



CITY OF KIRKLAND

CITY COUNCIL

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

Vision Statement

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

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AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chamber

Tuesday, February 1, 2011

6:00 p.m. – Study Session – Council Chamber

7:30 p.m. – Regular Meeting

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

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION, Council Chamber*
 - a. Information Technology
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
6. *COMMUNICATIONS*
 - a. *Announcements*
 - b. *Items from the Audience*
 - c. *Petitions*
7. *SPECIAL PRESENTATIONS*
 - a. Washington State Department of Transportation I-405 Express Toll Lanes
 - b. Green Tips

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

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

8. CONSENT CALENDAR

a. Approval of Minutes: January 18, 2011

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

c. General Correspondence

d. Claims

(1) Lewis DeLaurenti

(2) Don Randall

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) Request for Support for the Eastside Winter Shelter

(2) Ordinance No. 4292 and its Summary, Relating to Gambling

(3) Resolution R-4863, Authorizing Application(s) for Funding Assistance for a Firearms and Archery Range Recreation (FARR) Program Project to the Recreation and Conservation Office (RCO) as Provided in Chapter 79A.25.210 RCW, Firearms Range Account Grant Program Rules

(4) Procurement Report

(5) Surplus Vehicles/Equipment for Sale

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

a. 2011 Legislative Update 1

b. Resolution R-4864, Adopting 2011 City Work Program

c. 2011 City Council Retreat Draft Agenda

11. NEW BUSINESS

a. 6th Street and Central Way Intersection Improvement Project – Authorization to Bid

GENERAL CORRESPONDENCE

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

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

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

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

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

b. Cabaret Music License

12. REPORTS

a. City Council

(1) Regional Issues

c. City Manager

(1) Finn Hill Fire Station Update

(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**

Information Technology Department

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MEMORANDUM

To: Kurt Triplett, City Manager

From: Brenda Cooper, Chief Information Officer

Date: January 18th, 2011

Subject: City Council Study Session

RECOMMENDATION

City Council receives a briefing on three information technology topics: Council iPads, selected 2011 IT projects and challenges, and regional projects. The Council reviews this memo in advance and lets us know if there is anything else they would like to have the Information Technology Department cover.

Some of the topics are expected to come back up during the year for Council direction, and this briefing is designed to provide a foundation.

BACKGROUND DISCUSSION

As a reminder, the IT department selects, implements, and maintains phones, computers and computer programs, geographical information systems, and manages the city's two television stations. We provide support for almost all public-facing departments from setting up and managing desktop computers and email accounts through helping staff work with and implement the major electronic systems that support business functions. We provide some direct support for citizens through the downtown wireless network.

Council iPad Research

Moving the Council to iPads was proposed as part of the IT budget cut package this year. Early analysis suggested a savings of up to \$2,000 per machine based solely on the difference in hardware cost. It appears there may be some additional savings in software, and the hardware costs for the next version are not yet available, so we don't have a concrete savings amount right now. Before Council has to decide whether or not to select iPads, we will have a complete set of numbers to share.

We are neither the first nor the only public agency to contemplate this move. The City Council in [Hampton, Virginia has been using iPads](#) for a few months now. Other Councils are discussing the move both locally and in different states. Most of them will be using the iPads to transition off of paper packets, which Kirkland accomplished years ago. This means our savings are entirely based on the difference between the hardware and software costs.

Colin Blackman from the IT Service Desk is the technical lead on the project. So far, he has been testing the iPad for connectivity to our network, manageability, usability, and security. He has been trying to determine how it works in our environment and whether or not it could in some instances replace desktop computers and reduce our cost of delivering technology services to the end user. Particularly, we are evaluating whether or not the iPad will work for the City Council and what cost savings there are, if any.

Colin reports that many city functions are already working on the iPad and many others should be in place in the first half of this year. Here are some of the details of his exploration:

- **Mail and calendaring** work quite well on the iPad, with one exception: Exchange public folders are currently not available. This is a short-term concern as we will be migrating away from this technology within the next year.
- **Markup of the Council packet and other documents** is convenient with the use of a variety of low cost markup tools.
- **The Safari web browser** on the iPad is compatible with most sites on the Internet, with more sites becoming compatible every day.
- With the addition of a wireless keyboard, the iPad can be used quite well to **create or modify simple documents and spreadsheets**, although it is not a good replacement for a regular computer for staff who are power users.
- iPads are currently unable to **view video of City Council meetings**, but the next update from our multimedia web services vendor, Granicus, will bring Live and On-Demand video to the iPad. The same company is also developing an application specifically for iPad users which we hope to evaluate soon.

The Information Technology Department plans to demonstrate iPads to the City Council in the upcoming study session, and to begin letting them "test" the one that we have so that we can further develop our list of functions that the device needs to support. Note that we anticipate the Council Members will be offered the next version of the iPad, which is anticipated to be released early this year.

At this point, the department is likely to recommend that Council members seriously consider the iPad as a replacement. It would be acceptable to have some Council members choose iPads and others choose to replace their tablet computers with new tablet pcs or standard laptops.

Selected 2011 Projects and Challenges

Projects

Many IT projects are somewhat behind the scenes (such as network and server maintenance and upgrades), but others will impact the public. Two of the larger projects with public-facing components include the new permitting system and the expanded GIS data.

Permit Systems Replacement

This project has been underway for nearly a year and implementation is expected in March of 2011. It directly affects the Fire and Building, Public Works, Planning, and Finance departments and a large team of staff from those departments has been working on the implementation. The new system, Energov, was selected regionally and replaces a nearly twenty-five year old permitting system that is no longer actively supported by the current vendor.

The system will add some capabilities to our existing ones. These include implantation of an Interactive Voice Response (IVR) system for use in the field, planned integration with the MyBuildingPermit.com system to accept electronic permits and perform markup on electronic permits behind the scenes (reducing print costs for customers and the city), and the ability for businesses to renew business licenses online.

GIS for the Annexation Area

Many GIS Work Plan projects were placed on hold or given extended dates in order to make staff time and GIS program funds available to assure high-quality GIS data for the entire city including the expanded boundaries. While it will take years to bring all of our layers of data up to match the data we

have in the current city boundaries, certain basic information was required. This includes parcel, street network, surface water utility, zoning, and address data. Most of the initial annexation project data will be available in March or April.

Challenges

The City has some challenges that relate to Information Technology. These are not new to the Council, but we hope to bring back detailed information and recommendations during this biennium. They are being included here in summary as reminders.

Cost-Effective Storage of Electronic Data

The amount of data that is stored electronically is growing quickly. The city invested in back-up to disk technology and additional storage systems last year, and in 2013 that equipment and software will be up for replacement. Estimates suggest that the expected growth between now and 2013 can be accommodated with our existing equipment (unless there is too large a volume of electronic records coming over from King County for annexation: this is as yet an unknown). There is money for replacement in our CIP budget in 2012 and 2013, but IT will need to carefully consider a number of options then in order to avoid an additional cost increase in data storage backup and recovery. Our total investment in shared storage, backup, and recovery hardware and software is over a million dollars that must be refreshed completely about once every five years. So far "cloud" storage options have been more expensive but hopefully they will be cheaper by 2013.

Replacement Costs for Major Systems

The City has had a reserve fund set aside for major systems replacements, but with the budget challenges of the last few years it has not been added to. The cost of the permit system basically caused that reserve to be drawn down near zero. One challenge that will have to be faced this biennium is that there is a major upgrade pending for the maintenance management system that is used for tracking inventory, scheduled maintenance, repairs, and work orders for Public Works street and utility crews. The cost of the upgrade is high enough that replacement options will also be considered in hopes that a different solution might have lower total costs of ownership. We do have \$250,000 set aside in the CIP in 2012, but we believe the project is underfunded, particularly if analysis show that replacement is a better long-term option. The problem is not only immediate: it is long-term. There is no funding currently set aside to replace the city's financial systems. Such a replacement could cost more than two million dollars. While this is not expected to be needed in this biennium, it surely will come up in the next five to ten years and it would be prudent to save for it.

A related issue is that the network and server infrastructure is replaced via the CIP and not through a sinking fund. We have reached a point where there are some years when the anticipated replacement costs are nearly equal to the total amount of CIP funding available to the city for investments in technology.

Disaster Recovery

We do not currently have a tested and funded disaster recovery plan. In the event of a major disaster, the city may lose access to systems and lose data. There is funding in the CIP after this biennium to work on this problem. There has been "future" money set aside for this for some time, and it is always re-purposed for more immediate needs. The good news on this front is that cloud-based services might provide disaster recovery capabilities, and if cloud-based data storage becomes cost-effective for our primary data storage, it may incidentally solve much of this problem.

Regional Technology

We have two primary topics to highlight this study session: the eCityGov Alliance and the regional fiber project. Both are initiatives we have participated in for almost a decade.

eCityGov Alliance

The eCityGov Alliance was formed in 2001 to provide Web-based services to constituents on a regional basis. We are one of ten "partner" cities in the eCityGov Alliance. The other cities are Bellevue, Renton, Issaquah, Bothell, Kenmore, Woodinville, Sammamish, Snoqualmie, and Mercer Island. There are also thirty-six other cities and counties who participate in one or more of the applications that eCityGov maintains. A complete list of members can be found on the [eCityGov.net members page](http://eCityGov.net/members).

Annual eCityGov Alliance membership fees are based on population. The 2011 fees will be about \$78,000 and in 2012 the fees will be raised based on the end-of-year 2010 population. We anticipate an increase of roughly \$45,000 dollars. As other cities have annexed, fees have been re-distributed based on the percentages of total population among the partner cities. On a dollar-by-dollar basis we feel that it would cost as much or more to provide the same services by ourselves. Of more importance, the regional cooperation and alignment of business practices has benefitted our customers and our staff. For example, the agreements that allow local cities to share inspectors became possible because of the work done by the many teams that work together on MyBuildingPermit.com.

The following applications are currently offered by the eCityGov Alliance:

- MyBuildingPermit.com:** A regional online building permit system which is currently being expanded to offer more types of permits (including permits for planning and public works functions) and to accept plans electronically. In 2002, when this portal was launched, Kirkland took in 142 electronic permits worth \$6,931. In 2010, we took in 1,113 permits worth \$99,227. 7,388 total Kirkland permits have been taken in through MyBuildingPermit.com across its lifecycle for a total value of \$639,198. The following table shows the MyBuildingPermit.com transactions for all jurisdictions from 2002 to 2010:

		
	All Jurisdictions MBP Transaction \$	All Jurisdictions MBP Permit Volume
2002	\$ 32,749	606
2003	\$ 165,820	2,663
2004	\$ 235,414	3,638
2005	\$ 492,633	6,335
2006	\$ 646,355	7,704
2007	\$ 706,221	8,174
2008	\$ 701,119	7,801
2009	\$ 847,536	9,045
2010	\$ 957,366	10,718
Total	\$ 4,785,213	56,684
Contact: John Backman, eCityGov Alliance		

Additionally, 73,763 inspections have been scheduled via this portal across the region.

- [MyParksandRecreation.com](#): A regional parks and trails locator, and a regional search tool for recreation programs that links back to our web-based recreation registration system. While these statistics are not broken out by system, during the high summer months about 40,000 individual visits are made to MyParksandRecreation.com, and these visitors view about 140,000 pages.
- [NWMaps.net](#): The NWMaps regional GIS portal is being enhanced, as we speak, for the first time in about six years with an anticipated roll-out of a more customer-centered design planned for March, 2011. In spite of the fact that the site is pretty aged at the moment, there are about 6,000 individual visits to the site a month (these statistics are also not available by city).
- [NWProperty.net](#): This is a map-based economic development tool designed to help businesses choose where to locate in the region. Individual visits to NWProperty are running at about 5,000 a month (these statistics are also not available by city).
- [SharedProcurementPortal.com](#): This allows member cities to make small to medium sized purchases from a list of companies that have registered to show their interest. It replaces a roster that was provided by the City of Lynnwood, and provides City of Kirkland staff with less expensive purchasing options for smaller jobs than a complete RFP process.
- [GovJobsToday.com](#): This is a regional portal for government jobs which allows applicants to apply for multiple jobs at once with multiple cities, allows applicants to track the progress of their applications through our systems online, and allows city staff to process resumes in a paperless fashion. There is also a component of this offering which allows cities to share job descriptions and compensation and class information and saves city staff time when performing comparative studies across jurisdictions.
- [HSConnect Human Services Portal](#): Aggregates human services grant funding across 17 cities, making the process easier and less expensive for both applicant agencies and granting cities. This lowers overhead costs and assures that as much money as possible goes directly to agencies who provide vital human services.

During the upcoming study session, city staff plans to briefly demonstrate a few of the eCityGov applications that have not upgraded or changed since Council last looked at them a few years ago.

Regional Fiber Project

The regional fiber project began in 1993 with a joint fiber project between the Lake Washington School District and the City of Kirkland. It almost immediately expanded to include the University of Washington and the City of Bellevue, and has since added Evergreen Hospital, the Bellevue School District, Bellevue College, City of Renton, the Renton School District, and City of Seattle. For the first five years or so, the project was managed through an ILA on a largely informal and opportunistic basis: if a chance to expand the network came up, members evaluated the opportunity or need and participated or passed based on need and budget. Even though there has been no formal governance in place, the consortium has operated well.

A consortium goal is to hook up regional public safety locations including dispatch centers and EOC's through consortium fiber. We have made progress toward that goal. In the last few years, the consortium has applied for and been awarded two Urban Areas Security Initiative (UASI) grants and is a finalist for another one. The first grant was for about \$630,000 and was used to expand the fiber backbone through Bellevue and to connect Bellevue and Renton via a path established through Newcastle. The second grant is for a similar amount of money, and will push the consortium fiber further around the lake to the south and west. We are finalists for a third grant.

Because the consortium is handling grants worth well over a million dollars at this point and has plans to request additional grants, a core group of staff from the member organizations (cities, schools, and hospitals) has been working together to re-design the consortium governance model to create a more formal structure that will work better with agencies who are providing funds for broadband development. The City of Kirkland has participated in this working group, and provided a \$5,000 contribution to paying for a consultant to help us research options. In addition, Oskar Rey from the City Attorney's Office has been providing legal advice to the group.

We anticipate that a new ILA and related information about the new form of the consortium will be brought back to Council sometime in the first half of 2011. At this point, we do not anticipate the need to staff the consortium or that there will be significant fees associated with being members of the new organization, but there will be some ongoing costs anticipated of a minor nature.

The work of the fiber consortium is of value to the city and the region. The City of Kirkland uses the strands that it owns to connect most of our city buildings and to provide backhaul for the popular downtown wireless system. Additionally, some of the consortium fiber going through Kirkland will be used to help the City build its intelligent transportation system. As a region, we have built over 35 miles of fiber optic cable, creating strategic connection points along the way. Our partners use the fiber network to:

- Connect schools and universities to enhance learning
- Connect hospitals, medical facilities and clinics to improve health care
- Connect government facilities for public safety, transportation and other needs
- Provide an open access network to serve the public with wireless and broadband access

Now that there are major connection points in Kirkland, Bellevue and Renton, the consortium's intent over the next five years is to:

- Create a vibrant and competitive region by providing connectivity to meet the needs of our community institutions – hospitals, schools, city halls
- Expand the use of our fiber network to support new applications and needs
- Build resiliency in our network and for our partners by adding redundancy and connecting with other regional networks
- Ensure a sustainable organizational, governance and management structure to make sound, long-term decisions benefiting our customers

Concluding Remarks

Hopefully this information has been useful to Council. About half of the study session is anticipated to be the iPad demonstration and related questions. We plan to show some of the eCityGov projects and will also have time to discuss any other IT issues that Council identified they are interested in in advance.

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

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MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: January 20, 2011

Subject: Washington State Department of Transportation I-405 express toll lanes.

RECOMMENDATION

It is recommended that the Council receive a presentation from WSDOT on express toll lanes on I-405.

BACKGROUND

The Washington State Department of Transportation is contemplating development of express toll lanes on I-405 between north Bellevue and the northern end of I-405 at I-5. Express toll lanes would operate as a pair of lanes, the HOV lane plus the lane adjacent to the HOV lane. HOVs would be able to operate for free in either of the express toll lanes. Other vehicles could use the lanes, but would have to pay a toll to do so. The amount of the toll would vary based on the amount of traffic in the express toll lanes, in order to keep the lane flowing freely. If traffic was slowing, the price would increase and if the lane were lightly used the price could be higher. General information about how express toll lanes work is available on the [WSDOT website](http://www.wsdot.wa.gov).

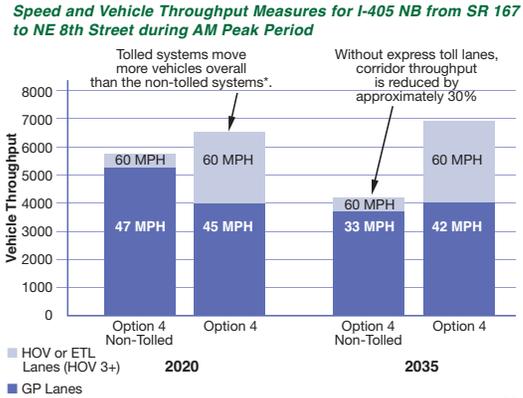
Earlier this fall, the Secretary of Transportation convened an expert review panel to answer several key questions about phasing, funding and feasibility of the express toll lane concept. A summary of the panel's findings are attached (Attachment A) to this memo. The full report and its appendices are available [on line](#).

An Executive Advisory Group made up primarily of Mayors from cities along the corridor including Kirkland Mayor Joan McBride. That group developed an interest statement in support of Express Toll lanes. The signed interest statement is attached (Attachment B) to this memo.

In order to move forward with express toll lanes, WSDOT needs authorization from the State Legislature. [HB 1382](#), sponsored by Rep. Clibborn, is the House version of such a bill. WSDOT is the lead on this legislation.

2. METHODOLOGY: Are the technical analytical measures and results supporting the Eastside Corridor Express Toll Lanes Report valid? Were the right tools applied to the analysis? Are the report results reasonable? Are outcomes reasonable to expect based on industry experience? **YES**

- The state used sound planning and engineering practices consistent with industry standards to analyze the operational performance of I-405/SR 167 corridor express toll lanes.
- The express toll lane proposal provides greater operational benefits than a general-purpose lane alternative with HOV lanes.
- The state will provide more detailed analyses and better definition of specific impacts on transit, freight and local streets through the project-specific environmental analysis that is currently under way.



* Not only does the tolled investment move more vehicles overall than the non-tolled investment, it moves more vehicles at 60 mph. Comparing options, GP lane speeds do not change very much until you get to 2035, when GP lane speeds slow down to 33 mph with the non-tolled investment. Over time, GP lanes fill up and consequently slow down. Because express toll lanes manage traffic with dynamic tolls, they keep vehicles moving at 60 MPH well into the future.

3. PHASING: Is the proposed phasing plan to implement an express toll lane system sensible, and does it provide for logical, usable segments towards a 40+ mile I-405/SR 167 corridor system? **YES**

- Moving forward with Phase 1 as a first step to implementing Option 4 makes sense and provides logical first segments to complement the existing SR 167 HOT lane pilot project.
- A more detailed plan is needed for future phases.
- Do not lose sight of Option 4 as a corridor-wide solution in response to the master plan.

**Phasing Recommendations—
Move forward with Phase I as a first step to a corridor-wide solution**

Option 4 represents a corridor-wide approach to implementing the master plan vision. To optimize overall corridor performance through successive phases, WSDOT, along with the corridor and agency stakeholders comprising the Executive Advisory Group (EAG), should take a broader, more strategic approach to implementing the balance of improvements in Option 4. To that end, and in parallel with Phase 1 implementation, WSDOT should lead the development of the following recommendations over time:

- Continue exemplary constituent outreach.
- Address regional policy for degradation on existing HOV lanes and migration to HOT3+.
- Reassess delivery opportunities, such as public-private-partnerships.
- Advance the I-405/SR 167 interchange soon after Phase 1.
- Develop a corridor-wide project management plan, risk management plan, and master schedule in keeping with mega project requirements.
- Give some consideration to a role for active traffic management.

4. FINANCING: Are the I-405/SR 167 Corridor Tolling Study financial assumptions, methods, and forecasts valid? **YES**

Phase 1 provides necessary momentum and helps to fill the funding gap for future phases. An investment-grade analysis will be needed to produce a viable financial plan for a corridor-wide solution.

- The State has available funding for Phase 1, including \$403 million from the 2003 and 2005 gas taxes, and \$67 million of savings within the corridor. Phase 1 toll revenues can be leveraged to meet a portion of the Phase 2 funding gap. The bonding capacity will depend on the risk constraints of the State. To help develop a viable, feasible finance plan, the State's risk constraints with respect to toll revenue bonds need to be determined. Toll revenue bonds, ranging from non-recourse to triple-backed toll revenue bonds, will not alone be sufficient to fill the total funding gap.
- Consideration should be given to funding models used successfully to finance other national mega projects, especially in today's stressed credit markets. Funding mosaics including toll concessions, combinations of toll revenue and availability payments, and partnerships with other funding entities (public and private) have been shown to be viable.
- Operating express toll lanes optimally for both congestion relief and financing needs will require openness to new operational tools and policies. Financing needs may drive different applications of operating policies than would be otherwise considered. WSDOT should consider strategies like photo enforcement of violators, carpool registration and 24/7 operations, etc. to maximize toll revenue and design considerations to minimize revenue leakage.

Delivery, Phasing and Financing Strategies on Comparable National Express Toll Lane Mega Projects

Project	Delivery Approach	Phasing	Financing*
I-15, San Diego 20 miles	Conventional design-bid-build	Multiple phases as corridor is extended and widened, opening 2008-2015	Conventional, augmented with local sales tax bonding
I-10, Houston 22 miles	Public-public partnership w/ toll authority	Single phase, opened in 2009	Toll authority contribution of \$250 million on \$2.6 billion
I-495, N Virginia 14 miles	Public-private partnership	Single phase, under construction	30% public match on \$1.3 billion
I-595, Ft Lauderdale 10.5 miles	Public-private partnership	Single phase, under construction	future public availability payments on \$1.7 billion
SH 183/I-820, Ft Worth 13.3 miles	Public-private partnership	Single phase, under construction	32% public match on \$1.8 billion
I-635/I-35E, Dallas, 15 miles	Public-private partnership	Single phase, under construction	22% public match on \$2.2 billion

* Excluding financing-related costs

HOT3+ is a practical carpool policy supporting sustainable traffic performance, transit-friendliness, and needed financing/revenue.

- Phasing into this policy change has immediate and long-term benefits regardless of whether the overall improvements are implemented in incremental steps or as a corridor system.
- Conversion of existing HOV lanes to HOT3+, preferably in sync with Phase 1, provides a tolling experience base for the financial community, reducing the risk in financing the broader system and supporting future financing. It also supports logical phasing with a seamless corridor that limits peak hour bottleneck concerns at transition points.

First Generation/Second Generation Toll Projects

Conceptually, this program is similar to projects implemented and under development in major metropolitan regions across the U.S. The I-405/SR 167 corridor express toll lanes represent both first-generation managed lanes whose primary focus is generally on traffic management, and second-generation managed lanes whose primary focus is generally on financing.

I-405/SR 167 Executive Advisory Group
Interest Statement supporting Phase I of Express Toll Lanes on I-405

Action is needed in 2011

As members of the I-405/SR 167 Executive Advisory Committee, we urge the adoption of legislation in 2011 authorizing the use of express toll lanes at the north end of I-405. This corridor is vital to the state's economy and construction of express toll lanes would create jobs, leverage user fees for accelerating corridor improvements, and provide long-term congestion relief. Failing to act in 2011 would indefinitely delay investment in the I-405 and SR 167 corridor and will negatively impact the transportation system, the Region's economy, and the quality of life for those citizens using the corridor.

Keep the I-405 / SR 167 Corridor Flowing Smoothly to Support Economic Development

- The combined I-405, SR 167 and SR 512 corridor forms the only north-south alternative to I-5 through Pierce, King and Snohomish counties. Serving 1.1 million trips per day, it is the second most heavily traveled corridor in the state with some areas suffering congestion up to 10 hours daily. In 2009, there were 767,821 jobs in communities along the corridor.
- This congestion slows both commuters and state freight connections accessing major commercial, manufacturing and warehouse facilities. It also hampers business development along the corridor, which continues to create jobs that provide an economic benefit to the Region and State.
- Despite the recent completion of major transportation investments in the corridor, an estimated \$2 billion in additional investment is needed to address remaining critical gaps in the 405 and 167 corridor, to combat mounting congestion and to meet the needs of the region's transportation system and support our economy.

Find Solutions that Move People and Goods as Efficiently as Possible

- We support authorization of the first phase of the express toll lanes to reduce congestion and help fund the full corridor improvements.
- When compared to adding only general purpose lanes, express toll lanes can move more people and vehicles through the corridor. That means both the driver in the general purpose lane and the driver choosing to use the express toll lane has a faster, more reliable trip.
- Express toll lanes provide options to people. It means the plumber trying to get to an appointment knows there is an option to get there on time, and it means a parent trying to get to a school play won't miss their child's performance because they were stuck in traffic.
- Express toll lanes also generate funding for remaining improvements in the corridor and enable the state to leverage user fees as a funding source.
- An independent Expert Review Panel recently concluded that WSDOT's express toll lanes analysis was sound and aligned with industry standards in the areas of Policy, Methodology, Phasing, and Financing.

Key Policy Areas Requiring Additional Analysis

- The Executive Advisory Group recognizes the decision to move from a 2+ to a 3+ occupancy requirement in this corridor has multiple implications and requires additional work, including more public outreach. However, we are convinced that options exist with express toll lanes and its associated technology that could meet the corridor's performance and revenue needs while providing benefit to two-person carpool users. To this end, WSDOT should conduct the necessary work to assess the revenue, performance and system implications of potential options to find the combination that works best.

- Corridor tolling improves traffic in the corridor, but also on adjacent facilities. Decisions regarding the use of express toll lanes should be accompanied with direction to WSDOT work with cities to minimize impacts and monitor city streets for effects, and recognize the need for geographically equitable decisions that do not disproportionately affect individual communities.
- WSDOT should develop a financial plan regarding express toll lanes to provide decision-makers with the most affordable financing options that will provide toll payers with the greatest benefit for their investment, including analysis of using the State's general credit and public private partnerships.

The I-405/SR 167 corridor needs to be fixed. Moving ahead with express toll lanes would create construction jobs, leverage user fees for accelerating corridor improvements, and provide long-term congestion relief. Taking action in 2011 will benefit the transportation system, the region's economy, and the quality of life for those citizens using the corridor. Our region cannot afford inaction.

In supporting express toll lanes authorization, we also urge the Washington State Department of Transportation to work closely with affected stakeholders and interests on the array of timing questions, financing questions and implementation issues associated with this program.

Sue Singer
Sue Singer
Puget Sound Regional Council

Grant Degginger
Grant Degginger
Bellevue City Councilmember

Sonny Putter
Sonny Putter
Newcastle City Councilmember

Randy Corman
Randy Corman
Renton City Councilmember

Richard Hildreth
Richard Hildreth
Mayor of Pacific

Roger Bush
Roger Bush, Chair
Pierce County Council

David Hill
David Hill
Mayor of Algona

Joan McBride
Joan McBride
Mayor of Kirkland

Richard Ford
Richard Ford
WA State Transportation Commission

Ronald J. Posthuma
Ronald Posthuma
King County Dept. of Transportation

Jim Haggerton
Jim Haggerton
Mayor of Tukwila

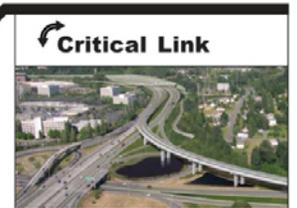
Peter Lewis
Peter Lewis
Mayor of Auburn

Kathy R. Turner
Kathy Turner
Mayor of Puyallup

Suzette Cooke
Suzette Cooke
Mayor of Kent



I-405/SR 167 Direct Connector



Legend

- Phase 1 (Funded)
- Phase 2 (unfunded)
- Existing



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
January 18, 2011

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

a. 2011 City Work Program and Council Retreat Planning

Joining Councilmembers for this discussion in addition to City Manager Kurt
Triplett was Assistant City Manager Marilynne Beard.

4. EXECUTIVE SESSION

None.

5. HONORS AND PROCLAMATIONS

None.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Steve Roberts
Lisa McConnell
Joe Castleberry
Rob Brown
Doug Engle
Bill Vadino

c. Petitions

7. SPECIAL PRESENTATIONS

a. FEMA Advanced Professional Series Certification

Deputy Fire Chief Helen Ahrens-Byington and Washington State Emergency Management Division Training Program Manager James Yates presented Emergency Preparedness Coordinator Stephanie Day and Street Manager John Hopfauf with their certificates.

8. CONSENT CALENDAR

- a. Approval of Minutes:
 - (1) December 7, 2010
 - (2) January 4, 2011 Special Meeting
 - (3) January 4, 2011
- b. Audit of Accounts:
 - Payroll \$ 1,968,425.37
 - Bills \$ 740,490.05
 - run #977 checks #522723 - 522827
- c. General Correspondence
- d. Claims
 - (1) Sean Frankenfield and Mary Jarvis
 - (2) Donald Kitch, Jr. and Donna Ann Porada-Kitch
 - (3) Sergio and Patricia Miralda
- e. Award of Bids
- f. Acceptance of Public Improvements and Establishing Lien Period
 - (1) 2010 Phase II Slurry Seal Project, Blackline, Inc., Spokane, Washington
- g. Approval of Agreements
- h. Other Items of Business
 - (1) December Storm Debrief
 - (2) Civil Service Commission Resignation

Motion to approve the Consent Calendar.

Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

Yes: Councilmember Bob Sternoff, Councilmember Doreen Marchione, Deputy Mayor

Penny Sweet, Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Amy Walen, and Mayor Joan McBride.

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

a. 2011 Annexation Quarterly Report #1

Assistant City Manager Marilynne Beard and Finance and Administration Director Tracey Dunlap provided an overview of the content of the report.

b. Eastside Rail Corridor Interest Statement

Transportation Engineering Manager David Godfrey responded to Council questions and comment.

c. South Kirkland Park and Ride Revised Principles of Agreement

Motion to approve the South Kirkland Park and Ride Revised Principles of Agreement

Moved by Councilmember Jessica Greenway, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

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

11. NEW BUSINESS

a. 6th Street South Grant Application Matching Proposal

Motion to approve the use of REET II funds for the City's grant match requirement on the 6th Street South sidewalk improvements and authorize the City Manager to sign the granting agency's distribution agreement.

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

Vote: Motion carried 7-0

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

b. Ordinance No. 4288, Relating to Impact Fees for Changes in Use and Suspending Transportation Impact Fees for Changes of Use That Do Not Result in Increased Floor Area

Motion to approve Ordinance No. 4288, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO IMPACT FEES FOR CHANGES IN USE AND SUSPENDING TRANSPORTATION IMPACT FEES FOR CHANGES OF USE THAT DO NOT RESULT IN INCREASED FLOOR AREA.'

Moved by Councilmember Bob Sternoff, seconded by Councilmember Amy Walen
Vote: Motion carried 7-0

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

- c. Ordinance No. 4289 and its Summary, Relating to Amending Chapter 21.74 of the Kirkland Municipal Code Related to Development Fees

Motion to approve Ordinance No. 4289 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO AMENDING CHAPTER 21.74 OF THE KIRKLAND MUNICIPAL CODE RELATED TO DEVELOPMENT FEES."

Moved by Councilmember Dave Asher, seconded by Councilmember Bob Sternoff
Vote: Motion carried 7-0

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

- d. Ordinance No. 4290, Relating to Amending Chapter 21.06 of the Kirkland Municipal Code Related to the Completion of the Exterior of New Houses and Additions

Building Services Manager Tom Phillips provided an alternate version of the draft ordinance with amendment language for Council consideration, and responded to Council questions.

Motion to approve Ordinance No. 4290, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO AMENDING CHAPTER 21.06 OF THE KIRKLAND MUNICIPAL CODE RELATED TO THE COMPLETION OF THE EXTERIOR OF NEW HOUSES AND ADDITIONS."

Moved by Councilmember Bob Sternoff, seconded by Councilmember Doreen Marchione

Vote: Motion carried 6-1

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

No: Deputy Mayor Penny Sweet.

- e. Ordinance No. 4291, Relating to Hotel Business Loading Zones and Adding Chapter 12.50 to the Kirkland Municipal Code

Motion to approve Ordinance No. 4291, entitled 'AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO HOTEL BUSINESS LOADING ZONES AND ADDING CHAPTER 12.50 TO THE KIRKLAND MUNICIPAL CODE.'
Moved by Councilmember Doreen Marchione, seconded by Councilmember Bob Sternoff

Vote: Motion carried 7-0

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

f. Ground Floor Use Zoning Code Amendment - Scoping

Planning Supervisor Jeremy McMahan reviewed the recommended project scope and received Council direction that the Planning Commission should conduct a public hearing on staff's recommended option 2, providing changes to CBD 1, 2, 3 and 8 zones for some or all "end of block" areas identified by staff to allow ground floor office uses.

g. Severe Weather Proposal

Motion to Approve support a proposal to be brought back for Council consideration using \$5000 from the Council contingency fund to support Eastside Winter Shelter services.

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

Vote: Motion carried 7-0

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

12. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding the recent Suburban Cities annual caucus; Growth Management Planning Board meeting; Enterprise Seattle meeting; Police promotion and swearing in ceremony; Suburban Cities Public Issues Committee; Cascade Water Alliance issues; Kirkland Alliance of Neighborhoods meeting; Mayor's meeting to discuss an informal eastside lakefront cities organization; and an upcoming meeting with Seattle Mayor McGinn.

(2) City Council Subcommittee Re-appointments

b. City Manager

(1) Calendar Update

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of January 18, 2011 was adjourned at 9:21 p.m.

City Clerk

Mayor



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Kathi Anderson, City Clerk
Date: January 20, 2011
Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION

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

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) Lewis DeLaurenti
109 8th Lane
Kirkland, WA 98033

Amount: Unspecified Amount

Nature of Claim: Claimant states damage to vehicle resulted from hitting a repaired unpainted left turn cement divider.

- (2) Don Randall
6139 130th Avenue NE
Kirkland, WA 98933

Amount: \$1,729.63

Nature of Claim: Claimant states damage to property resulted from heavy rain and recent construction of new houses creating runoff.

**CITY OF KIRKLAND****Department of Parks & Community Services**505 Market Street Kirkland, WA 98033 425.587-3000
www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: Jennifer Schroder, Director of Parks and Community Services
Sharon Anderson, Human Services Coordinator

Date: January 20, 2011

Subject: Request for Support for the Eastside Winter Shelter

Recommendation

That Council authorizes the City Manager to allocate \$5,000 from the Council's Special Projects reserve fund for the City of Kirkland's portion to support the operating costs of the Eastside Winter Shelter program.

Background Discussion

At the January 18th City Council Meeting, Steve Roberts, Executive Director of the Eastside Interfaith Social Concerns Council (EISCC), requested \$5,000 from the City to support the operation of the Eastside Severe Winter Shelter through February, 2011. Council directed staff to prepare a fiscal note and provide information on the operating costs of the program for approval at their February 1st Council meeting.

The need for the Severe Weather Shelter (SWS) was identified when an individual living outdoors two blocks from Bellevue City Hall died of exposure on Christmas night in 2007.

Eastside Homelessness Advisory Committee (EHAC) began discussions regarding the need for SWS began early in 2008 and by that June, the City of Bellevue agreed to open the Crossroads Community Center (CCC) and continued as a pilot project in 2009-2010.

The SWS is intended to be a life-saving overnight shelter and is not intended to be operational year round.

Criteria for Opening the Shelter

The City of Bellevue looked at shelter examples in King County and designed the pilot project based on the City of Seattle's model under "Severe Weather" of their Winter Response Plan.

The shelter opened on nights when weather conditions were deemed to fulfill the following criteria:

- Low temperatures (at or below 32 degrees Fahrenheit) for 24 or more consecutive hours; OR
- Snow accumulation exceeding or expected to exceed 3" in depth; OR
- Conditions deemed severe enough to present a substantial threat to life or health of homeless persons

Limitations

Unfortunately, the intermittent activation approach limits access since the nature of homelessness can make it difficult for people to know whether the shelter is going to be available on any given night.

This service model ensures that the shelter is available when conditions are most extreme. However, it is not necessary for temperatures to be at 32 degrees for people to be at risk.

Additionally, CCC was the only confirmed available space to operate the SWS on the Eastside. This has come at a considerable cost to the City of Bellevue, which estimates that about \$25,000 in revenue has been lost during activation.

Unsheltered Homeless on the Eastside

The 2010 One Night Count found that of the 3,205 homeless persons utilizing transitional housing or shelter, 7% listed the Eastside as their past permanent address. In addition, there were 141 people found in the "street count" on the Eastside. Shelter, transitional and interim housing options continue to be operated and developed by several organizations on the Eastside, but the need outpaces current capacity.

To address the problem, staff from Bellevue, Redmond, Issaquah, Kirkland and EISCC, along with members of Gospel of John Bible Study Group, and Vet's Edge, began meeting in November, 2010, around a desire to shift from a SWS open only when temperatures dipped below 32 degrees to a plan that provides a more stable, appropriate, long-term solution for an all-weather winter shelter for the Eastside communities. This group is committed to continue to working toward this goal with anticipated implementation in fall, 2011.

2011 Eastside Winter Shelter (EWS)

On January 15, 2011, the shelter moved from Bellevue's CCC to the City of Redmond's Old Schoolhouse Community Center. The shelter is open every night through February 15th, with additional nights possible depending on weather and available resources.

The Old Schoolhouse auditorium accommodates up to 50 adults. It is open from 8:30 pm to 7:30 am and is operated by trained, experienced staff from EISCC-Congregations for the Homeless (for men) and Sophia Way Shelter (for women).

Though the shelter serves mostly homeless people, it will not be used as an ongoing homeless shelter.

EISCC will continue as the EWS contractor through 2011, but the workgroup proposes changing the staffing model from three paid staff to two paid staff and a volunteer, trimming staffing costs by one third. EISCC will also be responsible for identifying, training and coordinating volunteers.

The anticipated total cost to operate the EWS January through February, 2011, is expected to be \$31,450. This amount includes funding to include outreach, blankets, mats, food, outreach materials and other supplies. The budget is shown below:

Income:		
Description	Amount	Comments
Redmond	\$ 5,000	
Bellevue	\$ 13,000	
Issaquah	\$ 5,000	
Kirkland	\$ 5,000	pending
KIN Orgs	\$ 1,200	mats
ISIC	\$ 250	
RAHP	\$ 2,000	\$750 bus tickets, supplies, phone and outreach
Total	\$ 31,450	
Expenses		
Description	Amount	Comments
Staff	\$ 28,200	47 nights through Feb 15th @\$600 day
Bus tickets	\$ 750	
Supplies	\$ 1,250	CFH Outreach, Phone, Food Basics, Cleaning Supplies
Mats	\$ 1,200	
Total	\$ 31,400	

FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Jennifer Schroder, Director Parks and Community Services							
Description of Request							
Request for \$5,000 from the Council Special Projects Reserve to support the operating costs of the Eastside Severe Winter Shelter through February 2011. The shelter is located at the City of Redmond's Old Schoolhouse Community Center.							
Legality/City Policy Basis							
Fiscal Impact							
One-time use of \$5,000 of the Council Special Projects Reserve. The reserve is able to fully fund this request.							
Recommended Funding Source(s)							
Reserve	Description	2012 Est End Balance	Prior Auth. 2011-12 Uses	Prior Auth. 2011-12 Additions	Amount This Request	Revised 2012 End Balance	2012 Target
	Council Special Projects Reserve	251,534	0	0	5,000	246,534	N/A
Revenue/Exp Savings							
Other Source							
Other Information							

Prepared By	Tammy McCorkle, Budget Analyst	Date	January 20, 2010
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**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: Marilynne Beard, Assistant City Manager

Date: January 20, 2011

Subject: AMENDMENT TO GAMBLING ORDINANCE

RECOMMENDATION:

City Council approves the attached ordinance amending KMC 7.48 acknowledging the City's authority to allow social card games at existing establishments in the annexation area and amending the local tax rate on social card games to eleven percent.

BACKGROUND DISCUSSION:

During the 2009 session, the State Legislature approved ESSB5321 allowing annexing cities that prohibit social card games within their existing city limits to allow the continued operation of gambling establishments that were licensed as of July 26, 2009. There is one establishment in Kirkland's annexation area that qualifies for continued operation, the *Casino Caribbean* located in the Kingsgate business area.

On July 7, 2009, the Kirkland City Council approved resolution R-4766 expressing its intent to allow continued operation of existing card rooms or casinos in the annexation area (see attached). Since the Council's action occurred before the annexation vote, they were advised that the City Council would need to take further legislative action if the annexation were approved. The attached ordinance implements the intent expressed in the resolution.

The Kirkland Municipal Code currently provides a tax rate of 20% for social card games, even though the code prohibits card rooms from operating within the city limits. The resolution adopted in 2009 did not address the assumed gambling tax rate; however, annexation financial forecasts were prepared assuming an eleven percent tax rate which reflected King County's tax rate on card games. The attached ordinance also reflects the tax rate assumed in annexation financial forecasts. Since the Casino Caribbean will be the only legal card room in the city, the change in tax rate does not affect any other gambling revenue.

RESOLUTION R-4766

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND EXPRESSING ITS INTENT TO ALLOW CONTINUED OPERATION OF EXISTING CARDBOUSES OR CASINOS IN THE POTENTIAL ANNEXATION AREA.

WHEREAS, on April 7, 2009, the City of Kirkland, in Resolution R-4751, began proceedings to annex its Potential Annexation Area ("PAA"), consisting of the Kingsgate, Finn Hill and North Juanita Neighborhoods; and

WHEREAS, the City of Kirkland prohibits house-banked social card games within its existing City limits; and

WHEREAS, in its 2009 Session, the State legislature adopted ESSB 5321, which amends RCW 9.46.295 relating to licenses for house-banked social card games; and

WHEREAS, ESSB 5321 clarifies that the City of Kirkland may allow a licensed house-banked social card game business in the PAA to continue operating without being required to allow additional house-banked social card game businesses; and

WHEREAS, the City Council desires to express its intent with respect to allowing continued operation of existing house-banked social card game businesses.

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

Section 1. The City Council hereby expresses its intent to allow continued operation of existing, licensed house-banked social card game businesses in the PAA upon annexation by the City of Kirkland. In so doing however, the City Council reiterates that such establishments are generally prohibited under the Kirkland Municipal Code, and any existing establishment in the PAA shall be allowed to continue only as a result of, and pursuant to the provisions of, RCW 9.46.295.

Passed by majority vote of the Kirkland City Council in open meeting this 7th day of July, 2009.

Signed in authentication thereof this 7th day of July, 2009 .


MAYOR

Attest:

City Clerk

ORDINANCE 4292

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO GAMBLING.

WHEREAS, pursuant to authority provided by RCW 9.46.295, KMC 7.48.017 prohibits the conduct of a social card game as a commercial stimulant in Kirkland, which prohibition includes house banked social card game businesses; and

WHEREAS, the City Council in 2009 authorized annexation of territory wherein a house banked social card game business is in operation, with the annexation to be effective June 1, 2011; and

WHEREAS, under previous law, that business would have had to cease operation as of June 1, 2011, the effective date of the City's annexation, because RCW 9.46.295 only allowed a complete prohibition of any class of licensed gambling activities within a city's limits; and

WHEREAS, in recognition that an annexing city or town might want to allow a house banked social card game business operating in an annexed area to continue operating after annexation, the Washington State Legislature amended 9.46.295 to allow that to happen on the conditions presented there; and

WHEREAS, these conditions are met because the subject business was licensed by the Washington State Gambling Commission as of July 26, 2009, the City is authorized to impose a tax under RCW 82.14.415 and the City can demonstrate that the continuation of the house banked social card game business will reduce the credit against the state sales and use tax as provided in RCW 82.14.415(7);

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

Section 1. Kirkland Municipal Code Section 7.48.017 is hereby amended to read as follows:

(S)7.48.017 Prohibition of certain card rooms.*

(a) ~~Except as authorized in Section 7.48.018,~~ the conduct of a social card game as a commercial stimulant is prohibited within the city of Kirkland. The term "commercial stimulant" means an activity operated in connection with an established business, with the purpose of increasing the volume of sales of food or drink for consumption on that business premises.

This section is an exercise of the city's authority under state law to prohibit gambling activities (see RCW 9.46.295). In turn, a license issued by the state to engage in gambling activities is not legal authority to engage in the conduct of social card games as a commercial stimulant anywhere within the city of Kirkland.

Should there be any change in the terminology used by the state in issuing a gambling license, this section should be liberally construed so as to prohibit that category of gambling activities which is most similar to what is presently licensed as a card game under RCW 9.46.070(2).

(b) Any person who engages in or carries on an activity in violation of this section shall be guilty of a gross misdemeanor. Each day of violation shall be considered a separate crime.

(c) If any provision of this section or its application to any person or circumstance is held invalid, the remainder of this section, or the application of the provision to other persons or circumstances is not affected

Section 2. Kirkland Municipal Code Chapter 7.48 is hereby amended by the addition of a new section to be known as Section 7.48.018 and to read as follows:

7.48.018 Limited house banked social card game authorization.

Pursuant to authority provided in RCW 9.46.295, any house banked social card game business operating in the city on June 1, 2011, that was licensed by the Washington State Gambling Commission before July 26, 2009, may continue to operate thereafter within the city in accordance with applicable law. As further allowed by RCW 9.46.295, no additional house banked social card game businesses will be allowed to operate within the city.

Section 3. Kirkland Municipal Code Section 7.48.020 is hereby amended to read as follows:

7.48.020 Tax rate imposed on gambling activities.

(a) Tax Imposed. Pursuant to RCW 9.46.110, the city imposes a tax upon any gambling activity which activity is not prohibited by either state law or city ordinance. For the purposes of this section, a "charitable or nonprofit organization" shall mean an entity meeting the requirements of Chapter 9.46 RCW for a bona fide charitable or nonprofit organization. The gambling tax rate levied by the city of Kirkland is as follows:

(1) Bingo: ten percent of gross receipts less the amount awarded as cash or merchandise prizes; provided, that effective January 1, 2000, the tax rate for bingo shall be five percent of gross receipts less the amount awarded as cash or merchandise prizes.

(2) Raffles: ten percent of gross receipts less the amount awarded as cash or merchandise prizes; provided, that effective January 1, 2000, the tax rate for raffles shall be five percent of gross receipts less the amount awarded as cash or merchandise prizes.

(i) Special Rule. When a raffle is conducted by a charitable or nonprofit organization, no tax shall be imposed on the first ten thousand dollars (per calendar year) of gross receipts less the amount awarded as cash or merchandise prizes.

(3) Amusement games: two percent of gross receipts less the amount awarded as prizes. The city shall use the revenue from such tax to pay the actual costs of enforcement of this chapter and Chapter 9.46 RCW by law enforcement.

(4) Punch boards and/or pull-tabs: five percent of gross receipts.

(i) Special Rule. When punch boards and/or pull-tabs are operated by a charitable or nonprofit organization, the tax shall be ten percent of gross receipts less the amount awarded as cash or merchandise prizes.

(5) Social card games, including but not limited to house banked social card games; ~~twenty-one~~ percent of gross revenue. The city of Kirkland prohibits social card games as a commercial stimulant except as allowed under KMC 7.48.018.

(6) Contests of chance: seven percent of gross receipts. For purposes of this subsection, "contests of chance" shall mean gambling activities conducted at a "fund raising event" meeting the requirements of Chapter 9.46 RCW, other than the gambling activities listed above in this section. Bingo, raffles, amusement games, punch boards and/or pull-tabs, or social card games shall be taxed at the specific rates provided hereinabove, even if such activity was conducted as part of a fund raising event.

(b) Exemption for Certain Bingo or Amusement Games. A charitable or nonprofit organization, having no paid operating or management personnel, shall be exempt from the tax imposed under subsections (a)(1) and (a)(3) of this section so long as such organization receives no more than five thousand dollars per year in gross receipts from bingo or amusement games, or a combination thereof, less the amount awarded as cash or merchandise prizes.

(c) Lien. Taxes imposed under this chapter become a lien upon personal and real property used in the gambling activity in the same manner as provided for under RCW 84.60.010. The lien shall attach on the date the tax becomes due and shall relate back and have priority against real and personal property to the same extent as ad valorem taxes.

Section 4. The tax rate set forth in Kirkland Municipal Code Section 7.48.020(a)(5), which is amended by this ordinance, shall remain in force and effect until the rate set forth in this ordinance goes into effect.

Section 5. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this Section, or the application of the provision to other persons or circumstances is not affected.

Section 6. 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. The limited house banked social card game authorization set forth in Section 2 of this ordinance and the tax decrease on social card games set forth in Section 3 of this ordinance shall take effect on June 1, 2011.

Passed by majority vote of the Kirkland City Council in open meeting this 1st day of February, 2011.

Signed in authentication thereof this 1st day of February, 2011.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4292

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO GAMBLING.

SECTION 1. Amends Kirkland Municipal Code (KMC) Section (S)7.48.017 relating to prohibition of certain card rooms.

SECTION 2. Adds a new Section 7.48.018 to the KMC relating to house banked social card games.

SECTION 3. Amends KMC Section 7.48.020 relating to the tax rate imposed on gambling activities.

SECTION 4. Provides for continuation of the existing tax rate until the new tax rate takes effect.

SECTION 5. Provides a severability clause for the ordinance.

SECTION 6. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date of the ordinance as five days after publication of the summary and sets June 1, 2011 as the effective dates for Sections 2 and 3 of the Ordinance.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 1st day of February, 2011.

I certify that the foregoing is a summary of Ordinance 4292 approved by the Kirkland City Council for summary publication.

City Clerk



CITY OF KIRKLAND
Police Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3400
www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: Eric Olsen, Police Chief
Mike St. Jean, Lieutenant

Date: January 20th, 2011

Subject: Firearms Grant Resolution for Council Meeting, February 1st, 2011

RECOMMENDATION

It is recommended that the City Council pass the attached resolution authorizing the City of Kirkland and the Kirkland Police Department to apply for funding assistance through the Firearms and Archery Range Program (FARR.) This grant will be in support of the firearms range that will be part of the new Public Safety building and is through the Washington State Recreation and Conservation Office.

BACKGROUND DISCUSSION

The City of Kirkland and the Kirkland Police Department are in the process of applying for a matching grant through the Washington State Recreation and Conservation Office. This grant application is in support of the firearms range that will be part of the new Public Safety Building. This is a matching grant in the amount of \$100,000. If we are successful in being awarded this grant, the Washington State Recreation and Conservation Office will award the City of Kirkland \$100,000 and the City of Kirkland will match this amount from bond proceeds or other funding sources for the Public Safety Building project.

The grant requires that the project be retained in use for a minimum of ten years from final reimbursement and that all funds will be paid on a reimbursement basis. As part of the application process, a resolution from the City Council must be signed and attached to the final project application.

RESOLUTION R-4863

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING APPLICATION(S) FOR FUNDING ASSISTANCE FOR A FIREARMS AND ARCHERY RANGE RECREATION (FARR) PROGRAM PROJECT TO THE RECREATION AND CONSERVATION OFFICE (RCO) AS PROVIDED IN CHAPTER 79A.25.210 RCW, FIREARMS RANGE ACCOUNT GRANT PROGRAM RULES.

WHEREAS, the City of Kirkland is a Washington municipal corporation, and has met all program eligibility requirements, and

WHEREAS, under the provisions of FARR, state funding assistance is requested to aid in financing the cost of liability insurance, land acquisition and/or facility development; and

WHEREAS, our organization considers it in the best public interest to complete the insurance, land acquisition, and/or development project described in the application;

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

1. The City Manager is hereby authorized and directed to make formal application to the Recreation and Conservation Office for funding assistance;
2. Any fund assistance received be used for implementation of the project referenced above;
3. Our organization hereby certifies that its share of project funding is committed and will be derived from bond proceeds;
4. We acknowledge that we are responsible for supporting all non-cash commitments to the sponsor share should they not materialize;
5. We are aware that the grant, if approved, will be paid on a reimbursement basis. This means we may only request payment after eligible and allowable costs have already been paid and remitted to our vendors;
6. We acknowledge that any property acquired or facility developed with financial aid from the Recreation and Conservation Funding Board (RCFB) must be placed in use for the funded purpose and be retained in such use for a minimum of ten years from final reimbursement unless otherwise provided and agreed to by our organization and RCFB;
7. This resolution becomes part of a formal application to the Recreation and Conservation Office; and
8. We provided appropriate opportunity for public comment on this application.

Passed by majority vote of the Kirkland City Council in open meeting this 1st day of February, 2011.

Signed in authentication thereof this 1st day of February, 2011.

MAYOR

Attest:

City Clerk



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Barry Scott, Purchasing Agent

Date: January 21, 2011

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF FEBRUARY 1, 2011

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

The City's major procurement activities initiated since the last report, dated December 16, 2010, are as follows:

	Project	Process	Estimate/Price	Status
1.	Traffic Light Poles	Cooperative Purchase	\$52,578.63	Purchase made using WA State Contract.
2.	NE 85 th St Water Main Repair	Emergency Purchase	\$60,000 - \$90,000	Contract issued to Frank Coluccio Construction for emergency repairs. (City Manager's authorization is attached.)

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



CITY OF KIRKLAND
Department of Public Works
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
 www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: Ray Steiger, P.E., Interim Public Works Director 

Date: January 20, 2011

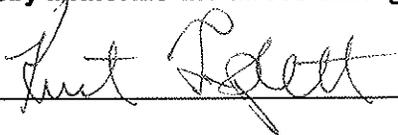
Subject: EMERGENCY PURCHASE AUTHORIZATION
 NE 85th STREET WATER MAIN REPAIR

On Thursday, January 20, 2011, a watermain leak was detected in the 16-inch transmission watermain that runs beneath NE 85th Street, near 12120 NE 85th Street. This existing 16-inch watermain is a special material made up of steel reinforced concrete cylinder pipe (RCCP) and requires a specialty contractor to perform the necessary repair – city crews are not certified in making repairs to this type of watermain material.

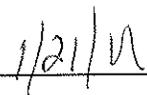
In order to avoid catastrophic failure of the watermain our water crew has turned off a portion of the water system along NE 85th Street. While residents and businesses in the area remain in-service, water is being re-routed within the system. This results in a negative impact on the overall water system and leaves the existing fire hydrant adjacent to the leak unavailable for use – a situation that the fire department is aware of and one that must be corrected as soon as possible. With that in mind, we have contacted a Seattle based contractor who is experienced with making repairs to RCCP mainline and they are available to begin work efforts the week of January 24, 2011. We do not anticipate that the repairs will take more than five days to complete – residents and businesses along the corridor, as well as other areas affected by the re-routing of water have been notified of the situation through website updates and/or email list-serves.

Pursuant to KMC 3.85.210 you are authorized to make emergency purchase for situations such as this; a report of this purchase will be available for Council at their regular meeting of February 15, 2011.

I hereby authorize the above Emergency Purchase for the reasons stated:

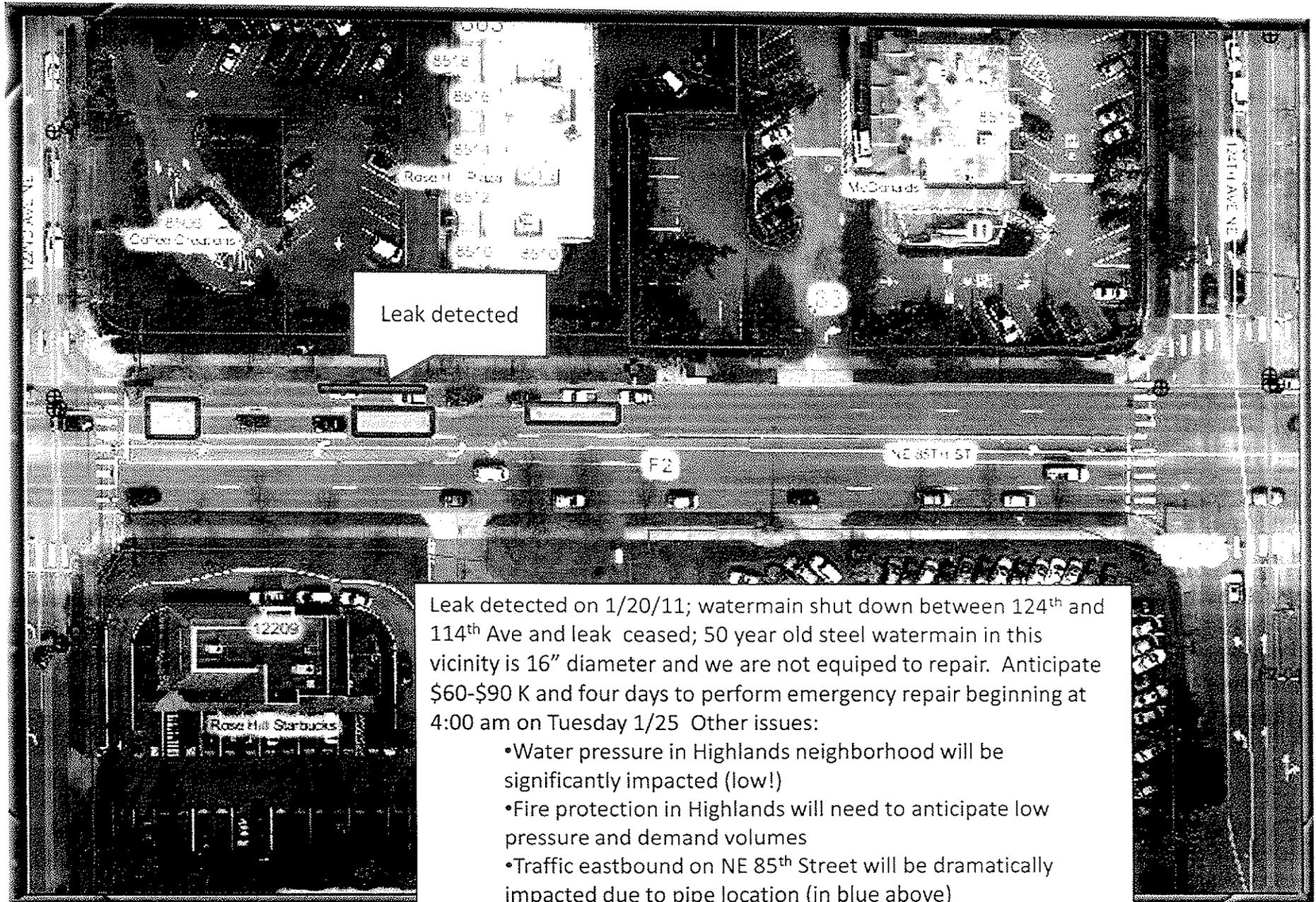


Kurt Triplett, City Manager



Date

cc Greg Neumann, Water Department Manager
 David Snider, P.E., Interim Capital Projects Manager
 Sri Krishnan, Financial Planning Manager
 Barry Scott, Purchasing Agent



Leak detected

Leak detected on 1/20/11; watermain shut down between 124th and 114th Ave and leak ceased; 50 year old steel watermain in this vicinity is 16" diameter and we are not equipped to repair. Anticipate \$60-\$90 K and four days to perform emergency repair beginning at 4:00 am on Tuesday 1/25 Other issues:

- Water pressure in Highlands neighborhood will be significantly impacted (low!)
- Fire protection in Highlands will need to anticipate low pressure and demand volumes
- Traffic eastbound on NE 85th Street will be dramatically impacted due to pipe location (in blue above)
- Emergency procurement process needed (attached) and notification to City Council will be at 2/15 meeting



CITY OF KIRKLAND
Department of Public Works
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
 www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tim Llewellyn, Fleet Supervisor
 Donna Burris, Internal Services Manager
 Ray Steiger, P.E., Interim Public Works Director

Date: January 21, 2011

Subject: SURPLUS EQUIPMENT RENTAL VEHICLES/EQUIPMENT FOR SALE

RECOMMENDATION:

It is recommended that the City Council approve the surplusing of the Equipment Rental vehicles/equipment identified in this memo.

BACKGROUND DISCUSSION:

The surplusing of vehicles or equipment which have been replaced with new vehicles or equipment, or those that no longer meet the needs of the City, is consistent with the City's Equipment Rental Replacement Schedule Policy. The following equipment has been replaced by new equipment, and if approved for surplusing, will be sold in accordance with purchasing guidelines at public auction or to public agencies.

<u>Fleet #</u>	<u>Year</u>	<u>Make</u>	<u>VIN/Serial Number</u>	<u>License#</u>	<u>Mileage</u>
T-02	1991	Ford 12 Passenger Van	1FBHE31H5PHB48168	15220D	30,628

For clarification purposes, T-02, a 1993 Ford Econoline 12-passenger van, was purchased in 1993 for use by the Parks and Community Services Division. It has surpassed its original anticipated useful life of 10 years by an additional 8 years and has been replaced by a new propane alternative fueled vehicle. The new propane vehicle was recently introduced, and is described in much further details as a part of the December 30, 2010, City Council reading file.

T-02 will be sold at public auction or to a public agency.

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us**MEMORANDUM**

To: Kurt Triplett, City Manager

From: Lorrie McKay, Intergovernmental Relations Manager

Date: January 21, 2011

Subject: 2011 LEGISLATIVE UPDATE 1

The 2011 State Legislative Session opened on Monday, January 10 and is scheduled to conclude on April 24, 2011. The last day to read in committee reports in the house of origin, except fiscal committees and Senate Ways and Means and Transportation committees is Wednesday, February 23. The last day to read in committee reports from House fiscal committees and Senate Ways and Means and Transportation committees is Monday, February 28. (Attachment 1 – 2011 Session Cutoff Calendar)

This is an update on the City's interests as of January 21. A status update of the city's 2011 legislative priorities is attached (Attachment 2).

HB – 1336 Allowing the use of federal census data to determine the resident population of annexed territory (Rep. Springer, Sponsor). Senate companion bill (Senator Hill, Sponsor) to be dropped week of Jan. 24.

HB – 1382 Concerning the use of express toll lanes in the eastside corridor (Rep. Clibborn, Sponsor) Senate companion bill pending.

HB – 1398 Creating an exemption from impact fees for low-income housing (Rep. Fitzgibbon, Sponsor) Senate companion bill pending.

Waypoint Consulting is working to track other bills of interest to the City. To date, Waypoint has identified 59 bills as having potential impact on or interest to the City of Kirkland and has sought the City's position on these bills. City staff are actively reviewing these bills, measuring them against our 2011 legislative agenda and providing recommended positions to the Legislative Subcommittee (See Attachment 3).

Upcoming Hearings:

Hearings scheduled for above mentioned bills and testimony from City representative(s).

Bill	Cmte	Dt/Time	City Rep.	SME
HB – 1398 (exemption / impact fees for LIH)	CDH	1/26 8am	Bob Sternoff	Dawn Nelson
HB – 1336 (allowing use of federal census)	LG	1/26 1:30	Kurt Triplett	Eric Shields
HB – 1230 (public safety authorities)	LG	1/26 1:30	Kurt Triplett	Bill Evans
HB – 1382 (express toll lanes in I-405)	TR	Tentative 2/2	Mayor McBride	Dave Godfrey

Attachments: 2011 Session Cutoff Calendar
Status of city's 2011 legislative priorities
List of bills the city is tracking and positions

2011 Session Cutoff Calendar

January 10, 2011	First Day of Session
February 23, 2011	Last day to read in committee reports in house of origin, except House fiscal committees and Senate Ways & Means and Transportation committees.
February 28, 2011	Last day to read in committee reports from House fiscal committees and Senate Ways & Means and Transportation committees in house of origin.
March 10, 2011	Last day to consider bills in house of origin (5 p.m.).
March 28, 2011	Last day to read in committee reports from opposite house, except House fiscal committees and Senate Ways & Means and Transportation committees.
April 4, 2011	Last day to read in opposite house committee reports from House fiscal committees and Senate Ways & Means and Transportation committees.
April 15, 2011*	Last day to consider opposite house bills (5 p.m.) (except initiatives and alternatives to initiatives, budgets and matters necessary to implement budgets, differences between the houses, and matters incident to the interim and closing of the session).
April 24, 2011	Last day allowed for regular session under state constitution.
* After the 96th day, only initiatives, alternatives to initiatives, budgets and matters necessary to implement budgets, messages pertaining to amendments, differences between the houses, and matters incident to the interim and closing of the session may be considered.	

	Legislative Priority	Bill #	Prime Sponsor	Status
1	Oppose new mandates and cost shifting			See bill tracker – monitoring status of all bills.
2	Financial assistance for the construction of the Public Safety Building	TBD	Eastside (Kirkland) Legislators	House Cap. Budget local community project request form sent to Lorrie for information; request will come from Kirkland legislators to CB Chair. Contact will be made next week with Senate CB Vice Chair Derek Kilmer. Meetings scheduled over next two weeks with House CB and Senate W/M members.
3	Flexibility in the use of Real Estate Excise Tax revenue for infrastructure and parks maintenance.	TBD	Rep. Springer	AWC has draft bill and is working sponsors; overview of bill has been provided to Kirkland for comment; no Senate bill yet (AWC looking for sponsor). We have discussed bill with House Local Government Chair Dean Takko – he will hear bill.
4	Financial relief for annexation census requirements through the ability to use alternate enumeration methods such as the federal census.	HB 1336 SB TBD	Rep. Springer	House Bill 1336 scheduled for hearing on Wed., 1/26 at 1:30 p.m. in House Local Government Committee. NOTE: Can Kurt testify? Sen. companion being drafted. Meeting with Sen. Hill on Fri 1/21 regarding prime sponsorship. Aim for introduction early week of 1/24.
5	Support legislation for roadway pricing tools that provides funding for high priority transportation routes, promotes multi-modal transportation modes and mitigates collateral impacts.	HB 1382 SB TBD	Rep. Clibborn	HB 1382 (with Kirkland's correction language) has not been introduced but will be soon; it will go to TR. Eastside city lobbyists are talking each week to ID targeted legislators. Senate companion bill not yet introduced.
6	Preserve all options for future use of the BNSF corridor and state financial assistance to implement multiple uses.	NA		Per discussion with legislative committee in fall, it is not feasible to seek state funds this year but JR and MR will monitor bills that would restrict possible uses of the corridor and continue to bring project to legislator's attention for future action.

	Legislative Priority	Bill #	Prime Sponsor	Status
7	New financing tools to support public/private partnerships including flexibility in the use of existing tax sources to support new development and to facilitate small business growth through the use of microloans.	NA		<p>Tax Increment Financing bill (and constitutional amendment) has been drafted by AWC and Washington Jobs Investment Coalition. Group meets regularly to plan legislative strategy. Final bill draft to be dropped next week. Committee referral undetermined at this point.</p> <p>Microloan component is not gaining traction due to constitutional restriction on lending of credit; however, low interest loans are available from the state to minorities and veterans through a program within the Treasurer's office.</p>
8	Streamline SEPA process and eliminate duplicate and overlapping requirements of growth management and SEPA.			Two issues here: SEPA, and regulatory flexibility. Eric will talk with Rep. Springer on SEPA legislation Friday, 1/21. Mark Brown (Vancouver) has a "fiscal relief" bill (postpones reporting on various GMA and other requirements) to save cities money. Bills to drop next week.
9	Support the principles of growth management by assigning funding priority for infrastructure in communities with designated urban centers			Jim has request into AWC.
10	Amend RCW 82.02.060 to eliminate cities' obligation to pay impact fees from qualifying public funds when exempting low-income housing from impact fee requirements.	<p>HB 1398</p> <p>NA</p>	<p>Rep. Fitzgibbon</p> <p>Sen. White</p>	<p>Hearing in Housing Committee Wednesday 1/26 8am</p> <p>Sen. White will prime sponsor bill utilizing equivalent to SHB 2566 from 2010. Drafting at code reviser. We are meeting with several legislators about House companion.</p>
11	Fire benefit authority			Initial feedback from other interested stakeholders and from legislators is to make this longer term goal. Utilize the Burien bill (HB 1230 & SB 5155) as a way to get issue/Kirkland perspective to LG committee members. Work with other cities and fire interests for development of legislation in 2012 session.

Bill	Title	Position	Cmte.	Hearing?	Exec?	Calendar?
HB 1012	Planning commissioners	Support	LG	11-Jan	DO PASS	
HB 1014	Watersh mgmt partnerships	Support	JUD	13-Jan	1/20@10a	
HB 1018	Bikes and motorists	Support	TR	NA		
HB 1026	Adverse possession actions	Oppose	JUD	13-Jan	1/20@10a	
HB 1033	Court actions/42.56.550	Support	SGTA	1/20@10a		
HB 1034	Inmate public record req.	Support	SGTA	1/20@10a		
HB 1071	Complete Streets grant prog	Support	TR	1/17@3:30p		
HB 1082	Shoreline & GMA acts	Oppose	LG	1/21@8a	1/22@10a	
HB 1088	Cty/city moratoria authority	Oppose	LG	1/19@1:30p		
HB 1098	Traffic safety cameras		TR	NA		
HB 1099	Traffic safety cameras		TR	NA		
HB 1111	Fed, state & local govts	Oppose	LG	NA		
HB 1126	Criminal street gangs		PSEP	1/19@1:30p	1/25@10a	
HB 1127	Bargaining reps	Oppose	LWD	1/19@1:30p		
HB 1160	Adverse possession claims	Oppose	JUD	NA		
HB 1217	Speed limits		TR	1/25@3:30p		
HB 1223	Street vacation hearings	Support	LG	1/25@10a		
HB 1230	Public safety authorities		LG	1/26@1:30p		
HB 1234	Security alarms, crime watch	Support	SGTA	NA		
HB 1279	Traffic safety/intersections		TR	NA		
HB 1300	Public record copying costs	Oppose	SGTA	NA		
HB 1332	Utility services joint mgmt	Support	LG	NA		
HB 1335	Growth mgmt/local progress	Support	LG			
HB 1336	Census data/annexation	Support	LG	1/26@1:30p		
HB 1382	toll lanes in 405 corridor	Support	TR			
HB 1398	exemption impact fees for LIH	Support	CDH	1/26@8a		

Bill	Title	Position	Cmte.	Hearing?	Exec?	Calendar?
SB 5012	GMA hearings board	Oppose	GOE	1/17@10a		
SB 5013	Land use permit process		GOE	1/17@10a		
SB 5022	Court actions/42.56.550	Support	JUD	NA		
SB 5025	Inmate public record req.	Support	HSC	13-Jan	NA	
SB 5049	Sunshine Committee	Support	GOE	1/24@10A		
SB 5062	Public record disputes	Support	GOE	1/24@10A		
SB 5131	Public facilities/impact fees	Support	TR	1/25@3:30P		
SB 5137	Street vacation hearings	Support	GOE	NA		
SB 5143	Annexation/fire prot. Dists.	Support	GOE	1/25@1:30P		
SB 5145	Landscape conservation		GOE	NA		
SB 5155	Public safety authorities		GOE	1/25@1:30P		
SB 5188	Traffic control signals		TR	1/25@3:30P		
SB 5192	Shoreline Management Act	Support	GOE	1/27@10A		
SB 5193	Bicyclists & motorists	Support	TR	1/24@3:30P		
SB 5198	Utility services joint mgmt.	Support	GOE	1/27@10A		
SB 5214	Affordable housing		FIHI	1/19@1:30P		
SB 5243	Growth mgmt/local progress	Support	GOE	NA		
SB 5253	Landscape conservation		GOE	NA		
SB 5244	security alarms, crime watch		GOE	NA		

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us**MEMORANDUM**

To: City Council

From: Kurt Triplett, City Manager

Date: January 24, 2011

Subject: RESOLUTION ADOPTING THE 2011 CITY WORK PROGRAM

RECOMMENDATION:

City Council reviews and adopts a Resolution adopting the 2011 City Work Program

BACKGROUND DISCUSSION:

At the January 18 study session the Council received a presentation about establishing a 2011 City Work Program consisting of key initiatives of major cross-departmental efforts with significant financial resources. The Council provided direction to the City Manager to propose a Resolution adopting a Work Program at a February Council meeting. As a result of Council input, the proposed Work Program has additional specificity around what should be achieved in 2011 and some of the administrative items from the presentation have been dropped. The attached Resolution contains a series of "WHEREAS" statements that outline the definition and purpose of the Work Program and also three sections.

Section 1 states that the adopted 2011 City Work Program shall consist of the following twelve initiatives:

1. Successfully annexing the neighborhoods of Juanita, Finn Hill and Kingsgate;
2. Actively engaging both the City Council and City staff in the 2011 State Legislative Session to achieve Kirkland's adopted legislative agenda;
3. Revitalizing the Totem Lake Business District through implementation of the Totem Lake Action Plan;
4. Completing a Development Agreement and facilitating the permit process for Park Place redevelopment;
5. Completing design and permitting of the Public Safety Building and initiating construction bidding;
6. Completing due diligence and potential purchase of the Burlington Northern Santa Fe Eastside Rail Corridor within Kirkland;
7. Developing zoning regulations to support Transit Oriented Development at the South Kirkland Park and Ride that reflect community input and values;
8. Completing property acquisition and Phase I utility undergrounding of the 85th Street Corridor Project;

9. Exploring new revenue options authorized by the State Legislature or requiring voter approval;
10. Researching and evaluating the evolution of Kirkland's budget development and adoption process to ensure an engaged public and desired Council outcomes for the 2014-2014 Budget;
11. Successfully resolving each of the five Collective Bargaining Agreements scheduled for negotiation in 2011;
12. Developing partnership initiatives with employees to achieve sustainability of wages and benefits.

Section 2 states that the City Manager is hereby authorized and directed to develop implementation steps and benchmarks for each element of the 2011 City Work Program, prioritize resources and efforts to achieve those benchmarks, and periodically update the Council regarding progress on these efforts.

Section 3 states that a copy of this resolution shall be distributed to the Planning Commission, Parks Board, Transportation Commission, Design Review Board, Neighborhood Associations, the Chamber of Commerce and Houghton Community Council.

RESOLUTION R-4864

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND
ADOPTING THE 2011 CITY WORK PROGRAM.

WHEREAS, the City Council desires to retain a high quality of life in Kirkland, spur job growth and economic development, and provide efficient, cost-effective City services to an informed and engaged public; and

WHEREAS, to help achieve these goals, the City Council supports adoption of a 2011 City Work Program to publicly identify the priority focus of the City of Kirkland's staff and resources and enable the public to measure the City's success in accomplishing its major policy and administrative goals; and

WHEREAS, the 2011 Work Program is a list of high priority major cross-departmental efforts involving significant financial commitment that are designed to maintain public safety and quality of life in Kirkland, as well as an effective and efficient City government; and

WHEREAS, when new issues require substantial staff resources and City Council review, the adopted 2011 Work Program shall be used to proactively determine whether emerging items can be accommodated, deferred, or if the Work Program must be reprioritized;

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

Section 1. The 2011 City Work Program consisting of the following initiatives is adopted:

1. Successfully annexing the neighborhoods of Juanita, Finn Hill and Kingsgate;
2. Actively engaging both the City Council and City staff in the 2011 State Legislative Session to achieve Kirkland's adopted legislative agenda;
3. Revitalizing the Totem Lake Business District through implementation of the Totem Lake Action Plan;
4. Completing a Development Agreement and facilitating the permit process for Park Place redevelopment;
5. Completing design and permitting of the Public Safety Building and initiating construction bidding;
6. Completing due diligence and potential purchase of the Burlington Northern Santa Fe Eastside Rail Corridor within Kirkland;

7. Developing zoning regulations to support Transit Oriented Development at the South Kirkland Park and Ride that reflect community input and values;
8. Completing property acquisition and Phase I utility undergrounding of the 85th Street Corridor Project;
9. Exploring new revenue options authorized by the State Legislature or requiring voter approval;
10. Researching and evaluating the evolution of Kirkland's budget development and adoption process to ensure an engaged public and desired Council outcomes for the 2013-2014 Budget;
11. Successfully resolving each of the five Collective Bargaining Agreements scheduled for negotiation in 2011;
12. Developing partnership initiatives with employees to achieve sustainability of wages and benefits.

Section 2. The City Manager is hereby authorized and directed to develop implementation steps and benchmarks for each initiative in the 2011 City Work Program, prioritize resources and efforts to achieve those benchmarks, and periodically update the City Council regarding progress on these efforts.

Section 3. A copy of this Resolution shall be distributed to the Planning Commission, Parks Board, Transportation Commission, Design Review Board, Neighborhood Associations, the Chamber of Commerce and Houghton Community Council.

Passed by majority vote of the Kirkland City Council in open meeting this 1st day of February, 2011.

Signed in authentication thereof this 1st day of February, 2011.

MAYOR

Attest:

City Clerk

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

MEMORANDUM

To: City Council

From: Kurt Triplett, City Manager

Date: January 21, 2011

Subject: 2011 CITY COUNCIL RETREAT DRAFT AGENDA

RECOMMENDATION:

City Council reviews and provides direction regarding the agenda for the 2011 City Council retreat.

BACKGROUND DISCUSSION:

The City Council's 2011 retreat is scheduled for Monday, March 21 and Tuesday, March 22 at Heritage Hall. In keeping with past retreats, the first day will be full day and the second day will be a half day. Based on City Council input provided at the January 18 meeting, staff developed a draft agenda. The focus of the retreat will be on Council goals and the City's budget process. Staff is recommending that the City Council consider engaging an outside facilitator for the discussion portions of the retreat on the first day.

The second day allows one hour for an open discussion for Council. Staff is suggesting that the second day end with a guided tour of the annexation area which should take about two hours. Staff will arrange for a van or bus for the tour. The plan would be to adjourn by noon.

It should be noted that although the draft agenda does not address all of the specific topics offered by Councilmembers, staff will schedule time on a future Council agenda to address other topics mentioned. Once the City Council has finalized the agenda, staff will begin preparing background materials.

**City of Kirkland
2011 City Council Retreat
Draft Agenda
Heritage Hall**

Monday, March 21

9:00 Agenda Overview and Housekeeping

9:10 Strategic Planning – How to Get from Goals to Outcomes

- Overview of the business planning cycle
- Review of Council Goals
- Alignment of work plan and budgeted items to current goals
- Council Discussion – refinement of goals

12:00 Lunch

1:00 Financial Context for Kirkland's Next Budget Process

1:30 Result of Council Interviews about Kirkland's Budget Process and Outcomes

2:00 City Budget Models

- Overview of different models and pros and cons
 - Kirkland's current process
 - Redmond priorities of government
 - King County Blue Ribbon Panel
 - City of Shoreline citizen advisory group

3:00 Where do we go from here for the 2013-2014 Budget?

4:30 Adjourn

Tuesday, March 22

9:00 City Council Open Discussion

10:00 Tour of Annexation Area

12:00 Adjourn

**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

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

To: Kurt Triplett, City Manager

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

Date: January 20, 2011

Subject: 6th Street and Central Way Intersection Improvements -- Authorization to Bid

RECOMMENDATION:

It is recommended that City Council authorize staff to advertise for contractor bids for Phase I of the 6th Street and Central Way Intersection Improvements. In addition, it is recommended that Council modify the scope of work to include concurrent water system upgrades.

BACKGROUND AND DISCUSSION:

The intersection of 6th Street and Central Way is one of Kirkland's busiest and serves as a gateway entrance to the central downtown area (Attachment A). This Project includes a new traffic signal together with the addition of an intelligent transportation system (ITS), traffic lane modifications, new median islands, lighting upgrades, and improvements for pedestrians and bicyclists. The Project also includes installing a concrete road surface (similar to that of the new Transit Center) as a means of extending the life of the pavement for this heavily used intersection.

Given the location, scale of the work, and the large traffic volumes at the intersection, staff developed a detailed construction management plan to minimize the impacts to residents, businesses, and the traveling public. During the development of management plan, the Project team recognized the importance of incorporating a water system upgrade for an existing 1963 water main within the intersection – this water main improvement is a prudent Project scope enhancement directly attributable to the use of the new concrete pavement.

The proposed water main work includes the replacement of an existing 8-inch cast iron main with a new 16-inch ductile iron main within 6th Street and extending across Central Way. This new water main work is consistent with the City's Comprehensive Water System Plan and satisfies the need for future water main installation and insures that the new concrete roadway will not have to be disturbed by utility work for many decades; the watermain was not in the original scope of work for the intersection improvement.

Nearly two years ago in an effort to streamline both the bidding process and City Council meeting agendas, the Council eliminated the need for staff to request authorization to bid for approved CIP projects. Although the overall intersection project is approved in the CIP, the addition of the watermain work within the scope of the "revised" project warrants staff returning with a request to authorize the advertisement. Additionally, based on the current estimated costs and the approved budget, a check in with the Council at this juncture is appropriate.

The total estimate for the improvements at 6th Street and Central Way, TR-0100, is \$3,020,000 and is comprised of two distinct phases. Phase I (this project) includes

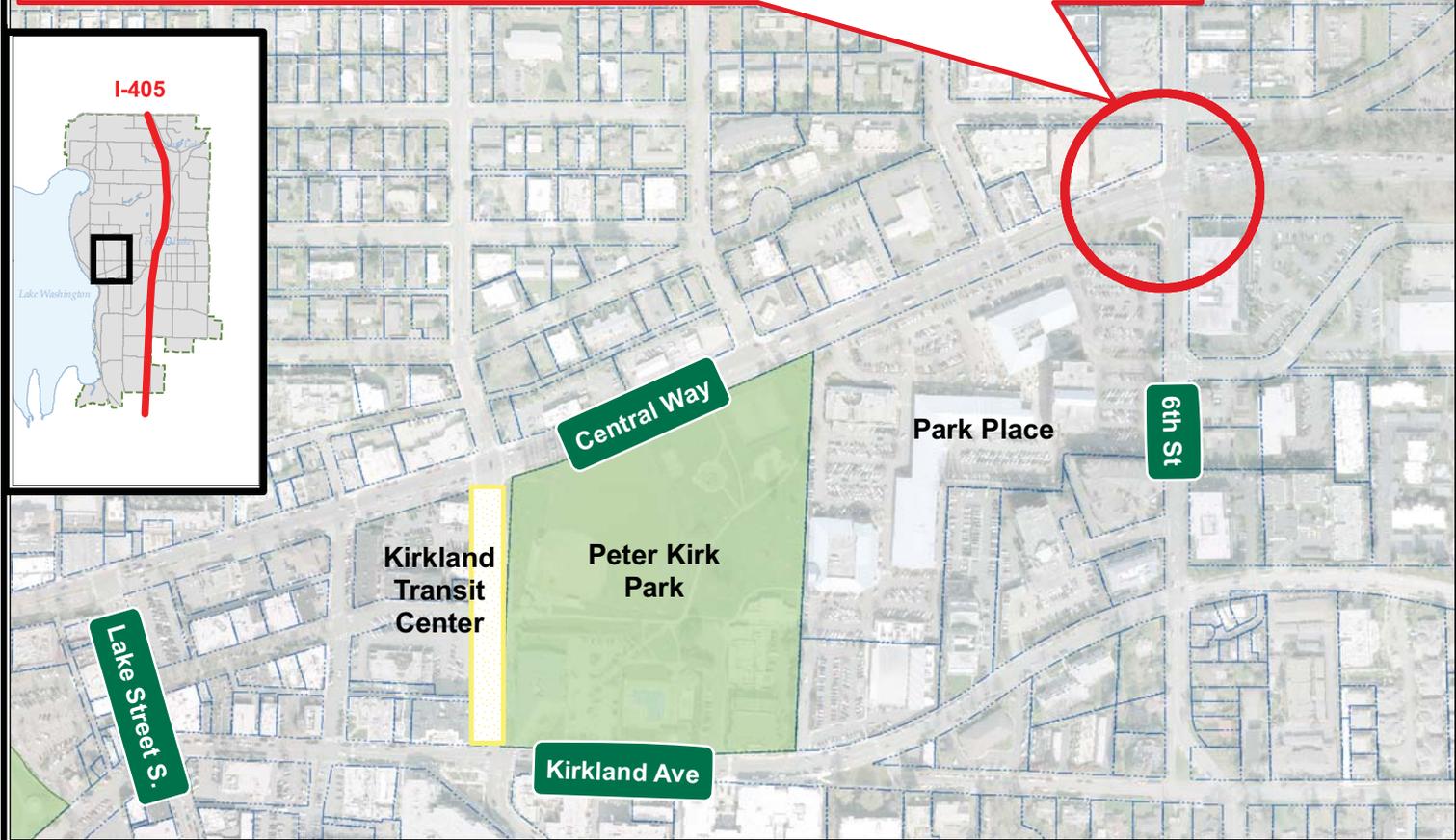
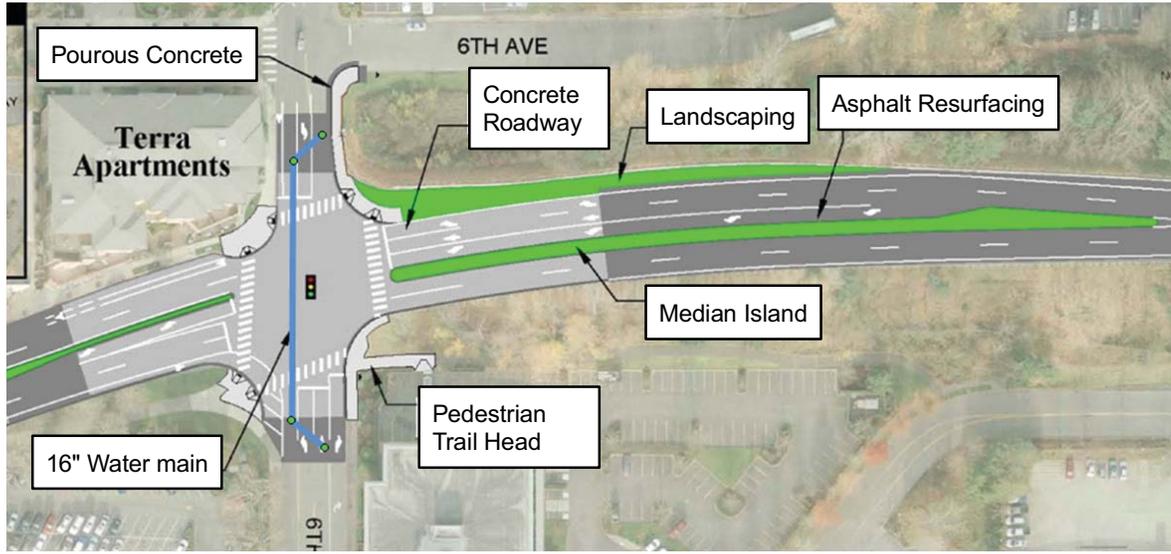
improvements immediately at the intersection, and Phase II (currently pending grant award) will follow and includes improvements to 6th Street south of Central Way. The current budget for Phase I of the Project is \$2,050,000 and is comprised of a \$2,000,000 Community and Economic Development Grant and \$50,000 in City matching funds; Phase II remains unfunded at \$970,000.

The engineer's estimate for the construction of the Phase I is \$1,651,000 which includes approximately \$90,000 for the added water main work. With the inclusion of engineering and inspection, the total estimated Phase I cost is \$2,300,000 exceeding the approved budget by \$250,000 (Attachment B). In this current bidding climate, large numbers of contractors are submitting bids, and their bids have generally been significantly below the engineer's estimates -- it is anticipated that this project is also likely to come in below the current engineer's estimate. With this in mind, staff is recommending that Council authorize the advertisement for contractor bids on this Project including the watermain improvements. Once bids are known, staff will return to Council with the bid results, together with options for awarding a contract identifying funding needed for the added water main element as well as for any budget shortfall. With authorization given at their February 2nd meeting staff will advertise for contractor bids and report back to Council at their regular meeting of March 1, 2011.

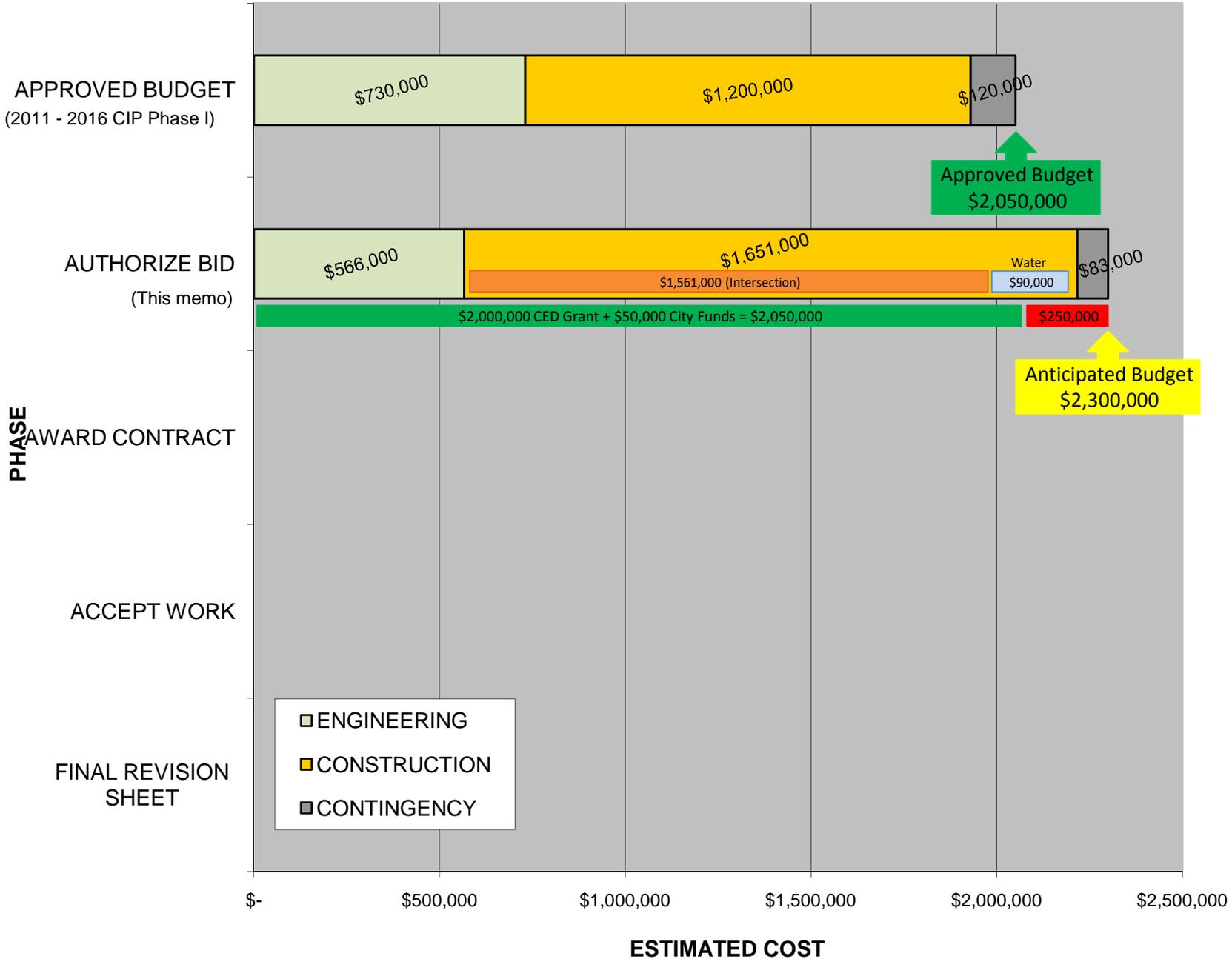
Attachments: (2)

6th St & Central Way Key Elements

- Traffic Lanes Modifications / ITS
 - * provision for dedicated turn lane to Park Place
- Water main replacement
- Bicycle Improvements
- Pedestrian Improvements
- Street Lighting



6TH STREET AND CENTRAL WAY INTERSECTION IMPROVEMENTS - Phase I PROJECT BUDGET REPORT





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

MEMORANDUM

To: Kurt Triplett
From: Tracey Dunlap, Director of Finance and Administration
Date: January 20, 2011
Subject: Cabaret Music License

RECOMMENDATION:

City Council authorizes the issuance of a Cabaret Music License to The Grape Choice.

BACKGROUND DISCUSSION:

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

BACKGROUND DISCUSSION:

The Grape Choice, located at 9 Lakeshore Plaza, has made application for a Cabaret Music License. Staff has completed its review/investigation and the above referenced establishment has met the requirements of the Municipal Code. Staff recommends the issuance of a Cabaret Music License be granted.

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



CITY OF KIRKLAND

123 FIFTH AVENUE KIRKLAND, WASHINGTON 98033-6189 425.587.3140

#4304 #100.
Receipt 212950
212951
CX# 10126

LICENSE APPLICATION FOR CABARET, CELEBRATION, PUBLIC DANCE

This application may be used for the procurement of any of the following: a **Public Dance License** whereby a public dance shall include any dance to which the general public is admitted for which an attendance charge or donation is imposed as a condition of attendance; a **Celebration License** for a one-time event, a **Cabaret License** permitting music only, or permitting both music and dancing, in a place of business in which food or liquor is sold and consumed on the premises.

This license may be issued to the manager of the place of business or in the name of a corporation or partnership. Full information must be supplied with references to all of the partners, officers and directors of the corporation, as required by City ordinances. Upon report by the Chief of Police, this application will be referred to the City Council for final determination.

PLEASE PRINT OR TYPE

1. CHECK ONE

- * Application for Public Dance License \$ 100.00 yearly
- * Application for Public Dance Permit \$ 25.00 per dance
- ** Application for Cabaret Music License \$ 100.00 yearly
- ** Application for Cabaret Dance License \$ 250.00 yearly
- Application for Celebration License \$ 25.00 one day - one-time

Date of Event Only _____

(* Application must be submitted 48 hours prior to dance.)

(** \$ 15.00 deposit for investigative costs required with application.)

2. Name of Applicant: The Grape Choice Applicant's Telephone: 425 827-7551
Applicants Address: 9 Lakeshore Plaza
3. Name of Business: Same Business Telephone: Same
4. Will any admission fee be charged for the listed activity? If so, how much? no
5. Name and address where event is to be held (if different from business address): _____
6. Name of Manager: Larry Springer Manager's Telephone: 425 761-9025
Manager's Address: 700 20th Ave W Kirkland WA 98033
7. Name of person(s) or corporation to whom or which license is to be issued: Burgundy, Inc
8. Qualifications of person signing this application:
 - a. How long have you resided in King County? 63 years
 - b. How long have you resided in the State of Washington? 63 years
 - c. Previous address: Lakeshore Center NE 116th St Dates at that address: 1990-1993
9. Have you ever been convicted of committing a felony? no

DECLARATION:

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

10. Signature and official capacity of applicant: Larry Springer
11. Signature of person accepting fee: Gloria Martin Date: 11/29/2010

RETURN COMPLETED FORM AND PAYMENT TO:

City of Kirkland/Licensing
123 Fifth Avenue
Kirkland WA 98033
(425) 587-3140 or Fax (425)587-3110

FOR OFFICIAL USE ONLY

Record of Report of Chief of Police/or his designee

I hereby recommend GRAPE CHOICE / LARRY SPINLER of license for which application has been made.

Remarks: NONE

Signature of the Chief of Police LT. M. J. Murray #288 Date: 1-20-2011

Action of the Kirkland City Council (where applicable)

Application Approved by _____ Date: _____

Application Approved by _____ Date: _____

Reason for Disapproval _____

License No. _____ Date: _____

Receipt No. _____ Date: _____

Fee Amount: _____