addition to other persons to be held in custody under the terms of this Agreement, SCORE hereby agrees to accept Medical Bookings from the City. Inmates brought to SCORE for Medical Bookings shall not be in need of emergency medical care. Once custody of a Medical Booking is transferred from the City to SCORE, such Medical Booking shall be considered a "City Inmate" for purposes of this Agreement. At all times when SCORE maintains custody of a Medical Booking, services to be provided to shall be subject to the terms of this Agreement. After medical services have been provided, or as directed by the City, the Medical Booking shall be returned to the City. Thereafter, custody shall be retained by the City and SCORE shall not be responsible for nor incur any liability to such Medical Booking.

In exchange for accepting Medical Bookings and the provision of medical services as provided herein, the City agrees to compensate SCORE \$250 per Medical Booking plus the daily housing rate for any time served in excess of the first calendar day.

(3) **Bed Rate.** Section 27 of the Original Agreement is hereby replaced in its entirety with the following:

**27. Bed Rate.** In consideration of SCORE'S commitment to house City Inmates, the City shall pay SCORE based upon the rates and other applicable fees or charges stated in this Agreement.

A.	<b><u>Guaranteed Bed Rate:</u></b>	
	<b>2012 -10 year Guaranteed Rate</b>	\$90.00
	Number of Guaranteed Beds	5

City's use of guaranteed beds is averaged on a monthly basis. All contract rates are established to recover full cost of services. Guaranteed Rates for the following year will be based upon actual expenses from the period of April 1 - March 31 of each calendar year. An estimate of the Guaranteed Rates will be provided by July 1 of each year for the following year.

The Guaranteed Rate includes all in-facility medical, dental (if available), and mental health services, and pharmaceuticals, except for medications for HIV, hepatitis, and biologics. In the event a City Inmate requires out-of-facility medical, dental or mental health services, the City shall be responsible for the cost of the services.

SCORE shall not charge a booking fee in connection with housing the City's Inmates.

(4) **Specialty Housing Surcharge.** Section 28 is hereby replaced in its entirety.

**28. Specialty Housing Surcharge.** Should the City average fifty percent (50%) or more of its City Inmates in Specialty Housing for any month, the City will pay a Specialty Housing surcharge based upon that population. The Specialty Housing surcharge will be established on an annual basis, no later than July 1 of each year, at a rate not to exceed \$50 per day.

(5) Attachment F - Inmate Release. Section 1 of Attachment F is hereby replaced in its entirety with the following:

1. To the City for return to the Inmate's residence or closest Member City of arrest.

**Section 1.03. Effective Pate of Rate Modification.** The Parties hereby agree that the rate amendments set forth in Section 1.02 of this First Amendment shall be effective beginning November 01, 2013 through August 31, 2014.

**Section 1.04. Survival of Provisions.** Except to the extent modified by this First Amendment, the terms of the Original Agreement shall continue in full force and effect until the expiration or termination of the Original Agreement in accordance with its terms.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment, all as of the day and year first above mentioned.

**CITY OF KIRKLAND**

**SOUTH CORRECTIONAL ENTITY**

By \_\_\_\_\_

By \_\_\_\_\_

ATTEST:

By \_\_\_\_\_

City Clerk

APPROVED AS TO FORM:

By \_\_\_\_\_

Robin Jenkinson

City Attorney



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

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## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Tracey Dunlap, Director of Finance and Administration  
Sri Krishnan, Financial Planning Manager  
George Dugdale, Budget Analyst

**Date:** January 6, 2014

**Subject:** **FINAL 2014 PROPERTY TAX LEVY**

### RECOMMENDATION:

City Council approves the attached Ordinance O-4430, which repeals Ordinance O-4425 approved on November 19, 2013 and establishes the final regular and excess property tax levy for the City of Kirkland's 2014 fiscal year.

The separate levy amount associated with Fire District 41 debt, which was adopted by Ordinance O-4426 on November 19, 2013, is unchanged and Ordinance O-4426 remains in effect.

### BACKGROUND DISCUSSION:

The attached ordinance reflects the final property tax levy data received from King County on January 6, 2014. This ordinance replaces Ordinance O-4425, which was approved on November 19, 2013 in order to meet the County's deadline for 2014 levy information, December 6, 2013. As noted in the preliminary 2014 property tax levy memo, the initial levy was set intentionally high to ensure that the City would capture any additional new construction, annexation, and state assessed valuation that were not recorded at the time of the preliminary levy.

At the Council's December 10, 2013 meeting, Ordinance O-4430 was presented but not acted upon as the final numbers were not yet available to the City. King County will implement the final levy amount based on the data received on January 6, 2014 and the excess debt levy amounts provided by the City. Ordinance O-4430 is a housekeeping measure that reflects the final numbers so that the City's official records indicate the correct levy amounts for 2014.

### LEVY WORKSHEET FROM KING COUNTY

The levy worksheet received from King County shows the final 2014 levy amount for the City of Kirkland will be **\$26,168,501**, at a rate of **\$1.65893** per \$1000 of assessed valuation.

As the State of Washington sets property tax as a dollar amount, rather than as a rate, the assessor calculates the City's levy using previous year's levy amount, \$25,526,169. The optional 1 percent increase is added to this, as well as the new construction levy of \$352,187 to reach a levy of \$26,133,618. Finally, relevel and other corrections totaling \$34,883 are added to this number to get the final amount of \$26,168,501 as summarized in the table below.

Levy	Amount
2013 Regular Levy*	25,526,169
Optional 1 Percent Increase	255,262
New Construction	352,187
Other Adjustments	34,883
<b>Total Regular Levy</b>	<b>26,168,501</b>

\* Includes Parks Maintenance Levy, 2012 Road Levy, and 2012 Parks Levy

Note that the 2015 base levy amount will equal the levy amount prior to relevy and corrections, \$26,133,618.

Once the total levy has been set, the rate is calculated by dividing the total levy by the stated assessed valuation for the City of Kirkland \$15,774,360,007, which yields the regular levy rate of \$1.65893 per/1000 of AV ( $\$26,168,501 / (\$15,774,360,007 / 1000) = \$1.65893$ ).

In addition to the regular levy, some property owners in Kirkland pay debt service on either voter approved park and public safety bonds or Fire District 41 bonds as described below. Whether an individual property is assessed a debt related levy is based on its location within the City.

### EXCESS LEVY

The excess levy for park and public safety bonds in 2014 is \$656,958 and is paid by homeowners living in within the pre-annexation boundaries of the City. This levy is divided by assessed valuation per \$1,000 in the relevant area for an excess levy rate of \$0.05778 ( $\$656,958 / (\$11,370,326,884 / \$1000) = \$0.05778$ ). Those living in the neighborhoods that were annexed in 2011 are not subject to the City's voted debt obligation as the annexation was approved with less than 60% of the public vote.

### FIRE DISTRICT 41 LEVY

The City also levies an additional \$480,176 on properties formerly within Fire District 41, for outstanding bonds issued by the Fire District. The 2014 payment for the Fire District bonds is \$470,572, but the City assumes the King County average of 98% collection rate for property tax, therefore sets the levy at \$480,176 ( $\$470,572 / 0.98 = \$480,176$ ). This results in an excess levy rate applied on properties within Fire District 41 of \$0.13709 ( $\$480,176 / (\$3,502,558,190 / \$1000) = \$0.13709$ ).

### SUMMARY

There are three separate rates paid by taxpayers in Kirkland:

Levy Type	Pre-Annexation City	New Neighborhoods Previously Served by FD-41	New Neighborhoods Previously Served by Woodinville or Redmond
Regular Levy Rate	\$ 1.65893	\$ 1.65893	\$ 1.65893
Excess Levy Rate	\$ 0.05778	N/A	N/A
FD-41 Debt Levy	N/A	\$ 0.13709	N/A
<b>Total City Levy Rate</b>	<b>\$ 1.71671</b>	<b>\$ 1.79602</b>	<b>\$ 1.65893</b>

The table below shows how the rates shown above have changed from those estimated in the preliminary levy and Ordinance presented to Council on November 19, 2013.

Levy Type	Pre-Annexation City	New Neighborhoods Previously Served by FD-41	New Neighborhoods Previously Served by Woodinville or Redmond
Preliminary Levy	\$ 1.75524	\$ 1.84016	\$ 1.70304
Final Levy	\$ 1.71671	\$ 1.79602	\$ 1.65893
<b>Difference</b>	<b>\$ (0.03853)</b>	<b>\$ (0.04414)</b>	<b>\$ (0.04411)</b>

ORDINANCE O-4430

AN ORDINANCE OF THE CITY OF KIRKLAND 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.

WHEREAS, the City Council previously held a public hearing on November 19, 2013, to consider amendments to the 2013-2014 Biennial Budget; and

WHEREAS, the City Council and the City Manager have considered the anticipated financial requirements of the City of Kirkland for the fiscal year 2014; and

WHEREAS, pursuant to RCW 35A.33.135, the City Council is required to determine and fix by ordinance the amount to be raised by ad valorem taxes; and

WHEREAS, on November 19, 2013, the City Council passed Ordinance O-4425 which was the preliminary property tax levy representing the maximum amount to be levied; and

WHEREAS, the City Council wishes to repeal the preliminary property tax levy and pass the final tax levy based upon the most recent property tax levy data provided by King County which will be a reduction from the levy amount in Ordinance O-4425; and

WHEREAS, RCW 84.55.120 requires that the increase in the levy over the prior year shall be stated both as to dollars and percentage;

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Ordinance O-4425 passed November 19, 2013, is hereby repealed.

Section 2. The regular property tax levy for the year 2014 is hereby fixed and established in the amount of \$26,168,501. This property tax levy represents a dollar increase of \$255,262 and a percentage increase of 1.00% from the previous year, excluding the addition of new construction, improvements to property, any increase

in state-assessed property, and administrative refunds as shown below:

	Amount
<b>2014 Regular Levy</b>	<b>26,168,501</b>
Less 2013 Levy	25,526,169
Less New Construction	352,187
Less Refunds	34,883
<b>Increase to Existing Properties</b>	<b>255,262</b>
<b>Percent Increase</b>	<b>1.00%</b>

Section 3. There is hereby levied for 2014 upon all property, both real and personal, within the City of Kirkland, Washington, and within the area subject to tax levies for the principal and interest of all general obligation bond issues, a total voted property tax of \$656,958 on the total of assessed valuation for such property.

Section 4. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

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



## 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:** January 10, 2014

**Subject:** REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF JANUARY 21, 2014

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 December 19, 2013, are as follows:

	Project	Process	Estimate/Price	Status
1.	Parks Lawnmowers (6)	Cooperative Purchase	\$352,372.51	Ordered using WA State Contract with Western Equipment Distributors of Kent, WA.
2.	Audio-Visual Equipment and Services for Public Safety Building	Request for Proposals	\$205,641.00	RFP advertised on 12/3 and 4 proposals received on 12/20. Contract being awarded to Jaymarc AV of Seattle.

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



**CITY OF KIRKLAND**  
Department of Parks & Community Services  
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300  
www.kirklandwa.gov

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## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Jennifer Schroder, Director  
Linda Murphy, Recreation Manager

**Date:** January 10, 2014

**Subject:** RESOLUTION REGARDING SITES AND USES TO BE CONSIDERED FOR A POTENTIAL FACILITY TO REPLACE THE JUANITA AQUATIC CENTER

## RECOMMENDATION

That the City Council adopts a resolution which identifies sites and uses to be considered for a potential facility to replace the Juanita Aquatic Center and directs staff to solicit community input.

## BACKGROUND

In September of 2013 the City Council amended the City's 2013-2014 Work Program to explore options for replacing the Juanita Aquatic Center at Juanita High School. In December 2013 staff provided Council with information about current operations at the Aquatic Center, trends in aquatic facilities and programs, and an initial list of potential sites to be considered. The Council provided direction to staff on sites to undergo initial examination.

A preliminary analysis of the selected sites is scheduled to be presented to the City Council at their study session on January 21. Following the study session, Council will consider adoption of the attached resolution which will specifically identify those sites the Council would like to further consider as well as determine the potential uses of the pool facilities and directing staff to initiate public outreach on pool sites and user options.

As drafted, the resolution identifies **Juanita Beach Park** and the **North Kirkland Community Center** sites as the two locations to move to the next phase of analysis. Council may add or subtract sites to the resolution. The resolution also directs staff to design a pool to accommodate the needs of the Lake Washington School District as well as the broadest possible mix of public use, including competition, recreation, and wellness/fitness/therapy opportunities. Council may modify the proposed mix of users.

Finally, upon approval of the resolution, staff will develop a public involvement process seeking input from residents and potential project partners on the identified sites and desired program components for a new facility. Tentatively, staff will plan to provide a report with recommendations from the Park Board to the Council on March 18, but no later than April 1, 2014.

Attachment

cc: Park Board  
Dr. Traci Pierce, Superintendent, Lake Washington School District

RESOLUTION R-5029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SELECTING SITES AND USES TO BE CONSIDERED FOR A POTENTIAL FACILITY TO REPLACE THE JUANITA AQUATIC CENTER AND DIRECTING THE PARKS AND COMMUNITY SERVICES DEPARTMENT TO SOLICIT RESIDENT INPUT.

WHEREAS, research indicates that swimming is an activity that provides considerable individual and community benefits: it improves general health and wellness; it can be continued for a lifetime; it allows those who are unable to walk or run the opportunity for exercise; it fills a recreational need for both individuals and families across all economic and social strata; and it improves community safety by enhancing water safety for our children; and

WHEREAS, the benefits of swimming promote an active and fit community that, in turn, ensures that Kirkland remains attractive as both an economically vibrant city and as a recreational destination; and

WHEREAS, aquatic facilities have been an essential part of the Kirkland community and culture for over 45 years, beginning with construction of Peter Kirk Pool in 1968, followed in 1971 with the construction of the Juanita Aquatic Center at Juanita High School; and

WHEREAS, since 2001 the City of Kirkland's Comprehensive Park, Recreation, and Open Space (PROS) Plan has identified the need for more multi-use recreation space in the community; and

WHEREAS, the 2007 Kirkland Indoor Recreation Feasibility Study described a prototype multi-use recreation center which would respond to community needs and interests and which included an aquatics facility component; and

WHEREAS, according to the standards of the National Recreation and Parks Association, the current aquatic facilities do not meet local needs; and

WHEREAS, Kirkland lacks aquatic facilities to more broadly serve its general population, especially in comparison with national statistics and trends; and

WHEREAS, in August of 2013 the Lake Washington School District Board of Directors adopted a resolution to place a school bond measure on the February 2014 ballot; and

WHEREAS, the proposed 2014 school bond measure does not include funding for the replacement of the Juanita Aquatic Center, located at Juanita High School in Kirkland, and therefore the Aquatic Center will close as early as 2017; and

WHEREAS, the Juanita Aquatic Center is the sole public indoor, year-round aquatic facility in the Kirkland community which provides a variety of critical recreational, educational, competitive, and health and wellness activities for residents of all ages; and

WHEREAS, in September of 2013 the Lake Washington School District Board of Directors adopted a resolution affirming its intent to enter into future pool partnerships with cities and/or other entities and resolving to authorize a portion of unspent existing school capital funds for potential pool partnerships should the 2014 school bond measure pass; and

WHEREAS, the City is committed to partnering with the Lake Washington School District and other interested public and private organizations to explore options for replacing the Juanita Aquatic Center by 2017; and

WHEREAS, in September of 2013 the City Council adopted a resolution amending the City's 2013-2014 Work Program to include studying options for replacement of the Juanita Aquatic Center and subsequently allocated funding for this purpose; and

WHEREAS, the Parks and Community Services Department has completed a preliminary evaluation of potential sites and presented its findings and conclusions to the City Council; and

WHEREAS, the City Council believes a new public aquatic facility must meet the needs of the Lake Washington School District as well as serve all members of the public from children to seniors and must provide programming including swim instruction, recreation and competition opportunities as well as wellness, fitness and rehabilitation options; and

WHEREAS, the City Council wishes to better understand the aquatic siting options, interests, and level of support by residents;

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

Section 1. The Parks and Community Services Department is directed to:

1. Conduct further investigation and analysis of Juanita Beach Park and the North Kirkland Community Center

as locations for a facility to replace the Juanita Aquatic Center.

2. Design a facility to serve needs of the Lake Washington School District as well as the broadest possible general public population.
3. Conduct outreach with the community and potential project partners on possible facility components as well as siting preferences.
4. Provide a report to the City Council with recommendations from the Park Board on facility components and siting by no later than April 1, 2014.

Section 2. The City Manager is authorized and directed to implement steps necessary to achieve these tasks.

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](http://www.kirklandwa.gov)

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Pam Bissonnette, Interim Public Works Director  
Rob Jammerman, Development and Environmental Services Manager  
Jenny Gaus, Surface Water Engineering Supervisor

**Date:** January 9, 2014

**Subject:** PROPOSED SETTLEMENT OF REMAINING 2013-2018 NPDES PHASE II  
MUNICIPAL STORMWATER PERMIT APPEAL ISSUES

**RECOMMENDATION:**

It is recommended that City Council approves the attached resolution authorizing the settlement of the remaining issues in the 2013-2018 National Pollutant Discharge Elimination System ("NPDES") Phase II Stormwater Permit Appeal.

**BACKGROUND AND DISCUSSION:**

In August 2012, a Coalition of Governmental Entities ("Coalition") filed an administrative appeal of certain conditions of the NPDES Phase II 2013-2018 Permit with the Washington State Pollution Control Hearings Board ("PCHB"). The Coalition members include the following cities: Auburn, Bainbridge Island, Bellevue, Bothell, Bremerton, Burlington, Camas, Des Moines, Everett, Ferndale, Issaquah, Kelso, Kent, Kirkland, Longview, Lynnwood, Mount Vernon, Poulsbo, Renton, Sammamish, SeaTac, Snoqualmie and Sumner, as well as Cowlitz County.

The City participated in the appeal because of potential conflicts between City and state authority and the Permit. Kirkland is committed to water quality improvement and stormwater has been identified as the number one pollutant impacting the health of the Puget Sound. Kirkland has and will continue to find cost-effective and efficient means to improve the quality of the stormwater that it discharges to Lake Washington and ultimately to the Puget Sound. The concern is *how* the work will be done, rather than *whether* the work should be done to improve water quality. City staff recommended participation in the appeal because they wanted to concentrate on programs and projects that improve water quality and support economic development, rather than having to engage in expensive and time-consuming legal conflicts over land use planning.

The PCHB held a consolidated hearing on the appeal issues that both Phase I permittees and the Coalition of Phase II permittees have in common (October 2013). The Phase I permittees participating in the consolidated hearing were Pierce County, Snohomish County, Clark County, King County, the Building Industry Association of Clark County, City of Tacoma, City of Seattle, and the Washington State Department of Transportation ("WSDOT"). The Department of Ecology ("DOE") and intervenors Puget Soundkeepers' Alliance and Rosemere Neighborhood Association ("PSA") also participated in the hearing. We expect a ruling later this month.

The PCHB has scheduled the hearing on the remaining permit issues in April 2014. Over the last few months, the Coalition, WSDOT, and King County have been working with DOE to reach an

agreement on the remaining permit issues (definition clarifications and elimination of the one-acre threshold exemption) prior to the hearing in April. Agreement by DOE to the Coalition's definitions proposal will narrow the scope and cost to permit holders for monitoring; will decrease the number of potential locations for water quality violations; and will limit the possibility of third-party claims for those violations, which can be very costly to defend and involve the award of penalties and attorney fees against local governments.

The "trade-off" required by DOE to accept the Coalition's definitions proposal is for the Coalition to dismiss the remaining challenge to the Phase II Permit (elimination of the one-acre threshold exemption). WSDOT and King County joined the Coalition on the definitional concerns, but not the one-acre threshold issue. Since WSDOT and King County intend to settle with DOE, we will have no partners in the appeal hearing in April. Not only will this make our case less compelling to the PCHB with fewer appellants, but the PCHB will be under no obligation to impose the definitional amendments sought by the Coalition for our Permit.

The proposed settlement will significantly resolve concerns raised by Coalition members about the definitions. In addition, the Coalition will continue to negotiate with DOE, as well as the Department of Commerce and the Puget Sound Regional Council, to address the elimination of the one-acre threshold exemption and the economic impacts of a one-size-fits-all requirement for stormwater detention, and to develop effective solutions to balancing equally critical growth management and water quality objectives in urban growth centers. At this time, DOE is willing to work with the Coalition on these issues and to develop guidance and/or issue papers with options. The settlement of these issues does not in any way impact the challenges to the other Permit conditions that have already been presented to the PCHB in the consolidated hearing (ruling expected later in January).

RESOLUTION R-5030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ACCEPTING THE PROPOSED SETTLEMENT OF THE REMAINING ISSUES IN THE ADMINISTRATIVE APPEAL OF THE 2013-2018 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PHASE II PERMIT.

WHEREAS, in September 2012, the City Council authorized the City of Kirkland to join a coalition of local governments in filing an administrative appeal of the 2013-2018 National Pollutant Discharge Elimination System (NPDES) Phase II Permit with the Washington State Pollution Control Hearings Board (PCHB); and

WHEREAS, in October 2013, the PCHB held a consolidated hearing on appeal issues held in common by both appealing Phase I and Phase II permittees and a ruling is expected on those issues within the month; and

WHEREAS, the PCHB has scheduled a hearing on the remaining appeal issues in April 2014; and

WHEREAS, in anticipation of the next hearing, the Coalition along with Washington State Department of Transportation and King County explored settlement opportunities with the Washington State Department of Ecology (DOE); and

WHEREAS, DOE has agreed to either issue new guidance documents and make modifications to the 2013-2018 NPDES Phase II Permit language to clarify or amend definitions at issue; and

WHEREAS, the proposed settlement includes clarifications that will: narrow the scope and cost to permit holders; decrease the number of potential locations for water quality violations; and limit the possibility of third-party claims for water quality violations; and

WHEREAS, the City must notify DOE by January 31, 2014, as to whether it will accept the settlement proposal; and

WHEREAS, the City Council finds that the proposed settlement is in the best interest of the City of Kirkland and wishes to accept the proposed settlement of the remaining issues in the appeal of the 2013-2018 NPDES Phase II Permit;

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

Section 1. The City Manager is authorized to execute a settlement of the remaining issues in the appeal of the 2013-2018

NPDES Phase II Permit including changes to definitions substantially in the form shown in Exhibit A, and incorporated by this reference.

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

**Exhibit A: Proposed Changes to Definitions for Outfall & Receiving Waters and  
Addition of Discharge Point Definition  
As Agreed To by Phase II Coalition/Appellant and Ecology Representatives 12/9/13  
With accompanying explanatory notes**

- A. “Outfall” means a point source as defined by 40 CFR 122.2 at the point where a discharge leaves the permittee’s MS4 and enters a receiving waterbody or receiving waters. Outfall also includes the permittee’s MS4 facilities/BMPs designed to infiltrate stormwater.

Explanatory notes for “outfall” (to be converted into guidance):

- “a point source as defined by 40 CFR 122.2” = limits outfalls as “discernible, confined and discrete conveyances”
  - “at the point where” = further modifies “discernible, confined and discrete conveyances” to a discernible, confined and discrete point; excludes stormwater conveyances that have no outlet, such as dispersion BMPs
  - “a discharge” = applies not only to stormwater but also to illicit discharges
  - “leaves the permittee’s MS4” = intentionally possessive to a single MS4 permittee, not a group MS4 of permittees; excludes private and unregulated public stormwater systems for the purposes of its use in this permit. It is likely that municipalities will want to identify private or unregulated public outfalls in order to have a comprehensive understanding of drainage within their jurisdiction.
  - “and enters a receiving waterbody or receiving waters.” = see definition of receiving waterbody and receiving waters (e.g., surface water and groundwater)
  - “Outfall also includes the permittee’s MS4” = intentionally possessive to a single MS4 permittee, not a group of MS4 permittees; excludes private and unregulated public stormwater systems for the purposes of its use in this permit. It is likely that municipalities will want to identify private or unregulated public outfalls in order to have a comprehensive understanding of drainage within their jurisdiction.
  - “facilities/BMPs” = broad use of the term “facilities/BMPs” to accommodate a wide range of infiltration facilities including any pre-existing facilities and retrofit facilities; not limited to “stormwater treatment and flow control BMPs/facilities” as defined in the permits.
  - “designed to infiltrate stormwater.” = limits applicable infiltration facilities/BMPs to those that are designed to infiltrate; excludes facilities/BMPs that inadvertently infiltrate, such as ditches and swales. For the purposes of this permit, UIC facilities are categorically excluded; however it is likely that municipalities will want to identify UIC facilities as a form of an outfall in order to have a comprehensive understanding of drainage within their jurisdiction.
  - Outfall does not include [the points where] pipes, tunnels, or other constructed conveyances which connect segments of the same receiving waters and are primarily used to convey receiving waters (for example: stream culverts). = excludes in-stream culverts that convey the stream under roadways; excludes the outlets of streams that have been piped under development areas.
- B. “Receiving waterbody” or “receiving waters” means naturally and/or reconstructed naturally occurring surface water bodies, such as creeks, streams, rivers, lakes, wetlands, estuaries, and marine

**Exhibit A: Proposed Changes to Definitions for Outfall & Receiving Waters and  
Addition of Discharge Point Definition  
As Agreed To by Phase II Coalition/Appellant and Ecology Representatives 12/9/13  
With accompanying explanatory notes**

waters, to which a discharge occurs via an outfall or via sheet/dispersed flow. Receiving waters also include ground water to which a discharge occurs via facilities/BMPs designed to infiltrate stormwater.

Explanatory notes for “receiving waterbody” or “receiving waters” (to be converted into guidance):

- A receiving water body is not defined by the type of discharge it receives. For example, an illicit discharge of non-stormwater can occur to receiving water. Thus, the definition does not specify what is discharged.
- It is acceptable to retain the last use of “stormwater” because it is referring to what the facilities/BMPs were designed to do.
- This definition does not refer to MS4 either, because a receiving waterbody is not defined by who discharges to it.
- The definition does not indicate that the discharge must be intentional (i.e., to which a discharge is directed) because a receiving waterbody is not defined by an intention to discharge.

- C. “Discharge point” means the location where a discharge leaves the permittee’s MS4 to another permittee’s MS4 or a private or public stormwater conveyance. “Discharge point” also includes the location where a discharge leaves the permittee’s MS4 and discharges to ground, except where such discharge occurs via an outfall.

Explanatory notes for “discharge point” (to be converted into guidance):

- “the location” = avoids circular use of “point” in the term and the definition; avoids confusion with 40 CFR 122.2 point source
- “where a discharge” = applies not only to stormwater but also to illicit discharges
- “leaves” = the use of discharge point in the permit is always referring to a permittee’s discharge from their MS4 to something else.
- “the permittee’s MS4” = intentionally possessive to a single MS4 permittee, not a group MS4 of permittees
- “to” = the use of discharge point in the permit is always referring to a permittee’s discharge from their MS4 to something else.
- “another permittee’s MS4” = applies to permitted regulated MS4s
- “or a private” = applies to private stormwater infrastructure
- “or public” = applies to non-permitted and/or non-regulated publicly owned or operated stormwater infrastructure
- “stormwater conveyance” = broadly used to indicate stormwater infrastructure
- “and discharges to ground,” = the discharge need not reach groundwater to be considered a discharge to ground

**Exhibit A: Proposed Changes to Definitions for Outfall & Receiving Waters and  
Addition of Discharge Point Definition  
As Agreed To by Phase II Coalition/Appellant and Ecology Representatives 12/9/13  
With accompanying explanatory notes**

- “except where such discharge occurs via an outfall.” = ties back to revised outfall definition to prevent a situation where something is both an outfall and a discharge point; does not limit discharge points to ground to infiltration facilities/BMPs that are designed to infiltrate; includes facilities/BMPs that inadvertently infiltrate, such as ditches and swales; includes stormwater conveyances that have no outlet, such as dispersion BMPs
- The permit does not need to specify “connection point” as it uses the word “connections” in a basic dictionary use.



**CITY OF KIRKLAND**  
Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033  
425.587-3225 - [www.kirklandwa.gov](http://www.kirklandwa.gov)

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Eric Shields, Planning Director  
Paul Stewart, Deputy Planning Director  
Robin Jenkinson, City Attorney

**Date:** January 10, 2014

**Subject:** Options for Addressing Recreational Marijuana Businesses in Kirkland

**RECOMMENDATION**

City Council reviews the options provided below and provides direction to staff.

**BACKGROUND DISCUSSION**

Since applications for marijuana retail and processing facilities have been filed, citizens have expressed concerns about potential marijuana sales along Market Street. At the January 7, 2014 Council meeting, the Council directed staff to provide options about how to respond to citizen concerns. This memorandum does not address medical marijuana and focuses on marijuana sales, not on processing or production. Recreational sales of marijuana are currently considered to be a retail use and would be allowed in those zones that allow retail subject to rules and licensing requirements adopted by the Washington State Liquor Control Board (e.g. the 1000' buffer restrictions). The Liquor Control Board (WSLCB) has allocated two retail licenses to the City of Kirkland.

Attachment 1 is the list of applications currently submitted to the LCB as of January 7, 2014 and Attachment 2 is a map that shows the location of the applications by type. Note that many of the applications do not comply with zoning. For example an application was submitted for processing along Market Street where only retailing is allowed. Attachment 3 is a memorandum prepared for Council discussion at its August 2013 meeting. Attachment 4 is a summary of the regulations and issues concerning recreational marijuana prepared by City Attorney Robin Jenkinson earlier this year.

Following is a list of options. Section A addresses substantive options and Section B discusses procedural options.

A. Substantive Options:

1. Maintain current regulations that treat marijuana sales the same as any other retail use. Sale of marijuana would continue to be allowed in any zone allowing retail uses, including the Market Street Corridor (MSC) Zones, subject to all applicable zoning regulations.  
Staff has drafted a letter to the WSLB informing them of applications for sites in Kirkland that do not comply with the state regulations and should be eliminated for

consideration. Even if the existing zoning is maintained, the Council could choose to amend this letter to the WSLCB advising it of preferred license locations. The letter could indicate that the Market Street locations are not sites the City finds suitable due to the proximity to school walk routes, traffic impacts to Market Street and proximity to low density residential areas. A draft of such a letter is included as Attachment 3.

2. Impose limitations on *marijuana sales* :

- a. Identify zones which now allow retail uses in which marijuana sales would be specifically prohibited. For example, some of the zones in which retail sales are allowed are actually classified as Office Zones. MSC 1 and 4 along Market Street. and Rose Hill 8 at the east end of NE 85<sup>th</sup> Street are examples. Zoning regulations could be amended to prohibit marijuana sales in Office Zones. This option would address the majority of properties along Market Street but would still leave marijuana sales allowed in the MSC 2 and 3 zones located at 15<sup>th</sup> and 7<sup>th</sup> Avenues and Market Street. (Note: 7<sup>th</sup> Avenue would be precluded since it is within the 1000' buffer from Heritage Park).
- b. Prohibit marijuana sales on sites that abut or are within a specified distance from a low density residential zone. This would affect most properties along Market Street as well as several other parts of the City. Although this would "protect" low density zones, residents living in higher density zones would not be similarly protected. A variation on this concept would be to prohibit marijuana sales on sites that abut or within a specified distance of city-designated school walk routes.
- c. As discussed with the Council previously, other restrictions for marijuana sales could be instituted, dealing with issues such as:
  - Size of businesses (maximum floor area);
  - Amount of product available for sale;
  - Hours of operation; and/or
  - Prohibition on drive-in and drive-through facilities (already prohibited along Market Street)

3. Remove *retail uses as permitted uses in certain zones*:

Rather than regulating marijuana sales specifically, zoning changes could address retail uses more generally. As noted above, retail uses are allowed in certain Office Zones (MSC 1 and 4 and RH 8). Rather than prohibit just marijuana sales, this option would remove all retail uses as permitted uses in one or more of these zones.

One consequence of this option would be that some existing uses (for example hair salons) would become nonconforming uses. To avoid this, it would be possible to replace the broad retail use listing with a more limited listing that allows only personal services. Note also that restaurants would continue to be allowed unless those uses were also eliminated.

This option would still leave retail in the MSC 2 zone.

B. Procedural Options:

Options A.2 and A.3 above require changes to zoning. This could be handled in one of the following ways:

1. Refer the matter to be addressed in the Comprehensive Plan update. This option would

maintain existing zoning until mid-2015.

2. Direct the Planning Commission to consider desired changes as soon as possible. With work on the Comprehensive Plan and other projects, the Commission meetings are already scheduled out. Marijuana zoning would have to be worked into the schedule. In addition, state and City regulations require changes to be made in a deliberative manner. Therefore adoption of new regulations through the standard process would likely take several months.
3. In addition to option 2 above, the City Council could adopt interim regulations that could take effect quickly. The interim regulations would have an initial maximum duration of six months during which time the City would prepare ongoing regulations using option 2 above. Depending on the complexity of the regulations, an ordinance could be prepared for a public hearing and the Council could adopt interim regulations as early as the next Council meeting (February 4).
4. As an alternative to interim regulations, the City Council could adopt a six-month moratorium prohibiting the establishment or licensing of any retail seller of marijuana and stating that no building permit, occupancy permit, or other development permit or approval shall be issued for such uses. If the Council chose, the moratorium could be geographically limited. As with option 3, the moratorium could be prepared for consideration, at a public hearing, as early as February 4.

On January 14, 2014, the Washington State Attorney General issued an opinion responding to the following questions from the chair of the LCB:

1. Are local governments preempted by state law from outright banning the location of a WSLCB licensed marijuana producer, processor, or retailer within their jurisdiction?
2. May a local government establish land use regulations (in excess of the I-502 buffer and other WSLCB requirements) or business license requirements in a fashion that makes it impractical for a licensed marijuana business to locate within their jurisdiction?

In the Opinion, a copy of which is attached, the Attorney General concludes: 1) that Initiative 502 does not preempt local jurisdictions from banning marijuana businesses within their jurisdictions; and 2) local ordinances that do not expressly ban state-licensed marijuana licensees from operating within their jurisdictions but make such operations impractical are valid if they properly exercise the local jurisdiction's police power. While attorney general opinions are not binding on the courts, they are oftentimes given considerable weight. There have not been any reported Washington court opinions on this subject.

Attachments:

1. List of marijuana applications as of January 7, 2014
2. Map of marijuana applications
3. Draft letter to the WSLCB
4. Staff memo of July 16, 2013
5. Regulating Recreational Marijuana
6. School Walk Routes
7. 2014 AGO Opinion No. 2

## MARIJUANA LICENSE APPLICATIONS (1/8/14)

### Producers

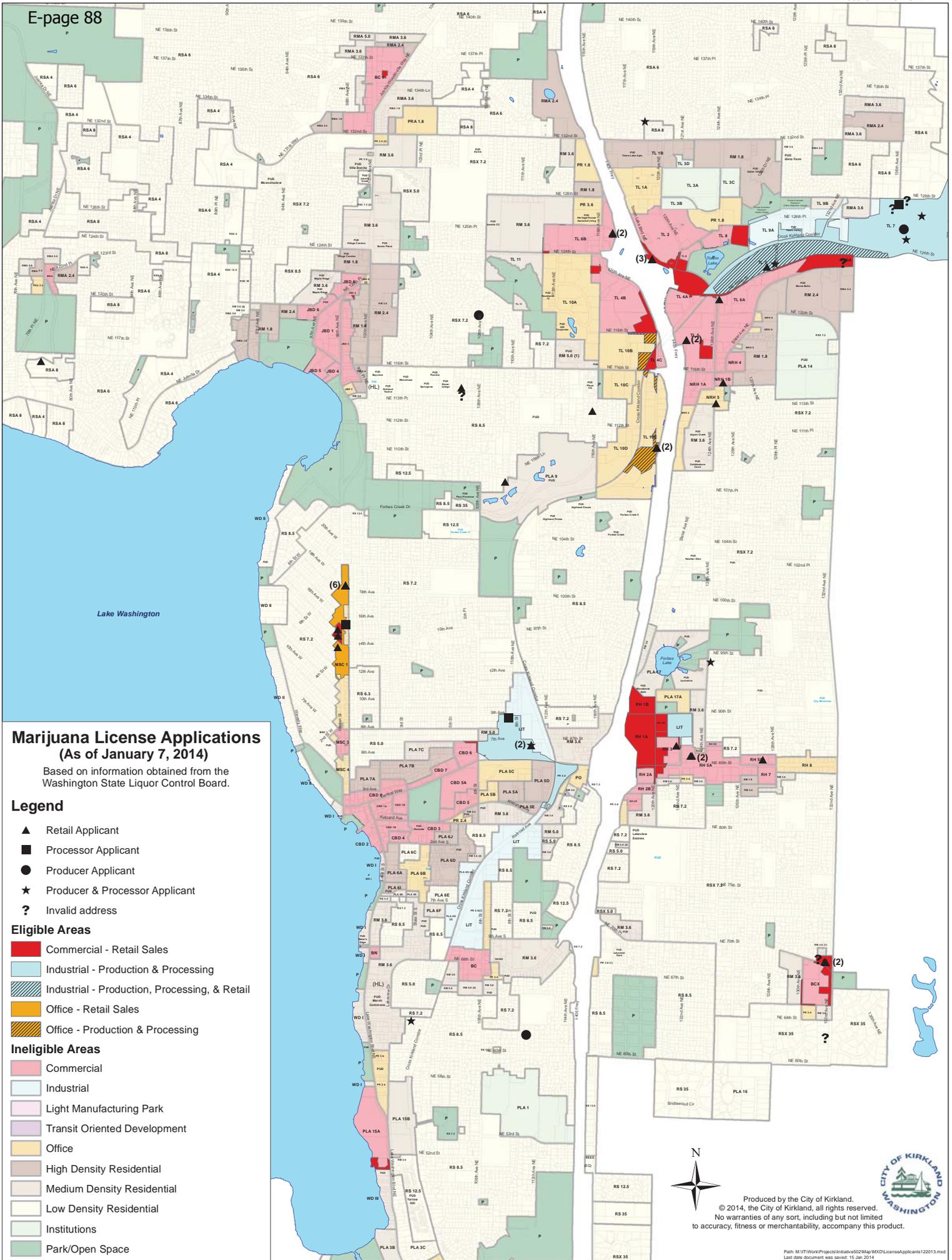
Tradename	Licensi	StreetAddress	Suite/Rm	City	Sta	County	ZipCode	PrivDesc	DateRci
SEATTLE CANNABIS KITCHENS	053096	6227 102ND PL NE		KIRKLAND	WA	KING	980336923	MARIJUANA PRODUCER TIER 1	20131225
VERDELUX CHOCOLATES	054239	13621 NE 126TH PL STE 425		KIRKLAND	WA	KING	980348755	MARIJUANA PRODUCER TIER 1	20140103
BLUE MOOSE	412968	6105 111TH PL NE		KIRKLAND	WA	KING	980337202	MARIJUANA PRODUCER TIER 2	20131210
IN GOOD SPIRITS	409081	13613 NE 126TH PL STE 350		KIRKLAND	WA	KING	980348722	MARIJUANA PRODUCER TIER 2	0
LESTER FARMS LLC	054326	13600 NE 128TH ST STE D		KIRKLAND	WA	KING	980343363	MARIJUANA PRODUCER TIER 2	20140103
P AND R PROCESSING LLC	054342	9260 124TH AVENE		KIRKLAND	WA	KING	98033	MARIJUANA PRODUCER TIER 2	20140103
TETRA CONSULTING	413292	825 7TH AVE		KIRKLAND	WA	KING	980335749	MARIJUANA PRODUCER TIER 2	20131210
THINK ABOUT IT	412993	11851 108TH AVE NE		KIRKLAND	WA	KING	980343926	MARIJUANA PRODUCER TIER 2	20131211
TURNKEY, LLC	052130	12700 NE 124TH ST STE 16		KIRKLAND	WA	KING	980348304	MARIJUANA PRODUCER TIER 2	20131220
VAJRADHARA PRODUCTS	054112	13649 NE 126TH PL		KIRKLAND	WA	KING	980348715	MARIJUANA PRODUCER TIER 2	20140101
WOWMARIJUANA	053528	13263 119TH AVE NE		KIRKLAND	WA	KING	980342174	MARIJUANA PRODUCER TIER 2	20131227
LEGANJAFairy LLC	051728	13536 NE 126TH PL		KIRKLAND	WA	KING	980348704	MARIJUANA PRODUCER TIER 3	20131217

### Processors

Tradename	Licensi	StreetAddress	Suite/Rm	City	Sta	County	ZipCode	PrivDesc	DateRci
CHAD GROSPE	413915	1524 MARKET ST		KIRKLAND	WA	KING	980335401	MARIJUANA PROCESSOR	20131214
HOH LABS	054536	13600 NE 126TH PL STE D1		KIRKLAND	WA	KING	980348720	MARIJUANA PROCESSOR	20140103
LEGANJAFairy LLC	051728	13536 NE 126TH PL		KIRKLAND	WA	KING	980348704	MARIJUANA PROCESSOR	20131217
LESTER FARMS LLC	054326	13600 NE 128TH ST STE D		KIRKLAND	WA	KING	980343363	MARIJUANA PROCESSOR	20140103
P AND R PROCESSING LLC	054342	9260 124TH AVENE		KIRKLAND	WA	KING	98033	MARIJUANA PROCESSOR	20140103
RECREATION, HEALTH & EXERCISE CONSULT	413184	14253 23RD AVE NE B-301		KIRKLAND	WA	KING	980344991	MARIJUANA PROCESSOR	20131212
SEATTLE CANNABIS KITCHENS	053096	6227 102ND PL NE		KIRKLAND	WA	KING	980336923	MARIJUANA PROCESSOR	20131225
TETRA CONSULTING	413292	825 7TH AVE		KIRKLAND	WA	KING	980335749	MARIJUANA PROCESSOR	20131210
TURNKEY, LLC	052130	12700 NE 124TH ST STE 16		KIRKLAND	WA	KING	980348304	MARIJUANA PROCESSOR	20131220
VAJRADHARA PRODUCTS	054112	13649 NE 126TH PL		KIRKLAND	WA	KING	980348715	MARIJUANA PROCESSOR	20140101
VERDELUX CHOCOLATES	054239	13621 NE 126TH PL STE 425		KIRKLAND	WA	KING	980348755	MARIJUANA PROCESSOR	20140103
WAKALOLO	412807	723 9TH AVE STE A		KIRKLAND	WA	KING	980335662	MARIJUANA PROCESSOR	20131206
WOWMARIJUANA	053528	13263 119TH AVE NE		KIRKLAND	WA	KING	980342174	MARIJUANA PROCESSOR	20131227

## Retailers

Tradename	Licens	StreetAddress	Suite/Rm	City	Sta	County	ZipCode	PrivDesc	DateRc
420 PM CORP	054026	13100 NE 70TH PL		KIRKLAND	WA	KING	980338571	MARIJUANA RETAILER	20140101
420 PM CORP	054027	13112 NE 70TH PL		KIRKLAND	WA	KING	980338571	MARIJUANA RETAILER	20140101
502	051095	11516 124TH AVE NE		KIRKLAND	WA	KING	980334643	MARIJUANA RETAILER	20131210
BILOXI GREEN	412927	1818 MARKET ST		KIRKLAND	WA	KING	980334946	MARIJUANA RETAILER	20131122
BUDDY'S BUDS	414319	12525 TOTEM LAKE BLVD NE		KIRKLAND	WA	KING	980347205	MARIJUANA RETAILER	20131214
BUZZ U	054868	1818 MARKET ST		KIRKLAND	WA	KING	980334946	MARIJUANA RETAILER	20140104
CAMERON DEAK	054638	11236 115TH PL NE		KIRKLAND	WA	KING	980334518	MARIJUANA RETAILER	20140103
CEMA INVESTMENTS	413826	8520 122ND AVE NE 80TH ST		KIRKLAND	WA	KING	980335831	MARIJUANA RETAILER	20131217
EMERALD CITY BOTANICALS	054386	10856 NE 108TH ST		KIRKLAND	WA	KING	980335033	MARIJUANA RETAILER	20140103
FIREPLACE	054759	1818 MARKET ST		KIRKLAND	WA	KING	980334946	MARIJUANA RETAILER	20140104
GOOD NEWS EVERYONE	414073	12642 NE 85TH ST		KIRKLAND	WA	KING	980338045	MARIJUANA RETAILER	20131217
GREAN SEA LLC	054506	12525 TOTEM LAKE BLVD NE		KIRKLAND	WA	KING	980347205	MARIJUANA RETAILER	20140103
GREEN BEE	413330	12700 NE 124TH ST STE 1		KIRKLAND	WA	KING	980348304	MARIJUANA RETAILER	20131127
HECTOR DEGNER	414469	11901 124TH AVE NE		KIRKLAND	WA	KING	980348112	MARIJUANA RETAILER	20131221
IVI ENTERPRISE	413594	11308 124TH AVE NE UNIT 301		KIRKLAND	WA	KING	980334636	MARIJUANA RETAILER	20131213
JACKPOT	414602	13100 ME 70TH PL		KIRKLAND	WA	KING	980330000	MARIJUANA RETAILER	20131227
JOSH'S JOINT	053742	13205 NE 124TH ST # 124		KIRKLAND	WA	KING	980348000	MARIJUANA RETAILER	20140101
KUSH	414407	12525 TOTEM LAKE BLVD NE		KIRKLAND	WA	KING	980347205	MARIJUANA RETAILER	20131225
MAISON BOTANIQUE	413682	1818 MARKET ST		KIRKLAND	WA	KING	980334946	MARIJUANA RETAILER	20131214
MCCORMICK GREEN	413252	1818 MARKET ST		KIRKLAND	WA	KING	980334946	MARIJUANA RETAILER	20131120
MIND'S EYE	413325	1818 MARKET ST		KIRKLAND	WA	KING	980334946	MARIJUANA RETAILER	20131126
OKEEMOMO LLC	054218	11901 124TH AVE NE		KIRKLAND	WA	KING	980348112	MARIJUANA RETAILER	20140103
ONE LOVE ORGANICS	414109	11014 120TH AVE NE STE A		KIRKLAND	WA	KING	980335022	MARIJUANA RETAILER	20131221
ONE LOVE ORGANICS	414173	12504 116TH AVE NE STE A		KIRKLAND	WA	KING	980344321	MARIJUANA RETAILER	20131224
ORGANIC GARDENS	414172	11014 120TH AVE NE STE B		KIRKLAND	WA	KING	980335022	MARIJUANA RETAILER	20131221
ORGANIC GARDENS	414177	12504 116TH AVE NE STE B		KIRKLAND	WA	KING	980344321	MARIJUANA RETAILER	20131224
RECREATIONAL MARIJUANA KING	414401	1431 MARKET ST		KIRKLAND	WA	KING	980335432	MARIJUANA RETAILER	20131217
REOCAPITAL	414346	12106 NE 85TH		KIRKLAND	WA	KING	980338037	MARIJUANA RETAILER	20131217
RESOLUTE PARTNERS	414063	1313 MARKET ST		KIRKLAND	WA	KING	980335456	MARIJUANA RETAILER	20131224
STONER HAZE CORP	054037	6157 132ND AVE NE		KIRKLAND	WA	KING	980338608	MARIJUANA RETAILER	20140101
THC4LESS	414479	12403 NE 124TH ST		KIRKLAND	WA	KING	980344022	MARIJUANA RETAILER	20131225
THE GARDEN L L C.	054499	11341 106TH AVE NE		KIRKLAND	WA	KING	980334435	MARIJUANA RETAILER	20140103
THE GARDEN L L C.	054500	11341 106TH AVE NE STE B		KIRKLAND	WA	KING	980334435	MARIJUANA RETAILER	20140103
THE NOVEL TREE	053596	825 7TH AVE		KIRKLAND	WA	KING	980335749	MARIJUANA RETAILER	20131231
TWISTED GREENS CORP	054035	13114 NE 70TH PL		KIRKLAND	WA	KING	980338571	MARIJUANA RETAILER	20140101
TWISTED SACKS CORP	414475	1417 MARKET ST		KIRKLAND	WA	KING	980335432	MARIJUANA RETAILER	20131225
W & L HOLDINGS	414297	11509 JUANITA DR NE		KIRKLAND	WA	KING	980343421	MARIJUANA RETAILER	20131210



**Marijuana License Applications  
(As of January 7, 2014)**

Based on information obtained from the Washington State Liquor Control Board.

**Legend**

- ▲ Retail Applicant
- Processor Applicant
- Producer Applicant
- ★ Producer & Processor Applicant
- ? Invalid address

**Eligible Areas**

- Commercial - Retail Sales
- Industrial - Production & Processing
- Industrial - Production, Processing, & Retail
- Office - Retail Sales
- Office - Production & Processing

**Ineligible Areas**

- Commercial
- Industrial
- Light Manufacturing Park
- Transit Oriented Development
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space



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Sharon Foster, Board Chair  
 Ruthann Kurose, Board Member  
 Chris Marr, Board Member  
 Washington State Liquor Control Board  
 P.O. Box 43085  
 Olympia, WA 98504-0385

Subject: Comments on Marijuana Applications in Kirkland

Dear Liquor Control Board Members:

On behalf of the Kirkland City Council, I offer the following comments on applications submitted to the Washington State Liquor Control Board (WSLCB) for marijuana retail, processing and production licenses in Kirkland. The City is not opposed to having licensed recreational marijuana uses within the City. Our zoning regulations do not specifically address marijuana as a distinct use. Instead, marijuana businesses are allowed in those zones where retailing, processing or production is allowed.

However, several of the Kirkland applications are in locations where the zoning clearly doesn't allow the type of use proposed. In other locations, the zoning allows the use but the proposed sites are within 1,000 feet of public parks, elementary or secondary schools, child care centers or public transit centers. In addition, there are some locations where the City Council has heard from citizens expressing strong opposition to the siting of marijuana retail facilities. There are also a number of applications listing addresses that are nonexistent. This letter is intended to provide you with information about these issues.

The following license applications are in zones that do not allow retailing, production or processing:

License	Applicant	Address	Zoning Issue
412968	Blue Moose	6105 111 <sup>th</sup> Pl. NE	Producer in residential zone (RS 8.5 zone)
413915	Chad Grospe	1524 Market St.	Processor in office zone (MSC 1 zone)
412993	Think About It	11851 108 <sup>th</sup> Ave. NE	Producer in residential zone (RSX 7.2 zone)
413594	M Enterprise	11308 124 <sup>th</sup> Ave. NE	Retailer in office zone (NRH 3 zone)
414172	Organic Gardens	11014 120 <sup>th</sup> Ave. NE	Retailer in office zone (TL 10E zone)
414297	W & L Holdings	11509 Juanita Dr. NE	Retailer in a residential zone (RSA 8 zone)
053096	Seattle Cannabis Kitchens	6227 102 <sup>nd</sup> Pl NE	Producer & Processor in residential zone (RSX 7.2 zone)
054638	Cameron Deak	11236 115 <sup>th</sup> Pl NE	Retailer in residential zone (RS 8.5 zone)
054386	Emerald City Bot.	10856 NE 108 <sup>th</sup> St.	Retailer in residential zone (RS 8.5 zone)
054499 054500	The Garden LLC	11341 106 <sup>th</sup> Ave. NE	Retailer in residential zone (RS 8.5 zone)
054037	Stoner Haze	6157 132 <sup>nd</sup> Ave NE	Retail in residential zone

A number of applications for uses that would be allowed in the zone where they are proposed appear to be prohibited under RCW 69.50.331 and WAC 314-55-160(2) as the locations are within 1,000 feet of elementary or secondary schools, public parks, child care centers or transit facilities. Following are the applications in that category:

License	Applicant	Address
413826	Cema Investments	8520 122 <sup>nd</sup> Ave. NE
414073	Good News Everyone	12642 NE 85 <sup>th</sup> St.

414109	One Love Organics	12504 116 <sup>th</sup> Ave. NE
414172	Organic Gardens	
414479	THC4Less	12403 NE 124 <sup>th</sup> St
414469	Hector Degner	11901 124 <sup>th</sup> Ave. NE
054218	Okeemomo LLC	

A surprisingly large number of retail applications have been submitted for sites along Market Street in the Market Street Corridor (MSC) 1 Zone. MSC 1 is defined in the Kirkland Zoning Code as an “office zone” although limited retail uses are allowed. The predominant uses allowed and actually developed in the zone are small offices and small medium density multi-family buildings. There are no existing true retail uses in this zone. The only non-office commercial use is a single hair salon.

The MSC 1 Zone is a narrow strip of land composed of properties fronting on Market Street. The zone is bordered on both sides by single-family residential neighborhoods. Residents of the adjacent neighborhoods have expressed strong concerns about marijuana sales so close to the neighborhoods. Kirkland Middle School is located several blocks to the east of the proposed marijuana retail sites; and although the school is not within 1,000 feet of the proposed marijuana retailers, the retailers are located along designated school walk routes. Consequently, the City Council requests that the WSLCB not issue retail licenses to properties in the MSC 1 Zone along Market Street and instead approve Kirkland’s allotment of two licenses in other more clearly appropriate commercial locations. The following applications in the MSC 1 Zone are of concern to the City:

License	Applicant	Address	Comments
412927	Biloxi Green	1818 Market St.	Located in an office zone, abutting residential neighborhoods, on school walk routes.
054868	Buzz U		
054759	Fireplace		
413682	Maison Botanique		
413252	McCormick Green		
413325	Mind’s Eye		
414063	Resolute Partners	1313 Market St.	

Finally, the City has no record of the following addresses:

License	Applicant	Address	Comments
054326	Lester Farms	13600 NE 128 <sup>th</sup> St Suite D	
051728	Leganjafairy LLC	13536 NE 126 <sup>th</sup> PI	
		14253 23 <sup>rd</sup> Ave NE B-301	Appears to be a Seattle address.
054026	420 PM Corps	13100 NE 70 <sup>th</sup> PI	
053742	Josh’s Joint	13205 NE 124 <sup>th</sup> St #124	
054037	Stoner Haze	6157 132 <sup>nd</sup> Ave NE	
054500	The Garden LLC	11341 106 <sup>th</sup> Ave NE Suite B	We have no record of the suite number.

All other marijuana applications listed on the WSLCB web site appear to be located in appropriate zones and are more than 1,000 feet from public parks, elementary and secondary schools, child care centers and public transit centers. The City expresses no objections to issuing licenses for those applications.

Thank you for your consideration of these comments. We look forward to being informed of the applications that you select for final consideration.

Sincerely,

Kurt Triplett,  
City Manager

cc:

DRAFT

**CITY OF KIRKLAND**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3000  
www.kirklandwa.gov

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager  
**From:** Eric Shields, Planning Director  
**Date:** July 16, 2013  
**Subject:** Marijuana Sales, Processing and Production

**Recommendation**

The Council considers whether changes to City zoning regulations are appropriate for marijuana sales, processing and production. If they are, Council determines the types of regulations desired and directs staff to prepare interim zoning regulations for consideration at a public hearing on September 3, 2013.

**Background****State Regulations**

Initiative 502 was passed by Washington voters in 2012. The initiative legalized the possession of small amounts of marijuana and directed the Washington State Liquor Control Board (Board) to develop rules for regulating the sale, processing and production of marijuana. It does not supersede, or even address, regulations pertaining to medical marijuana. Proposed rules were recently prepared by the Board and submitted for public comment. Final rules will go into effect on September 16, 2013, at which time applications for licenses may be submitted to the Board. Highlights of the rules are shown in attachment 1.

The major provisions of the rules, some of which are not mentioned in the attachment, are:

- Licenses will not be issued to businesses in "*...a location where law enforcement access, without notice or cause, is limited. This includes a personal residence.*" Thus it appears that home occupation businesses are not allowed;
- Licenses will not be issued to businesses and advertising may not be located within 1000 feet of "*the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or any game arcade (where admission is not restricted to persons age twenty-one or older);*"
- On premises advertising signs for retailers are limited to 1600 square inches (a little over 11 square feet);
- Licenses will normally not be issued to those who have a criminal background that exceeds a threshold based upon a point system developed by the Board;
- Marijuana is not permitted to be consumed on licensed premises;
- Three types of licenses will be issued: producer, processor and retailer;

- The Board will determine the maximum number of retail licenses to be issued in each county based upon a formula that distributes the number of locations proportionate to the most populous cities within each county;
- There will be a 30 day period following the submittal of an application during which the Board will forward license applications to applicable local jurisdictions with a 20 day opportunity to submit comments. This will also occur for annual license renewals;
- Hours of operation for retail licensees are restricted to between 8 a.m. and 12 a.m.;
- Alarms and surveillance camera are required; and
- Businesses must buy liability insurance.

### **Kirkland Locations**

When the 1000 foot restrictions are taken into account, there are relatively few locations in Kirkland where retail sales, processing or production would be allowed under these proposed rules. Attachment 2 is a map showing the restricted areas as well as properties where sales (red and orange zones) and processing or production (light blue zones) would be allowed if the City does not adopt any additional restrictions.

In summary, retail sales would be allowed only in the following locations:

- Totem Lake Business District (TLBD):
  - Properties located on the west side of the I-405/ NE 124<sup>th</sup> St. interchange; and
  - A very small triangle of land located on the west side of Slater Ave. NE;
- Market St. Corridor Business District (MSC): An area along Market St. that includes the MSC 2 zone neighborhood center located between 5<sup>th</sup> St. W and 14<sup>th</sup> Ave. W and portions of the MSC 1 "office" zone located two blocks south and three blocks north of the MSC 2 zone;
- Central Business District (CBD): at the southwest corner of 7<sup>th</sup> Ave. and 6<sup>th</sup> St;
- Rose Hill Business District (RH): along NE 85<sup>th</sup> St. near I-405; and
- A small portion of Carillon Point.

Processing and Production would be allowed only in:

- Totem Lake: the easternmost portions of the TL7 zone;
- Norkirk: a small area east of 6<sup>th</sup> St.

### **Issues**

The question for Council consideration is whether the City should enact zoning restrictions for marijuana businesses in addition to those applying to other businesses. Examples of additional regulations include:

- Restrictions on the number of plants or ounces of marijuana allowed. For example, the City of Seattle is proposing a limit of 45 plants and 72 ounces of marijuana in certain zones (It isn't clear, but staff presumes that refers to the quantities on site at any given time);
- Maximum floor area limits. Seattle is proposing a limit of 10,000 square feet for indoor growing and processing to avoid displacing other industrial uses. (The MSC 1 and 2 zones already limit the floor area of a business to 2000 and 4000 square feet respectively);
- Prohibition on drive through facilities. (This too is already limited in MSC zones);
- Additional limitations on hours of operation. As noted above, the Board rules only restrict hours of operation to between 8 a.m. and 12 a.m.; or
- Prohibition on locating directly next to a low density zone.

## **Timing**

As noted above, applications for licenses could be submitted to the Board beginning in mid-September. As further noted, before the Board issues a license, the City will be given the opportunity to file written objections against the proposed premises. If the Council would like to have regulations in place to potentially be used as part of the City's written objections to any license, the regulations should be in place by mid-September. There is no requirement in the rules that objections based on local regulations be considered by the Board, but it will give notice to the license applicant, who may not have knowledge of the applicable local regulations.

The Council may ask, or be asked, whether the City could adopt a moratorium or ban on the marijuana uses allowed by Initiative 502. There is no clear option to prohibit marijuana facilities entirely. Initiative 502 allows the Board to license marijuana producers, processors and retailers throughout Washington. The question is really whether the City would prevail in an action to enforce an ordinance imposing a moratorium or ban, once the operator obtains a license from the Board. This remains an open question.

There is insufficient time to have permanent Zoning Code changes in place by the time the Board starts accepting applications. Consequently, if the regulations are to be in place prior to the submittal of license applications, it would be necessary for the Council to adopt an interim ordinance on September 3, 2013 and direct that final regulations be processed through the normal code amendment procedures within six months. If this is Council's desire, staff asks that the Council provide direction on August 6 on what kinds of regulations it would like to consider. Staff will return with a proposed ordinance and schedule a public hearing for the September 3 Council meeting.

## **Related Enforcement Issue**

The Council may have seen a recent article about the Seattle City Attorney wanting to enforce the state's prohibition on public marijuana consumption. The Kirkland City Council has already amended Title 11 of the Kirkland Municipal Code, the City's criminal code, to include RCW 69.50.445. This is the provision in Initiative 502 which prohibits the use of marijuana in view of the general public. This amendment was included as part of Ordinance O-4401, adopted February 19, 2013, which made a number of amendments to Title 11 of the KMC at the request of the Police Department. A person who violates RCW 69.40.445 is guilty of a class 3 civil infraction under chapter 7.80 RCW. The penalty for a class 3 infraction, with statutory assessments, is a total of \$103.00. Of this amount, 44.89% or \$46.24 is paid to the City and 55.11% or \$56.76 is paid to the State.

## REGULATING RECREATIONAL MARIJUANA

### I. Background.

#### *Initiative 502.*

In 2012, the voters of the State of Washington approved Initiative 502 which directs the Washington State Liquor Control Board (LCB) to regulate marijuana by licensing and taxing producers, processors, and retailers. The regulatory scheme requires the LCB to adopt rules before December of 2013 to address the methods for producing, processing and packaging of the marijuana, to establish security requirements for retail outlets, retail outlet locations and hours of operation, labeling requirements, method of transport of marijuana throughout the state, etc. A tax is also levied on marijuana-related activities, and a fund consisting of marijuana excise taxes, license fees, penalties and other income received by the state LCB from marijuana-related activities is created. The money in this fund is dedicated to various identified uses. The THC concentration for various offenses is established and possession of limited amounts of marijuana by persons 21 years of age or older is decriminalized.

Some of the licensing aspects of I-502 that are of interest to the City:

- (a) How many recreational marijuana retailers can be licensed in King County? The LCB shall, in consultation with the Washington Office of Financial Management, determine the maximum number of retail outlets that may be licensed in each county, taking into consideration (a) population distribution; (b) security and safety issues; and (c) the provision of adequate access to licensed sources of usable marijuana to discourage purchases from the illegal market.
- (b) Will the City be notified before a license for any recreational marijuana use is considered? The LCB will give notice to the City of the LCB's receipt of license application for premises located in the City. The City has 20 days to file written objections with the LCB against the applicant or against the premises for which the new or renewed license is requested.
- (c) Will there be a hearing on whether the license should issue? The LCB may hold a hearing, and if the LCB makes an initial decision to deny the license or renewal based on the City's written objections, the applicant may request a hearing.
- (d) What weight will the LCB give the City's written objections? The LCB shall give "substantial weight" to the objections from the City, "based on chronic illegal activity associated with the applicant's operation of the premises proposed to be licensed or the applicant's operation of any other licensed

premised, or the conduct of the applicant's patrons inside or outside the licensed premises.

- (e) Will the LCB notify the local jurisdiction of its decision on a license? If the license is granted, notice will be sent to the City.
- (f) Are there any prohibitions on siting, or is this left to the City? No license shall be issued for a recreation marijuana licensed use within 1,000 feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center, or facility, child care center, public park, public transit center, or library, or any game arcade, admission to which is not restricted to persons aged 21 or older.
- (g) What about marijuana advertising? Any licensed marijuana producer, processor or retailer is prohibited from placing or maintaining any advertisement of marijuana (or marijuana product in any form) within 1,000 feet of the perimeter of a school grounds, playground, recreation center or facility, child care persons aged 21 or older, on or in a public transit vehicle or public transit shelter or on or in a publicly owned or operated property.

## **II. LCB Rules.**

The LCB issued draft rules on May 16, 2013, and asked for comment on the draft rules by June 10, 2013. The LCB filed official draft rules with the Code Reviser on July 3, 2013. The LCB timeline provides that the LCB will hold public hearings on the proposed rules August 6-8, 2013. On August 14, 2013, rules will be adopted. On September 16, 2013, the rules will become effective. That same day, the LCB will begin accepting applications for all marijuana license types. The window for LCB license applications will initially be open for 30 days, but it may be extended. December 2013/January 2014, the LCB will begin issuing producer, processor and retailer licenses.

## **III. City Options.**

### **A. Do nothing.**

The Planning Department has mapped out the application of the 1,000 foot rule and identified the areas that are specifically excluded from having any recreational marijuana-related businesses. Within the remaining areas, the City could allow the existing zoning regulations to control and only allow recreational marijuana uses in zoning districts that permit production (growers), processors (incorporate plant products into edibles, liquids, or packaged bud ready for retail) and retailers (shops where marijuana products and related paraphernalia are sold). If the LCB notifies the City that an application for a license has been received, the City would transmit this information to the LCB as part of the "written objection" procedure.

### B. Interim Zoning.

Another alternative is to adopt interim zoning in advance of the issuance of the final LCB Rules if the City determines additional zoning regulations are necessary. Aspects of recreational marijuana production, processing and retailing that could be regulated include but are not limited to:

- Maximum floor area limits
- Maximum number of plants/amounts of useable marijuana /marijuana product allowed at a single facility
- Special building requirements (i.e. ventilation, security system, site fencing)
- Special inspection requirements
- Whether drive-through windows allowed

### C. Adopt Business Licensing Regulations.

A marijuana entrepreneur with a license issued by the LCB, will still need a City business license. The City should consider whether there is a need for additional information to process a business license than that provided by an applicant for a license materials. If not, the City could request copies of the application materials submitted to the LCB. The City could specifically require a LCB license as a condition of issuing a City business license.

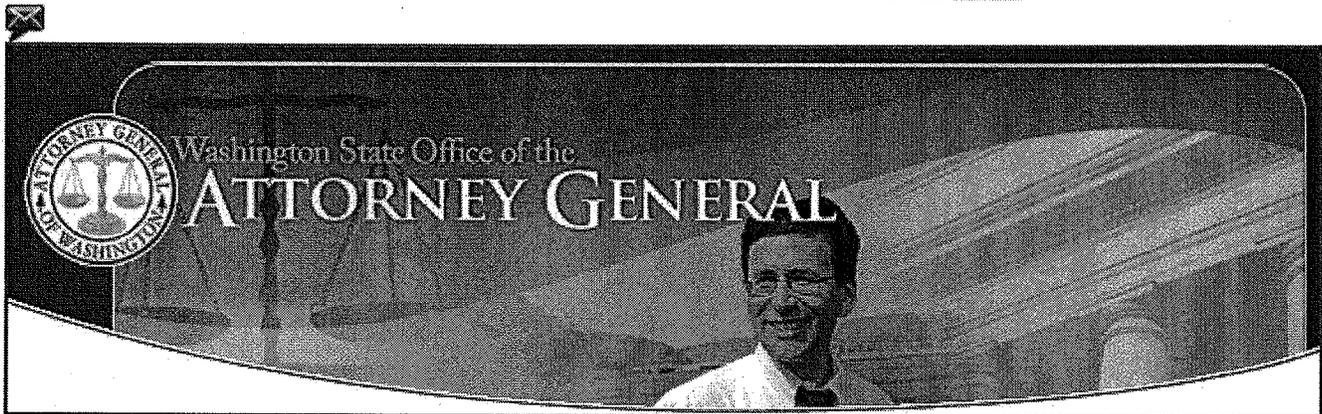


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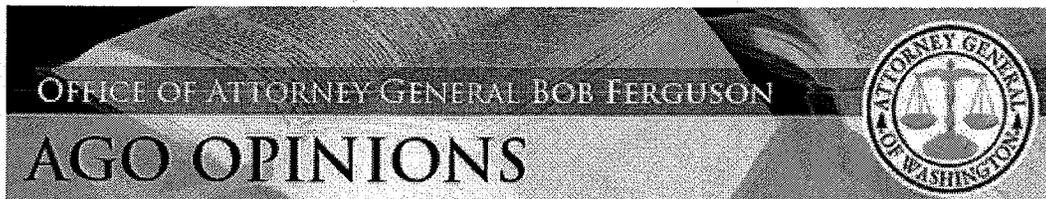
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## 2014 AGO Opinion No. 2 - Whether Statewide Initiative Establishing System For Licensing Marijuana Producers, Processors, And Retailers Preempts Local Ordinances

Washington State Attorney General sent this bulletin at 01/16/2014 10:30 AM PST



**STATUTES—INITIATIVE AND REFERENDUM—ORDINANCES—COUNTIES—CITIES AND TOWNS—PREEMPTION—POLICE POWERS—Whether Statewide Initiative Establishing System For Licensing Marijuana Producers, Processors, And Retailers Preempts Local Ordinances**

1. Initiative 502, which establishes a licensing and regulatory system for marijuana producers, processors, and retailers, does not preempt counties, cities, and towns from banning such businesses within their jurisdictions.
2. Local ordinances that do not expressly ban state-licensed marijuana licensees from operating within the jurisdiction but make such operation impractical are valid if they properly exercise the local jurisdiction's police power.

January 16, 2014

The Honorable Sharon Foster  
Chair, Washington State Liquor Control Board  
3000 Pacific Avenue SE  
Olympia, WA 98504-3076 Cite As:  
AGO 2014 No. 2

Dear Chair Foster:

By letter previously acknowledged, you have requested our opinion on the following paraphrased questions:

1. **Are local governments preempted by state law from banning the location of a Washington State Liquor Control Board licensed marijuana producer, processor, or retailer within their jurisdiction?**
2. **May a local government establish land use regulations (in excess of the Initiative 502 buffer and other Liquor Control Board requirements) or business license requirements in a fashion that makes it impractical for a licensed marijuana business to locate within their jurisdiction?**

#### BRIEF ANSWERS

1. No. Under Washington law, there is a strong presumption against finding that state law preempts local ordinances. Although Initiative 502 (I-502) establishes a licensing and regulatory system for marijuana producers, processors, and retailers in Washington State, it includes no clear indication that it was intended to preempt local authority to regulate such

*[original page 2]*

businesses. We therefore conclude that I-502 left in place the normal powers of local governments to regulate within their jurisdictions.

2. Yes. Local governments have broad authority to regulate within their jurisdictions, and nothing in I-502 limits that authority with respect to licensed marijuana businesses.

#### BACKGROUND

I-502 was approved by Washington voters on November 6, 2012, became effective 30 days thereafter, and is codified in RCW 69.50. It decriminalized under state law the possession of limited amounts of useable marijuana[1] and marijuana-infused products by persons twenty-one years or older. It also decriminalized under state law the production,

delivery, distribution, and sale of marijuana, so long as such activities are conducted in accordance with the initiative's provisions and implementing regulations. It amended the implied consent laws to specify that anyone operating a motor vehicle is deemed to have consented to testing for the active chemical in marijuana, and amended the driving under the influence laws to make it a criminal offense to operate a motor vehicle under the influence of certain levels of marijuana.

I-502 also established a detailed licensing program for three categories of marijuana businesses: production, processing, and retail sales. The marijuana producer's license governs the production of marijuana for sale at wholesale to marijuana processors and other marijuana producers. RCW 69.50.325(1). The marijuana processor's license governs the processing, packaging, and labeling of useable marijuana and marijuana-infused products for sale at wholesale to marijuana retailers. RCW 69.50.325(2). The marijuana retailer's license governs the sale of useable marijuana and marijuana-infused products in retail stores. RCW 69.50.325(3).

Applicants for producer, processor, and retail sales licenses must identify the location of the proposed business. RCW 69.50.325(1), (2), (3). This helps ensure compliance with the requirement that "no license may be issued authorizing a marijuana business within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older." RCW 69.50.331(8).

Upon receipt of an application for a producer, processor, or retail sales license, the Liquor Control Board must give notice of the application to the appropriate local jurisdiction. RCW 69.50.331(7)(a) (requiring notice to the chief executive officer of the incorporated city or town if the application is for a license within an incorporated city or town, or the county legislative authority if the application is for a license outside the boundaries of incorporated

***[original page 3]***

cities or towns). The local jurisdiction may file written objections with respect to the applicant or the premises for which the new or renewed license is sought. RCW 69.50.331(7)(b).

The local jurisdictions' written objections must include a statement of all facts upon which the objections are based, and may include a request for a hearing, which the Liquor Control Board may grant at its discretion. RCW 69.50.331(7)(c). The Board must give "substantial weight" to a local jurisdiction's objections based upon chronic illegal activity associated with the applicant's operation of the premises proposed to be licensed, the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. RCW 69.50.331(9). Chronic illegal

activity is defined as a pervasive pattern of activity that threatens the public health, safety, and welfare, or an unreasonably high number of citations for driving under the influence associated with the applicant's or licensee's operation of any licensed premises. RCW 69.50.331(9).[2]

In addition to the licensing provisions in statute, I-502 directed the Board to adopt rules establishing the procedures and criteria necessary to supplement the licensing and regulatory system. This includes determining the maximum number of retail outlets that may be licensed in each county, taking into consideration population distribution, security and safety issues, and the provision of adequate access to licensed sources of useable marijuana and marijuana-infused products to discourage purchases from the illegal market. RCW 69.50.345(2). The Board has done so, capping the number of retail licenses in the least populated counties of Columbia County, Ferry County, and Wahkiakum County at one and the number in the most populated county of King County at 61, with a broad range in between. *See* WAC 314-55-081.

The Board also adopted rules establishing various requirements mandated or authorized by I-502 for locating and operating marijuana businesses on licensed premises, including minimum residency requirements, age restrictions, and background checks for licensees and employees; signage and advertising limitations; requirements for insurance, recordkeeping, reporting, and taxes; and detailed operating plans for security, traceability, employee qualifications and training, and destruction of waste. *See generally* WAC 314-55-

Additional requirements apply for each license category. Producers must describe plans for transporting products, growing operations, and testing procedures and protocols. WAC 314-55-020(9). Processors must describe plans for transporting products, processing operations, testing procedures and protocols, and packaging and labeling. WAC 314-55-020(9). Finally, retailers must also describe which products will be sold and how they will be displayed, and may only operate between 8 a.m. and 12 midnight. WAC 314-55-020(9), -147.

The rules also make clear that receipt of a license from the Liquor Control Board does not entitle the licensee to locate or operate a marijuana processing, producing, or retail business in violation of local rules or without any necessary approval from local jurisdictions. WAC 314-

**[original page 4]**

-55-020(11) provides as follows: "The issuance or approval of a license shall not be construed as a license for, or an approval of, any violations of local rules or ordinances including, but not limited to: Building and fire codes, zoning ordinances, and business licensing requirements.

## ANALYSIS

Your question acknowledges that local governments have jurisdiction over land use issues like zoning and may exercise the option to issue business licenses. This authority comes from article XI, section 11 of the Washington Constitution, which provides that “[a]ny county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.” The limitation on this broad local authority requiring that such regulations not be “in conflict with general laws” means that state law can preempt local regulations and render them unconstitutional either by occupying the field of regulation, leaving no room for concurrent local jurisdiction, or by creating a conflict such that state and local laws cannot be harmonized. *Lawson v. City of Pasco*, 168 Wn.2d 675, 679, 230 P.3d 1038 (2010).

Local ordinances are entitled to a presumption of constitutionality. *State v. Kirwin*, 165 Wn.2d 818, 825, 203 P.3d 1044 (2009). Challengers to a local ordinance bear a heavy burden of proving it unconstitutional. *Id.* “Every presumption will be in favor of constitutionality.” *HJS Dev., Inc. v. Pierce County ex rel. Dep’t of Planning & Land Servs.*, 148 Wn.2d 451, 477, 61 P.3d 1141 (2003) (internal quotation marks omitted).

### A. Field Preemption

Field preemption arises when a state regulatory system occupies the entire field of regulation on a particular issue, leaving no room for local regulation. *Lawson*, 168 Wn.2d at 679. Field preemption may be expressly stated or may be implicit in the purposes or facts and circumstances of the state regulatory system. *Id.*

I-502 does not express any indication that the state licensing and operating system preempts the field of marijuana regulation. Although I-502 was structured as a series of amendments to the controlled substances act, which does contain a preemption section, that section makes clear that state law “fully occupies and preempts the entire field of *setting penalties* for violations of the controlled substances act.” RCW 69.50.608 (emphasis added).[3] It also allows “[c]ities, towns, and counties or other municipalities [to] enact only those laws and

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ordinances relating to controlled substances that are consistent with this chapter.” RCW 69.50.608. Nothing in this language expresses an intent to preempt the entire field of regulating businesses licensed under I-502.

With respect to implied field preemption, the “legislative intent” of an initiative is derived from the collective intent of the people and can be ascertained by material in the official voter’s pamphlet. *Dep’t of Revenue v. Hoppe*, 82 Wn.2d 549, 552, 512 P.2d 1094

(1973); see also *Roe v. TeleTech Customer Care Mgmt., LLC*, 171 Wn.2d 736, 752-53, 257 P.3d 586 (2011). Nothing in the official voter's pamphlet evidences a collective intent for the state regulatory system to preempt the entire field of marijuana business licensing or operation. Voters' Pamphlet 23-30 (2012). Moreover, both your letter and the Liquor Control Board's rules recognize the authority of local jurisdictions to impose regulations on state licensees. These facts, in addition to the absence of express intent suggesting otherwise, make clear that I-502 and its implementing regulations do not occupy the entire field of marijuana business regulation.

### **B. Conflict Preemption**

Conflict preemption arises "when an ordinance permits what state law forbids or forbids what state law permits." *Lawson*, 168 Wn.2d at 682. An ordinance is constitutionally invalid if it directly and irreconcilably conflicts with the statute such that the two cannot be harmonized. *Id.*; *Weden v. San Juan County*, 135 Wn.2d 678, 693, 958 P.2d 273 (1998). Because "[e]very presumption will be in favor of constitutionality," courts make every effort to reconcile state and local law if possible. *HJS Dev.*, 148 Wn.2d at 477 (internal quotation marks omitted). We adopt this same deference to local jurisdictions.

An ordinance banning a particular activity directly and irreconcilably conflicts with state law when state law specifically entitles one to engage in that same activity in circumstances outlawed by the local ordinance. For example, in *Entertainment Industry Coalition v. Tacoma-Pierce County Health Department*, 153 Wn.2d 657, 661-63, 105 P.3d 985 (2005), the state law in effect at the time banned smoking in public places except in designated smoking areas, and specifically authorized owners of certain businesses to designate smoking areas. The state law provided, in relevant part: "A smoking area may be designated in a public place by the owner . . ." Former RCW 70.160.040(1) (2004), repealed by Laws of 2006, ch. 2, § 7(2) (Initiative Measure 901). The Tacoma-Pierce County Health Department ordinance at issue banned smoking in all public places. The Washington Supreme Court struck down the ordinance as directly and irreconcilably conflicting with state law because it prohibited what the state law authorized: the business owner's choice whether to authorize a smoking area.

Similarly, in *Parkland Light & Water Co. v. Tacoma-Pierce County Board of Health*, 151 Wn.2d 428, 90 P.3d 37 (2004), the Washington Supreme Court invalidated a Tacoma-Pierce County Health Department ordinance requiring fluoridated water. The state law at issue authorized the water districts to decide whether to fluoridate, saying: "A water district by a

**[original page 6]**

majority vote of its board of commissioners may fluoridate the water supply system of the water district." RCW 57.08.012. The Court interpreted this provision as giving water districts the ability to regulate the content and supply of their water systems. *Parkland*

*Light & Water Co.*, 151 Wn.2d at 433. The local health department's attempt to require fluoridation conflicted with the state law expressly giving that choice to the water districts. As they could not be reconciled, the Court struck down the ordinance as unconstitutional under conflict preemption analysis.

By contrast, Washington courts have consistently upheld local ordinances banning an activity when state law regulates the activity but does not grant an unfettered right or entitlement to engage in that activity. In *Weden v. San Juan County*, the Court upheld the constitutionality of the County's prohibition on motorized personal watercraft in all marine waters and one lake in San Juan County. The state laws at issue created registration and safety requirements for vessels and prohibited operation of unregistered vessels. The Court rejected the argument that state regulation of vessels constituted permission to operate vessels anywhere in the state, saying, "[n]owhere in the language of the statute can it be suggested that the statute creates an unbridged right to operate [personal watercraft] in all waters throughout the state." *Weden*, 135 Wn.2d at 695. The Court further explained that "[r]egistration of a vessel is nothing more than a precondition to operating a boat." *Id.* "No unconditional right is granted by obtaining such registration." *Id.* Recognizing that statutes often impose preconditions without granting unrestricted permission to participate in an activity, the Court also noted the following examples: "[p]urchasing a hunting license is a precondition to hunting, but the license certainly does not allow hunting of endangered species or hunting inside the Seattle city limits," and "[r]eaching the age of 16 is a precondition to driving a car, but reaching 16 does not create an unrestricted right to drive a car however and wherever one desires." *Id.* at 695 (internal citation omitted).

Relevant here, the dissent in *Weden* argued: "Where a state statute licenses a particular activity, counties may enact reasonable regulations of the licensed activity within their borders but they may not prohibit same outright[.]" and that an ordinance banning the activity "renders the state permit a license to do nothing at all." *Weden*, 135 Wn.2d at 720, 722 (Sanders, J., dissenting). The majority rejected this approach, characterizing the state law as creating not an unbridged right to operate personal watercraft in the state, but rather a registration requirement that amounted only to a precondition to operating a boat in the state.

In *State ex rel. Schillberg v. Everett District Justice Court*, 92 Wn.2d 106, 594 P.2d 448 (1979), the Washington Supreme Court similarly upheld a local ban on internal combustion motors on certain lakes. The Court explained: "A statute will not be construed as taking away the power of a municipality to legislate unless this intent is clearly and expressly stated." *Id.* at 108. The Court found no conflict because nothing in the state laws requiring safe operation of vessels either expressly or impliedly provided that vessels would be allowed on all waters of the state.

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The Washington Supreme Court also rejected a conflict preemption challenge to the City of Pasco's ordinance prohibiting placement of recreational vehicles within mobile home parks. *Lawson*, 168 Wn.2d at 683-84. Although state law regulated rights and duties arising from mobile home tenancies and recognized that such tenancies may include recreational vehicles, the Court reasoned "[t]he statute does not forbid recreational vehicles from being placed in the lots, nor does it create a right enabling their placement." *Id.* at 683. The state law simply regulated recreational vehicle tenancies, where such tenancies exist, but did not prevent municipalities from deciding whether or not to allow them. *Id.* at 684.

Accordingly, the question whether "an ordinance . . . forbids what state law permits" is more complex than it initially appears. *Lawson*, 168 Wn.2d at 682. The question is not whether state law permits an activity in some places or in some general sense; even "[t]he fact that an activity may be licensed under state law does not lead to the conclusion that it must be permitted under local law." *Rabon v. City of Seattle*, 135 Wn.2d 278, 292, 957 P.2d 621 (1998) (finding no preemption where state law authorized licensing of "dangerous dogs" while city ordinance forbade ownership of "vicious animals"). Rather, a challenger must meet the heavy burden of proving that state law creates an entitlement to engage in an activity in circumstances outlawed by the local ordinance. For example, the state laws authorizing business owners to designate smoking areas and water districts to decide whether to fluoridate their water systems amounted to statewide entitlements that local jurisdictions could not take away. But the state laws requiring that vessels be registered and operated safely and regulating recreational vehicles in mobile home tenancies simply contemplated that those activities would occur in some places and established preconditions; they did not, however, override the local jurisdictions' decisions to prohibit such activities.

Here, I-502 authorizes the Liquor Control Board to issue licenses for marijuana producers, processors, and retailers. Whether these licenses amount to an entitlement to engage in such businesses regardless of local law or constitute regulatory preconditions to engaging in such businesses is the key question, and requires a close examination of the statutory language.

RCW 69.50.325 provides, in relevant part:

- (1) There shall be a marijuana producer's license to produce marijuana for sale at wholesale to marijuana processors and other marijuana producers, regulated by the state liquor control board and subject to annual renewal. . . .
- (2) There shall be a marijuana processor's license to process, package, and label useable marijuana and marijuana-infused products for sale at wholesale to marijuana retailers, regulated by the state liquor control board and subject to annual renewal. . . .

**[original page 8]**

(3) There shall be a marijuana retailer's license to sell useable marijuana and marijuana-infused products at retail in retail outlets, regulated by the state liquor control board and subject to annual renewal. . . .

RCW 69.50.325(1)-(3). Each of these subsections also includes language providing that activities related to such licenses are not criminal or civil offenses under Washington state law, provided they comply with I-502 and the Board's rules, and that the licenses shall be issued in the name of the applicant and shall specify the location at which the applicant intends to operate. They also establish fees for issuance and renewal and clarify that a separate license is required for each location at which the applicant intends to operate. RCW 69.50.325.

While these provisions clearly authorize the Board to issue licenses for marijuana producers, processors, and retail sales, they lack the definitive sort of language that would be necessary to meet the heavy burden of showing state preemption. They simply state that there "shall be a . . . license" and that engaging in such activities with a license "shall not be a criminal or civil offense under Washington state law." RCW 69.50.325(1). Decriminalizing such activities under state law and imposing restrictions on licensees does not amount to entitling one to engage in such businesses regardless of local law. Given that "every presumption" is in favor of upholding local ordinances (*HJS Dev., Inc.*, 148 Wn.2d at 477), we find no irreconcilable conflict between I-502's licensing system and the ability of local governments to prohibit licensees from operating in their jurisdictions.

We have considered and rejected a number of counterarguments in reaching this conclusion. First, one could argue that the statute, in allowing Board approval of licenses at specific locations (RCW 69.50.325(1), (2), (3)), assumes that the Board can approve a license at any location in any jurisdiction. This argument proves far too much, however, for it suggests that a license from the Board could override any local zoning ordinance, even one unrelated to I-502. For example, I-502 plainly would not authorize a licensed marijuana retailer to locate in an area where a local jurisdiction's zoning allows no retail stores of any kind. The Board's own rules confirm this: "The issuance or approval of a license shall not be construed as a license for, or an approval of, any violations of local rules or ordinances including, but not limited to: Building and fire codes, zoning ordinances, and business licensing requirements." WAC 314-55-020(11).

Second, one could argue that a local jurisdiction's prohibition on marijuana licensees conflicts with the provision in I-502 authorizing the Board to establish a maximum number of licensed retail outlets in each county. RCW 69.50.345(2); see also RCW 69.50.354. But there is no irreconcilable conflict here, because the Board is allowed to set only a *maximum*, and nothing in I-502 mandates a minimum number of licensees in any jurisdiction. The drafters of I-502 certainly could have provided for a minimum number of licensees per jurisdiction, which would have been a stronger indicator of preemptive intent, but they did not.

*[original page 9]*

Third, one could argue that because local jurisdictions are allowed to object to specific license applications and the Board is allowed to override those objections and grant the license anyway (RCW 69.50.331(7), (9)), local jurisdictions cannot have the power to ban licensees altogether. But such a ban can be harmonized with the objection process; while some jurisdictions might want to ban I-502 licensees altogether, others might want to allow them but still object to specific applicants or locations. Indeed, this is the system established under the state liquor statutes, which I-502 copied in many ways. Compare RCW 69.50.331 with RCW 66.24.010 (governing the issuance of marijuana licenses and liquor licenses, respectively, in parallel terms and including provisions for local government input regarding licensure). The state laws governing liquor allow local governments to object to specific applications (RCW 66.24.010), while also expressly authorizing local areas to prohibit the sale of liquor altogether. See generally RCW 66.40. That the liquor opt out statute coexists with the liquor licensing notice and comment process undermines any argument that a local marijuana ban irreconcilably conflicts with the marijuana licensing notice and comment opportunity.

Fourth, RCW 66.40 expressly allows local governments to ban the sale of liquor. Some may argue that by omitting such a provision, I-502's drafters implied an intent to bar local governments from banning the sale of marijuana. Intent to preempt, however, must be "clearly and expressly stated." *State ex rel. Schillberg*, 92 Wn.2d at 108. Moreover, it is important to remember that cities, towns, and counties derive their police power from article XI, section 11 of the Washington Constitution, not from statute. Thus, the relevant question is not whether the initiative provided local jurisdictions with such authority, but whether it removed local jurisdictions' preexisting authority.

Finally, in reaching this conclusion, we are mindful that if a large number of jurisdictions were to ban licensees, it could interfere with the measure's intent to supplant the illegal marijuana market. But this potential consequence is insufficient to overcome the lack of clear preemptive language or intent in the initiative itself. The drafters of the initiative certainly could have used clear language preempting local bans. They did not. The legislature, or the people by initiative, can address this potential issue if it actually comes to pass.

With respect to your second question, about whether local jurisdictions can impose regulations making it "impractical" for I-502 licensees to locate and operate within their boundaries, the answer depends on whether such regulations constitute a valid exercise of the police power or otherwise conflict with state law. As a general matter, as discussed above, the Washington Constitution provides broad authority for local jurisdictions to regulate within their boundaries and impose land use and business licensing requirements. Ordinances must be a reasonable exercise of a jurisdiction's police power in order to pass muster under article XI, section 11 of the state constitution. *Weden*, 135 Wn.2d at 700. A law is a reasonable regulation if it promotes public safety, health, or welfare and bears a reasonable and substantial relation to accomplishing the purpose

pursued. *Id.* (applying this test to the personal watercraft ordinance); *see also Duckworth v. City of Bonney Lake*, 91 Wn.2d 19, 26, 586 P.2d 860 (1978) (applying this

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test to a zoning ordinance). Assuming local ordinances satisfy this test, and that no other constitutional or statutory basis for a challenge is presented on particular facts, we see no impediment to jurisdictions imposing additional regulatory requirements, although whether a particular ordinance satisfies this standard would of course depend on the specific facts in each case.

We trust that the foregoing will be useful to you.

**ROBERT W. FERGUSON**

*Attorney General*

**JESSICA FOGEL**

*Assistant Attorney General*

WTOS

[1] Useable marijuana means “dried marijuana flowers” and does not include marijuana-infused products. RCW 69.50.101(1).

[2] The provision for objections based upon chronic illegal activity is identical to one of the provisions for local jurisdictions to object to the granting or renewal of liquor licenses. RCW 66.24.010(12).

[3] RCW 69.50.608 provides: “The state of Washington fully occupies and preempts the entire field of setting penalties for violations of the controlled substances act. Cities, towns, and counties or other municipalities may enact only those laws and ordinances relating to controlled substances that are consistent with this chapter. Such local ordinances shall have the same penalties as provided for by state law. Local laws and ordinances that are inconsistent with the requirements of state law shall not be enacted and are preempted and repealed, regardless of the nature of the code, charter, or home rule status of the city, town, county, or municipality.” The Washington Supreme Court has interpreted this provision as giving local jurisdictions concurrent authority to criminalize drug-related activity. *City of Tacoma v. Luvene*, 118 Wn.2d 826, 835, 827 P.2d 1374 (1992).



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**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Ellen Miller-Wolfe, Economic Development Manager  
Robin S. Jenkinson, City Attorney

**Date:** January 9, 2014

**Subject:** AMENDMENT TO SECTION 5.12.020 OF THE KIRKLAND MUNICIPAL CODE  
PERTAINING TO THE ADMISSIONS TAX

**Recommendation**

That the City Council approves an amendment to Section 5.12.020 of the Kirkland Municipal Code and authorizes the elimination of admissions taxes for existing first-run movie theaters in Kirkland that convert to digital projectors for a period beginning on the date of transition to digital technology and ending on June 30, 2017.

**Background Discussion**

For the last several years, movie theaters nationwide have been converting projection equipment from 35-millimeter film to digital movies in order to be able to show current films. The conversion is expensive and while the film industry has created several financing mechanisms designed to off-set some of the upfront costs of a new digital projector, it can be difficult for smaller theaters to qualify. Starting this winter, it will become essentially impossible for the theaters that have not made the conversion to find first-run films from major studios on 35-millimeter or the cost of doing so will be prohibitive. As a result, smaller theaters will have to settle for showing older or independent films or go out of business.

Movies are traditional forms of entertainment that appeal to a wide segment of the population. Theaters and other entertainment venues are key elements to successful, thriving business districts as they draw many patrons to the area. This often results in spillover effects to other businesses from a movie excursion including shopping or dining out in the vicinity of the theater.

If the amendment is approved, the goal is that revenue saved by existing movie theaters operated in Kirkland would be invested in the transition to digital projectors. The elimination of the admissions tax applies only after the conversion to digital projectors has occurred and sunsets on June 30, 2017.

The Finance Department estimates that adopting this amendment will result in a reduction to the admissions tax revenue of \$39,000 annually through June 30, 2017. However, if there were no first-run Kirkland movie theaters, the loss would be up to \$39,000 annually far beyond 2017 unless and until a new theater opened in the City. This action would not apply to new first-run theaters that open after January 1, 2014. By approving this amendment, the City will be encouraging first-run Kirkland movie theaters to remain competitive with other regional theaters and continue to provide community gathering places that are catalysts for other business activity.

ORDINANCE O-4433

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ADMISSIONS TAX AND AMENDING SECTION 5.12.020 OF THE KIRKLAND MUNICIPAL CODE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code Section 5.12.020 is amended as follows:

**5.12.020 Imposition of tax—Rate.**

(a) There is hereby levied and imposed a tax upon every person without regard to age, who pays an admission charge as defined in Section 5.12.010; provided, that as contemplated by RCW 35.21.280 and 36.38.010, such tax shall not apply as to any person paying an admission charge to any activity of any elementary or secondary school. The tax here imposed shall be in the amount of five percent on each admission charge or charge for season or series ticket. Any fraction of tax of one-half cent or more shall result in a tax of the next highest full cent.

(b) The tax imposed by this section on a theater operating in Kirkland as of January 1, 2014 and showing motion pictures at least five days per week, six months out of the year, and using digital technology to project motion pictures, shall be reduced to ~~the amount of two and one-half percent~~ zero on each admission charge, beginning on the date the transition to digital technology occurs and ending no later than June 30, 2017.

(c) Amounts paid for admission by season ticket or subscription shall be exempt if the amount which would be charged to the holder or subscriber for a single admission is fifteen cents or less.

(d) Any person having the use of a box or seat, permanently or for a specified period, shall pay in addition to the tax required for admission, under subdivision (a) of this section, a tax of five percent of the price of such box or seat, the same to be collected and remitted in the manner provided in Section 5.12.070 hereof by the person selling such tickets.

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

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

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

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

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

**Date:** January 9, 2014

**Subject:** King County Metro Transit Proposed Service Reductions

**RECOMMENDATION:**

It is recommended that the City Council authorizes the Mayor to sign the attached letter to County Executive Constantine describing the City of Kirkland's position on proposed King County Metro bus service cuts and possible funding packages. The letter outlines Kirkland's longtime support for transit, our very serious concerns with the proposed cuts and the need for more information before we can consider them. It also poses questions about a funding solution currently being considered by the County.

It is also recommended the Council authorizes staff to communicate with King County Metro regarding proposed mid-day service frequency between Bellevue and Kirkland on Route 235.

**BACKGROUND DISCUSSION:***PROPOSED REVISIONS*

King County Metro is proposing a package of 600,000 hours of service cuts. This is in response to decreases in sales tax revenue during the recession of the past few years. A 600,000 hour cut is large, and the proposed change affects over 80% of Metro's routes. Routes in Kirkland are proposed to be decreased in frequency, truncated in length, reduced in span of service and/or eliminated altogether.

Metro has used its Service Guidelines (Attachment 1) to identify routes to reduce and restructure, and the cuts do not necessarily affect Kirkland disproportionately. However, with a cut of this size, it is not possible for the remaining network to provide adequate service. Some troubling elements of the proposed impacts in Kirkland include:

- Truncation of Route 255 at Totem Lake instead of Brickyard Park and Ride
- Rerouting and deletions that leaves no service on NE 116th Street
- Deletion of peak hour routes that serve Willows Road
- Reduction of mid-day and/or evening frequency on almost all routes resulting in many routes with a frequency of 60 minutes during some of the day

Kirkland's transit network might benefit from carefully targeted restructures even potentially including deletion of routes that serve a relatively few customers in the peak periods, if that service was spent elsewhere in Kirkland. Changes of the magnitude currently proposed by Metro cannot adequately support our transportation goals.

Several attachments are included to illustrate the revision that is currently proposed:

- Attachment 2: System-wide list of routes showing those that are deleted, reduced/revised or unchanged and a companion system-wide map.
- Attachment 3: Map and table of proposed revisions in northeast King County (centered on Kirkland).
- Attachment 4: Table of routes currently serving Kirkland and detailed information about the proposed changes for each of those routes (routes in yellow are proposed for deletion).

Metro also has created a helpful [interactive website showing more information about each route](#).

As part of the public process for the proposed reductions, an information van will be at the Kirkland Transit Center from 6:30 AM to 9:00 AM on January 14 and Metro is hosting an event at the Peter Kirk Community Center on January 16 from 6:00 PM to 8:00 PM.

If the proposed revisions move forward, implementation would begin in September of 2014 with additional reductions phased in over the following year.

#### *ARE THE CUTS NEEDED?*

Metro has promoted a need for the proposed revision because of a decrease in sales tax revenue which Metro staff says has caused a \$75 million annual "gap" between revenues and expenses associated with the existing system. King County has taken actions (see Attachment 5) such as increasing fares, drawing down reserves, eliminating staff and cutting or deferring capital expenditures to reduce the size of the gap.

Because sales tax revenues are beginning to grow again, and ridership is increasing significantly resulting in higher farebox revenue, it is unclear that a cut of the magnitude described above is still warranted. Staff from Kirkland is working with staff from King County to understand in full detail both the cost and revenue sides of the Metro budget shortfall and whether it is now less than the \$75 million. We plan to have more information for Council at the January 21, 2014 meeting. Before this information is completely understood, the proposed service cuts cannot be meaningfully discussed.

#### *A POTENTIAL TRANSPORTATION FUNDING PACKAGE*

In order to establish a solid foundation for future transit system funding, and fill whatever funding gap may exist, the County Executive has recently proposed a measure that would provide additional funding for transit and revenues to local jurisdictions and unincorporated King County for transportation needs. The measure is centered on a voter approved County-wide Transportation Benefit District (TBD). Information about the proposal and associated King County Ordinances are in the Sound Cities Association Public Issues Committee packet of January 8, (Attachment 6) beginning on page 19.

The proposal has been described by King County as imposing a .1% sales tax county-wide as well as a \$60 car tab fee on all eligible vehicles in King County. According to King County the .1% sales tax would generate \$50 million annually and the \$60 car tab would generate \$80 million annually for a total of \$130 million. 60% (approximately \$78 million) of the total revenue would be dedicated to Metro Transit for bus service. The remaining 40% (\$52 million) of revenue would be divided among all cities in King County and unincorporated King County based on population. Kirkland's share of this revenue is estimated to be slightly more than \$2 million annually. This TBD revenue can be used for roads, sidewalks, bike paths and other transportation needs as defined by the ordinance, the City of Kirkland, and state statutes authorizing TBDs. The TBD would need to be renewed by the voters in ten years by state law.

As with the nature and size of the funding gap, staff has numerous questions about the details of the funding package. Staff from the County will be at the February 4 Kirkland City Council meeting to further explain the proposed TBD package and answer questions that Council may have.

#### *WORKING WITH BELLEVUE*

Staff from the City of Bellevue have contacted staff from the City of Kirkland requesting support for preserving 15 minute mid-day frequencies on Route 235 between the Bellevue and Kirkland Transit Centers. While in general, Kirkland's position is that Metro's proposed network is untenable and discussing its details is not fruitful, staff is requesting Council approval to offer the support of the City of Kirkland to maintain this key connection. This is exactly the type of connection that will make Transit an effective part of Kirkland's transportation system.

#### LETTER TO KING COUNTY

A letter (Attachment 7) has been drafted for Council consideration. It addresses the elements and concerns described above. The letter outlines Kirkland's longtime support for transit, our very serious concerns with the proposed cuts and the need for more information before we can consider them. It also poses questions about the funding solution currently being considered by the County.

The action sought by staff is authorization for the Mayor to sign the letter.

# King County Metro Service Guidelines

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## Introduction

Metro has developed service guidelines that it will use to design and modify transit services in an ever-changing environment. The guidelines will help Metro make sure that its decision-making is objective, transparent, and aligned with the regional goals for the public transportation system. These guidelines enable Metro to fulfill Strategy 6.1.1 in its *Strategic Plan for Public Transportation 2011-2021*, which calls for Metro to “Manage the transit system through service guidelines and performance measures.”

Metro will use the guidelines to make decisions about expanding, reducing and managing service, to evaluate service productivity, and to determine if service revisions are needed because of changes in rider demand or route performance. Guidelines are also intended to help Metro respond to changing financial conditions and to integrate its services with the regional transportation system.

The guidelines are designed to address productivity, social equity and geographic value. These factors are applied within the guidelines in a multi-step process to identify the level and type of service, along with additional guidelines to measure service quality, define service design objectives and to compare the performance of individual routes within the Metro service network to guide modifications to service following identified priorities. The guidelines work as a system to emphasize productivity, ensure social equity and provide geographic value in a balanced manner through the identification of measurable indicators associated with each factor and the definition of performance thresholds that vary by market served, service frequency and locations served. They are also intended to help Metro respond to changing financial conditions and to integrate its services with the regional transportation system.

A central piece of the service guidelines is the All-Day and Peak Network, which establishes target service levels for transit corridors throughout King County. Productivity, social equity and geographic value are prioritized in this three-step process:

- **Step one** establishes initial service levels for corridors based on how well they meet measurable indicators reflecting productivity, social equity, and geographic value. Indicators of high productivity (using measurable land use indicators closely correlated with transit productivity) make up 50 percent of the total score, while geographic value and social equity indicators each comprise 25 percent of the total score in this step.
  - **Productivity** indicators demonstrate market potential of corridors using land use factors of housing and employment density.
  - **Social Equity** indicators provide an evaluation of how well corridors serve concentrations of minority and low-income populations by comparing boardings in these areas along each corridor against the systemwide average of all corridor boardings within minority and low-income census tracts.
  - **Geographic Value** indicators establish how well corridors preserve connections and service throughout King County.

The cumulative score from this step indicates the initial appropriate frequency for service in the corridor.

- **Step two** makes adjustments to the assigned step-one service family based on current ridership, productivity, and night network completeness. Adjustments are only made to assign corridors to a higher service level; service frequencies are not adjusted downward in this step.

- **Step three** defines the peak overlay for the All-Day and Peak Network. This step evaluates whether or not peak service provides a significant ridership or travel time advantage over the local service.

The All-Day and Peak Network will be analyzed annually concurrent with Metro's reports on the application of the service guidelines. Using this network as a baseline and as resources allow, Metro will work to adjust service levels to better meet the public transportation needs of King County.

Other guidelines are grouped into the following categories:

- **Performance management**  
These guidelines establish standards for productivity, passenger loads, and schedule reliability. Metro will use these guidelines to evaluate individual routes and recommend changes to achieve efficient and effective delivery of transit service as part of ongoing system management and in planning for growth or reduction.
- **Service restructures**  
These guidelines define the circumstances that will prompt Metro to restructure multiple routes along a corridor or within an area.
- **Service Design**  
These are qualitative and quantitative guidelines for designing specific transit routes and the overall transit network.
- **Use and implementation**  
This section describes how Metro will use all guidelines, how they will be prioritized to make recommendations about adding, reducing or adjusting service, and how the performance of individual bus routes and the Metro system as a whole will be reported.

The service guidelines provide Metro with tools to ensure that decisions about Metro's service network are transparent, consistent, and clear. These guidelines will be reported on and reviewed annually to ensure that they are consistent with Metro's strategic plan and other policy goals.

## All-day and peak network

Metro strives to provide high-quality transit service to a wide variety of travel markets and a diverse group of riders. Metro designs its services to meet a number of objectives:

- Support regional growth plans
- Respond to existing ridership demand
- Provide productive and efficient service
- Ensure social equity
- Provide geographic value through a network of connections and services throughout King County.

Metro is building a network of services to accomplish these objectives. The foundation of the All-Day and Peak Network is a set of two-way routes that operate all day and connect designated regional growth centers, manufacturing/industrial centers, and other areas of concentrated activity. All-day service is designed to meet a variety of travel needs and trip purposes throughout the day. Whether riders are traveling to work, appointments, shopping, or recreational activities, the availability of service throughout the day gives them the ability to travel when they need to. The All-Day and Peak Network also includes peak service that provides faster travel times, accommodates very high demand for travel to and from major employment centers, and serves park-and-ride lots in areas of lower population density.

A key step in developing the All-Day and Peak Network is to determine the service levels that meet the needs of King County’s diverse communities. Metro determines these service levels through a three-step process:

First, service levels are set by scoring all corridors using six measures addressing land use, social equity, and geographic value. Corridors with higher scores are assigned higher levels of service. Second, service levels are adjusted based on existing ridership. Corridor service levels are increased when the service level suggested in step-one would not be adequate to accommodate existing riders, would be inconsistent with service levels set for RapidRide services, or would leave primary connections without night service. Third, peak service that enhances the all-day network is determined using travel time and ridership information.

These steps provide broad guidance for establishing a balance of all-day service levels and peak services and may change as conditions do. The target service levels may also be revised as areas of King County grow and change. Metro does not have sufficient resources to fully achieve the All-Day and Peak Network today. The service-level guidelines, used in combination with the guidelines established for managing the system, will help Metro make progress toward the All-Day and Peak Network.

Service levels are defined by corridor rather than by route to reflect the fact that there may be multiple ways to design routes to serve a given corridor, including serving a single corridor with more than one route. The desired service levels can be achieved through service by a single route or by multiple routes.

Metro evaluated 113 corridors where it provides all-day service today and 94 peak services provided today. The services in these corridors include those linking regional growth centers, manufacturing/industrial centers, and transit activity centers; services to park-and-rides and major transit facilities; and services that are geographically distributed throughout King County. The same evaluation process could be used to set service levels for corridors that Metro does not currently serve.

**All-day and peak network assessment process**

<b>STEP-ONE: SET SERVICE LEVELS</b>	
<b>Factor</b>	<b>Purpose</b>
Land Use	Support areas of higher employment and household density
Social Equity and Geographic Value	Serve historically disadvantaged communities
	Provide appropriate service levels throughout King County

<b>STEP-TWO: ADJUST SERVICE LEVELS</b>	
<b>Factor</b>	<b>Purpose</b>
Loads	Provide sufficient capacity for existing transit demand
Use	Improve effectiveness and financial stability of transit service
Service Span	Provide adequate levels of service throughout the day

<b>STEP-THREE: IDENTIFY PEAK OVERLAY</b>	
<b>Factor</b>	<b>Purpose</b>
Travel Time	Ensure that peak service provides a travel time advantage compared to other service alternatives
Ridership	Ensure that peak service is highly used

**OUTCOME: ALL-DAY AND PEAK NETWORK**

## Step-One: Set service levels

Service levels are determined by the number of households and jobs in areas with access to a corridor, by the proportion of historically disadvantaged populations near the corridor, and by the geographic distribution of regional growth, manufacturing/industrial, and transit activity centers in King County. These factors give Metro a way to take into account the elements that make transit successful as well as the populations and areas that must be served to support social equity and deliver geographic value. Each corridor is scored on six factors, and the total score is used to set service levels in a corridor. Each corridor is intended to have the identified frequency during some or all of the time period listed.

### **Land use factors**

The success of a transit service is directly related to how many people have access to the service and choose to use it. Areas where many people live and work close to bus stops have higher potential transit use than areas where few people live and work close by. Areas that have interconnected streets have a higher potential for transit use than areas that have fewer streets or have barriers to movement, such as hills or lakes. The land-use factors Metro uses to determine service levels are the number of households and jobs located within a quarter-mile walking access of stops. The quarter-mile calculation considers street connectivity; only those areas that have an actual path to a bus stop are considered to have access to transit. This is an important distinction in areas that have a limited street grid or barriers to direct access, such as lakes or freeways. The use of land-use factors is consistent with Metro's *Strategic Plan for Public Transportation 2011-2021* because it addresses the need for transit to serve a growing population (Strategy 3.2.1) and encourages land uses that transit can serve efficiently and effectively (Strategy 3.3.1)

### **Social equity and geographic value factors**

As it strives to develop an effective transit network that ensures social equity and provides geographic value, Metro considers how the network will serve historically disadvantaged populations, transit activity centers, regional growth centers, and manufacturing/industrial centers. As a way to achieve social equity, Metro identifies areas where low-income and minority populations are concentrated as warranting higher levels of service. Metro also identifies primary connections between centers as warranting a higher level of service, to achieve both social equity and geographic value. Primary connections are defined as the predominant transit connection between centers, based on a combination of ridership and travel time.

Centers represent activity nodes throughout King County that form the basis for a countywide transit network. The term "centers," as defined in the strategic plan, refers collectively to regional growth centers, manufacturing/industrial centers, and transit activity centers. Regional growth centers and manufacturing/industrial centers are designated in the region's *Vision 2040* plan. Metro identified transit activity centers beyond the Puget Sound Regional Council (PSRC)-designated centers to support geographic value in the distribution of its transit network throughout King County. Transit activity centers include major destinations and transit attractions such as large employment sites, significant healthcare institutions and major social service agencies. Transit activity centers represent activity nodes throughout King County that form the basis for an interconnected transit network throughout the urban growth area of King County.

Each transit activity center identified in Appendix I meets one or more of the following criteria:

- Is located in an area of mixed-use development that includes concentrated housing, employment, and commercial activity
- Includes a major regional hospital, medical center or institution of higher education located outside of a designated regional growth centers
- Is located outside other designated regional growth centers at a transit hub served by three or more all-day routes.

The size of these transit activity centers varies, but all transit activity centers represent concentrations of activity in comparison to the surrounding area.

The use of factors related to social equity and geographic value is consistent with the *Strategic Plan for Public Transportation 2011-2021*. The use of social equity factors guides transit service to provide travel opportunities for historically disadvantaged populations (Strategy 2.1.2). Factors concerning transit activity centers and geographic value guide service to areas of concentrated activity (Strategy 3.4.1) and ensure that services provide value in all areas of King County. Regional growth centers, manufacturing/industrial centers, and transit activity centers are listed in Appendix 1.

## **Revisions to Appendix 1 Centers in King County**

The list of centers associated with the All-Day and Peak Network is adopted by the King County Council as part of Metro's service guidelines. However, the region's growth and travel needs are anticipated to change in the future. The following defines centers and guides additions to this list.

### ***Regional Growth and Manufacturing/Industrial Centers***

Additions to and deletions from the regional growth and manufacturing/industrial Centers lists should be based on changes approved by the PSRC and defined in *Vision 2040*, or subsequent regional plans.

### ***Transit Activity Centers***

Additional transit activity centers may be designated in future updates of the service guidelines. Additions to the list of transit activity centers will be nominated by the local jurisdictions and must meet one or more of the above criteria, plus the following additional criteria:

- Pathways through the transit activity center must be located on arterial roadways that are appropriately constructed for transit use.
- Identification of a transit activity center must result in a new primary connection between two or more regional or transit activity centers in the transit network, either on an existing corridor on the All-Day and Peak Network or as an expansion to the network to address an area of projected all-day transit demand. An expansion to the network indicates the existence of a new corridor for analysis.
- Analysis of a new corridor using step-one of the All-Day and Peak Network assessment process must result in an assignment of 30-minute service frequency or better.

### Thresholds and points used to set service levels

Factor	Measure	Threshold	Points
Productivity (Land Use)	Households within ¼ mile of stops per corridor mile	>3,000 HH/Corridor Mi	10
		>2,400 HH/Corridor Mi	8
		>1,800 HH/Corridor Mi	6
		>1,200 HH/Corridor Mi	4
		>600 HH/Corridor Mi	2
	Jobs & student enrollment at universities & colleges within ¼ mile of stops per corridor mile	>10,250 Jobs & students/Corridor Mi	10
		>5,500 Jobs & students/Corridor Mi	8
		>3,000 Jobs & students/Corridor Mi	6
		>1,400 Jobs & students/Corridor Mi	4
		>500 Jobs & students/Corridor Mi	2
Social Equity	Percent of boardings in low-income census tracts <sup>1</sup>	Above system average	5
		Below system average	0
	Percent of boardings in minority census tracts <sup>2</sup>	Above system average	5
		Below system average	0
Geographic Value	Primary connection between regional growth, manufacturing/industrial centers	Yes	5
		No	0
	Primary connection between transit activity centers	Yes	5
		No	0

### Frequency based on total score

Scoring Range	Peak Service Frequency (minutes)	Off-Peak Service Frequency (minutes)	Night Service Frequency (minutes)
25-40	15	15	30
19-24	15	30	30
10-18	30	30	--
0-9	60 or less (≥ 60)	60 or less	--

1 Low-income tracts are those where a greater percentage of the population than the countywide average has low incomes, based on current American Community Survey data.

2 Minority tracts are defined as tracts where a greater percentage of the population than the Countywide average is minority (all groups except White, non-Hispanic), based on current census data.

## Step-Two: Adjust service levels

After setting service levels on the basis of the six factors in step-one, Metro adjusts the levels to ensure that the All-Day and Peak Network accommodates current ridership levels. Corridor service levels are increased if providing service at the levels established under step-one would not accommodate existing riders, would be inconsistent with policy-based service levels set for RapidRide services or would result in an incomplete network of night service<sup>3</sup>.

### Thresholds used to adjust service levels

Factor	Measure	Threshold	Adjustment to warranted frequency		
			Service level adjustment	Step 1 frequency (minutes)	Adjusted frequency (minutes)
Cost recovery	Estimated cost recovery by time of day – if existing riders were served by step-one service levels	>100% in any time period	Adjust two levels	15 or 30	<15
				≥ 60	15
		Peak >50%	Adjust one level	15	<15
				30	15
		Off-peak >50%	Add night service	≥ 60	30
		Night >33%		--	30
Night >16%	--	≥ 60			
Night >8%					
Load	Estimated load factor <sup>4</sup> by time of day – if existing riders were served by step-one service levels	>1.5	Adjust two levels	15 or 30	<15
				≥ 60	15
		>0.75	Adjust one level	15	<15
				30	15
		≥ 60	30		
Service span	Connection at night	Primary connection between regional growth centers	Add night service	--	≥ 60
		Frequent peak service	Add night service	--	30

Metro also adjusts service levels on existing and planned RapidRide corridors to ensure that identified service frequencies are consistent with policy-based service frequencies for the RapidRide program: more frequent than 15 minutes during peak periods, 15 minutes during off-peak periods, and 15 minutes at night. Where policy-based service frequencies are more frequent than service frequencies established in step-two, frequencies are improved to the minimum specified by policy.

<sup>3</sup> An incomplete network of night service is defined as a network in which night service is not provided on a primary connection between regional growth centers or on a corridor with frequent peak service. Provision of night service on such corridors is important to ensure system integrity and social equity during all times of day.

<sup>4</sup> Load factor is calculated by dividing the maximum load along a route by the total number of seats on a bus, to get a ratio of riders to seats.

The combined outcome of steps one and two is a set of corridors with all-day service levels that reflect factors concerning land use, social equity, geographic value, and ridership. These corridors are divided into families based on the frequency of service, as described in the Service Families section below. Corridors with the highest frequency would have the longest span of service.

### Step-Three: Identify peak overlay

Peak service adds value to the network of all-day service by providing faster travel times and accommodating very high demand for travel to and from major employment centers. Peak service thresholds ensure that peak service is well-used and provides benefits above the network of all-day service. Service levels on peak routes are established separately from the all-day network because they have a specialized function within the transit network.

#### Thresholds for peak services

Factor	Measure	Threshold
Travel Time	Travel time relative to alternative service	Travel time should be at least 20% faster than the alternative service
Ridership	Rides per Trip	Rides per trip should be 90% or greater compared to alternative service

Metro considers travel time and ridership to determine where peak service is appropriate. Peak service in a corridor that also has all-day service should have higher ridership and faster travel times than the other service to justify its higher cost. If peak service does not meet the load and travel-time thresholds but serves an area that has no other service, Metro would consider preserving service or providing service in a new or different way, such as connecting an area to a different destination or providing alternatives to fixed-route transit service, consistent with Strategy 6.2.3.

Peak service generally has a minimum of eight trips per day on weekdays only. Peak service is provided for a limited span compared to all-day service. The exact span and number of trips are determined by demand on an individual route basis.

### Evaluating new service

Metro has defined the current All-Day and Peak Network on the basis of appropriate levels of service for all-day and peak services within King County today. However, the service assessment processes described in the guidelines should also be used when Metro is considering and evaluating potential or proposed new services, including new service corridors. They should also be applied over time to determine appropriate levels of service, including the need for new services and service corridors as areas of King County change.

### Service families

All-Day and Peak Network services are broken down by level of service into five families. Service families are primarily defined by the frequency and span of service they provide. The table below shows the typical characteristics of each family. Some services may fall outside the typical frequencies, depending on specific conditions.

### Summary of typical service levels by family

Service Family	Frequency <sup>5</sup> (minutes)			Days of service	Hours of service <sup>6</sup>
	Peak <sup>7</sup>	Off-peak	Night		
Very frequent	15 or more frequent	15 or more frequent	30 or more frequent	7 days	16-20 hours
Frequent	15 or more frequent	30	30	7 days	16-20 hours
Local	30	30 - 60	--*	5-7 days	12-16 hours
Hourly	60 or less frequent	60 or less frequent	--	5 days	8-12 hours
Peak	8 trips/day minimum	--	--	5 days	Peak
Alternative Services	Determined by demand and community collaboration process				

\*Night service on local corridors is determined by ridership and connections.

- **Very frequent** services provide the highest levels of all-day service. Very frequent corridors serve very large employment and transit activity centers and high-density residential areas.
- **Frequent** services provide high levels of all-day service. Frequent corridors generally serve major employment and transit activity centers and high-density residential areas.
- **Local** services provide a moderate level of all-day service. Local corridors generally serve regional growth centers and low- to medium-density residential areas.
- **Hourly** services provide all-day service no more frequently than every hour. Corridors generally connect low-density residential areas to regional growth centers.
- **Peak** services provide specialized service in the periods of highest demand for travel. Peak services generally provide service to a major employment center in the morning and away from a major employment center in the afternoon.
- **Alternative** service is any non-fixed route service directly provided or supported by Metro. Alternative services provide access to local destinations and fixed route transit service on corridors that cannot be cost-effectively served by fixed route transit at target service levels. The service type and frequency for Alternative services are determined through collaborative community engagement regarding community travel needs balanced against costs, which shall not exceed the estimated cost to deliver fixed route service at target service levels. Performance for Alternative services shall be determined individually for each service through a cost-effectiveness measure based on cost per rider.

<sup>5</sup> Frequency is the number of minutes between consecutive trips in the same direction. A trip with four evenly spaced trips per hour would have an average headway of 15 minutes and a frequency of four trips per hour.

<sup>6</sup> Hours of service, or span, is defined as the time between first trip and last trip leaving the terminal in the predominant direction of travel.

<sup>7</sup> Time period definitions: Peak 5-9 a.m. and 3-7 p.m. weekdays; Off-peak 9 a.m. to 3 p.m. weekdays; 5 a.m. to 7 p.m. weekends; Night 7 p.m. to 5 a.m. all days.

### **Target Service Comparison**

The service guidelines compare the target service levels identified through the corridor analysis with existing levels of service. A corridor is determined to be either “below”, “at” or “above” its target service level. This process is called the target service comparison.

The target service comparison is a factor in both the investment and reduction priorities, as described in the “Use and Implementation” section of the guidelines.

While the service families are based on frequency, Metro also classifies individual routes by their major destinations when comparing productivity. These classifications are based on the primary market served. Regional growth centers in the core of Seattle and the University District are significantly different from markets served in other areas of King County. Services are evaluated based on these two primary market types to ensure that comparisons reflect the service potential of each type of market.

- **Seattle core** routes are those that serve downtown Seattle, First Hill, Capitol Hill, South Lake Union, the University District, or Uptown. These routes serve regional growth centers with very high employment and residential density.
- **Non-Seattle core** routes are those that operate only in other areas of Seattle and King County. These routes provide all-day connections between regional growth or transit activity centers outside of Seattle or provide service in lower-density areas.

## Performance management

Metro uses performance management to improve the efficiency and effectiveness of the transit system. Performance management guidelines are applied to individual routes to identify high and low performance, areas where investment is needed, and areas where resources are not being used efficiently and effectively.

### **Productivity**

Productivity measures identify routes where performance is strong or weak as candidates for addition, reduction, or restructuring. High and low performance thresholds differ for routes that serve the Seattle core areas<sup>8</sup> and those that do not. Routes serving the Seattle core are expected to perform at a higher level because the potential market is much greater than for routes serving other areas of King County.

The measures for evaluating routes are rides per platform hour<sup>9</sup> and passenger miles per platform mile<sup>10</sup>. Two measures are used to reflect the fact that services provide different values to the system. Routes with high ridership relative to the amount of investment perform well on the rides-per-platform-hour-measure. Routes with full and even loading along the route perform well on the passenger-miles-per-platform-mile measure; an example is a route that fills up at a park-and-ride and is full until reaching its destination.

Low performance is defined as having productivity that ranks in the bottom 25 percent of routes within a category and time period. High performance is defined as having productivity levels in the top 25 percent of routes within a category and time period. Routes in the bottom 25 percent on both productivity measures are identified as the first candidates for potential reduction.

<sup>8</sup> Seattle core areas include the regional growth centers in downtown Seattle, First Hill/Capitol Hill, South Lake Union, Uptown, and the University District.

<sup>9</sup> Rides per platform hour is a measure of the number of people who board a transit vehicle relative to the total number of hours that a vehicle operates (from leaving the base until it returns).

<sup>10</sup> Passenger miles per platform mile is a measure of the total miles riders travel on a route relative to the total miles that a vehicle operates (from leaving the base until it returns).

Thresholds for the top 25 percent and the bottom 25 percent are identified for the following time periods and destinations for each of two performance measures – rides/platform hour and passenger miles/platform mile.

Time period	Route destination
Peak	Seattle core
	Not Seattle core
Off-peak	Seattle core
	Not Seattle core
Night	Seattle core
	Not Seattle core

## Passenger loads

Passenger loads are measured to identify crowded services as candidates for increased investment. Overcrowding is a problem because buses may pass up riders waiting at stops, riders may choose not to ride if other transportation options are available, and overcrowded buses often run late because it takes longer for riders to board and get off at stops.

Passenger loads are averaged using observations from a complete period between service changes. Trips must have average loads higher than thresholds for an entire service change period to be identified as candidates for investment. Load factor is calculated by dividing the maximum load along a route by the total number of seats on a bus, to get a ratio of riders to seats.

- When a route operates every 10-minutes or more frequently, or on all RapidRide services, an individual trip should not exceed a load factor of 1.5.
- When a route operates less than every 10-minutes, or is not a RapidRide service, an individual trip should not exceed a load factor of 1.25.
- No trip on a route should have a standing load for 20 minutes or longer.

Other considerations: Vehicle availability

Action alternatives:

- Assign a larger vehicle
- Add or adjust the spacing of trips within a 20-minute period

## Schedule reliability

Metro measures schedule reliability to identify routes that are candidates for remedial action due to poor service quality.

Schedule adherence is measured for all Metro services. Service should adhere to published schedules, within reasonable variance based on time of day and travel conditions. When measuring schedule adherence, Metro focuses on routes that are regularly running late. On-time is defined as a departure that is five minutes late or better at a scheduled time point.

Time period	Lateness threshold (Excludes early trips)
Weekday average	> 20%
Weekday PM peak average	> 35%
Weekend average	> 20%

Investment can include route design, schedule, or traffic operations improvements. Routes that operate with a headway less frequent than every 10-minutes that do not meet performance thresholds will be prioritized for schedule adjustment or investment. Routes that operate with a headway of every 10-minutes or more frequent that do not meet performance thresholds will be prioritized for traffic operations (speed and reliability) investments. It may not be possible to improve through-routed routes that do not meet performance thresholds because of the high cost and complication of separating routes.

Other considerations: External factors affecting reliability

Action alternatives:

- Adjust schedules
- Adjust routing
- Invest in speed and reliability improvements.

## Service restructures

Service restructures are changes to multiple routes along a corridor or within an area, including serving new corridors, in a manner consistent with service design criteria found in this service guidelines document. Restructures may be prompted for a variety of reasons and in general are made to improve the efficiency and effectiveness of transit service or to reduce net operating costs when Metro's operating revenue is significantly reduced from historic levels.

- Under all circumstances, whether adding, reducing or maintaining service hours invested, service restructures shall have a goal to focus service frequency on the highest ridership and productivity segments of restructured services, to create convenient opportunities for transfer connections between services and to match service capacity to ridership demand to improve productivity and cost-effectiveness of service.
- In managing the transit system, service restructures shall have a goal of increasing ridership.
- Under service reduction conditions, service restructures shall have an added goal of resulting in an overall net reduction of service hours invested.
- Under service addition conditions, service restructures shall have added goals of increasing service levels and ridership.

When one or more key reasons trigger consideration of restructures, Metro specifically analyzes:

- Impacts on current and future travel patterns served by similarly aligned transit services;
- Passenger capacity of the candidate primary route(s) relative to projected consolidated ridership; and
- The cost of added service in the primary corridor to meet projected ridership demand relative to cost savings from reductions of other services.

Restructures will be designed to reflect the following:

- Service levels should accommodate projected loads at no more than 80 percent of established loading guidelines.
- When transfers are required as a result of restructures, the resulting service will be designed for convenient transfers and travel time penalties for transfers should be minimized.
- A maximum walk distance goal of 1/4 mile in corridors where service is not primarily oriented to freeway or limited-access roadways. Consideration for exceeding this goal may be given where the walking environment is pedestrian-supportive.

Based on these considerations, Metro recommends specific restructures that have compatibility of trips, capacity on the consolidated services to meet anticipated demand and that achieve measurable savings relative to the magnitude of necessary or desired change.

Following the implementation of restructures, Metro will regularly evaluate the resulting transit services and respond to on-time performance and passenger loads that exceed the performance management guidelines as part of the regular ongoing management of Metro's transit system.

Key reasons that will trigger consideration of restructures include:

***Sound Transit or Metro service investments***

- Extension or service enhancements to Link light rail, Sounder commuter rail, and Regional Express bus services.
- Expansion of Metro's RapidRide network, investment of partner or grant resources, or other significant introductions of new Metro service.

***Corridors above or below All-Day and Peak Network frequency***

- Locations where the transit network does not reflect current travel patterns and transit demand due to changes in travel patterns, demographics, or other factors.

***Services compete for the same riders***

- Locations where multiple transit services overlap or provide similar connections.

***Mismatch between service and ridership***

- Situations where a route serves multiple areas with varying demand characteristics or situations where ridership has increased or decreased significantly even though the underlying service has not changed.
- Opportunities to consolidate or otherwise reorganize service so that higher ridership demand can be served with improved service frequency and fewer route patterns.

***Major transportation network changes***

- Major projects such as SR 520 construction and tolling and the Alaskan Way Viaduct replacement; the opening of new transit centers, park-and-rides, or transit priority pathways; or the closure of facilities like the South Park Bridge.

***Major development or land use changes***

- Construction of a large-scale development, new institutions such as colleges or medical centers, or significant changes in the overall development of an area.

## Service design

Metro uses service design guidelines to develop transit routes and the overall transit network. Guidelines reflect industry best practices for designing service. The use of service design guidelines can enhance transit operations and improve the rider experience. Some guidelines are qualitative considerations that service development should take into account. Other guidelines have quantitative standards for comparing and measuring specific factors.

### 1. Network connections

Routes should be designed in the context of the entire transportation system, which includes local and regional bus routes, light-rail lines, commuter rail lines and other modes. Metro strives to make transfers easy as it develops a network of services. Network design should consider locations where transfer opportunities could be provided, and where provision of convenient transfers could improve the efficiency of the transit network. Where many transfers are expected to occur between services of different frequencies, timed transfers should be maintained to reduce customer wait times.

### 2. Multiple purposes and destinations

Routes are more efficient when designed to serve multiple purposes and destinations rather than specialized travel demands. Routes that serve many rider groups rather than a single group appeal to more potential riders and are more likely to be successful. Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.

### 3. Easy to understand, appropriate service

A simple transit network is easier for riders to understand and use than a complex network. Routes should have predictable and direct routings and should provide frequency and span appropriate to the market served. Routes should serve connection points where riders can connect to frequent services, opening up the widest possible range of travel options.

### 4. Route spacing and duplication

Routes should be designed to avoid competing for the same riders. Studies indicate that people are willing to walk one-quarter mile on average to access transit, so in general routes should be no closer than one-half mile. Services may overlap where urban and physical geography makes it necessary, where services in a common segment serve different destinations, or where routes converge to serve regional growth centers. Where services do overlap, they should be scheduled together, if possible, to provide effective service along the common routing.

Routes are defined as duplicative in the following circumstances:

- Two or more parallel routes operate less than one-half mile apart for at least one mile, excluding operations within a regional growth center or approaching a transit center where pathways are limited.
- A rider can choose between multiple modes or routes connecting the same origin and destination at the same time of day.
- Routes heading to a common destination are not spaced evenly (except for operations within regional growth centers).

### 5. Route directness

A route that operates directly between two locations is faster and more attractive to riders than one that takes a long, circuitous path. Circulators or looping routes do not have competitive travel times compared to walking or other modes of travel, so they tend to have low ridership and poor performance. Some small loops

may be necessary to turn the bus around at the end of routes and to provide supplemental coverage, but such extensions should not diminish the overall cost-effectiveness of the route. Directness should be considered in relation to the market for the service.

Route deviations are places where a route travels away from its major path to serve a specific destination. For individual route deviations, the delay to riders on board the bus should be considered in relation to the ridership gained on a deviation. New deviations may be considered when the delay is less than 10 passenger-minutes per person boarding or exiting the bus along the deviation.

$$\frac{\text{Riders traveling through} \times \text{Minutes of deviation}}{\text{Boardings and exitings along deviation}} \leq 10 \text{ minutes}$$

**6. Bus stop spacing**

Bus stops should be spaced to balance the benefit of increased access to a route against the delay that an additional stop would create for all other riders. While close stop-spacing reduces walk time, it may increase total travel time and reduce reliability, since buses must slow down and stop more frequently.

Service	Average stop spacing
RapidRide	½ mile
All other services	¼ mile

Portions of routes that operate in areas where riders cannot access service, such as along freeways or limited-access roads, are excluded when calculating average stop spacing. Additional considerations for bus stop spacing include the pedestrian facilities, the geography of the area around a bus stop, passenger amenities, and major destinations.

**7. Route length and neighborhood route segments**

A bus route should be long enough to provide useful connections for riders and to be more attractive than other travel modes. A route that is too short will not attract many riders, since the travel time combined with the wait for the bus is not competitive compared to the time it would take to walk. Longer routes offer the opportunity to make more trips without a transfer, resulting in increased ridership and efficiency. However, longer routes may also have poor reliability because travel time can vary significantly from day to day over a long distance. Where many routes converge, such as in regional growth centers, they may be through-routed<sup>11</sup> to increase efficiency, reduce the number of buses providing overlapping service, and reduce the need for layover space in congested areas.

In some places, routes extend beyond regional growth centers and transit activity centers to serve lower density residential neighborhoods. Where routes operate beyond centers, ridership should be weighed against the time spent serving neighborhood segments, to ensure that the service level is appropriate to the level of demand. The percent of time spent serving a neighborhood segment should be considered in relation to the percent of riders boarding and exiting on that segment.

$$\frac{\text{Percent of time spent serving neighborhood segment}}{\text{Percent of riders boarding/exiting on neighborhood segment}} \leq 1.2^{12}$$

<sup>11</sup> "Through-routing" means continuous routing of vehicles from one route to another such that a rider would not have to transfer from one route to reach a destination on the other.  
<sup>12</sup> The value of the service extended into neighborhoods beyond major transit activity centers should be approximately equal to the investment made to warrant the service. A 1:1 ratio was determined to be too strict, thus this ratio was adjusted to 1.2.

## 8. Operating paths and appropriate vehicles

Buses are large, heavy vehicles and cannot operate safely on all streets. Buses should be routed primarily on arterial streets and freeways, except where routing on local or collector streets is necessary to reach layover areas or needed to ensure that facilities and fleet used in all communities is equivalent in age and quality. Bus routes should also be designed to avoid places where traffic congestion and delay regularly occur, if it is possible to avoid such areas while continuing to meet riders' needs. Bus routes should be routed, where possible, to avoid congested intersections or interchanges unless the alternative would be more time-consuming or would miss an important transfer point or destination. Services should operate with vehicles that are an appropriate size to permit safe operation while accommodating demand. Appropriate vehicles should be assigned to routes throughout the county to avoid concentrating older vehicles in one area, to the extent possible given different fleet sizes, technologies and maintenance requirements. All new vehicles will be equipped with automated stop announcement systems.

## 9. Route terminals

The location where a bus route ends and the buses wait before starting the next trip must be carefully selected. Priority should be given to maintaining existing layover spaces at route terminals to support continued and future service. People who live or work next to a route end may regard parked buses as undesirable, so new route terminals should be placed where parked buses have the least impact on adjoining properties, if possible. Routes that terminate at a destination can accommodate demand for travel in two directions, resulting in increased ridership and efficiency. Terminals should be located in areas where restroom facilities are available for operators, taking into account the times of day when the service operates and facilities would be needed. Off-street transit centers should be designed to incorporate layover space.

## 10. Fixed and variable routing

Bus routes should operate as fixed routes in order to provide a predictable and reliable service for a wide range of potential riders. However, in lower-density areas where demand is dispersed, demand-responsive service may be used to provide more effective service over a larger area than could be provided with fixed-route service. Demand-responsive service may be considered where fixed-route service is unlikely to be successful or where unique conditions exist that can be met more effectively through flexible service.

## 11. Bus stop amenities and bus shelters

Bus stop amenities should be installed based on ridership, in order to benefit the largest number of riders. Bus stop amenities include such things as bus shelters, seating, waste receptacles, lighting, and information signs, maps, and schedules. In addition to ridership, special consideration may be given to areas where:

- high numbers of transfers are expected;
- waiting times for riders may be longer;
- stops are close to facilities such as schools, medical centers, or senior centers; or
- the physical constraints of bus stop sites, preferences of adjacent property owners, and construction costs could require variance from standards.

Major infrastructure such as elevators and escalators will be provided where required by local, state, and federal regulations.

### RapidRide Routes

Level of amenity	Boardings
Station	150+
Enhanced stop	50-149
Standard stop	Less than 50

### Other Routes

Location	Boardings
City of Seattle	50
Outside Seattle	25

## Use and implementation

Metro uses the following guidelines when adding or reducing service as well as in the ongoing development and management of transit service.

### Guidelines for adding or reducing service

Guideline	Measures
Productivity	Rides per platform hour Passenger miles per platform mile
Passenger loads	Load factor
Schedule reliability	On-time performance Headway adherence Lateness
All-Day and Peak Network	Current service relative to All-Day and Peak Network

### Adding Service

Metro invests in service by using guidelines in the following order:

1. Passenger Loads
2. Schedule Reliability
3. All-Day and Peak Network
4. Productivity

### ***Passenger Loads and Schedule Reliability***

Metro first uses the passenger load and schedule reliability guidelines to assess service quality. Routes that do not meet the standards are considered to have low quality service, which has a negative impact on riders and could discourage them from using transit. These routes are the highest priority candidates for investment. Routes that are through-routed but suffer from poor reliability may be candidates for investment, but because of the size and complexity of changes to through-routes, they would not be automatically given top priority.

### ***All-Day and Peak Network***

Metro next uses the All-Day and Peak Network guidelines and the target service comparison (as described on p. SG-10) to determine if corridors are below their target levels, meaning a corridor in which the all-day Service Family assignment (see SG-9) is a higher level of service than the corridor currently has. If a corridor is below the target service level it is an investment priority. Investments in corridors below their target service levels are prioritized primarily using the geographic value score. Investments are ordered for implementation on the basis of geographic value score, followed by the land use score, then the social equity score. Other constraints or considerations such as fleet availability or restructuring processes could be used to suggest order of implementation.

When planning improvements to corridors that are below their target service levels or that perform in the bottom 25 percent, Metro will consider the use of alternative services. These alternative services will be used to replace or to supplement the fixed route service in the corridor and cost-effectively maintain or enhance the access to transit for those who live in the corridor.

Also with growing resources, Metro could identify candidate alternative service areas based on feedback from communities about unmet travel needs. Alternative services could respond to travel needs not easily accommodated by fixed-route transit, or could be designed to make the fixed-route service more effective. This could involve adding service in corridors below their target service levels.

As development or transit use increase in corridors with alternative services, Metro will consider converting alternative service into fixed route service. Conversion of alternative service to fixed route service will be guided by alternative service performance thresholds and the cost effectiveness of the alternative service compared to that of fixed route.

Metro will measure the cost per rider for alternative service as one of the measures that can be compared to fixed route service. Other alternative service performance measures and thresholds will be developed as Metro evaluates the demonstrations called for in the five-year plan. Appropriate measures will be used to evaluate each alternative service and will be included as part of the service guidelines report.

Metro is open to forming partnerships with cities and private companies that would fully or partially fund transit service, and will make exceptions to the established priorities to make use of partner funding. Metro's partners are expected to contribute at least one-third of the cost of operating service. Partnerships will be considered according to the following priorities:

1. Service funded fully by Metro's partners would be given top priority over other service investments.
2. On corridors identified as below their target service levels in the All-Day and Peak Network, service that is between one-third and fully funded by Metro's partners would be given top priority among the set of investments identified in corridors below their target service levels. However, this service would not be automatically prioritized above investments to address service quality problems.

### **Productivity**

The final guideline Metro uses to determine if additional service is needed is productivity. Routes with productivity in the top 25 percent perform well in relation to other routes; investment in these services would improve service where it is most efficient.

### **Reducing service**

The service guidelines identify the steps for evaluation when Metro is reducing service. Routes that are in the bottom 25 percent in one or both productivity measures and operate on corridors that are above their target service levels have a higher potential for reduction than routes on corridors that are at or below their target service level. While the guidelines form the basis for identifying services for reduction, Metro also considers other factors such as system efficiencies, simplification, and potential changes to other service in an area. The use of these other factors means that some routes may not be reduced in the priority order stated below.

Metro also considers restructures when making large reductions, to identify areas where restructuring can lead to more efficient service. Reduction of service can range from reduction of a single trip to elimination of an entire route. While no route or area is exempt from change during large-scale system reductions, Metro will seek to maintain service at All-Day and Peak Network levels, and to avoid reducing service on corridors already identified as below their target service levels.

Service restructuring allows Metro to serve trip needs at a reduced cost by consolidating and focusing service in corridors such as those in the All-Day and Peak Network. Restructuring allows Metro to make reductions while minimizing impacts to riders. Metro strives to eliminate duplication and match service to demand during large-scale reductions. As a result of service consolidation some routes may increase in frequency to accommodate projected loads, even while the result of the restructure is a reduction in service hours.

Metro serves some urbanized areas of east and south King County adjacent to or surrounded by rural land. Elimination of all service in these areas would result in significant reduction in the coverage that Metro provides. To ensure that Metro continues to address mobility needs, ensure social equity and provide geographic value to people throughout King County, connections to these areas would be preserved when making service reductions, regardless of productivity.

During service reductions Metro will consider the use of alternative services that can reduce costs on corridors with routes that are in the bottom 25 percent in one or both productivity measures. In this way, alternative services may help maintain public mobility in a cost-effective manner. These alternative services will be evaluated according to the measures and performance thresholds developed through the evaluation of the demonstrations called for in the five-year plan.

Priorities for reduction are listed below. Within all of the priorities, Metro ensures that social equity is a primary consideration in any reduction proposal, complying with all state and federal regulations.

1. Reduce service on routes that are below the 25 percent productivity threshold for a given time period. Routes that are below the 25 percent productivity threshold on both measures are considered for reduction before routes that are below the 25 percent productivity threshold for only one measure in the following order:
  - All-day routes that duplicate or overlap with other routes on corridors on the All-Day and Peak Network.
  - Peak routes failing one or both of the criteria.
  - All-day routes that operate on corridors that are above their target service levels, meaning corridors in which the all-day service family assignment (see SG-9) is a lower level of service than the corridor currently has.
  - All-day routes that operate on corridors which are at their target service levels. This worsens the deficiency between existing service and the All-Day and Peak Network service levels.

2. Restructure service to improve efficiency of service.
3. Reduce service on routes that are above the 25 percent productivity threshold for a given time period. Routes that are between the 25 and 50 percent productivity threshold on both measures are considered for reduction before routes that are above the 50 percent productivity threshold for either measure, in the following order:
  - All-day routes that duplicate or overlap with routes on the All-Day and Peak Network.
  - Peak routes that meet both peak criteria or are above the 25 percent threshold.
  - All-day routes on corridors that are above their target service levels.
  - All-day routes on corridors which are at their target service levels. This worsens the deficiency between existing service and the service levels determined through the All-Day and Peak Network analysis.
4. Reduce services on routes that are below the 25 percent productivity threshold for a given time period on corridors identified as below their target service levels. Routes that are below the 25 percent productivity threshold on both measures are considered for reduction before routes that are below the 25 percent productivity threshold for only one measure. This worsens the deficiency between existing service and the All-Day and Peak Network service levels.

In many areas of the county, and especially in urbanized areas adjacent to or surrounded by rural land, Metro may provide service in different ways in the future, including with alternatives to fixed-route transit service (Strategy 6.2.3). These services could include fixed-route with deviations or other Dial-a-Ride Transit, or other alternative services that offer mobility similar to the fixed-route service provided. Services such as Community Access Transportation also provide alternatives to fixed-route service by allowing Metro to partner with local agencies or jurisdictions to provide service in a way that meets the needs of the community and is more efficient and cost-effective than fixed-route transit. This approach is consistent with the *Strategic Plan for Public Transportation 2011-2021* because it considers a variety of products and services appropriate to the market (Strategy 2.1.1).

## Implementation

Metro revises service three times each year—in spring, summer, and fall. The summer service change coordinates with the summer schedule for the University of Washington, because service is adjusted each summer on routes serving the UW. In cases of emergency or time-critical construction projects, Metro may make changes at times other than the three regularly scheduled service changes. However, these situations are rare and are kept to a minimum because of the high level of disruption and difficulty they create. Metro will identify and discuss service changes that address performance-related issues in its annual route performance report.

Any proposed changes to routes are subject to approval by the Metropolitan King County Council except as follows (per King County code 28.94.020):

- Any single change or cumulative changes in a service schedule which affect the established weekly service hours for a route by 25 percent or less.
- Any change in route location which does not move the location of any route stop by more than one-half mile.
- Any changes in route numbers.

## **Adverse Effect of a Major Service Change**

An adverse effect of a major service change is defined as a reduction of 25 percent or more of the transit trips serving a census tract, or 25 percent or more of the service hours on a route.

## **Disparate Impact Threshold**

A disparate impact occurs when a major service change results in adverse effects that are significantly greater for minority populations than for non-minority populations. Metro's threshold for determining whether adverse effects are significantly greater for minority compared with non-minority populations is ten percent. Should Metro find a disparate impact, Metro will consider modifying the proposed changes in order to avoid, minimize or mitigate the disparate impacts of the proposed changes.

Metro will measure disparate impacts by comparing changes in the number of trips serving minority or non-minority census tracts, or by comparing changes in the number of service hours on minority or non-minority routes. Metro defines a minority census tract as one in which the percentage of minority population is greater than that of the county as a whole. For regular fixed route service, Metro defines a minority route as one for which the percentage of inbound weekday boardings in minority census tracts is greater than the average percentage of inbound weekday boardings in minority census tracts for all Metro routes.

## **Disproportionate Burden Threshold**

A disproportionate burden occurs when a major service change results in adverse effects that are significantly greater for low-income populations than for non-low-income populations. Metro's threshold for determining whether adverse effects are significantly greater for low-income compared with non-low-income populations is ten percent. Should Metro find a disproportionate burden, Metro will consider modifying the proposed changes in order to avoid, minimize or mitigate the disproportionate burden of the proposed changes.

Metro will measure disproportionate burden by comparing changes in the number of trips serving low-income or non-low-income census tracts, or by comparing changes in the number of service hours on low-income or non-low-income routes. Metro defines a low-income census tract as one in which the percentage of low-income population is greater than that of the county as a whole. For regular fixed route service, Metro defines a low-income route as one for which the percentage of inbound weekday boardings in low-income census tracts is greater than the average percentage of inbound weekday boardings in low-income census tracts for all Metro routes.

## **Public outreach**

Metro conducts outreach to gather input from the public when considering major changes. Outreach ranges from relatively limited activities, such as posting rider alerts at bus stops, to more extensive outreach including mailed informational pieces and questionnaires, websites, media notices and public open houses.

For service changes that affect multiple routes or large areas, Metro may convene a community-based sounding board. Sounding board members attend public meetings, offer advice about public outreach, and provide feedback about what changes to bus service would be best for the local communities. Metro considers sounding board recommendations as it develops recommendations.

Proposed changes may require County Council approval, as described above. The Council holds a public hearing before making a final decision on changes.

## Future guidelines

As the transit system changes over time, Metro may need to change some guidelines as well. Updates to the guidelines will be considered along with updates to Metro's *Strategic Plan for Public Transportation 2011-2021*.

As part of the required 2013 review and re-adoption of the strategic plan and service guidelines, the results of a collaborative process that addresses the factors, methodology and prioritization of adding service consistent with Strategy 6.1.1 will be included. Key goals include:

- A. More closely align factors used to serve and connect centers in the development of the All-Day and Peak Network and resulting service level designations, including consideration of existing public transit services, with jurisdictions' growth decisions, such as zoning, and transit-supportive design requirements, and actions, associated with but not limited to permitting, transit operating enhancements, parking controls and pedestrian facilities; and
- B. Create a category of additional service priority, complementary to existing priorities for adding service contained within the King County Metro Service Guidelines, so that priorities include service enhancements to and from, between and within *Vision 2040* Regionally Designated Centers, and other centers where plans call for transit-supportive densities and jurisdictions have invested in capital facilities, made operational changes that improve the transit operating environment and access to transit and implemented programs that incentivize transit use.

## ■ APPENDIX 1: Centers in King County

### Regional Growth Centers

Auburn  
 Bellevue Downtown  
 Burien  
 Federal Way  
 First Hill/Capitol Hill  
 Kent  
 Northgate  
 Overlake  
 Redmond  
 Renton  
 SeaTac  
 Seattle CBD  
 South Lake Union  
 Totem Lake  
 Tukwila  
 University District  
 Uptown

### Manufacturing/Industrial Centers

Ballard/Interbay  
 Duwamish  
 Kent  
 North Tukwila

### Transit Activity Centers

Alaska Junction  
 Aurora Village Transit Center  
 Ballard (Ballard Ave NW/NW Market St)  
 Beacon Hill Station  
 Black Diamond  
 Bothell (UW Bothell/Cascadia Community College)  
 Carnation  
 Central District (23rd Ave E/E Jefferson St)  
 Children's Hospital  
 Columbia City Station  
 Covington (172nd Ave SE/SE 272nd St)  
 Crossroads (156th Ave NE/NE 8th St)  
 Crown Hill (15th Ave NW/NW 85th St)  
 Des Moines (Marine View Dr/S 223rd St)  
 Duvall  
 Eastgate (Bellevue College)  
 Enumclaw  
 Factoria (Factoria Blvd SE/SE Eastgate Wy)  
 Fairwood (140th Ave SE/SE Petrovitsky Rd)  
 Maple Valley (Four Corners, SR-169/Kent-Kangley Rd)  
 Fremont (Fremont Ave N/N 34th St)

Georgetown (13th Ave S/S Bailey St)  
 Green River Community College  
 Greenwood (Greenwood Ave N/N 85th St)  
 Harborview Medical Center  
 Highline Community College  
 Issaquah Highlands  
 Issaquah (Issaquah Transit Center)  
 Juanita (98th Ave NE/NE 116th St)  
 Kenmore (Kenmore Park and Ride)  
 Kent East Hill (104th Ave SE/SE 240th St)  
 Kirkland (Kirkland Transit Center)  
 Kirkland (South Kirkland Park and Ride)  
 Lake City  
 Lake Forest Park  
 Lake Washington Technical College  
 Madison Park (42nd Ave E/E Madison St)  
 Magnolia (34th Ave W/W McGraw St)  
 Mercer Island  
 Mount Baker Station  
 Newcastle  
 North Bend  
 North City (15th Ave NE/NE 175th St)  
 Oaktree (Aurora Ave N/N 105th St)  
 Othello Station  
 Rainier Beach Station  
 Renton Highlands (NE Sunset Blvd/NE 12th St)  
 Renton Technical College  
 Roosevelt (12th Ave NE/NE 65th St)  
 Sammamish (228th Ave NE/NE 8th St)  
 Sand Point (Sand Point Way/NE 70th St)  
 Shoreline (Shoreline Community College)  
 Snoqualmie  
 SODO (SODO Busway/Lander St)  
 South Mercer Island  
 South Park (14th Ave S/S Cloverdale St)  
 South Seattle Community College  
 Tukwila International Blvd Station  
 Twin Lakes (21st Ave SW/SW 336th St)  
 Valley Medical Center  
 Vashon  
 Wallingford (Wallingford Ave N/N 45th St)  
 Westwood Village  
 Woodinville (Woodinville Park and Ride)

## ■ APPENDIX 2: Corridors evaluated for All-Day and Peak network

Connections		
Between	And	Via
Admiral District	Southcenter	California Ave SW, Military Rd, TIBS
Alki	Seattle CBD	Admiral Way
Auburn	Pacific	Algona
Auburn	Burien	Kent, SeaTac
Auburn/GRCC	Federal Way	15th St SW, Lea Hill Rd
Aurora Village	Seattle CBD	Aurora Ave N
Aurora Village	Northgate	Meridian Av N
Avondale	Kirkland	NE 85th St, NE Redmond Wy, Avondale Wy NE
Ballard	Seattle CBD	15th Ave W
Ballard	University District	Green Lake, Greenwood
Ballard	Lake City	Holman Road, Northgate
Ballard	Seattle CBD	W Nickerson, Westlake Av N, 9th Ave
Ballard	University District	Wallingford (N 45th St)
Beacon Hill	Seattle CBD	Beacon Ave
Bellevue	Eastgate	Lake Hills Connector
Bellevue	Redmond	NE 8th St, 156th Ave NE
Bellevue	Renton	Newcastle, Factoria
Burien	Seattle CBD	1st Ave S, South Park, Airport Wy
Burien	Seattle CBD	Delridge, Ambaum
Burien	Seattle CBD	Des Moines Mem Dr, South Park
Capitol Hill	Seattle CBD	15th Ave E
Capitol Hill	Seattle CBD	Madison St
Capitol Hill	White Center	South Park, Georgetown, Beacon Hill, First Hill
Central District	Seattle CBD	E Jefferson St
Colman Park	Seattle CBD	Leschi, Yesler
Cowen Park	Seattle CBD	University Way, I-5
Discovery Park	Seattle CBD	Gilman Ave W, 22nd Ave W, Thorndyke Av W
Eastgate	Bellevue	Newport Wy , S. Bellevue, Beaux Arts
Eastgate	Overlake	Phantom Lake
Eastgate	Bellevue	Somerset, Factoria, Woodridge
Enumclaw	Auburn	Auburn Wy S, SR 164
Fairwood	Renton	S Puget Dr, Royal Hills
Federal Way	Kent	Military Road
Federal Way	SeaTac	SR-99
Fremont	Broadview	8th Av NW, 3rd Av NW

<b>Connections</b>		
<b>Between</b>	<b>And</b>	<b>Via</b>
Fremont	Seattle CBD	Dexter Ave N
Fremont	University District	N 40th St
Green River CC	Kent	132nd Ave SE
Greenwood	Seattle CBD	Greenwood Ave N
High Point	Seattle CBD	35th Ave SW
Issaquah	North Bend	Fall City, Snoqualmie
Issaquah	Eastgate	Newport Way
Issaquah	Overlake	Sammamish, Bear Creek
Kenmore	Totem Lake	Finn Hill, Juanita
Kenmore	Kirkland	Juanita
Kenmore	Shoreline	Lake Forest Park, Aurora Village TC
Kenmore	University District	Lake Forest Park, Lake City
Kennydale	Renton	Edmonds Av NE
Kent	Renton	84th Av S, Lind Av SW
Kent	Renton	Kent East Hill
Kent	Burien	Kent-DM Rd, S. 240th St, 1st Av S
Kent	Maple Valley	Kent-Kangley Road
Kent	Seattle CBD	Tukwila
Kirkland	Factoria	Overlake, Crossroads, Eastgate
Kirkland	Bellevue	South Kirkland
Lake City	University District	35th Ave NE
Lake City	University District	Lake City, Sand Point
Lake City	Seattle CBD	NE 125th St, Northgate, I-5
Laurelhurst	University District	NE 45th St
Madison Park	Seattle CBD	Madison St
Madrona	Seattle CBD	Union St
Magnolia	Seattle CBD	34th Ave W, 28th Ave W
Mercer Island	S Mercer Island	Island Crest Way
Mirror Lake	Federal Way	S 312th St
Mount Baker	Seattle CBD	31st Av S, S Jackson St
Mountlake Terrace	Northgate	15th Ave NE, 5th Ave NE
Mt Baker	University District	23rd Ave E
Northeast Tacoma	Federal Way	SW 356th St, 9th Ave S
Northgate	Seattle CBD	Green Lake, Wallingford
Northgate	University District	Roosevelt
Northgate	University District	Roosevelt Way NE, NE 75th St
Othello Station	Columbia City	Seward Park
Overlake	Bellevue	Bell-Red Road
Overlake	Bellevue	Sammamish Viewpoint, Northup Way

<b>Connections</b>		
<b>Between</b>	<b>And</b>	<b>Via</b>
Queen Anne	Seattle CBD	Queen Anne Ave N
Queen Anne	Seattle CBD	Taylor Ave N
Rainier Beach	Seattle Center	Martin Luther King Jr Wy, E John St, Denny Way
Rainier Beach	Seattle CBD	Rainier Ave
Rainier Beach	Capitol Hill	Rainier Ave
Redmond	Eastgate	148th Ave, Crossroads, Bellevue College
Redmond	Fall City	Duvall, Carnation
Redmond	Totem Lake	Willows Road
Renton	Enumclaw	Maple Valley, Black Diamond
Renton	Seattle CBD	Martin Luther King Jr Wy, I-5
Renton	Renton Highlands	NE 4th St, Union Ave NE
Renton	Burien	S 154th St
Renton	Seattle CBD	Skyway, S. Beacon Hill
Renton	Rainier Beach	West Hill, Rainier View
Renton Highlands	Renton	NE 7th St, Edmonds Av NE
Richmond Beach	Northgate	Richmond Bch Rd, 15th Ave NE
Sand Point	University District	NE 55th St
Shoreline	University District	Jackson Park, 15th Av NE
Shoreline CC	Greenwood	Greenwood Av N
Shoreline CC	Northgate	N 130th St, Meridian Av N
Shoreline CC	Lake City	N 155th St, Jackson Park
Totem Lake	Seattle CBD	Kirkland, SR-520
Tukwila	Des Moines	McMicken Heights, Sea-Tac
Tukwila	Seattle CBD	Pacific Hwy S, 4th Ave S
Tukwila	Fairwood	S 180th St, Carr Road
Twin Lakes	Federal Way	S 320th St
Twin Lakes	Federal Way	SW Campus Dr, 1st Ave S
University District	Seattle CBD	Broadway
University District	Seattle CBD	Eastlake, Fairview
University District	Seattle CBD	Lakeview
University District	Bellevue	SR-520
UW Bothell	Redmond	Woodinville, Cottage Lake
UW Bothell/CCC	Kirkland	132nd Ave NE, Lake Washington Tech
Vashon	Tahlequah	Valley Center
Wedgwood	Cowen Park	View Ridge, NE 65th St
West Seattle	Seattle CBD	Fauntleroy, Alaska Junction
White Center	Seattle CBD	16th Ave SW, SSCC
White Center	Seattle CBD	Highland Park, 4th Ave S
Woodinville	Kirkland	Kingsgate

# How routes are affected in the service reduction proposal

## Deleted

4	154	280
5 EX	158	304
7 EX	159	306 EX
19	161	308
21	167	<b>DART</b>
22	173	
25	178	901
26	179	908
27	190	909
28	192	910
30	200	913
31	201	916
37	202	919
47	203	927
48 EX	205 EX	930
57	209	935
61	210	
62	211 EX	
66 EX	213	
67	215	
68	217	
72	237	
82	238	
83	242	
84	243	
99	244 EX	
110	250	
113	260	
139	265	
152	277	

## Reduced/Revised

C Line	55	150	257
D Line	56 EX	156	269
1	60	157*	271
2	64 EX	164	311
3*	65	168*	331
5	70*	177*	342*
7	71	180	346
8	73*	181*	348
9 EX	98†	182	355 EX*
11	105	186	358 EX*
12	106*	187	(E Line)
13*	107	193 EX	372 EX*
14	111	197	<b>DART</b>
16*	114	204	
17 EX	116 EX	208	903
18 EX	118 EX	212*	907
21 EX	118	214	914
24	119 EX	221	915
26 EX*	119	226	917
28 EX*	120	232	931
29	121	234	
32*	122	235*	
33	123	236	
36	124	240	
40	125	241	
41	128	245	
43	131	248	
44	132	249	
49	143 EX	252	
50*	148	255	

## Unchanged

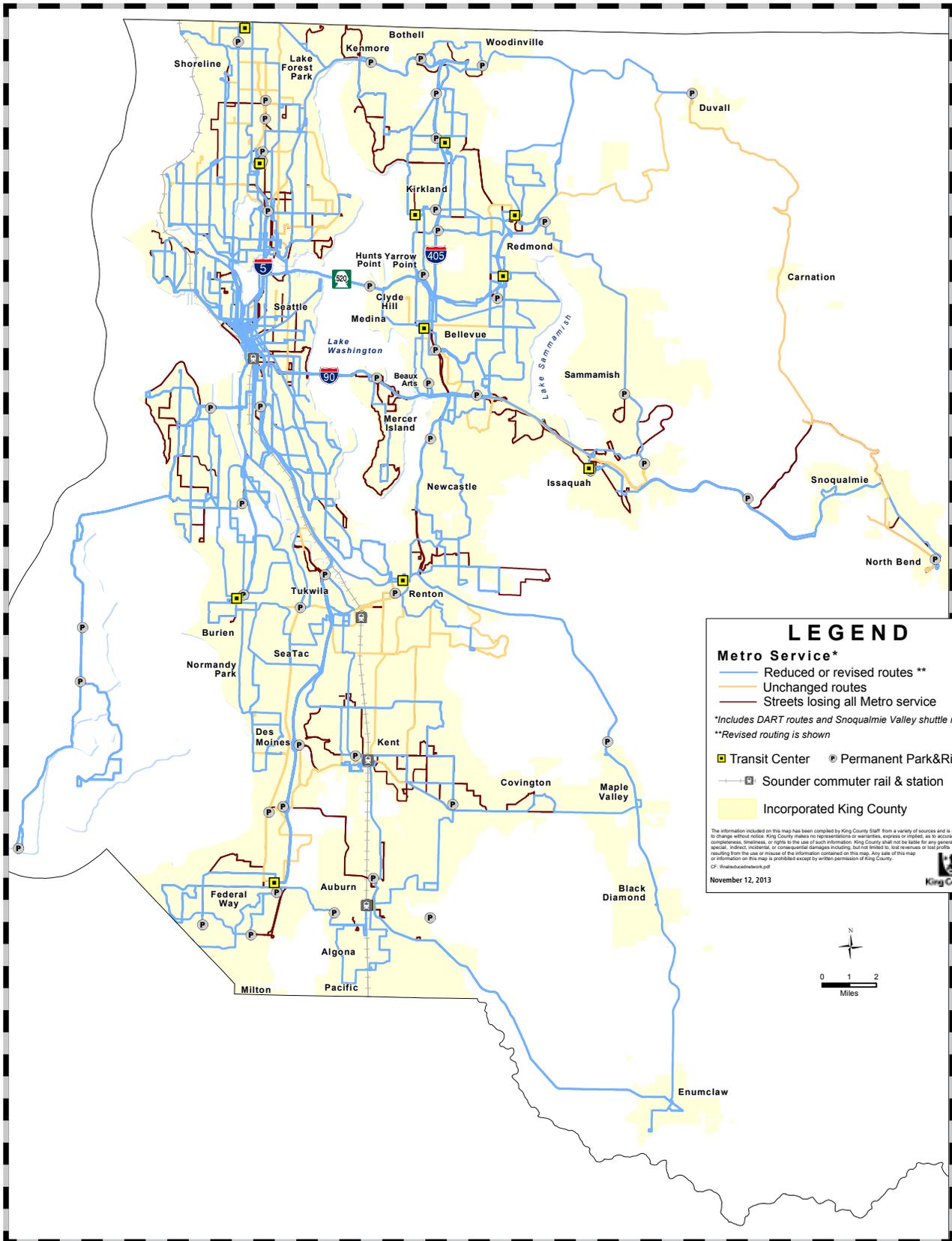
A Line
B Line
10
15 EX
48
74 EX
75
76
77
101
102
140 (F Line)
153
166
169
183
216
218
219
224
246
268
301
303 EX
309 EX
312 EX
316
330
345
347
373 EX
601 EX
<b>DART</b>
906

☐ Routes in shaded cells are among Metro’s lowest-performing 25%

\* Routes have additional service/trips as a result of a revision

† South Lake Union Streetcar

# Proposed reduction of up to 600,000 annual service hours





## Proposed Revision: Northeast King County

In the 2014-2015 service reduction proposal, Metro has revised the Northeast King County network to:

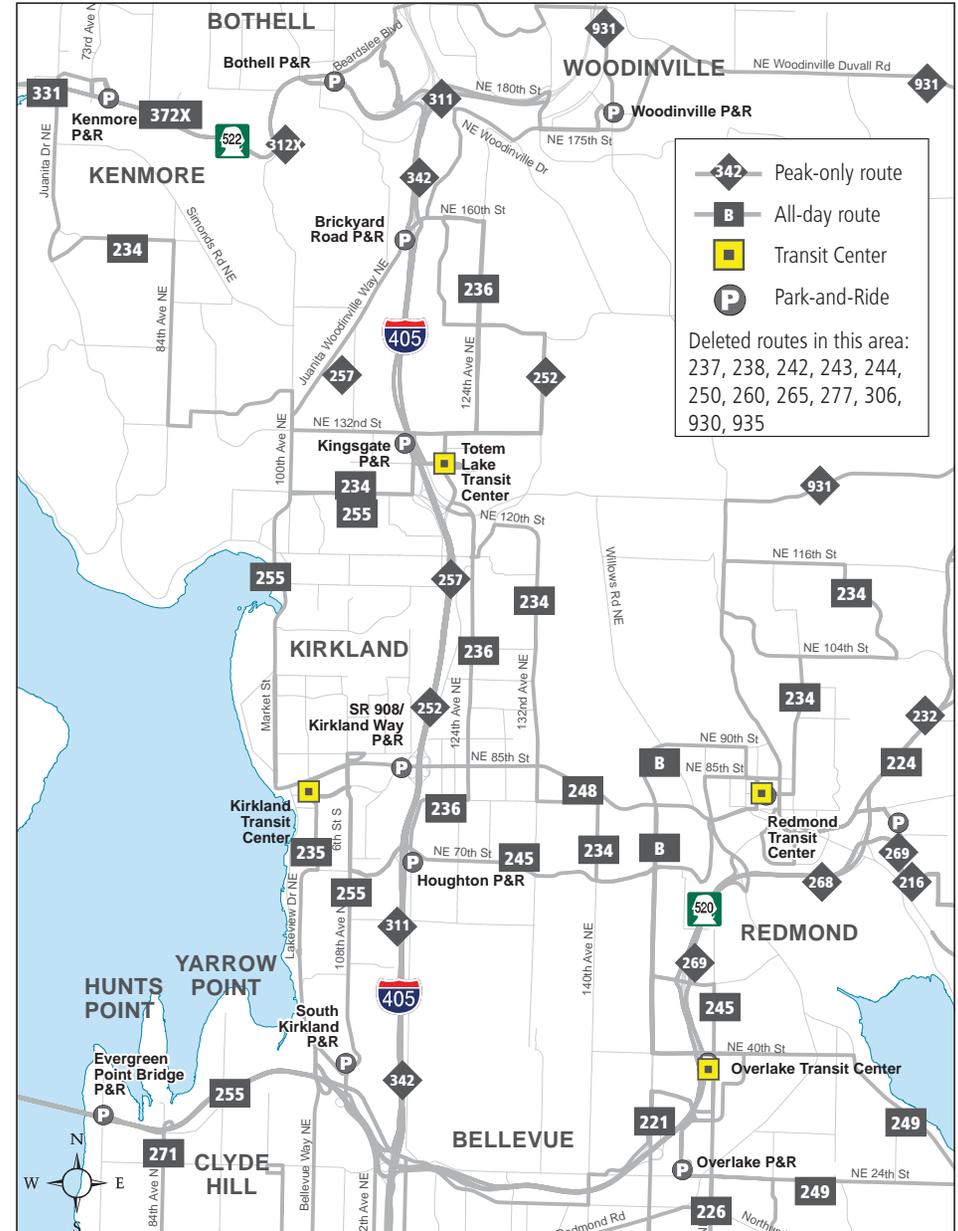
- Save as many resources as possible
- Shorten some routes that have less productive segments
- Reduce duplication
- Better match service provided to the demand for that service
- Maintain frequency in areas with high ridership
- Reduce service coverage to areas with fewer riders

### All day routes in proposed network

Route	Routing revision	Approximate minutes between bus trips				
		Weekday peak (6-9 a.m., 3-7 p.m.)	Weekday midday	Weekday night (after 7 p.m.)	Saturday	Sunday
B	No	10	15	15-30	15	15
221	Yes	30	30	60	30	30
224	No	120	150	-	-	-
226	No	30	30	60	30	60
234	Yes	30	60	-	60	60
235	Yes	15	30	30	30	30
236	Yes	30	60	60	60	60
245	Yes	15	15	30-60	30	30
248	No	30	30	60	30	30
249	No	60	60	-	45	45
255	Yes	10	15	30-60	30	30
271	Yes	10	15	30	30	30
331	No	30	30	-	30	60
372X	Yes	6-30	30	30-60	30	30

### Peak only routes in proposed network

Route	Routing revision	Weekday peak	Route	Routing revision	Weekday peak
216	No	12 trips	309X	No	9 trips
232	No	8 trips	311	No	21 trips
252	No	13 trips	312X	No	34 trips
257	No	10 trips	342	Yes	9 trips
268	No	9 trips	931	No	7 trips (both directions)
269	No	14 trips			



Información importante sobre el servicio de autobuses de su zona  
 Các thông tin quan trọng về dịch vụ xe buýt tại khu vực quý vị  
 有關您所在地區巴士服務的重要資訊



Scan the QR code with your smart phone for more information.  
[www.kingcounty.gov/metro/future](http://www.kingcounty.gov/metro/future)



Summary of Proposed Service Reductions

Route	Route Description	Current # of peak trips		Proposed # of peak trips		Service periods - current frequencies					Service periods - proposed frequencies					Night span		Summary of changes	Reduction Priority	Reasons for change	Rider options
		AM	PM	AM	PM	Peak	Midday	Night	Saturday	Sunday	Peak	Midday	Night	Saturday	Sunday	Current end time	Proposed end time				
234	Kenmore - Bellevue					30	30	60	60	60	30	60	-	60	60	Before 9:00 PM	Before 7:00 PM	Revise routing east of 100th Avenue NE to serve Totem Lake Transit Center, Redmond Transit Center and Education Hill. Operate service less often during the mid-day. End service earlier.	2, 3	Reduced as part of restructuring a large area to make the network more efficient and to preserve service for the most riders.	Between Juanita and Kirkland Transit Center, use Route 255. Between Kirkland Transit Center and Bellevue Transit Center, use revised Route 235.
235	Kingsgate - Bellevue					30	30	30	60	60	15	30	30	30	30	Before 12:00 AM	Before 10:00 PM	Eliminate the part of the route north of Kirkland Transit Center. Operate service more often during commute hours and on weekends since Route 234 will no longer serve the area. End service earlier.	2, 3	Reduced as part of restructuring a large area to make the network more efficient and to preserve service for the most riders.	Between Kirkland and Totem Lake Transit Centers, use revised Route 236.
236	Woodinville - Kirkland					30	30	60	60	60	30	60	60	60	60	Before 9:00 PM	Before 8:00 PM	Revise to use more direct routing on 124th Avenue NE between Brickyard Park-and-Ride and Totem Lake Transit Centers. Revise routing to serve the Rose Hill neighborhood. Operate service less often during the mid-day. End service earlier.	1, 2	Reduced as part of restructuring a large area to make the network more efficient and to preserve service for the most riders.	In Juanita, use revised Route 255. On NE 116th Street, Metro's RideShare and VanPool programs may be an option.
237	Woodinville - Bellevue	3	2																2	This is part of a set of changes to a group of routes to make them more efficient and preserve service for the most riders.	Between the Woodinville Park-and-Ride and NE 128th Street, use revised Route 311 and connect with revised Route 342 or Sound Transit routes 532 or 535 at the NE 128th Street freeway stops.
238	Bothell - Kirkland					30	30	60	60	60						Before 10:00 PM			1, 2, 3	This is part of a set of changes to a group of routes to make them more efficient and preserve service for the most riders.	Between Bothell and Totem Lake, use revised Sound Transit Route 35. Between the Brickyard Park-and-Ride and Riverside Road, use revised Route 236. Between Brickyard and Kingsgate park-and-rides, use Route 257 during commute hours or revised Route 234 on 100th Avenue NE. Between the Totem Lake Transit Center and NE 80th Street, use revised Route 234. Between the Houghton Park-and-Ride and the Kirkland Transit Center, use revised route 236 or 245. Between downtown Bothell and Brickyard Road NE, Metro's RideShare or VanPool programs may be options.
244	Kenmore - Overlake	5	5																3	It's one of the lower performing routes in Metro's system, and there is alternative service available for most riders.	In Kenmore, use revised Route 342 and connect with Sound Transit routes 566 or 567 at the Bellevue Transit Center, or use revised Route 234 and connect with the RapidRide B Line (unchanged) on Rose Hill.
245	Kirkland - Factoria					15	15	30-60	30	30	15	15	30-60	30	30	Before 11:00 PM	Before 11:00 PM	Eliminate the part of the route that travels into the Bellevue College campus to make the route more efficient to operate. Operate service less often on Saturdays after 7:00 PM.	2	Combined service on two or more routes to preserve service for the most riders.	On the Bellevue College Campus, use Routes 221 or 226.
248	Avondale - Kirkland					30	30	30	30	30	30	30	60	30	30	Before 11:00 PM	Before 9:00 PM	Operate service less often after 7:00 PM. End service earlier.	3	Reduced because it is one of the lower performing routes in Metro's system.	No rider options box needed.
252	Kingsgate - Seattle Central Business District	7	8	6	7														2, 3	Reduced as part of restructuring a large area to make the network more efficient and to preserve service for the most riders.	No rider options box needed.
255	Brickyard - Seattle Central Business District via Kirkland TC					10	15	30-60	30	30	10	15	30-60	30	30	Before 1:00 AM	Before 1:00 AM	Eliminate the part of the route north of Totem Lake Transit Center. Revise Route 236 to serve 124th Avenue NE.	1, 2, 3	Reduced as part of restructuring a large area to make the network more efficient and to preserve service for the most riders.	Along 124th Avenue NE, use route 252, 257 or revised Route 236.
257	Brickyard - Seattle Central Business District	6	6	5	5														2, 3	Reduced as part of restructuring a large area to make the network more efficient and to preserve service for the most riders.	No rider options box needed.
260	Finn Hill - Seattle Central Business District	3	3																1	It's one of the lowest performing peak-period-only routes in Metro's system.	At Juanita, use revised Route 255. On Finn Hill, use revised Route 234 and connect to revised routes 252, 257, or 311 at the Kingsgate freeway station. Along NE 116th Street, Metro's RideShare or VanPool programs may be options.
277	Juanita - University District	6	6																3	It's one of the lowest performing peak-period-only routes in Metro's system.	In Juanita, use revised Route 255 to connect with Sound Transit Route 540 at Kirkland Transit Center or use revised Route 255 to connect with revised Route 271 or Sound Transit Route 542 at the Evergreen Point freeway station. On NE 132nd Street, use Route 257 to connect with revised Route 271 or Sound Transit Route 542 at the Evergreen Point freeway station. On 124th Avenue NE, use revised Route 235 to connect with Sound Transit Route 540 on 108th Avenue NE. At the Houghton Park-and-Ride, use revised Route 245 to connect with Sound Transit Route 540 on 108th Avenue NE.

Yellow shading indicates deleted routes  
Green shading indicates unchanged routes

# Actions to address Metro's deficit (2009-2013)

Updated April 9, 2013	Cumulative Total through 2013	Ongoing Annual Savings
I. Ongoing productivity/efficiency actions <ul style="list-style-type: none"> <li>• Transit program efficiencies               <ul style="list-style-type: none"> <li>Scheduling efficiencies \$34 million</li> <li>Non-service and staff reductions \$55 million</li> <li>Other program efficiencies \$15 million</li> </ul> </li> <li>• Bus service reductions \$23 million</li> <li>• Labor cost savings \$36 million</li> <li>• Service deferrals \$41 million</li> </ul>		\$13 million \$14 million \$ 5 million \$ 8 million \$17 million \$36 million
II. Revenue related actions <ul style="list-style-type: none"> <li>• Fare increases \$145 million</li> <li>• Property tax \$ 66 million</li> <li>• Congestion Reduction Charge (temporary) \$ 39 million</li> <li>• Ride Free Area elimination \$ 2 million</li> </ul>		
III. One-time actions (cash savings) <ul style="list-style-type: none"> <li>• Capital program cuts \$180 million</li> <li>• Fleet replacement reserves \$ 93 million</li> <li>• Operating reserves \$ 41 million</li> <li>• 2009 savings, i.e. hiring freeze \$ 20 million</li> <li>• Healthy incentives program \$ 10 million</li> </ul>		
<b>TOTAL</b>	<b>\$798 million</b>	<b>\$148 million</b>

## SCA Public Issues Committee AGENDA

January 8, 2014 – 7:00 PM  
Renton City Hall  
Council Chambers, 7th Floor  
1055 S. Grady Way - Renton, WA 98057

**Pre - PIC Workshop 6:00 PM**  
**PIC 101: Everything You Wanted to Know About  
the Public Issues Committee (But Were Afraid to Ask)**

1. **Welcome and Roll Call** – Mayor Bernie Talmas, Woodinville, Chair
2. **Public Comment** – Mayor Bernie Talmas, Woodinville
3. **Introduction of Members** – Mayor Bernie Talmas, Woodinville, Chair 10 minutes
4. **[Approval of minutes – December 11, 2013 meeting](#)**  
Page 4
5. **Chair’s Report** – Mayor Bernie Talmas, Woodinville, Chair 5 minutes
6. **Executive Director’s Report** – Deanna Dawson, SCA Executive Director 10 minutes
7. **[PIC Nominating Committee Recommendation](#)** 10 minutes  
ACTION ITEM  
Redmond Councilmember Hank Margeson, Chair of the PIC Nominating Committee  
Page 16  
(3 minute update, 7 minute discussion)
8. **[2014 PIC Meeting Schedule](#)** 5 minutes  
ACTION ITEM  
Deanna Dawson, SCA Executive Director  
Page 18  
(2 minute update, 8 minute discussion)
9. **[Transportation Funding](#)** 25 minutes  
POTENTIAL FUTURE ACTION ITEM  
Deanna Dawson, SCA Executive Director  
Page 19  
(5 minute update, 20 minute discussion)

**10. Review of SCA Policy Positions – 2005-2013**

DISCUSSION ITEM

20 minutes

Deanna Dawson, SCA Executive Director  
Page 45  
(5 minute update, 15 minute discussion)

**11. Future Training Opportunities for SCA Members**

DISCUSSION ITEM

10 minutes

Page 72  
Mayor Bernie Talmas, Woodinville, Chair  
(2 minute update, 8 minute discussion)

**12. Upcoming Events**

- a) SCA Board Meeting – Wednesday, January 15, 2014 – 10:00 AM, Renton City Hall
- b) Newly Elected Officials Workshop – Wednesday, January 15, 2014 – 4:00 PM, SeaTac City Hall
- c) 2014 Board and Committee Orientation – Wednesday, January 15, 2014 – 6:00 PM Dinner, 6:30 Orientation, SeaTac City Hall
- d) SCA Woman’s Leadership Breakfast – Thursday, January 16, 2014 – 7:30 AM Puget Sound Skills Center – Burien
- e) SCA Board Retreat – Friday, January 31, 2014 - Exact Time and Location TBD
- f) SCA Pre-PIC Workshop with Ann Macfarlane, Jurassic Parliament Wednesday, February 12, 2014 – 6:00 PM Renton City Hall
- g) SCA Public Issues Committee Meeting – Wednesday, February 12, 2014 – 7:00 PM Renton City Hall
- h) SCA Networking Dinner – Wednesday, February 19, 2014 – 5:30 PM Renton Pavilion Events Center –Seattle Mayor Ed Murray, Keynote Speaker

**13. For the Good of the Order**

**14. Adjourn**

**Did You Know?**

The Sound Cities Association is now 36 member cities strong! We are pleased to welcome the City of Medina as an SCA member in 2014. Medina was incorporated in 1955. It has a population of 2,970, and a Council/Manager form of government. The history of Medina’s name, according to the City’s website, is as follows:

*In 1891, Mr. T.L. Dabney built the first landing in Medina on what later became known as Dabney Point. The landing was directly across from the Leschi Park landing and it became the main crossing point for settlers to enter “the Points Country.” As the community around the landing began to grow, local residents wanted to give it a distinct name. A community meeting was held and three women were appointed to select a name for the community. Mrs. Flora Belote’s choice was the name selected. She had decided on the name “Medeena,” after a popular Arabian city. Dabney was offended, he wanted it named “Floridine.” Mr. Dabney built a large sign that said “Floridine” and placed it in the water beside his landing. The next evening*



January 8, 2014  
SCA PIC Meeting

### Item 9:

Transportation Funding

#### ***Potential Future Action Item***

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#### **SCA Staff Contact**

Deanna Dawson, Executive Director, office 206-433-7170, [Deanna@soundcities.org](mailto:Deanna@soundcities.org)

Monica Whitman, Senior Policy Analyst, office 206-433-7169, [monica@soundcities.org](mailto:monica@soundcities.org)

#### **Potential future action:**

##### **To bring the following policy position back for adoption at the next PIC meeting:**

In order to address the critical transportation needs facing King County and cities throughout the County, the Sound Cities Association supports the formation of a countywide Transportation Benefit District (TBD), with 60% of the funds going to Metro for transit funding and 40% being distributed to the County and cities based on population for other transportation needs including local roads, sidewalks, bike paths, additional transit, and other transportation purposes as determined by the particular needs of the local jurisdiction. In order to ensure that dollars can be used as effectively and efficiently as possible to address the pressing transportation needs of each individual jurisdiction and to avoid the creation of additional burdensome bureaucracies, the funding raised should be provided to local jurisdictions through a direct distribution.

#### **Background**

On June 19, 2013 the Sound Cities Association Board unanimously adopted a position of support for passage of a statewide transportation package in order to address our state's critical transportation infrastructure needs. The Board also adopted a position of support for additional local options to address the transportation needs of counties and cities. Specifically, SCA urged the legislature to give local jurisdictions an additional funding mechanism in the form of authority to enact an up to 1.5% Motor Vehicle Excise Tax. SCA also supported the legislature designate that in King County, 60% of revenues raised by this funding mechanism be allocated to transit, with 40% allocated to cities and the county (distributed based on population) for local transportation needs.

Despite numerous negotiating sessions, the legislature was unable to come to agreement on a package in 2013. ([See attachment A, Joint Statement from the Governor and bipartisan House and Senate transportation negotiators on transportation revenue package negotiations.](#))

Meanwhile, our cities and King County face significant transportation needs. While sales tax projections and labor negotiations with Amalgamated Transit Union (ATU) Local 587 have been encouraging, King County still faces the need for significant cuts to service at Metro Transit without additional funding sources. These cuts would be particularly devastating to residents of SCA member cities. As noted in past discussions, the bus is the family car for many residents in our cities. Substantial cuts to bus service would make it difficult or impossible for residents to get to their jobs, and needed community services.

The need for additional transportation funding for local roads and other local transportation infrastructure is similarly critical. Cities in King County maintain five thousand five hundred miles of streets plus bridges, sidewalks, drainage systems, traffic signals, bicycle and pedestrian facilities and trails. Revenue sources currently available to cities are not keeping pace with the costs of replacement and expansion to meet growth. King County cities have experienced a substantial downturn in revenues in the past decade. Many cities in King County have been forced to supplement their road funds with general fund dollars, which have themselves not been keeping pace with inflation. Using general fund dollars to maintain roads and other transportation infrastructure means that there are fewer dollars available to fund public safety, parks, human services, and other critical city services.

A lack of dedicated funding for transportation projects has made it increasingly difficult for King County cities to raise matching funds to compete for State and Federal transportation grant dollars, and State and Federal transportation grant opportunities have dwindled. King County cities are beset by failing roads and bridges, congested corridors and bottlenecked interchanges, which undermine the mobility of vehicles, buses and freight carriers to transport people and goods.

Cities in King County have over \$1.3 billion in maintenance and preservation needs alone over the next six years, and have identified a need of over \$3 billion for mobility projects over the next six years. Cities in King County are responsible for the repair and replacement of 22 bridges in King County with a sufficiency rating of fifty or less, equating to more than \$775 million in bridge repair/replacement costs over the next six years. The lack of adequate transportation funding for Cities is a public safety crisis in King County.

In 2013, the State Legislature balanced its operating budget in part by transferring all available funds from the Public Works Trust Fund, and directed most of the future tax revenues for the Public Works Trust Fund into K-12 education for the next six years. The Public Works Trust Fund provided grants and low-interest loans to local governments for the repair and maintenance of infrastructure. This action by the Legislature has resulted in a substantial reduction of funds available for King County cities, and has been a particular blow to smaller cities in King County.

Without an additional source of revenue, many transportation infrastructure projects planned by cities will not be able to move forward.

Many member cities have indicated that they cannot afford to wait for additional funding to maintain their transportation infrastructure.

Due to these needs, the King County Council is looking at moving forward with a ballot measure in 2014 to provide additional funding for transit, roads, and other transportation infrastructure. Existing State law would enable the King County Council to create a Transportation Benefit District (TBD), and (with voter approval) to raise revenues through funding sources including a sales tax, and a vehicle license fee. The County Council and Executive have proposed bringing this forward to the voters as a ballot measure as early as April 2014. Prior to going on recess in 2013, the County Council introduced two ordinances which would (if approved) establish a countywide TBD ([see attachments B and C](#)). The language is very similar in both ordinances. The second ordinance, attachment C, includes a resolution ([see attachment D](#)) authorizing the TBD to impose a sales tax and vehicle license fee with voter approval.

Existing State law enables a County to form a TBD and to enact (with voter approval) a sales tax of up to .2% and a vehicle license fee of up to \$100. Many cities in King County have formed their own TBD and enacted a vehicle license fee of \$20. A vehicle license fee of \$80 or less would not interfere with these already enacted TBDs, or cities that may wish to create a TBD within their cities in the future.

A .1% sales tax would raise approximately \$50 million annually, and a \$60 vehicle license fee would raise approximately \$80 million annually. Combined, these sources would raise over \$130 million, which is similar in scope to the approximately \$140 million that would have been raised by the local option sought by SCA from the legislature in 2013. (According to recent estimates, the total allocation to King County cities based on this funding source and the 60/40 revenue sharing proposal would amount to over \$53,000,000 in 2015.)

The proposal before the PIC is to bring forward a public policy position similar to that approved by SCA in 2013, and to support formation of a countywide TBD, with 60% of the funds going to Metro for transit funding and 40% being distributed to the County and cities based on population for other transportation needs. These would include local roads, but may also include sidewalks, bike paths, additional transit, or other transportation purposes, as determined by the particular needs of the local jurisdiction. In order to ensure that dollars can be used as effectively and efficiently as possible to address the pressing transportation needs of each individual jurisdiction and to avoid the creation of additional burdensome bureaucracies, it is proposed that the funding raised be provided to local jurisdictions through a direct distribution.

The proposal supported by SCA in 2013 was born of much collaboration and compromise between SCA's member cities, the City of Seattle, and King County, who worked together to come up with a package that could serve the needs of citizens and jurisdictions throughout our county. It is a balanced package that ensures that transportation needs are addressed holistically, with a healthy mix of funding for transit, rural roads, city streets, and other transportation needs in cities. We recognize that we cannot view our infrastructure needs in isolation, and that we need to partner together to make strategic investments now as a region in order to keep our economy growing.

The proposal has been supported by a broad coalition of local leaders, and SCA has been working in close partnership with a countywide coalition of regional community, business and labor leaders, and environmental, transit, education, social services, and social justice advocates known as Move King County Now. Due to the fact that the legislature did not pass a statewide transportation package or give local jurisdictions new tools to address their transportation needs in 2013, this coalition is now focused on moving forward with using existing tools to solve the transportation funding crisis in King County.

The County Council is on recess until January 13, 2014, and may move quickly upon returning if an April ballot date is chosen. PIC Chair Bernie Talmas, SCA Vice President John Marchione, and SCA Executive Director Deanna Dawson will keep SCA members informed of ongoing developments and need for possible action between the January 8, 2014 PIC meeting date and our next regularly scheduled PIC meeting on February 12, 2014.

#### **Attachments**

- A. [Joint Statement from the Governor and bipartisan House and Senate transportation negotiators on transportation revenue package negotiations](#)
- B. [TBD Ordinance 2013-0527](#)
- C. [TBD Ordinance 2013-0526](#)
- D. [Resolution authorizing sales tax and vehicle license fee](#)

JAY INSLEE  
Governor



**Dec. 18, 2013**

**Contacts:**

David Postman, Governor Inslee's Communications Office | 360-902-4136,  
[david.postman@gov.wa.gov](mailto: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](http://www.governor.wa.gov) | [@GovInslee](https://twitter.com/GovInslee) | [www.facebook.com/WaStateGov](https://www.facebook.com/WaStateGov)

Date Created:	12-16-13
Drafted by:	jr
Sponsors:	Rod Dembowski, Kathy Lambert, Larry Phillips
Attachments:	

1 ..title

2 AN ORDINANCE creating a countywide transportation  
3 benefit district as authorized by chapter 36.73 RCW.

4 ..body

5 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 **SECTION 1. Findings:**

7 A. The 2008 recession had a deep and enduring impact to the economy in King  
8 County, causing property and sales tax revenues that fund government transportation  
9 services to drop unexpectedly.

10 B. As the largest labor market in the state, failure of the transportation system in  
11 King County will have far reaching economic impacts across Washington.

12 C. The King County transit division ("Metro") is vital to the region's economic  
13 health. Metro provided over one hundred fifteen million passenger trips in 2012 with  
14 ridership expected to grow, more than one thousand five hundred companies provide  
15 transit passes to their employees, over half of Metro's passengers are commuters and  
16 current service levels keep approximately one hundred seventy-five thousand cars off our  
17 roads every weekday.

18 D. Sales tax currently provides for sixty percent of Metro's operating fund, and  
19 reductions in property tax revenue and the lack of growth in gas tax revenue will limit  
20 key funding sources for city and unincorporated King County transportation projects.

21 E. The twenty-dollar congestion reduction charge authorized in 2011 was a  
22 temporary measure while sustainable funding solutions were developed. The authority  
23 for this implemented funding source expires at the end of May 2014.

24 F. In 2011, the King County council adopted the landmark King County Metro  
25 Transit Strategic Plan for Public Transportation and Service Guidelines that established a  
26 new course that prioritizes productivity, social equity and geographic value in the  
27 ongoing development of the Metro system.

28 G. To respond to decreased revenues during the recession, Metro undertook a  
29 number of measures to preserve service. Metro implemented system-wide reforms,  
30 including restructuring the transit system to improve productivity and effectiveness and  
31 discontinuing the Ride Free Area in downtown Seattle, saving nearly eight hundred  
32 million dollars over five years. Metro has also increased revenue for transit through  
33 property tax changes, through the implementation of the temporary congestion reduction  
34 charge and through multiple fare increases raising fares by eighty percent since 2008.

35 H. Metro still faces an ongoing annual revenue shortfall up to seventy-five  
36 million dollars to maintain existing service levels. Without new revenue, Metro will face  
37 up to a seventeen-percent cut in service, or approximately six hundred thousand annual  
38 hours of service cuts beginning in fall 2014.

39 I. The King County road services division ("road services") is responsible for an  
40 unincorporated area road system that supports more than one million trips per day. The  
41 system consists of about one thousand five hundred miles of county roads and one  
42 hundred eighty bridges, plus numerous sidewalks and pathways, traffic signs and signals,  
43 drainage pipes and culverts and other critical transportation infrastructure.

44 J. Road services' funding for maintenance of roads and bridges has declined by  
45 more than one-third since 2009 due to annexations, declining property values, less state  
46 and federal grant support and lower gas tax revenue. At the same time, the volume of  
47 county road miles has not dropped proportionally while transportation safety,  
48 preservation and other needs are increasing due to aging infrastructure, population  
49 growth, development and changing travel patterns.

50 K. Property tax is road services's primary funding source, and property values in  
51 unincorporated King County have declined significantly since the start of the recession.  
52 The ability of property tax revenue to recover from its depressed levels is impeded by  
53 statutory constraints limiting growth in tax collections to one percent per year, lower than  
54 the rate of inflation.

55 L. Gas tax revenues, another major source of funding for road services, will not  
56 increase with the rate of inflation as gasoline consumption stagnates due to more fuel  
57 efficient cars and fewer vehicle miles travelled and because the tax rate per gallon is  
58 fixed and does not adjust with inflation.

59 M. Future grant funding for capital projects is also uncertain as federal and state  
60 decision-makers choose between competing interests for limited dollars.

61 N. The Strategic Plan for Road Services was approved by the council in 2010 to  
62 provide key guidance to the agency about work priorities, including infrastructure service  
63 and investment decisions. The plan gives top priority to basic goals: comply with legal  
64 requirements; meet critical safety needs; and maintain and preserve the existing road  
65 network.

66 O. Road services is reducing costs through reductions in management and  
67 administrative costs, space consolidation and reductions to fleet equipment, and has  
68 already reduced division staff by forty percent and implemented changes to service  
69 priorities.

70 P. It is the county's responsibility to maintain, preserve and operate the  
71 unincorporated area road system, and without dedicated funding to stabilize the declining  
72 road system, roads services expects to close thirty-five bridges before they become  
73 unsafe, restrict access to seventy-two miles of failing roadways and reduce storm service  
74 on snowy and icy roads.

75 Q. Cities in King County maintain five thousand five hundred miles of streets  
76 plus bridges, sidewalks, drainage systems, traffic signals, bicycle and pedestrian facilities  
77 and trails. Existing facilities are aging.

78 R. King County cities have experienced a substantial downturn in revenues in the  
79 past decade. Many cities in King County have been forced to supplement roads funds  
80 with general fund dollars, which have themselves not been keeping pace with inflation.  
81 Using general fund dollars to maintain roads and other transportation infrastructure  
82 means that there are fewer dollars available to fund public safety, parks, human services,  
83 and other critical city services.

84 S. A lack of dedicated funding for transportation projects has made it  
85 increasingly difficult for King County and King County cities to raise matching funds to  
86 compete for State and Federal transportation grant dollars, and State and Federal  
87 transportation grant opportunities have dwindled.

88 T. King County cities are beset by failing roads and bridges, congested corridors  
89 and bottlenecked interchanges, which undermine the mobility of vehicles, buses and  
90 freight carriers to transport people and goods.

91 U. Cities in King County have over \$1.3 billion in maintenance and preservation  
92 needs alone over the next six years, and have identified a need of over \$3 billion for  
93 mobility projects over the next six years. Cities in King County are responsible for the  
94 repair and replacement of 22 bridges in King County with a sufficiency rating of fifty or  
95 less, equating to more than \$775 million in bridge repair/replacement costs over the next  
96 six years. The lack of adequate transportation funding for Cities is a public safety crisis in  
97 King County.

98 V. In 2013, action by the State Legislature related to the Public Works Trust  
99 Fund resulted in a substantial reduction of funds available for King County cities,  
100 including a greater relative impact on smaller cities in King County. Without an  
101 additional source of revenue, many transportation infrastructure projects planned by cities  
102 will not be able to move forward.

103 W. With new funding for transportation investments throughout King County,  
104 there is an opportunity to catalyze construction jobs, enhance freight mobility for our  
105 ports and create a pathway for retaining and growing new jobs for key industry sectors.

106 X. It is in the best interest of the citizens of the county to establish a  
107 transportation benefit district to work together and regionally fund, acquire, construct,  
108 operate, maintain and preserve roadway, public transportation or other mobility facilities,  
109 services and programs, and any other project or program contained in the transportation  
110 plan of the state, a regional transportation planning organization, a city or a county, and

111 to exercise any other functions or fund any other transportation improvements authorized  
112 by chapter 36.73 RCW. Such a transportation benefit district should focus its  
113 investments in local mobility and connecting within the district.

114 SECTION 2. There is created a transportation benefit district, to be known as the  
115 King County transportation district, with geographical boundaries comprised of the limits  
116 of the county, which shall have the authority to exercise the statutory powers in chapter  
117 36.73 RCW.

118 SECTION 3.

119 A. The governing board of the transportation district shall be the King County  
120 council acting in an ex officio and independent capacity, which shall have the authority to  
121 exercise the statutory powers in chapter 36.73 RCW.

122 B. The King County treasurer shall be the treasurer of the transportation district.

123 C. The board shall develop and implement a material change policy for projects  
124 that the district is implementing. The material change policy shall address major plan  
125 changes that affect project delivery or the ability to finance the plan, in accordance with  
126 RCW 36.73.160(1).

127 D. The board shall issue an annual report, in accordance with chapter 36.73 RCW.

128 SECTION 4. The district shall be dissolved in accordance with RCW 36.73.050.

129 SECTION 5. The district shall fund, acquire, construct, operate, maintain and  
130 preserve public transportation facilities, services and programs, roads and any other  
131 project contained in the transportation plan of the state, a regional transportation planning  
132 organization, a city or the county, and exercise any other functions or fund any other  
133 transportation improvement authorized by chapter 36.73 RCW. When authorized by

134 statute or by the voters in accordance with chapter 36.73 RCW, the board may impose any  
135 one of or a combination of taxes, fees, charges and tolls, for purposes consistent with  
136 chapter 36.73 RCW.

137 SECTION 6. For the purposes of defining a “transportation plan” under chapter  
138 36.73 RCW and section 5 of this ordinance:

139 A. The transportation plan of the county includes the Transportation Element of  
140 the King County Comprehensive Plan, the King County Metro Transit Strategic Plan for  
141 Public Transportation, the King County Metro Transit Service Guidelines, the King  
142 County Department of Transportation Strategic Plan for Road Services, the Transportation  
143 Needs Report, the King County Roads Services CIP and any other plan concerning  
144 transportation that is adopted by the metropolitan King County council; and

145 B. The transportation plan of the state, a regional transportation planning  
146 organization or a city shall be as defined by each such entity.

147 SECTION 7. As authorized under chapter 36.73 RCW, this ordinance shall be  
148 liberally construed to permit the accomplishment of its purposes.

149 SECTION 8. Severability. If any provision of this ordinance or its application to  
150 any person or circumstance is held invalid, the remainder of this ordinance or the  
151 application of the provision to other persons or circumstances is not affected.

Date Created:	December 13, 2013
Drafted by:	Wes Edwards, Transportation Planner, Regional Transportation Planning
Sponsors:	
Attachments:	<b>None</b>

1 ..title

2 AN ORDINANCE creating a countywide transportation  
3 benefit district in King County, Washington, in order to  
4 finance the acquisition, construction, operation,  
5 maintenance and preservation of public transportation  
6 facilities, services and programs, roads and any other  
7 projects authorized by chapter 36.73 RCW.

8 ..body

9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 **SECTION 1. Findings:**

11 A. The 2008 recession had a deep and enduring impact to the economy in King  
12 County, causing property and sales tax revenues that finance government transportation  
13 services to drop unexpectedly.

14 B. As the largest labor market in the state, failure of the transportation system in  
15 King County will have far reaching economic impacts across Washington.

16 C. The King County transit division ("Metro") is vital to the region's economic  
17 health. Metro provided over one hundred fifteen million passenger trips in 2012 with  
18 ridership expected to grow; more than one thousand five hundred companies provide  
19 transit passes to their employees; over half of Metro's passengers are commuters; and  
20 current service levels keep approximately one hundred seventy-five thousand cars off our  
21 roads every weekday.

22 D. Sales tax currently provides for sixty percent of Metro's operating budget, and  
23 reductions in property tax revenue and the lack of growth in gas tax revenue will limit  
24 key funding sources for city and unincorporated King County transportation projects.

25 E. The twenty-dollar congestion reduction charge authorized in Ordinance 17169  
26 in 2011 was a temporary measure while sustainable funding solutions were developed.  
27 King County's authority for this implemented funding source expires May 31, 2014.

28 F. In 2011, the King County council adopted the landmark King County Metro  
29 Transit Strategic Plan for Public Transportation and Service Guidelines that established a  
30 new course that prioritizes productivity, social equity and geographic value in the  
31 ongoing development of the Metro transit system.

32 G. To respond to decreased revenues during the recession, Metro undertook a  
33 number of measures to preserve service. Metro implemented system-wide reforms,  
34 including restructuring the transit system to improve productivity and effectiveness and  
35 discontinuing the Ride Free Area in downtown Seattle. Metro has also increased revenue  
36 for transit through property tax changes, through the implementation of the temporary  
37 congestion reduction charge and through multiple fare increases raising fares by eighty  
38 percent since 2008. As a result, Metro realized nearly eight hundred million dollars in  
39 savings and new revenues combined to support the system.

40 H. Metro still faces an ongoing annual revenue shortfall up to seventy-five  
41 million dollars to maintain existing service levels. Without new revenue, Metro will face  
42 up to a seventeen percent cut in service, or approximately six hundred thousand annual  
43 hours of service cuts beginning in fall 2014.

44 I. The King County road services division is responsible for an unincorporated  
45 area road network that supports more than one million trips per day. The system consists  
46 of about one thousand five hundred miles of county roads and one hundred eighty  
47 bridges, plus numerous sidewalks and pathways, traffic signs and signals, drainage pipes  
48 and culverts and other critical transportation infrastructure.

49 J. The road services division's funding for maintenance of roads and bridges has  
50 declined by more than one-third since 2009 due to annexations, declining property  
51 values, less state and federal grant support and lower gas tax revenue. At the same time,  
52 the volume of county road miles has not dropped proportionally while transportation  
53 safety, preservation and other needs are increasing due to aging infrastructure, population  
54 growth, development and changing travel patterns.

55 K. Property tax is the road services division's primary funding source, and  
56 property values in unincorporated King County have declined significantly since the start  
57 of the recession. The ability of property tax revenue to recover from its depressed levels  
58 is impeded by statutory constraints limiting tax collections.

59 L. Gas tax revenues, another major source of funding for the road services  
60 division, will not increase with the rate of inflation as gasoline consumption stagnates due  
61 to more fuel efficient cars and to fewer vehicle miles travelled, and because the tax rate  
62 per gallon is fixed and does not adjust with inflation.

63 M. Future grant funding for capital projects is also uncertain as federal and state  
64 decision-makers choose between competing interests for limited dollars.

65 N. The Strategic Plan for Road Services was approved by the council in 2010 to  
66 provide key guidance to the agency about work priorities, including infrastructure service

67 and investment decisions. The plan gives top priority to basic goals: meet critical safety  
68 needs, comply with legal requirements, and maintain and preserve the existing road  
69 network.

70 O. The road services division is reducing costs through reductions in  
71 management and administrative costs, space consolidation and reductions to fleet  
72 equipment, and has already reduced division staff by forty percent and implemented  
73 changes to service priorities.

74 P. Without funding to stabilize the declining road system, the roads services  
75 division expects to close thirty-five bridges before they become unsafe, restrict access to  
76 seventy-two miles of failing roadways and reduce storm service on snowy and icy roads  
77 by two-thirds during the winter season.

78 Q. Cities in King County maintain five thousand five hundred miles of streets  
79 plus bridges, sidewalks, drainage systems, traffic signals, bicycle and pedestrian facilities  
80 and trails. Existing facilities are aging. Revenue sources currently available to cities are  
81 not keeping pace with the costs of replacement and expansion to meet growth.

82 R. King County cities also are beset by failing roads and bridges, congested  
83 corridors and bottlenecked interchanges, which undermine the mobility of cars, buses and  
84 freight carriers to transport people and goods.

85 S. With new funding for transportation investments throughout King County,  
86 there is an opportunity to catalyze construction jobs, enhance freight mobility for our  
87 ports and create a pathway for retaining and growing new jobs for key industry sectors.

88 T. It is in the best interest of the citizens of the county to establish a  
89 transportation benefit district to finance any transportation improvement authorized by

90 chapter 36.73 RCW, including but not limited to, the acquisition, construction, operation,  
91 maintenance and preservation of public transportation facilities, services and programs,  
92 roads and any other project contained in the transportation plan of the state, a regional  
93 transportation planning organization, a city or the county.

94 U. The transportation benefit district is intended solely to finance transportation  
95 improvements authorized by chapter 36.73 RCW, and is not intended to directly acquire,  
96 construct, operate, maintain, preserve or otherwise provide transportation improvements.  
97 It is further intended that local jurisdictions receiving funding from the transportation  
98 benefit district will directly acquire, construct, operate, maintain, preserve or otherwise  
99 provide any transportation improvement authorized by chapter 36.73 RCW.

100 V. The King County council anticipates that, in an effort to provide an efficient  
101 operation of the transportation benefit district and avoid the potential for creating  
102 duplicative staffing functions, the transportation benefit district will contract with King  
103 County to utilize existing King County staff to provide administrative functions required  
104 by the district to the extent allowed by applicable law.

105 SECTION 2. There is created a transportation benefit district, to be known as the  
106 King County transportation district, with geographical boundaries comprised of the limits  
107 of the county. The district shall have the authority to exercise the statutory powers in  
108 chapter 36.73 RCW.

109 SECTION 3. A. The King County council shall be the governing board of the  
110 transportation district, acting in an ex officio and independent capacity, which shall have  
111 the authority to exercise the statutory powers in chapter 36.73 RCW.

112 B. The King County executive services finance director shall be the treasurer of  
113 the transportation district.

114 C. The board shall develop and implement a material change policy for projects  
115 that the district is implementing. The material change policy shall address major plan  
116 changes that affect project delivery or the ability to finance the plan, in accordance with  
117 RCW 36.73.160(1).

118 D. The board shall cause to be issued an annual report, in accordance with chapter  
119 36.73 RCW.

120 SECTION 4. The district shall be dissolved in accordance with RCW 36.73.050.

121 SECTION 5. The transportation district is formed to finance, but not directly carry  
122 out, any transportation improvement authorized by chapter 36.73 RCW, including, but not  
123 limited to, the acquisition, construction, operation, maintenance and preservation of public  
124 transportation facilities, services and programs, roads and any other project contained in  
125 the transportation plan of the state, a regional transportation planning organization, a city  
126 or the county. When authorized by statute or by the voters in accordance with chapter  
127 36.73 RCW, the board may impose taxes, fees, charges or tolls, or any combination  
128 thereof, for the purposes consistent with chapter 36.73 RCW.

129 SECTION 6. For the purposes of chapter 36.73 RCW and section 5 of this  
130 ordinance:

131 A. "Transportation plan" includes the Transportation Element of the King County  
132 Comprehensive Plan, the King County Metro Transit Strategic Plan for Public  
133 Transportation, the King County Metro Transit Service Guidelines, the annual King  
134 County Metro Transit Service Guidelines Report, the King County Department of

135 Transportation Strategic Plan for Road Services, the Transportation Needs Report, the  
136 King County Roads Services CIP and any other plan concerning transportation that is  
137 adopted by the King County council; and

138 B. The transportation plan of the state, a regional transportation planning  
139 organization or a city shall be as identified by each entity.

140 SECTION 7. As authorized under chapter 36.73 RCW, this ordinance shall be  
141 liberally construed to permit the accomplishment of its purposes.

142 SECTION 8. Severability. If any provision of this ordinance or its application to  
143 any person or circumstance is held invalid, the remainder of this ordinance or the  
144 application of the provision to other persons or circumstances is not affected.

Date Created:	December 13, 2013
Drafted by:	Wes Edwards, Transportation Planner, Regional Transportation Planning
Sponsors:	
Attachments:	

1 ..title

2 A RESOLUTION of the King County Transportation District;  
3 submitting a ballot measure regarding transportation funding to the  
4 qualified electors of the King County Transportation District at a  
5 special election to be held on (DATE) and submitting a  
6 proposition to district voters to authorize the district to fix and  
7 impose a (RATE) sales and use tax within the district and a  
8 (AMOUNT) dollar vehicle fee on all vehicles within the district to  
9 finance the King County transit division (“Metro Transit”) and city  
10 and unincorporated county transportation improvements in the  
11 district; requesting that the King County Prosecutor prepare a ballot  
12 title for the proposition; and appointing committees to prepare the  
13 pro and con statements for the local voters’ pamphlet.

14 ..body

15 WHEREAS, in the last several years, new transportation challenges have emerged  
16 affecting the funding of transportation improvements for King County Metro transit and all King  
17 County cities and unincorporated King County, including a prolonged recession, and declined  
18 gas-tax, property tax, and sales tax revenues; and

19 WHEREAS, the Revised Code of Washington (RCW), Chapter 36.73, provides for the  
20 establishment of transportation benefit districts by cities and counties and authorizes those  
21 districts to levy and impose various taxes and fees to generate revenues to support transportation

22 improvements that benefit the district and that are consistent with state, regional or local  
23 transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

24 WHEREAS, King County Ordinance (#####) established the King County  
25 Transportation District to finance, but not directly carry out, any transportation improvement  
26 authorized by RCW chapter 36.73, including but not limited to, public transportation facilities,  
27 services and programs, roads, and any other project contained in the transportation plan of the  
28 state, a regional transportation planning organization, a city, or the county; and

29 WHEREAS, the King County Transportation District is intended solely to finance  
30 transportation improvements authorized by RCW chapter 36.73, and is not intended to directly  
31 acquire, construct, operate, maintain, preserve or otherwise provide any transportation  
32 improvements. It is further intended that local jurisdictions receiving funding from the  
33 transportation benefit district will directly acquire, construct, operate, maintain, preserve, or  
34 otherwise provide any transportation improvement authorized by RCW chapter 36.73.

35 WHEREAS, the King County Transportation District may fix and impose up to a one  
36 hundred dollar vehicle fee pursuant to RCW 82.80.140 with approval of a majority of district  
37 voters; and

38 WHEREAS, the King County Transportation District may fix and impose up to a two-  
39 tenths of one percent (0.2%) sales and use tax within the district pursuant to RCW 82.14.0455  
40 with approval of a majority of district voters; and

41 WHEREAS, a vehicle fee up to eighty dollars imposed by the King County  
42 Transportation District does not preclude individual cities and unincorporated King County from  
43 continuing to collect or authorize future collection of a twenty dollar councilmanic vehicle fee  
44 pursuant to RCW 82.80.140; and

45 WHEREAS, it is the intent of the Board of the King County Transportation District to  
46 distribute revenues, less administration costs, to jurisdictions in the district's boundaries by  
47 providing sixty percent of the combined revenues from the vehicle fee and sales and use tax  
48 revenues to support King County Metro Transit; and the remaining forty percent of combined  
49 revenues to be distributed to cities and unincorporated King County in a share equal to their  
50 percentage of countywide population; and

51 WHEREAS, the King County Transportation District cannot impose a voter approved  
52 sales and use tax that exceeds a period of ten years, unless extended by an affirmative public vote  
53 per RCW 82.14.0455.

54 BE IT RESOLVED BY THE KING COUNTY TRANSPORTATION DISTRICT:

55 **SECTION 1. Fee and tax submittal to voters.** To provide necessary financing for the  
56 purposes identified in section 3 of this resolution, the King County Transportation District shall  
57 submit to the qualified electors of the district a proposition authorizing the district to fix and  
58 impose a (AMOUNT) dollar vehicle fee to be added to any existing fees and to fix and impose a  
59 (RATE) of one percent (0.\_\_%) to the sales and use tax.

60 **SECTION 2. Distribution of revenues.** The district sales and use tax and vehicle fee  
61 revenue shall first pay any administrative costs to the state Department of Licensing, state  
62 Department of Revenue, and any other administrative costs associated with the district's  
63 operations. The remaining combined revenue will be distributed in the following manner: sixty  
64 percent to King County Metro Transit; and forty percent to the cities within King County that  
65 enter into agreements with the district to participate and to unincorporated King County in shares  
66 equal to each entity's respective percentage of countywide population.

67            SECTION 3. Use of revenues. If approved by the qualified electors of the district, the  
68 sales and use tax and vehicle fee revenue, less the administrative costs identified in section 2 of  
69 this resolution, shall be used consistent with RCW chapter 36.73 to finance, but not directly carry  
70 out, any transportation improvement authorized by RCW chapter 36.73, including but not limited  
71 to, the acquisition, construction, operation, maintenance, and preservation of public  
72 transportation facilities, services and programs, roads, any other project contained in the  
73 transportation plan of the state, a regional transportation planning organization, a city or the  
74 county. Further, the activities carried out with the sales and use tax and vehicle fee revenue will  
75 include, but not be limited to:

- 76            A. the operation, maintenance and capital needs of Metro Transit;
- 77            B. the provision of Metro Transit public transportation services;
- 78            C. the acquisition, operation, maintenance and repair of Metro Transit vehicles and  
79 equipment;
- 80            D. the implementation of transportation demand management programs;
- 81            E. the planning associated with transit service operations, technologies, and public  
82 engagement to improve performance and reduce costs when possible;
- 83            F. the planning, design and implementation of capital improvement and preservation  
84 projects for road system facilities, including facilities such as roads, bridges, signals, guardrails,  
85 drainage systems, and pedestrian and bicycle pathways;
- 86            G. the operation, maintenance, repair, preservation and restoration of road system  
87 facilities;
- 88            H. the provision of emergency responses to protect road system facilities and public  
89 health and safety;

90 I. the enhancement of user safety while also maintaining existing safety standards and  
91 legal requirements;

92 J. the management of intelligent transportation systems in including traffic cameras,  
93 control equipment, and new technologies to optimize the existing transportation system;

94 SECTION 4. For the purposes of defining a transportation plan under RCW chapter  
95 36.73 and section 3 of this resolution:

96 A. the transportation plan of King County includes the Transportation Element of the  
97 King County Comprehensive Plan, the King County Metro Transit Strategic Plan for Public  
98 Transportation, the King County Metro Transit Service Guidelines, the annual King County  
99 Metro Transit Service Guidelines Report, the King County Department of Transportation  
100 Strategic Plan for Road Services, the Transportation Needs Report, the King County Roads  
101 Services CIP and any other plan concerning transportation that is adopted by the Metropolitan  
102 King County Council; and

103 B. the transportation plan of the state, a regional transportation planning organization or  
104 a city shall be as identified by each such entity.

105 SECTION 5. Call for special election. The King County Transportation District hereby  
106 requests that the King County director of elections call a special election on (DATE), to  
107 consider a proposition authorizing the district to fix and impose a vehicle fee in the amount of  
108 (AMOUNT) dollars and to fix and impose a sales and use tax in the amount of (RATE) of one  
109 percent (0.\_\_%) for the purposes described in this resolution. The King County director of  
110 elections shall cause notice to be given of this resolution in accordance with the state constitution  
111 and general law and to submit to the qualified electors of the district, at the said special county  
112 election, the proposition hereinafter set forth, in the form of a ballot title substantially as follows:

113 KING COUNTY TRANSPORTATION DISTRICT

114

115 PROPOSITION NO. \_\_\_\_

116

117 The Board of the King County Transportation District passed Resolution No. (###) concerning  
118 funding for public transportation, roads and other transportation improvements. If approved, this  
119 proposition would provide funding for King County Metro Transit, and city and unincorporated  
120 King County transportation improvements. It would authorize the district to fix and impose a  
121 sales and use tax of (RATE) of one percent (0.\_\_\_\_%) to be collected from all taxable retail sales  
122 and uses within the district under RCW 82.14.0455 for a term of ten years, and an annual vehicle  
123 fee of (AMOUNT) (\$\_\_\_\_.00) dollars per registered vehicle under RCW 82.80.140.

124

125 Should this vehicle fee and sales tax increase be approved?

126

127 Yes

128 No

129

130 SECTION 6. RCW 29A.32.280 provides that for each measure from a jurisdiction that is  
131 included in a local voters' pamphlet, the legislative authority of that jurisdiction shall formally  
132 appoint a committee to prepare arguments advocating voter approval of the measure and a  
133 committee to prepare arguments advocating voter rejection of the measure.

134

135            SECTION 7. Pursuant to RCW 29A.32.280, the following individuals are appointed to  
 136 serve on the voters’ pamphlet committees, each committee to write a statement for or against the  
 137 proposed measure.

138

139	FOR		AGAINST
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140	1.		1.
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141	2.		2.
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142	3.		3.
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144            SECTION 8. Ratification. Certification of the proposition by the clerk of the district to  
 145 the King County director of elections in accordance with law before the election on (DATE),  
 146 and any other act consistent with the authority and before the effective date of this resolution are  
 147 hereby ratified and confirmed.

148            SECTION 9. Severability. If any provision of this resolution or its application to any  
 149 person or circumstance is held invalid, the remainder of the resolution or the application of the  
 150 provision to other persons or circumstances is not affected.

January 22, 2014

**D R A F T**

Mr. Dow Constantine  
King County Executive  
401 5th Avenue Suite 800  
Seattle, WA 98104

Dear Executive Constantine:

Thank you for the opportunity to comment on Metro's proposed cuts. We recognize the complicated nature of the proposal and appreciate the efforts that have been made to make the best of a problematic situation. For the reasons described below, we ask that Metro reconsider the size and timing of the cut package currently proposed.

The City of Kirkland has a long history of supporting transit and the funding necessary to support it. Our State Legislative agendas perennially include support for multiple transit funding options and each of our Councilmembers has visited Olympia numerous times to urge legislators to make funding changes that will give King County Metro firm financial footing. Kirkland has been a staunch advocate for Metro at the Eastside Transportation Partnership and was one of the first cities to support the Congestion Reduction Charge. We are a signatory of the Growing Transit Communities Compact and transit supportive goals and policies for Kirkland's new Transportation Master Plan have already gained Council support. Coupling policies with actions such as transit friendly zoning in the Totem Lake Urban Center and unique transit opportunities on the Cross Kirkland Corridor, Kirkland is exceptionally positioned to foster transit use.

It is in this context that we are gravely concerned with the proposed cuts offered in Metro's latest proposal. Elements such as 60 minute frequencies, removal of service from routes that have had service for more than 20 years and severe truncation in span of service simply have no place in a realistic transit network for our City. We have no doubt that Metro has followed its service guidelines and that the proposed plan may be one of the best that can be developed with limited resources, nor do we believe cuts were applied more heavily to Kirkland than to other jurisdictions. Instead, our contention is that the premise of a 600,000 hour cut is untenable. It results in a network that cannot deliver the service citizens expect and deserve.

This thinking has led us to carefully question the need for a cut of 600,000 hours. It appears that sales tax revenues are reaching and surpassing pre-recession levels. This fact puts into question the current or ongoing presence of a \$75 million annual funding gap on which the cuts are predicated. Kirkland staff is working with King County staff to better understand the size and implication of revised financial forecasts. We are hopeful that the results of these discussions will allow us to identify what cuts, if any, we could support. Complete information is necessary to refute the belief among some that sufficient funding is available to postpone and reduce the size of service decreases from what is currently proposed by Metro.

Over the past two weeks, even as we developed this letter, we were informed about the County's potential proposal for a County-wide Transportation Benefit District to fund Metro

Transit. We are heartened that King County is contemplating a plan not just to fund bus service but to also provide the cities in King County with local transportation dollars for streets, sidewalks, bike lanes and local transit options. We hope to see more information of the details of the funding package you are proposing.

Given Kirkland's past staunch support of transit, there is a strong probability that we will support this measure. However, as with the currently proposed transit cuts, our support is contingent upon Kirkland's thorough understanding and satisfaction with the details of this proposed package. Questions such as the degree to which transit is sustainably funded, the share of funding that will go to cities, implications for Kirkland's own funding initiatives, and when and where future service increases will be implemented are examples of the kind of information that will be needed. We also understand that your office has polling information available that helps inform the likelihood that the TBD transportation package will be approved by the voters. We are very interested in this polling data and hope that King County will share it with Kirkland and all other jurisdictions. We look forward to engaging in discussions about all of these details at our meeting on February 4<sup>th</sup>.

Thank you for your consideration of Kirkland's position. We understand the challenges when considering the current cut package and the funding shortfalls that Metro faces. At the same time, we believe that we can be successful in increasing transit's relevance in meeting our region's transportation needs and in securing additional funding for that service, when all the details of the problem and proposed solutions are clearly and completely presented to our citizens.

Sincerely,  
Kirkland City Council

By Amy Walen, Mayor

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.kirklandwa.gov

**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Marilynne Beard, Deputy City Manager

**Date:** January 15, 2014

**Subject:** COUNCIL COMMITTEE MEETING SCHEDULE

**RECOMMENDATION:**

City Council receives a summary of Council Committee meeting schedule for their discussion regarding committee appointments.

**BACKGROUND DISCUSSION:**

The following table provides the current regular meeting schedule for the City Council Committees. At the time that Council Committee appointments are approved, the City Manager's Office will verify that all members are available for the next scheduled meeting. If all members are not available, then the meeting may be rescheduled so that all members can be present. At the first meeting of the newly formed committee, the members will discuss their meeting time and either affirm the existing time or reschedule to accommodate all members.

**COUNCIL COMMITTEE MEETING SCHEDULE**

<b>Committee/Topic Areas</b>	<b>Meeting Schedule</b>
<b>Finance and Administration</b>	<i>4<sup>th</sup> Tuesday of Every Month 9:00 am to 10:30 am</i>
<b>Public Safety</b>	<i>3<sup>rd</sup> Thursday of Every Month 8:30 am to 10:00 am</i>
<b>Legislative</b>	<i>Every Friday During Legislative Session 3:30 pm to 4:30 pm</i>
<b>Planning and Economic Development</b>	<i>2<sup>nd</sup> Monday of Every Month 3:30 pm to 5:00 pm</i>
<b>Public Works and Parks (formerly Housing)</b>	<i>4<sup>th</sup> Tuesday of Every Month 10:30 am to 12:00 pm</i>
<b>Tourism Development Committee</b>	<i>1<sup>st</sup> Thursday of Every Month 9:00 am to 10:00 am</i>
<b>City/School District Coordinating Committee</b>	<i>Scheduled As Needed through City Manager's Office</i>
<b>Disability Board</b>	<i>3<sup>rd</sup> Tuesday of Every Month 5:00 pm to 6:00 pm</i>



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## MEMORANDUM

**To:** Kirkland City Council  
**From:** Kurt Triplett, City Manager  
**Date:** January 13, 2014  
**Subject:** CITY COUNCIL RETREAT TOPICS

### **RECOMMENDATION:**

City Council discusses the recommended Council Retreat agenda topics.

### **BACKGROUND DISCUSSION:**

In 2013, the City Council changed its retreat schedule from one retreat in March to two separate retreats – one early in the year to discuss general issues and one in May or June just prior to the beginning of the biennial budget process to discuss financial matters and budget policies. The first retreat for 2014 is scheduled for Friday, February 21 from 9:00 am to 5:00 pm and will be held in the Peter Kirk Room. The 2013-2014 City Work Program continues to guide the major policy and financial efforts of the City. Therefore staff is proposing that the City Council consider the following agenda items at the February retreat:

- **Community Survey** – In past years the community survey was conducted early in the year with results available for the March retreat. Staff is recommending that the survey be conducted in the spring with results available for the fiscal retreat in May/June. The discussion at the February retreat will be for the purposes of affirming or amending the scope of the survey and/or specific questions on the survey to fully match the survey up with the “Kirkland Quad” chart and budget processes.
- **Draft Vision and Comprehensive Plan Process Update** – Staff will present a draft vision statement that was developed through the public involvement process and endorsed by the Planning Commission for Council review and approval. An update on the progress of the Comprehensive Plan update will also be provided.
- **The Future of City Hall** – Planning for the refurbishing of City Hall is continuing. Before proceeding further with design, Council will need to confirm whether the existing City Hall should be refurbished or other locations considered. Updated background information will be provided about the market value of the City Hall property, possible alternate locations and cost and potential public/private partnerships.
- **City Council Topics of Interest** – A significant portion of the meeting will be reserved for a facilitated discussion allowing Councilmembers to propose and prioritize topics for Council action over the coming year.

## **Next Steps**

Staff is seeking direction from the Council on this list of topics. The Council may wish to affirm this list, add to it, or subtract from it.

**Tuesday, February 4:** Once the Council has decided on the agenda topics for the retreat, staff will bring a more detailed agenda to the February 4 Council meeting for final review and approval.

**Friday, February 21:** Following the February 4 approval staff will develop materials related to the topics in advance of the February 21<sup>st</sup> retreat.