



CITY OF KIRKLAND

CITY COUNCIL

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

Vision Statement

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

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • www.kirklandwa.gov

AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chamber
Tuesday, March 5, 2013
6:00 p.m. – Study Session
7:30 p.m. – Regular Meeting

COUNCIL AGENDA materials are available on the City of Kirkland website www.kirklandwa.gov. Information regarding specific agenda topics may also be obtained from the City Clerk's Office on the Friday preceding the Council meeting. You are encouraged to call the City Clerk's Office (425-587-3190) or the City Manager's Office (425-587-3001) if you have any questions concerning City Council meetings, City services, or other municipal matters. The City of Kirkland strives to accommodate people with disabilities. Please contact the City Clerk's Office at 425-587-3190. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Council by raising your hand.

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

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

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
 - a. Cross Kirkland Corridor Update
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
6. *COMMUNICATIONS*
 - a. *Announcements*
 - b. *Items from the Audience*
 - c. *Petitions*
7. *SPECIAL PRESENTATIONS*
 - a. King County Wastewater Treatment Pump Station Update
8. *CONSENT CALENDAR*
 - a. *Approval of Minutes:*
 - (1) February 8, 2013 Special Meeting
 - (2) February 19, 2013

QUASI-JUDICIAL MATTERS

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

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

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

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

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

- c. General Correspondence*

- d. Claims*

- e. Award of Bids*

- f. Acceptance of Public Improvements and Establishing Lien Period*

- (1) Central Way Pedestrian Enhancement Phase II Project, Kamins Construction, Bothell, WA

- g. Approval of Agreements*

- h. Other Items of Business*

- (1) Cross Kirkland Corridor Rail Removal, Pre-Authorize Contract Award
- (2) Report on Procurement Activities
- (3) Surplus and Disposal of Equipment Rental Vehicles

9. *PUBLIC HEARINGS*

10. *UNFINISHED BUSINESS*

- a. 2013 Legislative Update #3*

- b. Award Contract for Totem Lake Culvert Replacement Project, Advantage Precast Company, Kaiser, OR*

11. *NEW BUSINESS*

- a. Board and Commission Interview Selection Committee Recommendations*

12. *REPORTS*

- a. City Council*

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

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.

b. City Manager

(1) Calendar Update

13. *ITEMS FROM THE AUDIENCE*

14. *ADJOURNMENT*



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

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: February 21, 2013

Subject: Cross Kirkland Corridor Update

RECOMMENDATION:

It is recommended that City Council receives an update on the Cross Kirkland Corridor and present any questions, concerns or comments they may have.

BACKGROUND DISCUSSION:

1. Rail removal

A. Schedule

Removal of the rails, ties and other equipment to make way for an interim trail is proceeding as rapidly in order to meet the Council's adopted interest to "Actively use the corridor in the near future". An aggressive schedule is also needed to ensure that the interim trail is constructed in a manner that meets the time constraints associated with the grant funding, specifically the \$2 million of state funding which must be spent prior to June, 2015. Table 1 shows the schedule for rail removal:

Table 1: Key dates in Rail removal schedule

Date	Milestone
February 26, 2013	Contract Advertised
March 5, 2013	Council to pre-approve bid award
March 15, 2013	Bid opening
April 5, 2013	Estimated earliest date for notice to proceed
April 22, 2013	Estimated earliest date for contractor to begin work
The contract documents allow the contractor 35-days to complete all rail removal and clean-up work. The contractor may request to begin work later than the earliest possible date shown above, but must complete work before the dates shown below.	
June 28, 2013	Latest date rail removal complete: Base bid
August 2, 2013	Latest date rail removal complete: Alternate late finish bid

The City's engineering consultant has been discussing the project with all major rail removal contractors for the past two months in order to stimulate interest and, at this time, interest in the Project appears high. There is only one specialty rail removal contracting firm in the Puget Sound region with other rail removal contractors being headquartered in states as far away as Florida. Because most contractors are relatively distant, they may have high costs for meeting an aggressive schedule or may not choose to bid at all. To insure a competitive bidding environment while, at the same time, pursuing an aggressive schedule, the bid documents provide a "base bid" and a "late finish" alternate (see Table 1 above).

The "base bid" has a completion date of June 28 and an "alternate late finish bid" allows a completion date of August 2. Contract award will be based on the "base bid" amount with the City Manager having the option of choosing the later completion "alternate" bid from the lowest responsive base bid contractor, as appropriate.

As another means of advancing the work as quickly as possible, staff is requesting that the City Council pre-authorize the City Manager to sign the removal contract, provided the following criteria are met:

- The City receives bids from more than one contractor deemed responsive and responsible for performing the specified work, and
- The City receives a net credit for the work because the salvage or re-use of the rail materials exceeds the cost of performing the work, or the total cost to the City from the lowest responsive and responsible bid is \$50,000 or less.

This item is scheduled for the Council's March 5th consent calendar and more background associated with the details of pre-authorization is located there.

B. Scope

Rail removal contract work includes removal of all rail, ties and other track material (OTM) within the Cross Kirkland Corridor right-of-way from 108th Avenue NE to 132nd Ave NE with the exception of at-grade roadway crossings. Items of work include removal and salvage of the railway; removal and salvage/disposal of OTM; restoration of all disturbed areas to match preconstruction or better conditions; and providing, installing, and maintaining temporary slope and erosion control using best management practices to protect sensitive areas.

Track on spurs will be removed up to the edge of city property. Spurs not on city property will be removed with approval from the owners of property on which the spurs are located. Materials salvaged will become property of the city.

Basic rail removal work does not include any excavation or earth moving and, as a result, the rail removal contract will not include the removal of the rails and the repaving of the nine existing street crossing locations. The removal of rail within concrete and pavement at the existing road crossings will be performed as a part of the Interim Trail construction as the contractor selected to perform that future work will be better equipped to accomplish those removal efforts.

Rail removal will start with the removal of the rail spikes and steel plates that hold the rails to the wooden crossties. Appropriate length sections of rails are then literally dragged down the

rail corridor by construction equipment to one of a number of storage and staging areas situated along the alignment (see Map 1). Ties are pulled out of the ground and also brought to staging areas. Both groups of materials are stacked at the storage areas and then loaded on flatbed trucks for shipping to their final destinations. The goal is to reuse or recycle as much material as possible. Both used rail and used ties are graded and separated into various categories based on their utility. Some rail and ties, in their present state, can be sold for reuse on other railroads. Some rail can be reworked and made useable again for use on railroads while other rail must be scrapped with the steel repurposed for other uses. Ties not usable on railroads are similarly graded and only those of the lowest quality are disposed.

As shown in Map 1, points for contractor access to the corridor are located at various points along the CKC. Staging will also be allowed at these points.

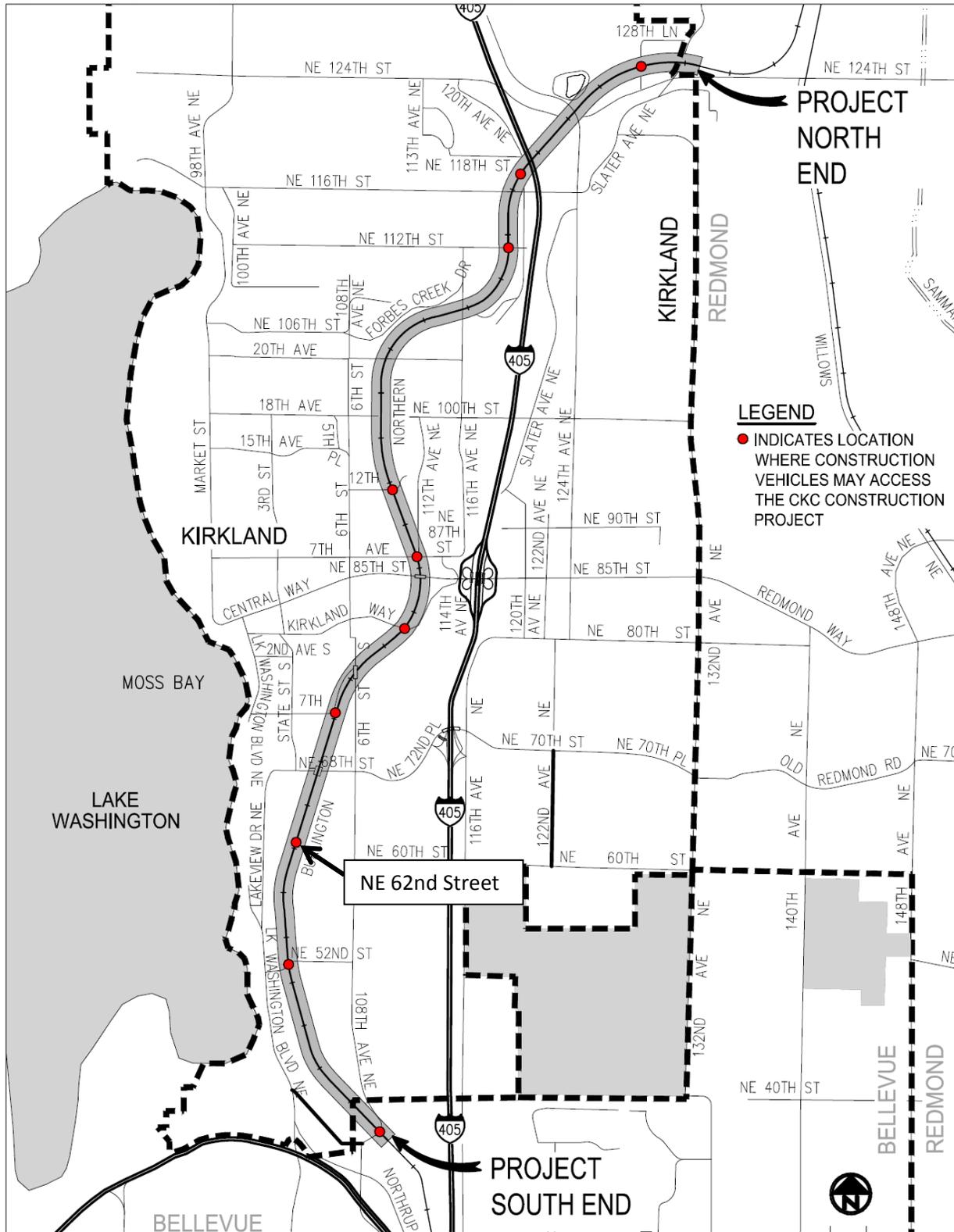
Traffic control including flaggers will be present when work is being performed on aerial structures and at locations where trucks loaded with surplus materials are accessing streets.

While sections are being worked on for rail removal, the CKC will be posted as "Temporarily Closed". Keeping everyone off the construction area will insure the work is accomplished in an expedient and safe manner.

C. Cost

The work required to remove the steel rail, the miscellaneous hardware and railroad crossties is currently estimated to cost less than the current market value for the salvageable material. A reasonable percentage of the existing rail material is highly sought after by "short-haul" railroad companies across the country and it is expected to bring a relatively high price. The estimated cost for the removal of the materials is \$435,000 to \$535,000 and the estimated salvage value of the material to be removed is \$465,000 to \$572,000 for an estimated credit to the City of Kirkland in the amount of \$35,000. The current engineer's estimate includes a reasonable contingency to cover the risk of low scrap prices or low demand for used materials. State and local funds are being used to pay for the engineering and for any construction costs of the rail removal project.

Figure 1. Map showing access and material storage locations.



D. Environmental process

The City has received several inquiries about the need for environmental review of the rail removal effort. Federal law preempts local environmental review (including SEPA) of the rail removal project. This is based on federal statute (49 U.S.C.10501(b)), which provides that the Surface Transportation Board (STB) has exclusive jurisdiction over (among other things) abandonment of rail lines. Courts interpreting this statute have ruled that the federal preemption extends to state and local environmental regulations. See, e.g. *City of Auburn v United States*, 154 F .3d 1025, 1028 (9th Cir. 1998). In addition, a 1999 Federal District Court decision involving the East Lake Sammamish trail specifically found that federal law preempts rail salvage from state and local environmental and land use regulation. In addition, it should be noted that, as part of the abandonment proceedings for the Eastside Rail Corridor, the STB conducted an Environmental Assessment and concluded that the abandonment would not significantly affect the quality of the environment. See STB Docket No. AB-6 (Sub-No. 465X). Although environmental review processes are not need for rail removal, SEPA and NEPA reviews will be conducted for the interim trail project (see section 2D below)

E. Public process

The outreach efforts for the rail removal will be focused on keeping the public informed and minimizing impacts of construction. The outreach team will visit residents and businesses adjacent to any staging areas to inform them of the timeline and possible impacts. The residents and businesses will be given a direct contact to call if they have any concerns or questions during the rail removal process. The City will report out on the progress of construction and warn residents not to use the trail during construction. The goal of the outreach efforts related to the staging area will be to ensure no surprises for the adjacent residents and businesses.

2. Interim trail

A. Schedule

Interim trail design and environmental work will be completed in the spring and summer, with trail construction beginning in the fall of 2013. The trail is scheduled to be completed in 2014. More details on the interim trail schedule will be presented at the study session on March 5.

B. Scope

As another element of meeting the Council's interest in making the corridor available as soon as is practical, and as approved by the City Council on August 7, 2012, the interim trail will be a gravel surfaced facility located on the existing rail bed. This will allow the maximum flexibility for future uses while offering a reasonable level of use quickly.

Improvements to be designed under the scope of the Interim Trail include:

- An interim gravel path along the existing 5.75 mile long railroad track alignment matching the width of the existing rail bed (8 to 10-foot wide) that can be used by walkers, bicyclists, and other uses compatible with this type of surface. It will provide an accessible, all-weather, crushed gravel path similar to the East Lake Sammamish Trail. The new trail will meet federal funding requirements for a

shared use gravel path. An ADA compliant interim trail will be achieved through careful specification of materials and proper construction.

- Roadway modifications as required at all street crossing locations to provide safe crossings meeting applicable guidelines, including enhanced street lighting and other improvements at crossings where needed.
- Installation of geo-technical fabric for retention of the new gravel surfacing within the existing railroad ballast section where necessary.
- New signing and markings at street crossings and for parking regulation.
- Railing or fencing as required for safety or to protect sensitive areas. Split rail style fences will keep users from sensitive areas and chain link fence will be used in limited applications to protect users from steep slopes or other hazards. Other wooden fencing will be used to prohibit vehicle access to the corridor.
- Modifications to existing railroad trestles, as required, providing a safe and accessible pedestrian passage.

The ultimate trail cross section and alignment, surfacing and related landscaping, amenities, and a host of other permanent improvements will be constructed in the future based on the outcome of the Cross Kirkland Trail Master Plan.

C. Cost

The estimated cost of the interim trail is estimated to be approximately \$3.6 million. It will be funded through a combination of federal and state grants and local funds.

D. Environmental process

The City and its consultant will complete appropriate environmental documentation, including all needed studies, modeling, and analysis in accordance with State Environmental Policy Act (RCW 43.21C), SEPA Rules (WAC 197-11) and all appropriate federal regulations. The project's SEPA Checklist and supporting documents will be reviewed by the City's Department of Planning and Community Development, who will issue a SEPA Determination. Federal environmental compliance will be reviewed by the appropriate agencies.

E. Public process

The outreach efforts for construction of the interim trail will be primarily focused on keeping the public informed and minimizing impacts of construction. The City will also strive to manage expectations about the scope of the Interim Trail and communicate clearly the difference between the Interim Trail and the Master Planning Process. The City will disseminate consistent and timely messages about construction impacts for existing trail users and adjacent property owners (specifically those next to construction access points). The communications will be clear about what the public can influence on the design of the interim trail (such as helping to prioritize trail access points, providing input on public and private conflicts during and after construction). The City will help spread the enthusiasm for the Interim Trail and work to foster public pride and a sense of ownership in the trail.

F. Potential of restoring rails

One of the benefits of constructing the interim trail on the existing rail bed is its flexibility for future development. Most importantly, it allows use of the corridor without excluding any options for future trail or transit. In the unlikely event that freight operations were pursued under the railbanking provision, or if the region were to agree to some mode of rail transit on the existing rail line, a single-track system similar to the one available today could be reinstalled

on the existing rail bed for a cost of approximately \$1M/mile¹ for the rails. The Cascadia Center of the Discovery Institute has previously stated that updating existing rails would also cost about \$1M/mile². This demonstrates that there is no significant difference in the cost of replacing the rails with the existing tracks in place, or replacing them months or years after they have been removed. Therefore, there is no cost to the region for Kirkland's interim trail action beyond what would otherwise be incurred to replace the existing rails. In the meantime, thousands of Kirkland residents as well as pedestrians and cyclists from throughout the region would have use of the Cross Kirkland Corridor interim trail.

3. Master plan

A. Status of consultant

On January 18, 2013 a request for proposals was issued to solicit consultants to prepare a Master Plan for the long term development of the CKC. Six firms replied and after the proposals were scored by a staff panel, four firms were selected to interview on February 22. The interview panel consisted of staff from several city departments plus a representative from both the Park Board and the Transportation Commission. At the time of this memo, a finalist has not been selected, but more information will be available at the study session on March 5. Scope and budget will be negotiated with the highest ranking firm and it is anticipated that these negotiations will result in a signed contract with notice to proceed by the end of March.

Scope negotiations will start with the Master Plan scope that was developed by the Transportation Commission and approved by Council on August 7, 2012. The draft scope is included here as Attachment 1. Although the draft scope will be the beginning point, based on the consultant interview process, any of the firms that will be selected will have helpful refinements to the scope.

As described in the scope, the public outreach for the Master Plan is expected to be thorough and is expected to build on the existing community enthusiasm surrounding the CKC. Several consultant teams mentioned in their interviews that they have never had the opportunity to work on a project where the community was so involved prior to the start of the process.

Prior to their interviews, the Consultant teams were asked to specifically address how they will coordinate with the other planning efforts that are taking place in the next couple of years. The coordination effort will be further developed as the consultant team finalizes the overall project scope and the public outreach process.

Almost all the City Boards and Commissions will participate directly in the development of the Master Plan, but based on previous Council direction the Transportation Commission, in close collaboration with the Park Board, will have primary responsibility for the Master Plan.

B. Budget

A budget of \$360,000 was advertised in the Request for Qualifications for the Master Plan consultants. The project is funded through the recently passed Parks Levy.

¹ Based on information received from the following firms: Industrial Railways, Railworks and RailPros

² December 10, 2012 Letter to Bellevue City Council

C. Schedule

As with scope and budget, at the time of this memo, a final detailed schedule has not been prepared, but completion of the Master Plan is anticipated in mid-2014. The schedule may change based on the final nature of public outreach and other factors.

4. Trail easement sponsor

When the Port of Seattle purchased the full corridor spanning 42 miles in King and Snohomish Counties, the Port elected to retain the section in Snohomish County for freight, and railbanked the portion in King County. Railbanking statutes require a "trail sponsor". Under the federal Rails-to-Trails Act, a trail sponsor assumes responsibility for managing the right-of-way and payment of any and all taxes that may be levied or assessed against the right-of-way. From a practical standpoint, the trail sponsor must work towards planning, designing and constructing a trail on the right of way. Interim trail use is subject to possible future reconstruction and reactivation of the right-of-way for freight rail service, and to the trail sponsor continuing to meet its responsibilities. As part of the Port purchase, King County agreed to be the trail sponsor for railbanking purposes, and in 2009 purchased a trail easement within the King County portion for \$1.9 million.

Subsequently, the City of Redmond purchased, in fee, the spur within their jurisdiction. King County then transferred their trail easement and trail sponsorship responsibilities to Redmond. This same arrangement has been offered to Kirkland by King County. A transfer agreement along the lines of Redmond's is in process and expected to be brought to the Council in mid to late summer, 2013.

The City of Kirkland is in alignment with the responsibilities of a trail sponsor through the development of the interim trail, and initiating the CKC Master Plan. The removal of the rails in spring and summer, 2013, is the first step in this process.

Thanks to the Parks levy approved last fall by Kirkland voters, the City has sufficient resources to carry out the other responsibilities required of a trail sponsor.

5. King County Eastside Rail Corridor Regional Advisory Council

After BNSF announced the corridor was for sale, King County was one of the original partners that came together to find a way to keep the corridor in public hands.

King County desired to purchase portions of the corridor in fee within King County that remained after Redmond and Kirkland had purchased their sections. King County's purchase has only recently been completed. As part of the process for these purchases, the King County Council decided that a regional Vision for the corridor was needed.

In mid-December, 2012 the King County Council unanimously adopted Motion 13801 establishing the Eastside Rail Corridor as a corridor of regional significance and declaring the criticality of the regional ownership partnership by establishing the Eastside Rail Corridor (ERC) Regional Advisory Council to immediately initiate a regional planning process. The ERC regional advisory council is comprised of the fee and easement owners within the King County section of the corridor: King County, PSE, Sound Transit, Redmond, and Kirkland. Their first meeting was

held on February 20th, 2013. The City Council appointed Mayor Joan McBride as Kirkland's representative and City Manager Kurt Triplett as the alternate to the Council. At the meeting a slide show was presented regarding the property purchases and ownerships on the corridor. This set of slides will be shown at the March 5 study session.

Mayor McBride provided a brief explanation of Kirkland's interests and provided messages from the City's talking points (Attachment 2) to the Advisory Council. City Manager Kurt Triplett then made a short presentation (Attachment 3) to the Advisory Council on Kirkland's CKC interest statement as well as key historical milestones in Kirkland's history demonstrating that the CKC has been a priority of Kirkland for decades and that it was strongly supported by Kirkland residents, most recently by the 57% approval of the Parks Levy that included money for the interim CKC trail.

The goal of the Advisory Council is "to oversee the partner planning process including implementing and coordinating the rail, trail and utility uses in the ERC, coordinating with affected cities around local planning and development with the regional uses and overseeing the work of a technical staff work group." The Advisory Council "shall reach out to a broad-spectrum of stakeholders", during their work, including local governments along the ERC. A parallel staff technical committee has been formed to support the ERC Advisory Council. Kirkland's representative is Interim Public Works Director Pam Bissonnette and Transportation Engineering Manager Dave Godfrey is the alternate.

Motion 13801 went further to declare the corridor as an essential public facility subject to the requirements of the Growth Management Act in that it provides public benefits (transportation, trail and wastewater uses). The Advisory Council is to develop policy options for discussion by March 29th, 2013 and make recommendations, including any needed changes to the countywide planning policies, and present them to the King County executive by July 31, 2013. The Executive is directed to submit them to the King County Council by August 30, 2013. The process for adoption of countywide planning policies takes considerable time, but when completed Kirkland's actions will need to be consistent with them.

6. Other groups

A. TRailways Alliance

TRailways Alliance is a group co-chaired by elected officials from the cities of Woodinville and Snohomish. The group is catalyzed by the Cascadia Center of the Discovery Institute. Along with Woodinville and Snohomish, other Alliance supporters include various business groups and tourism interests, All Aboard Washington, Eastside Community Rail and other groups.

TRailways Alliance has two main objectives: one being development and promotion of passenger and excursion rail service on the Port of Seattle owned tracks between Woodinville and Snohomish; and the other being rail service along other portions of the rail corridor between Renton and Woodinville. This second objective is what has led the group to call for Kirkland to not remove rails on the CKC. Another stated interest of the Alliance is development of a trail as a complement to rail service along the length of the corridor. These points are described in an Alliance solicitation for support which is included here as Attachment 4. Both the City of Snohomish and the City of Woodinville have sent letters to the City of Kirkland urging Kirkland to wait to remove rails.

Eastside Community Rail has made a proposal (Attachment 5) to the City to construct a gravel road parallel to the tracks. This proposal does not initially appear to meet the adopted interests of the City but staff is continuing to research its details.

B. Sound Transit

Sound Transit owns an operating easement along the length of the corridor and they own a section of the corridor in Bellevue which is connected with future Eastlink construction. Kirkland considers Sound Transit to be the provider of future transit on the CKC. If King County Metro Transit were to provide transit, it would be via the Sound Transit easement.

City of Kirkland and Sound Transit staff are scheduled to meet on February 28 to discuss the roles of the two agencies in development of the CKC. More information based on the outcome of that meeting will be available at the March 5 Study Session.

C. Business roundtable Founders club

The Founder's Club is a subgroup of the Kirkland Business Roundtable, dedicated to the promotion and improvement of the Cross Kirkland Corridor. In May, the Founder's Club will be holding an event at the Eastside Tennis Center which is adjacent to the Corridor in the Par-Mac area. The event will be focused on informing businesses of the group's mission and to get other businesses to become members.

D. The Trust for Public Lands

The Trust for Public Lands held an internal grant competition for funds to be used for a Climate Smart Design Pilot Project. Using the CKC as their project, the Washington State office successfully competed against other offices across the country and received the \$25,000 grant. The Trust for Public Lands will conduct a GIS analysis that will identify key access points for non-motorized transportation, as well as important connections to existing parks and trails, bike and pedestrian routes, and other important community resources such as schools and libraries. The project will also identify locations along the Corridor for demonstrating the benefits of green infrastructure to infiltrate stormwater and reduce polluted runoff.

E. ETP

At the February 8 meeting of the Eastside Transportation Partnership, and at the urging of the Mayor of Snohomish and a rail supporter, the group contemplated discussing the Corridor at a future meeting. A specific point of discussion was proposed; namely attempting to delay Kirkland's rail removal based on environmental process concerns. At the time of this memo, it is unclear whether or not ETP will take up the issue at its March 8 meeting, but at a minimum the issue is likely to come up under items from the audience.

7. Maintenance/operations

A. Adopt a section of the corridor

Groups and individuals may adopt sections of the CKC. All 28 quarter mile long sections have been adopted. These sections are mapped in Attachment 6. Responsibilities of the adopters include:

- Sign an Agreement outlining the responsibilities (see Attachment 7)

- Require all participants to sign a consent/hold harmless form prior to participating in a clean-up event
- Keep a copy of the Agreement at the cleanup site
- Cleanup a minimum of two times a year
- Safely have the participants pick up litter and trim vegetation off of the adopted trail section adopted
- Return unused bags and the safety vests to the City within one week following clean-up
- Avoid anything that might be hazardous or cause injury
- Report hazards to the City of Kirkland Public Works Department or the Police Department

Several groups have already held successful clean up events including the Highlands and Market Neighborhood Associations.

B. 128th Ln NE parking

For years before Kirkland owned the CKC, vehicles parked on the corridor near the crossing of 128th Lane NE in Totem Lake. Parking expanded into areas where it is not appropriate and the parking area has become severely rutted and contains large puddles. (see red-outlined area of Figure 2 below). At the same time there is a demand for parking from nearby auto dealers and from the Nintendo facility. The current plan is for the City to limit parking to areas that were not historically wetlands (see green-outlined area of Figure 2 below) and to grade the parking area. This will be done prior to the area being used as a rail removal storage area. The parking area will be closed during this time. When it re-opens it will be a smaller but better maintained area. These improvements were to be made last fall, but by the time discussions were completed with the parking users, the weather was no longer appropriate to complete the improvements.

C. Surplussing of grade crossing equipment

Public Works' Street Division has worked with the Washington State Utilities and Transportation Commission to find new locations for all the existing grade crossing materials from the CKC. Publicly owned railroads have been located where all the crossing devices can be used. The city is coordinating with UTC to schedule the removal of the CKC equipment that can be recycled back into service. An approved contractor that travels from eastern Washington has been struggling with the weather in the mountain passes and has been taking some of the equipment to areas where it will be reinstalled. Work will be scheduled with the UTC and the contractor so that conflicts with equipment removal and rail removal operations will not conflict.

Figure 2 Parking Near 128th Ln NE



D. Encroachment

Prior to Kirkland’s ownership, and at various points along the corridor, adjacent properties have created encroachments on the CKC. These are mostly minor, including driveways, lawns, landscaping, sheds, and patios. (See Figure 3 below) In January, use permits were sent to property owners where encroachments were located. Locations were determined using city aerial photographs and survey data. Use Permits allow current encroaching uses but establish City of Kirkland’s ownership and rights to remove the encroachment should it become necessary. About 25% of those receiving permits have responded with either a signed permit or questions for clarification. When executed, permits will be recorded with King County. Currently, the City Attorney’s Office and Public Works Department are responding to questions and issues. Staff will continue pursue completion of the permits

Figure 3. Aerial photo of sample encroachment



E. 132nd Avenue NE grade crossing

Citizens have expressed two concerns with the existing 132nd Avenue grade crossing. One is that the crossing is not signed as "NOT IN SERVICE" so buses and certain other vehicles have to stop, causing traffic congestion. When such signs are installed, the grade crossing lights must be removed or turned away from traffic. The City of Kirkland does not own the corridor east/north of the west/south edge of the 132nd Avenue NE crossing. Therefore, permission of the Port of Seattle was sought before Kirkland street division crews performed any work. This permission was not readily forthcoming. With ownership transferring to the County, permission may be easier to secure. Staff will continue to pursue this.

The second issue is that a median island is present at the existing crossing (See Figure 4 below). Southbound left turning traffic sometimes backs up from NE 124th Street to the median island and the island therefore increases congestion by forcing left turners to spill into and block the southbound through lane. Changes have been made to the signal timing in an attempt to reduce the backups. Preserving the median island would be helpful as a safety measure for future pedestrian crossing improvements. At this time staff recommends retaining the island and continuing to attempt to reduce backups by improving signal timing.

Figure 4, grade crossing at CKC/132nd Avenue NE.



8. Communications

In April 2012, the City launched the [Cross Kirkland Corridor webpage](http://www.kirklandwa.gov/crosskirklandcorridor), www.kirklandwa.gov/crosskirklandcorridor. As of February 2013, there are 615 subscribers who receive emails when pages within the site are updated. In January 2013, two new pages were added to the site: Interim Trail and Corridor Master Plan. Since August of 2012, the site has received over 2500 visits.

In December 2012, an [informational brochure](#) was developed to inform the public about the project timeline for rail removal, interim trail and Master Plan process.

The City publishes a [quarterly online newsletter, City Update](#), and has featured the Corridor in the following editions. Each time the newsletter is posted to the website, over 1,500 page subscribers receive an email notification. Limited hard copies of the newsletter are available at city and public buildings. Additionally, copies are provided for neighborhood, business, and community meetings.

- 4th Qtr 2012 (December)
- 3rd Qtr 2012 (September)
- 2nd Qtr 2012 (June)
- 1st Qtr 2012 (March)

The City-produced news show, [Currently Kirkland](#), has featured the Corridor in the following episodes:

- 8/24/12 episode CKC Update
- 11/2/12 episode (mentioned in Totem Lake Symposium story)
- 12/7/12 episode (mentioned in Proposition story)
- 1/4/13 episode CKC Update
- 2/15/13 episode (mentioned in Work Program story)

The City will continue to use multiple means to communicate the Interim Trail project and opportunities to become involved in the Master Plan process.

9. Acquisition Grant

In May 2012, the City applied for a \$500,000 Washington Wildlife and Recreation Program (WWRP) grant from the State of Washington to help offset the costs of corridor acquisition. The grant application was successful, ranking second highest on the list of projects to be funded. Funding for the grant is dependent on the Capital Budget under consideration by the Legislature. Based on the proposed capital budget, the Kirkland project will be funded. After the State budget is approved, the State will issue contracts for the grant.

Attachment 1 Draft Master Plan Scope of Work

Purpose

On April 13, 2012, the City of Kirkland purchased the Cross Kirkland Corridor, 5.75 miles of the former BNSF rail line in Kirkland. A masterplan is needed to help collect, develop, understand and put in to context a number of facts, ideas and opinions about the Corridor. The resulting plan will be a practical reference and guide which charts the course of facility development into the future.

Background

Almost 20 years ago Kirkland began to pursue the Cross Kirkland Trail. This project was set aside after it became clear that the BNSF railway was not interested in partnering on a rail/trail concept. King County undertook purchase of the entire "Woodinville Subdivision" rail line from Renton to Snohomish in 2005 when the BNSF signaled its interest in selling the corridor. In 2009, several entities including King County, the Port of Seattle, PSE, and the City of Redmond entered into a Memorandum of Understanding which resulted in the Port of Seattle owning the corridor, with the intent that other entities would purchase various interests for various portions of the property.

Given the terms of the 2009 MOU, Kirkland anticipated a regional process to discuss how the corridor should be developed. In preparation for such a process an set of interests was developed. In April of 2011 the Interest Statement was approved by the City Council. This interest statement clearly lays out a vision for a multi-modal transportation facility.

By 2011, full consummation of the MOU had not been completed, notably the County had not purchased the corridor in Kirkland. Subsequently, the City of Kirkland successfully negotiated with the Port to purchase a 5.75 mile long section of the Corridor in Kirkland. The purchase was completed on March 13, 2012.

Scope of Work

General comments

All products should be presented in web, electronic and hard copy formats and will be made available to the public. It is anticipated that the products of certain tasks will be chapters or appendices in the final report and should be formatted appropriately. The

following tasks are not necessarily consecutive; some may happen together or some tasks may be completed before tasks with lower numbers.

Task 1 Project Management

Finalize scope, provide regular updates on progress. Develop and maintain a schedule and progress made toward key events. Implement project management techniques to insure progress toward completion within schedule and budget.

Product: Schedules and updates as appropriate and monthly at a minimum.

Task 2 Understanding the corridor

Collect and evaluate existing information and gather additional information as needed to form a comprehensive understanding of the physical nature of the corridor. A partial list of existing information available from the City includes:

Corridor survey data:

1. Record of survey
2. Refined topographic data in Autocad format
3. 3D laser scanning data
4. 360° photos viewable with free proprietary browser plug-in

Phase 1 Environmental report following ASTM standards, completed March 19, 2012.

Railroad valuation maps

GIS data including city owned utility data, sensitive areas, trail crossings

Identify and map critical areas including streams, wetlands, and slopes which will impact development of the Corridor. Determine the locations of private utilities as appropriate. For each culvert, evaluate whether it is a barrier to fish passage.

Product: Memo describing critical issues for corridor development such as narrow corridor width, sensitive areas, surface water features, etc.

Task 3 Design and carry out Public process

Develop a public process plan that will allow meaningful input throughout the masterplan process. Public process will be required development of the vision and goals, prior to the development of alternatives, to vet the alternatives and identify the preferred alternatives, to review the Draft Master Plan, and to review the Final Master Plan. At a minimum, the following groups (listed in no particular order) will require briefing and involvement in the process:

City Council	Transportation Commission
Planning Commission	Kirkland Cultural Arts Commission
Park Board	Advocacy groups
Sound Transit	Neighborhood Associations
Adjacent property owners	Groups representing business interests
Neighboring cities	King County agencies including Metro and Parks

The various groups will be involved to varying extents and at different points in the process. Public process should be designed using International Association for Public Participation methods. A robust web based comment method for products of various tasks should be included in the public process. It is important that all relevant documents are available to the public throughout the development of the Plan.

Product: A memo describing a Plan and schedule for Public Process in all other Tasks, including an explanation of the principles that underlie the selected processes.

Task 4 Goals/vision

Using the Interest Statement as a starting point, and considering Council Goals, Comprehensive Plan Goals and Active Transportation Plan Goals, the consultant will prepare a vision and a set of goals for corridor development. An important part of the vision will be creating a corridor that is the greenest in the nation. The Consultant will research various methods of measuring this achievement such as the Living Building Challenge or other appropriate framework. These will be used as guidance for the rest of the process and serve as a key touchstone for developing and evaluating alternatives.

Product: A document that summarizes the vision and goals for the corridor.

Task 5 Design guidelines and principles.

Develop a set of guidelines and principles that can be used by designers as the corridor is developed. These guidelines and principles will help translate the vision and goals into a physical design. Examples might include spacing of certain amenities including trail head designs, access points, crossings, fencing guidelines, lighting guidelines, public art sites, dynamic envelopes of transit, etc. This task is not meant to develop a complete list of guidelines, but rather to identify key elements that will put constraints on alternatives.

Product: A document that summarizes the guidelines and principles.

Task 6 Develop potential alternatives

Based on the results of Tasks 4 and 5, alternative development plans will be prepared for three time periods; 1 to 5 years, 5 to 10 years and beyond 10 years. For each time period, two alternates will be developed. It is expected that the alternatives will have less detail the farther they are in the future. The alternatives will encompass different cross sections and different packages of amenity elements. Access points will also be evaluated. Environmental process implications will be developed for each alternative. The selection of the alternatives will be a key focus of public process.

Product: Memorandum describing a set of trail/transit cross-sections, documentation of the selection process and a review of why the selected options were chosen. Also includes draft illustrations of proposed sections.

Task 7 Develop cost estimates for various cross sections

Prepare a cost estimate including design and construction costs for each of the alternatives developed in Task 6. This work will include identifying uniform sections of the corridor and finding representative unit costs for each section and each alternative. Any additional costs such as boardwalks, bridges, signals, crossing improvements, etc. should also be added to the estimate.

Product: Memorandum describing costs, and methods used to establish the costs.

Task 8 Alternative selection

Based upon information developed in previous Tasks, select preferred alternatives for each time period. The selection of the preferred alternatives will be a key focus of public process.

Product: Memorandum describing the preferred alternatives, documentation of the selection process and a review of why the selected options were chosen.

Task 9 Implementation Plan

Prepare a plan that identifies likely funding and phasing scenarios for design and construction of preferred alternatives over time. An initial plan for development should be described. An important element in this work will be examining how various transit modes are likely to be implemented in the corridor. The implementation plan should identify significant constraints, obstacles and risks to various alternatives.

Product: Memorandum describing funding and phasing.

Task 10 Draft Plan

The draft plan will summarize of the work completed in Tasks 1 through 8 in a single document. A thorough public review will include a review by the City Council at a study session.

Product: A draft document with high quality presentation and graphic elements.

Task 11 Final Plan

Based on the comments and recommendations on the Draft Plan, prepare a Final Plan.

Product: A final document, to be adopted by Transportation Commission, Park Board and City Council. The final plan shall be presented in electronic and web-based versions, with limited hard copies.

Cross Kirkland Corridor Talking Points 2/19/13

Key Messages

- > The Cross Kirkland Corridor (CKC) has been an important part of Kirkland's Vision for its community for over 30 years, dating back to the 1977 Land Use Plan. Opening of a pedestrian/bicycle facility on the Corridor is the first priority of our 2009 Active Transportation Plan.
- > It is so important to Kirkland's citizens that they voted initial funding to invest in the corridor, AND citizen groups have stepped up to adopt all 23 sections of the corridor along its 5.75 miles within Kirkland
- > The CKC implements major goals as the central spine of Kirkland's pedestrian, bike, and transit mobility vision, with important connections to the region's other trails.
- > Kirkland is in the process of selecting a consultant to develop a Master Plan for the CKC which will include cross connections to local and regional corridors and connectors, parks, transit, and Kirkland's economic centers This work will benefit the region as other portions of the corridor are developed
- > Kirkland welcomes transit partners in the planning and future development of mobility on the CKC, along with utility easement holders, to maximize the public benefits from the corridor investments.
- > In April of 2011, Kirkland Council adopted an interest statement that, among other things clearly laid out a vision of dual use for the corridor that included High Capacity Transit.
- > Kirkland is also updating its Comprehensive Plan and Transportation Master Plan to incorporate the CKC as an important determinant for land use planning, transportation, and recreation
- > Given the importance of this asset to the Kirkland community and the region, substantial public outreach will be included in the Master Plan process.
- > The CKC will be a signature feature of and Gateway to Kirkland; it will reflect Kirkland's character while welcoming the region to Kirkland in harmonious transition to the remainder of the corridor in King County and Redmond.
- > Our work on the CKC will help spur economic development. Kirkland hopes for expansion of the Google campus as well as growth in Totem Lake and

the Yarrow Bay business district because of what Kirkland intends to do on the corridor.

> We expect the CKC development to be a catalyst to Kirkland's economy, AND a catalyst for the development of the rest of the corridor - once it is in use, it could create demand to develop the rest of the corridor.

> Our plans to remove the rail and construct a gravel trail (similar to the East Lake Sammamish trail) will make the corridor useable for transportation in 2014. It will immediately begin serving what we know is a large market for transportation.

> Because of the way the gravel trail is being constructed, ultimate flexibility is being retained. Our Master Plan process will allow assessment of how best to use the existing rail bed – retain it for transit, or convert it to part of trail.

> We are removing the rails starting in April, and planning to build the interim trail on the existing rail bed starting fall, 2013.

> The corridor has been out of use for 6 years and it is time to make productive public use of it; Kirkland purchased the CKC in April of 2012 and Kirkland citizens last fall passed a permanent levy to begin funding the CKC; we cannot wait any longer; our citizens expect action

> We will be planning together with Sound Transit for the long term joint use of the CKC to assure that transit objectives are met; according to Sound Transit the current rails are not useable for their future needs.

> Cascadia has stated that rehabilitating the existing line for some future use is on the order of \$1 million/mile. Kirkland is retaining the existing rail bed with our interim trail. In the unlikely event that funding became available to rehabilitate the rest of the corridor's rails, the existing rail bed in Kirkland could be restored with rails at the same \$1 million/mile cost. This cost is based on conversations with rail experts and contractors. Removing the rails does not cost the region anything.

> Currently, two major ideas for using the existing rails have been promoted. A tasting train passing through Kirkland or a freight train that would haul spoils from Bellevue development to points north of Kirkland. Kirkland has expressed a willingness to have the tasting train run to Totem Lake, but not all the way through Kirkland initially. Neither of these ideas implements the primary interests that Kirkland has identified in its 2011 interest statement. Therefore they are not priorities based on why Kirkland purchased the corridor.



Cross Kirkland Corridor

Vision - April 2011

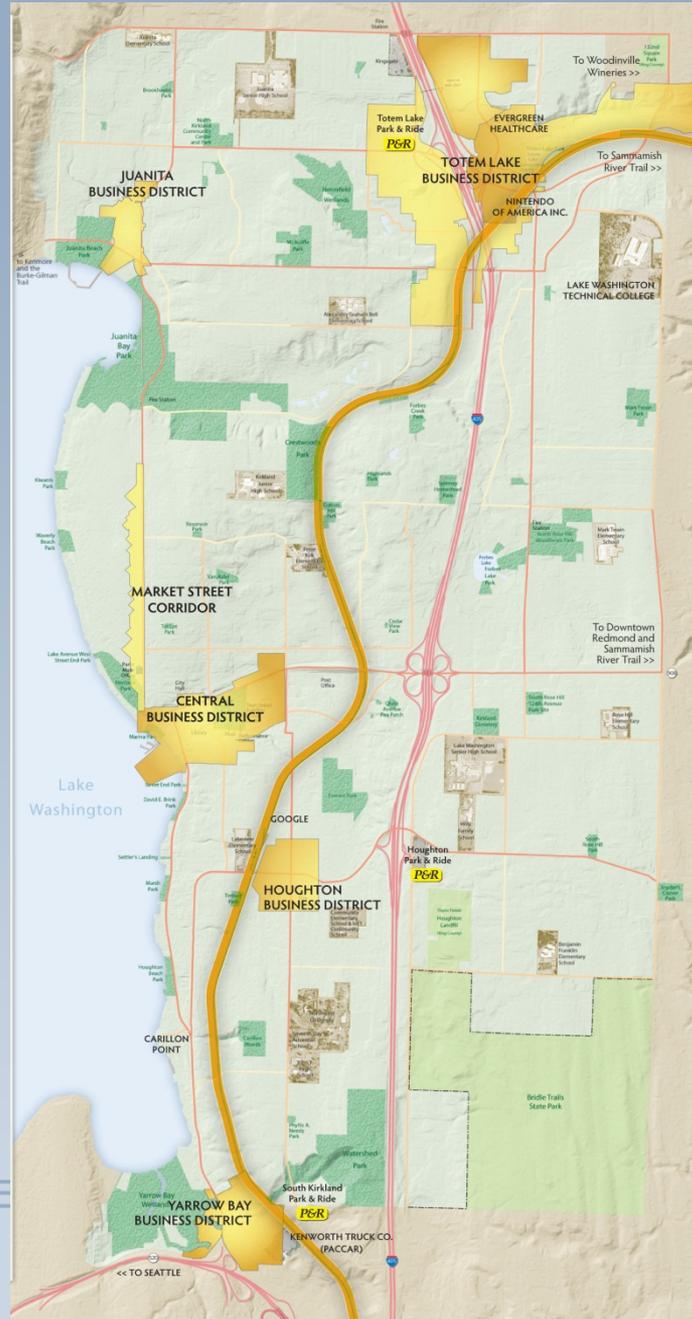
- **A dual use corridor:**
 - Bicycling and walking transportation
 - Transit partnerships
- **Early active use**

“Planning or implementing one mode must not foreclose future corridor use by another mode.”



Connecting

- Parks
- Schools
- Businesses
- Residents
- Transit
- Region



Key historical dates

- 1977 land use plan
- 1994 Cross Kirkland Trail
- 2009 Active Transportation Plan
- 2011 ULI study
- 2012 state awards \$2M grant
- 2012 PSRC awards \$1M grant
- Nov. 2012 Levy (57% approval)





Eastside TRailway Regional Alliance

The undersigned have formed the Eastside TRailway Regional Alliance to develop plans for best use of the Eastside Rail Corridor. We have concern over potential loss of Eastside rail infrastructure as planned by Kirkland.

The Eastside TRailway Regional Alliance agrees to the following:

- We agree that the Eastside Rail Corridor represents an irreplaceable resource and opportunity for the communities along the Corridor and the region. This unique, typically 100-foot wide strip of land can at once:
 - Provide opportunities for both economic development and recreation; and,
 - Foster sustainable, vibrant, and attractive communities.
 - Serve the region's growing transportation needs
- We support the retention of the Eastside Rail Corridor track and thus support a moratorium on all removal of track in the entire Eastside Rail Corridor, specifically Kirkland's 5.75 mile portion. The Kirkland portion is critical to providing a long term opportunity for commuter rail connectivity between Snohomish County and communities on the east side of Lake Washington.
- We invite the King County Regional Advisory Council to the Eastside TRailways Regional Alliance strategic process. As noted recently in an article in *Crosscut*, King County's existing easement for the rail line articulates an intent "that the property be used for regional recreational trail and other transportation purposes, including. . . rail." In a 2010 court deposition, port commissioner Gael Tarleton, now the commission chair stated that "the reason for that paragraph was to make it explicit that the rail had to be preserved; that you couldn't have just a recreational trail."
- We support building trails while keeping, maintaining and improving the existing rail infrastructure
- We support state rail assistance funding to bring the Snohomish to Woodinville segment of the Eastside line up to safe and quality freight and passenger experience operating conditions.
- Of the many benefits of joint rail and trail development, we emphasize the importance of maintaining the Eastside Rail Corridor to enable King County to reduce its carbon footprint.

We support maintaining the existing Eastside Rail Corridor line to Bellevue for the benefit of potential major projects such as the East Link, Lincoln Square II, Spring District, I-405, SR-522, and others. These projects alone require the removal and disposal of millions of cubic yards of spoils. Disposal by truck would result in over hundred thousand truck trips, causing congestion on the streets, inconvenience to travellers, and increased carbon emissions. The temporary use of the rail corridor to bring in and remove construction material and equipment can save project costs to taxpayers, reduce impacts on adjacent highways and result in significant reductions on diesel emissions. A potential combination of state freight rail assistance funding (referred to above) and Congestion Management and Air Quality (CMAQ) funds could be secured to upgrade the tracks for this temporary use. At this point, the City of Kirkland is using CMAQ funds to help remove the tracks. We support the use of construction spoils in the construction of a maintenance access alongside the tracks that can also serve as a pedestrian/bike trail.

Signed:

Copies to:
 King County Regional Advisory Council
 Kirkland City Council
 King County Council
 Bellevue City Council

Woodinville City Council
 Snohomish City Council
 Snohomish County Council
 Port of Seattle
 Seattle area/Snohomish County Media



EASTSIDE COMMUNITY RAIL BRIDGING THE GAP

22 February 2013

To: Eastside TRailway Alliance
Kirkland City Council

Cc: King County Council

Re: Eastside Rail Corridor – Cross Kirkland Corridor

We applaud Kirkland's vision in providing for dual use of the Eastside Rail Corridor and taking their regional responsibility seriously. We believe we have a win-win solution to provide near-term benefits while preserving the infrastructure for mid-term and long-term use for the greater good for the greatest number. Eastside Community Rail (EsCR) and Wolford Demolition and Trucking has a first cost estimate of constructing primarily 15' base trail 15' from the existing track as an alternative to Kirkland removing the track structure for use as an interim 8' gravel trail. Specifications are included in the attached first-order estimate of \$2.9 million. We expect to have a second-order estimate, which we would like to discuss with the city of Kirkland the week of March 8th.

Through our rail operator economies, we can provide a wider trail for less cost while preserving the legacy of Kirkland's history of rail. With this trail building solution there will not be any wasted in ground expenses without planning for the future. We can maximize tax payer dollars with using the \$3.6 million already secured, including CMAQ funds, to provide the Cross Kirkland Corridor trail and keep the rails in place for potential near-term use by an excursion train and for use for future generations.

Our first-order estimate to utilize active rail to build a trail alongside the track structure is significantly less than Kirkland's budget. Thus, Kirkland will likely have several hundred thousand dollars still available for the trail amenities it wants. We would like to work cooperatively with Kirkland to ensure we meet the city's needs and provide for the best community asset for the state funds it received.

In summary, EsCR wants to provide Kirkland a non-profit service to more quickly utilize the corridor for rail and trail.

Respectfully,

A handwritten signature in blue ink that reads "Douglas Engle".

Douglas Engle
Managing Director
Eastside Community Rail



EASTSIDE COMMUNITY RAIL BRIDGING THE GAP

19 February 2013

To: Eastside TRailway Alliance

Cc: King County Council & City of Kirkland

Re: Eastside Rail Corridor – Kirkland Rail and Trail – **Trail Specification**

First order estimate of \$2.87 million (\$587k/mile).

Eastside Community Rail (EsCR) and Woford Demolition and Trucking have been estimating the cost of construction of a new “primarily” 15’ “base trail” 15’ from the existing track with Eastside Freight Service acting as the authorized railroad.

Length 4.86 miles, which excludes portions north of NE 124th St

Trail Clearance: 20’ =>0.05 Ac./sta.

Trail Bed: crushed stone base course – 4” deep 15’-0” =>18.3 cy/sta.

Trail Surface: crushed stone top course – 2” deep, 12’-0” =>8.9 cy/sta.

“Primarily,” because corridor “pinch points” must be addressed in future development efforts of the Cross Kirkland Connector. The initial effort can be quickly constructed and utilized by the public by year-end 2014 – with city cooperation.

A “base trail” is the maintenance of way (MOW) road substructure that can either be immediately paved or paved with gravel added to the shoulders for walking, running or horse riding. Technically, the base trail is a road for use by the railroad in maintaining the right of way when needed.

Railroads are inspected monthly from the track by both rail-mounted vehicles and simply walking for visual inspection of the track structure. Unless there is an urgent need, maintenance work is scheduled weeks in advance.

Twenty feet of clearing is proposed as typical, as it is the most cost effective overall width for heavy equipment to develop the MOW road.

Although the minimum distance from the centerline of the track is 10’-6”, EsCR proposes a standard separation of 15’ and only utilize the minimum distance initially at pinch points. In either case, a drainage ditch will be constructed between the two.

The MOW road will undulate up and down along the track depending upon terrain.

EsCR believes that for two to four train movements a day at 15-20 MPH, a separating drainage ditch, and elevation differences, generally a fence between the track and MOW

DRAFT for Discussion Purposes Only

DRAFT for Discussion Purposes Only

road is not required. However, in segments where the trail is significantly above the railroad, a fence may be appropriate.

All trail crossings of the track will be perpendicular and protected by fencing, signage and other appropriate means as provided by the trail authority.

Grade crossings at streets are the city's responsibility.

Bridges are excluded from this estimate.

The public will provide insurance for the use of the MOW road as a trail.

The public will pay the railroad for maintenance of MOW road costs.

PSE utility needs have not been defined, yet are typically easily and willingly accommodated on either side of the track structure.

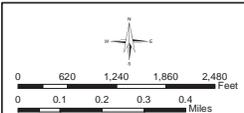
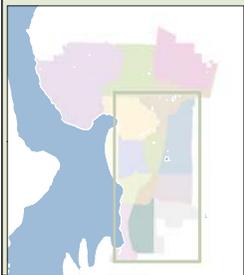
Adopt-a-Trail

Cross Kirkland Corridor

1. Rotary Club of Kirkland
2. Rotary Club of Kirkland
3. Yarrow Hill HOA
4. Available
5. CB Bain
6. Nancy Gode
7. BlueLine
8. Google*
9. Mark Williams (Moss Bay Design)
10. Everest Neighborhood Association
11. Steph Atkins
12. Kudos Kirkland
13. Highlands Neighborhood
14. Norkirk Neighborhood*
15. Dave Ramsay
16. Ruth Chaus
17. Juanita Neighborhood Assoc.
18. Kirkland Cub Scout Troop 566
19. Available
20. Transpo Group
21. Available
22. Evergreen Hill Neighborhood Assoc.
23. DeYoung Mfg., Inc.

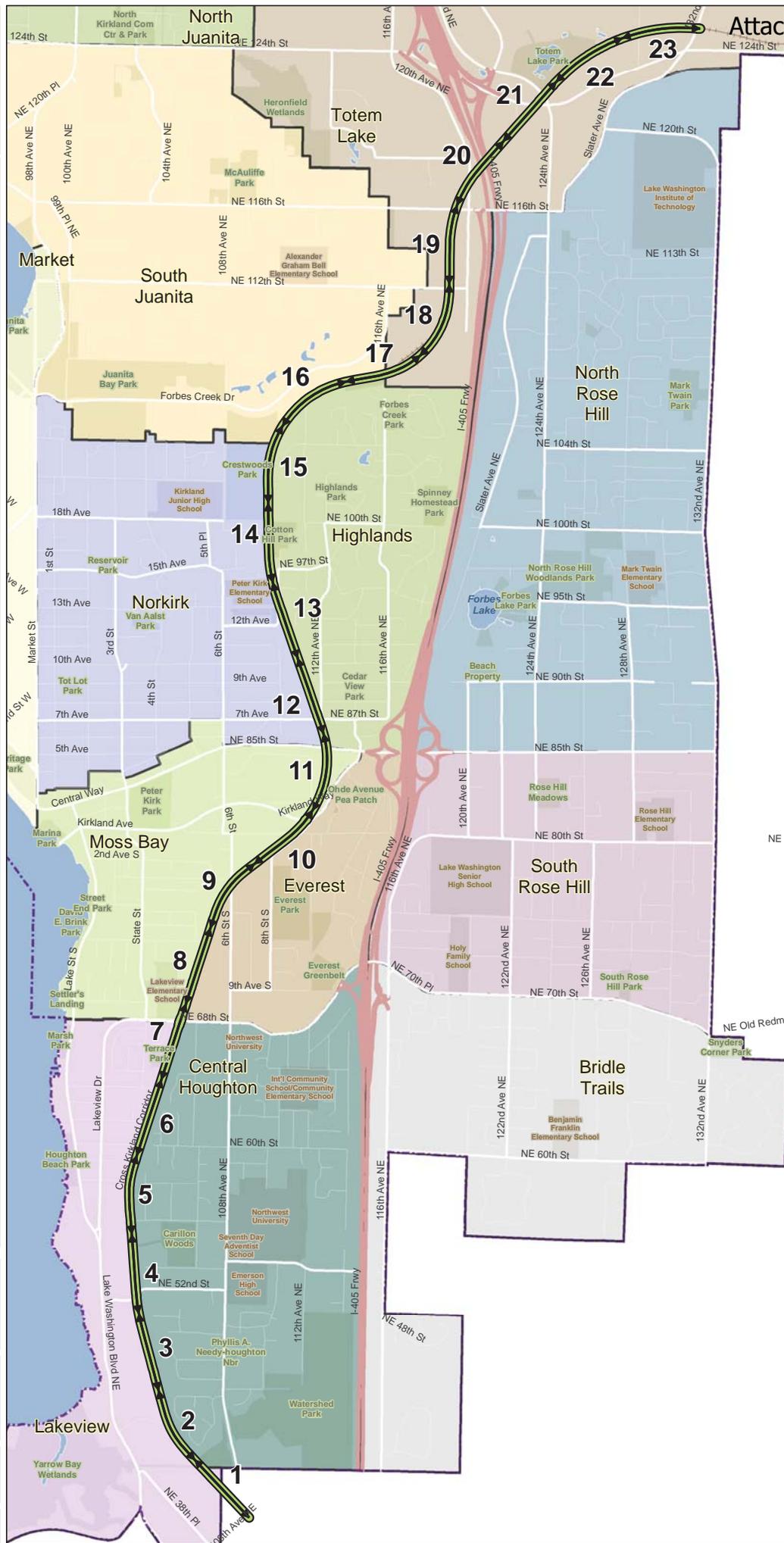
↔ Quarter Mile Segments

🌿 Cross_Kirkland_Trail



Produced by the City of Kirkland.
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 No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

Author: Name In Map Doc Properties
 Name: CrossKirklandTrail_Adopt_A_Trail
 Date Saved: 2/11/2013 10:55:50 AM





Adopt-a-Corridor Agreement – Pilot Program

This Agreement is made and entered into this day by and between the City of Kirkland, hereinafter called "City", and _____, hereinafter called "Contractor". The sole purpose of this Agreement is to permit the Contractor to contribute toward the effort of maintaining a litter-free and aesthetically pleasing neighborhood and road.

Both parties to this Agreement recognize and acknowledge that the safety of the participants in the City of Kirkland Adopt-a-Road Program is of primary importance and agree to the following terms and conditions:

1. Contractor Agrees To:

- a. The duration of the Pilot Program is 1 year ending in July 2013 after which the City will review the program and the trail section agreed upon either of which may be changed at the City's discretion.
- b. Allow group participants to pick up litter on a pre-selected section of a street or roadway located within the City of Kirkland city limits.
- c. Remove litter from the adopted area a minimum of two times a year.
- d. Provide each cleanup crew with a designated leader who shall have a copy of this Agreement with her/him at the cleanup site. The leader will be responsible for giving all members of the crew instructions concerning the rules of the road and safety, including any hazardous situations as described in this Agreement. A supervisor of minor participants may also serve as a crew leader.
- e. Obtain supplies and materials from the City, placing filled trash bags at designated locations for pick-up by the City, and returning any unused supplies to the City within one week following cleanup.
- f. Require all participants to wear safety equipment at all times when at the site.
- g. Perform all cleanup activities during daylight hours and suspend cleanup activities if weather conditions substantially reduce visibility levels.
- h. NOT touch anything that might be hazardous or cause injury, including such items as syringes, hypodermic needles, broken glass, animal bodies, and heavy items such as tires or appliances. The group leader shall report these items to the City of Kirkland Public Works Department or the Police Department.
- i. Require all participants to sign a consent/hold harmless agreement prior to their participation. A parent or legal guardian must sign for a minor.

2. The City Agrees To:

- a. Furnish and install a permanent sign with the Contractor's name or acronym at the adopted area.
- b. Provide trash bags and other appropriate safety equipment.
- c. Remove the filled trash bags.
- d. Assist the Contractor in cleaning up litter under unusual circumstances, such as when large, heavy, or hazardous items are found.

3. Termination of Agreement:

If, in the sole judgment of the City the Contractor is not meeting the terms and conditions of this Agreement, the City may terminate the adoption Agreement and remove the group's permanent signs upon 30 days notice.

4. Authority To Sign:

The signors of this Agreement acknowledge that they have read this Agreement and will abide by its terms. They further acknowledge that they are authorized to sign on behalf of the organization and that each participant will abide by this Agreement and consent to its terms.

AGREED TO AND SIGNED this _____ day of _____, 20__.

CONTRACTOR

CITY OF KIRKLAND

Signature

Signature

Print Name

Print Name

Organization

Title

Title/Capacity of Signor



CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Pam Bissonnette, Interim Public Works Director
David Snider, P.E., Capital Projects Manager
Kari Page, CIP Public Outreach Coordinator

Date: February 26, 2013

Subject: King County Wastewater Treatment Pump Station Update

RECOMMENDATION:

It is recommended that the City Council receives a presentation by King County Wastewater Treatment Division Staff regarding the status of the Kirkland Pump Station on Park Lane.

KING COUNTY STAFF:

Matt Nolan, Construction Management Supervisor
Sibel Yildiz, Project Manager
Heidi Sowell, Community Relations Planner

BACKGROUND AND DISCUSSION:

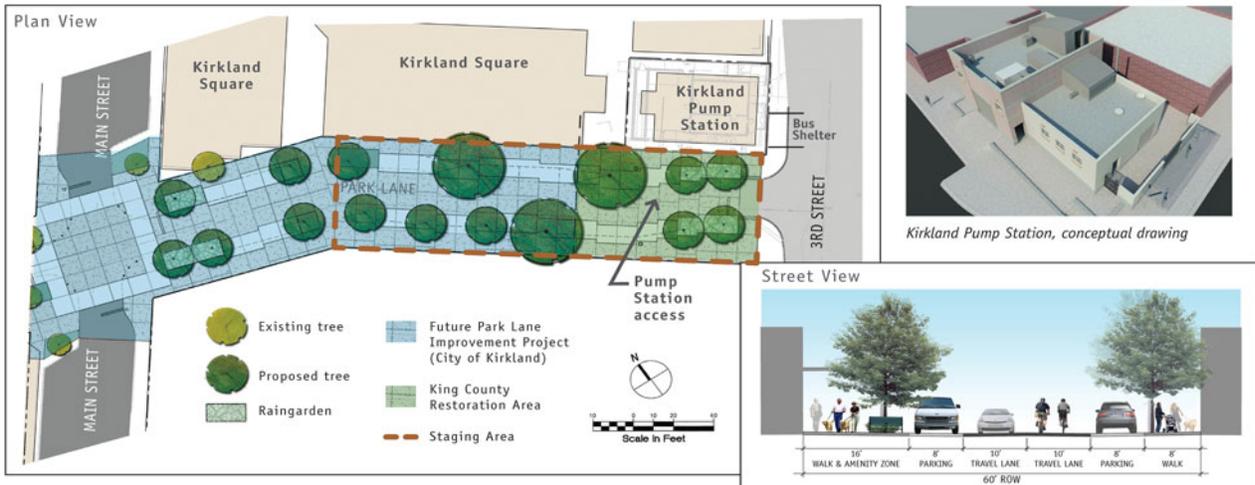
In September 2011, the King County Wastewater Division began a total upgrade on its Kirkland Pump Station and Force Main. The work efforts include a completely new building with the replacement of aging pumping equipment with new more efficient pumps to increase the capacity of the station. The Pump Station is located at the corner of Third Street and Park Lane in downtown Kirkland. The King County project will provide increased wastewater conveyance capacity to accommodate future growth and begin a new service life that will last decades. The existing Kirkland Pump Station was built in the late 1960s and has been in operation for more than 40 years conveying wastewater from the Kirkland area to King County's South Treatment Plant in Renton. The pump station building is nearly complete, all structural elements are in place, walls are up, and the roof deck is poured. Major mechanical elements, the pumps and most of the raw sewage piping in the station have been placed and installation of electrical panels and controls systems are ongoing.



To reduce community impacts, King County and Sound Transit partnered to complete work on the County's sewer lines in Third Street before the new Kirkland Transit Center was completed. Force main work is also complete (less some minor elements) on Kirkland Avenue from 3rd Street to Railroad Avenue, where a new pipeline was connected to King County's existing conveyance system near the Cross Kirkland Corridor, near

Kirkland Avenue.

King County's team worked closely with the City of Kirkland on design of the new pump station that will blend in with future street improvements planned for Park Lane. The County's contractor will restore the portion of Park Lane adjacent to the Pump Station to the city's new design standard.



Replacing existing facilities in an area where a city has grown and developed around them creates the need for careful planning and communications with local agencies and the community. King County has given careful consideration to the location of this project in a vibrant downtown area and on busy roadways and continues to work closely with the City of Kirkland staff on planning and outreach.

Due to its direct relationship to the City of Kirkland, King County Wastewater staff will be on hand to provide a brief update on the Project and be available to answer City Council questions.



KIRKLAND CITY COUNCIL SPECIAL MEETING MINUTES
February 08, 2013

1. Call to Order

2. Roll Call

Present at the start of the meeting were Councilmembers Asher, Nixon, Sternoff, Sweet, Deputy Mayor Marchione and Mayor McBride. Councilmember Walen arrived and joined the meeting at 9:17 a.m.

3. Comprehensive Plan Update 101

Planning and Community Development Deputy Director Paul Stewart provided an overview of the Plan approach.

4. Break

Council recessed for a half hour break.

5. Comprehensive Plan Update 101 (continued) and Neighborhood Planning

Deputy City Manager Marilynne Beard facilitated discussion of Community outreach.

6. Lunch

Council recessed for an hour lunch break.

7. Kirkland 2013 Outreach Efforts

Deputy City Manager Marilynne Beard outlined upcoming public involvement opportunities and plans.

8. Kirkland Draft Public Disclosure Ordinance

City Manager Kurt Triplett reviewed the elements and background of the proposed draft ordinance and next steps.

9. Break

Council recessed for a fifteen minute break.

10. Discussion on Topics of Interest to the Council

Topics for discussion included the idea of moving City Hall to the Totem Lake business

district; Council expense policy; petitions; Council laptop chargers at dais; parking in downtown Kirkland; developing the downtown Marina; neighborhood school buffer areas; incentive programs for business design improvements in business districts; improved parking; labor policies; natural plantings; street lighting and crosswalk lighting; potential for Marina at Juanita Beach; implementation of propositions 1 and 2; future investments as revenue improves; bike and pedestrian safety; Kingsgate park and ride transit oriented development; micro-loan programs for local business; and parking time limits.

11. Adjournmen

The City Council retreat and special meeting of February 8, 2013 was adjourned at 4:17 p.m.

City Clerk

Mayor



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
February 19, 2013

1. CALL TO ORDER
2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

- a. Joint Meeting with Planning Commission to Discuss Planning Work Program

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Director of Planning and Community Development Eric Shields, Deputy Director of Planning and Community Development Paul Stewart, Planning Commission members C. Ray Allshouse, Jay Arnold, Andy Held, Byron Katsuyama, Glenn Peterson, Vice Chair Jon Pascal, and Chair Mike Miller.

4. EXECUTIVE SESSION

Mayor McBride announced at 6:54 p.m. that Council was entering into executive session to discuss labor relations and that Council would return to its regular meeting at 7:30 p.m. City Attorney Robin Jenkinson was also in attendance.

5. HONORS AND PROCLAMATIONS

- a. Proclamation designating February as Kirkland History Month

Kirkland Heritage Society President Loita Hawkinson accepted the proclamation from Mayor McBride and Councilmember Sweet.

6. COMMUNICATIONS

- a. Announcements

(1) Introducing Rod Dembowski, King County Councilmember for Council District One

b. Items from the Audience

Tom Behan
David Ludden
Michelle Sailor
Brian Gaines
Ellen Glauert
Mike Plumley
Tracy Doering
Gary Greenberg
Brian Rohrback
Milton Olson

c. Petitions

7. SPECIAL PRESENTATIONS

a. Kirkland Works Economic Development Video

8. CONSENT CALENDAR

a. Approval of Minutes: February 5, 2013

b. Audit of Accounts:

Payroll \$2,596,484.40
Bills \$3,137,834.64
run #1172 checks #540823 - 540886
run #1173 checks #540909 - 541012
run #1174 check #541020
run #1175 checks #541021 - 541062
run #1176 checks #541063 - 541128
run #1177 checks #541129 - 541146

c. General Correspondence

d. Claims

Claims received from Thomas Bach, Bolles Construction, Inc., Karen Louise Cameron, Trish Dillon, Linda Goodwin, Devin Hendricks and Matthew Jahn were acknowledged.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

(1) Resolution R-4964, entitled "A RESOLUTION OF THE CITY COUNCIL OF

THE CITY OF KIRKLAND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND AND THE NORTHSORE UTILITY DISTRICT AND GRANTING THE NORTHSORE UTILITY DISTRICT A PERMANENT FACILITIES EASEMENT."

(2) Resolution R-4965, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN INTERLOCAL AGREEMENT BETWEEN KING COUNTY AND THE CITY OF KIRKLAND REGARDING AN AMENDED AND RESTATED SOLID WASTE INTERLOCAL AGREEMENT."

h. Other Items of Business

(1) Ordinance O-4401 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO STATE CRIMINAL LAW PROVISIONS ADOPTED BY REFERENCE AND AMENDING AND UPDATING KIRKLAND MUNICIPAL CODE CHAPTER 11.12."

(2) Resolution R-4966, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND DETERMINING THE ANTICIPATED SHORTFALL IN REVENUES FOR PROVIDING MUNICIPAL SERVICES TO THE ANNEXATION AREA AS REQUIRED BY RCW 82.14.415."

(3) NE 112th Street Sidewalk Project - Funding Approval

City Council approved the use of Proposition 1 Levy and REET II funds for the City's grant match requirement on the NE 112th Street Sidewalk Project and authorized the City Manager to sign the granting agency's distribution agreement.

(4) Report on Procurement Activities

Motion to Approve the Consent Calendar.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 7-0

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

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

a. 2013 Legislative Update #2

Intergovernmental Relations Manager Lorrie McKay provided an update on the City's legislative interests.

- b. Resolution R-4967, Stating the City Council's Position that Corporations are Not Persons Under the Constitution for Purposes of the Regulation of Elections, that Regulating Political Contributions and Spending is Not Equivalent to Limiting Political Speech, and Supporting Limits on Corporations' Ability to Spend Money During Local and National Elections.

Intergovernmental Relations Manager Lorrie McKay reviewed the background and elements of the resolution. Council referred an alternate resolution proposed by Councilmember Nixon to the Legislative Committee to bring back another resolution for Council consideration incorporating parts of the alternate.

Motion to Approve Resolution R-4967, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND STATING THE CITY COUNCIL'S POSITION THAT CORPORATIONS ARE NOT PERSONS UNDER THE CONSTITUTION FOR PURPOSES OF THE REGULATION OF ELECTIONS, THAT REGULATING POLITICAL CONTRIBUTIONS AND SPENDING IS NOT EQUIVALENT TO LIMITING POLITICAL SPEECH, AND SUPPORTING LIMITS ON CORPORATIONS' ABILITY TO SPEND MONEY DURING LOCAL AND NATIONAL ELECTIONS."

Moved by Councilmember Bob Sternoff, seconded by Councilmember Dave Asher
Vote: Motion carried 5-2

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

No: Councilmember Toby Nixon, and Councilmember Penny Sweet.

Council recessed for a short break at 8:53 p.m.

- c. Regional NE King County Decant Briefing

Interim Public Works Director Pam Bissonnette presented an overview of the project and the current staff recommendation to suspend it.

- d. Public Safety Building Update and Authorization to Bid

Public Works Deputy Director Ray Steiger reviewed the project status to date, budget and next steps. Katie Popolow, Project Architect with Miller Hull, shared information about the architectural design details.

Motion to Approve authorize staff to proceed with the Public Safety Building bid process.

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

Vote: Motion carried 7-0

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

11. NEW BUSINESS

- a. Resolution R-4968, Ratifying Amendments to the King County Countywide Planning Policies.

Planning and Community Development Director Eric Shields reviewed the changes made to the Policies proposed for ratification.

Motion to Approve Resolution R-4968, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RATIFYING AMENDMENTS TO THE KING COUNTY COUNTYWIDE PLANNING POLICIES."

Moved by Councilmember Bob Sternoff, seconded by Councilmember Amy Walen

Vote: Motion carried 6-1

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

No: Councilmember Toby Nixon.

12. REPORTS

- a. City Council

- (1) Finance and Administration Committee

- (2) Public Safety Committee

- Councilmember Sweet shared information on discussions regarding a potential panhandling ordinance which was found to be unnecessary, SWAT program interlocal agreement, Fire Strategic Plan, building regional partnerships including an Emergency Medical Training Group interlocal agreement to be ready in March, vision and values, and the Emergency Medical Services (EMS) Levy letter.

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

- Councilmember Sternoff shared information regarding discussions on special events, Kirkland Downtown Association, proposed development projects, Transfer of Development Rights (TDR) study, Totem Lake park master plan consultant.

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

- Deputy Mayor Marchione shared information regarding discussions on transportation levies, non-motorized projects, ban on plastic bags, LED lighting, City Hall planning, human services related to schools and feeding programs, upcoming projects

- (5) Regional Issues

Councilmembers shared information regarding an upcoming King County Regional Transit Committee (RTC) caucus meeting; Sound Cities dinner; Association of Washington Cities Legislative Action conference; Emergency Management Advisory Committee (EMAC) meeting; Eastside Transportation Partnership meeting; Nourishing Networks food drive; Urban Land Institute parking forum; discussion of draft public records disclosure ordinance at the AWC conference; Sound Cities Association Public Issues Committee meeting; Washington Coalition for Open Government conference.

b. City Manager

(1) City Council Options for Meetings with the Neighborhoods

Neighborhood Outreach Coordinator Kari Page reviewed the current meeting structure and options and received direction from Council to do further public outreach.

(2) Calendar Update

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

The Kirkland City Council regular meeting of February 19, 2013 was adjourned at 11:07 p.m.

City Clerk

Mayor



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Kathi Anderson, City Clerk
Date: February 21, 2013
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) John Dickinson
1319 3rd Street
Kirkland, WA 98033

Amount: \$291.00

Nature of Claim: Claimant states damage resulted from unsecured gate striking parked vehicle.

- (2) Ronald and Susan Guidry
10213 124th Street
Kirkland, WA 98034

Amount: \$24,297.40

Nature of Claim: Claimant states damage to property resulted from a waterline leak.

- (3) Anni Langson
14055 117th Pl. NE
Kirkland, WA 98034

Amount: \$727.92

Nature of Claim: Claimant states damage to vehicle resulted from driving over rut in the road

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



CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: February 21, 2013

Subject: Central Way Pedestrian Enhancement Project – Phase II
Accept Work

RECOMMENDATION:

It is recommended that City Council:

- Accepts the work on the Central Way Pedestrian Enhancement Phase II Project, as constructed by Kamins Construction of Bothell, WA;
- Establishes the statutory lien period; and
- Approves a net Project budget increase in the amount of \$29,000, as described in the BUDGET paragraphs below, using REET 2 funds as the preferred funding source (Attachment C).

BACKGROUND DISCUSSION:

The Central Way Pedestrian Enhancements – Phase II Project provided pedestrian and traffic calming improvements along the south side of Central Way, between Lake Street and 4th Street (Attachment A). The improvements made are consistent with the *2001 Downtown Strategic Plan* and include new concrete sidewalk to replace damaged sidewalk, new curb and gutter, and pedestrian “bump-outs” at crosswalks. The Project also provided for video detection equipment at the intersection of Central Way and Lake Street, additional on-street parking, new surface water system upgrades, and improved Parks maintenance access along Central Way at Peter Kirk Park.

At their regular meeting of May 15, 2012, City Council awarded the Central Way Pedestrian Enhancements – Phase II Project contract to Kamins Construction in the amount of \$214,932.88. Construction began in July and was completed in November, 2012, with a total of \$238,182.76 being earned by the contractor, including three change orders. The three change orders covered labor and material costs related to the repair of an electrical street lighting conduit problem encountered beneath the existing concrete sidewalk being replaced, minor irrigation system improvements, and storm water catch basin adjustments. A fourth change order was issued after the physical work was complete; this final change order came as a result of a negotiated settlement between the City and the contractor on a claim for extra compensation submitted by the contractor’s attorney. Including this final change order, the total amount paid to the contractor equals \$253,182.76.



Crosswalk before



Crosswalk after w/bump-out

BACKGROUND FOR CLAIM

During the course of the work, a minor grade discrepancy between the plans and the existing concrete curb and sidewalk elevations was discovered at one of the new curb bump-outs located at Central Way and Main Street. The City's inspector prepared a field design drawing that resolved the discrepancy and provided it to the contractor. The contractor received the information and did not protest or request for more information at that time or prior to commencing the work.

The contractor began grading for the new bump-out on August 13, 2012, and on August 14, commented about the grade changes and informed the inspector that he believed there would be additional costs; nothing was received in writing by the City. All work efforts for the Project, including those for the bump-out grade adjustments, were tracked by the inspector; all work on this particular bump-out was completed over the course of a few partial work days.

On August 23, 2012, after completing the work, the Contractor submitted a demand for extra compensation; however, the information provided was insufficient and the Project Engineer was unable to substantiate the Contractor's demand. The information provided was merely an assertion that the work cost an additional \$20,109 and included no attempt to provide the detailed, daily, and contemporaneously recorded evidence that additional expense for the Project had been incurred; these types of records are required as a part of the City's standard contract documents.

Recognizing that there was in-fact a grade change at one specific location, and a field modification was provided to the contractor, a thorough verification of the inspector's daily records was made. An amount of \$2,639 was justified by the Project Engineer and the inspector as a reasonable sum to compensate the Contractor for the minor grade changes encountered, and an offer to resolve the matter was made. At that point, the Contractor turned to legal counsel for representation and stopped communicating directly with City staff.

On October 3, 2012, approximately two months after the contested work was completed, the contractor's attorney submitted a letter demanding additional compensation – the October letter demanded \$28,362 rather than the \$20,109 that had been identified on August 23, 2012. To this, the City responded that 1) the original claim and supplemental protest were untimely as per the contract, 2) the August 23 letter could not correct the untimely protest, and 3) sufficient information had never been presented to evaluate the validity of the claim, as is required in the City's contract. Based on these issues, it was the City's opinion that the claim had been waived. Subsequently, the Contractor filed a Demand for Arbitration.

DEMAND FOR ARBRITRATION

The City was notified by the American Arbitration Association (AAA) that a dispute resolution on this matter had been filed. Following that notice, City staff spoke with a private attorney specializing in construction to discuss the City's best options. At the conclusion of that conversation, the following issues were made apparent:

- Based on the record keeping and City generated documents, the City would fare "very well" if this were a Superior Court hearing.
- As arbitration; however, the City would have exposure for two reasons: 1) due to staff's attempt to "negotiate" with the Contractor early in the process by presenting an estimate of the cost to resolve the matter, an arbitrator would most likely grant the Contractor at least that amount (\$2,639), and 2) as a disagreement between two parties, arbitrators typically move to the "middle" and, in this case, the middle is approximately \$15,000.

With concurrence from our outside construction specialty attorney, it was concluded that the City's best interest would be served by settling the matter ahead of the date of arbitration. If the matter were to go to an arbitrator there would be an added risk that attorney's fees could be included in any settlement and, according to our attorney, those fees would most likely be

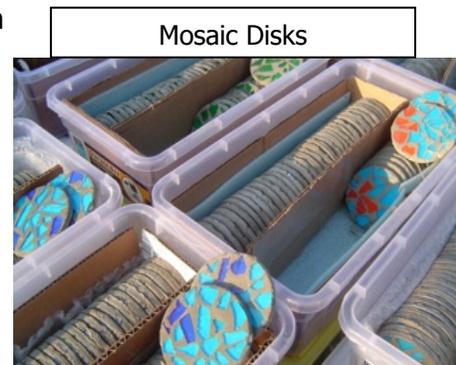
in the range of an additional \$10,000 to \$15,000, and possibly more. As a result, on February 5, 2013, the Assistant City Attorney and the contractor's attorney reached a settlement agreement in the amount of \$15,000.

The City was not a willing participant in arbitration as staff had proven to its satisfaction, as well as that of outside legal counsel with expertise in this arena, that the contractor had not satisfied the requirements that justified a claim for additional compensation. The Washington State Standard Specifications used for this project provided an avenue to the contractor to unilaterally pursue arbitration as a means to resolve his dispute. Current City staff cannot recall any other time this language has been used in this manner and, because the City was unable to expeditiously and inexpensively obtain relief through arbitration, for all future contracts this procedure will be optional rather than mandatory. Staff, with assistance from the City Attorney's office, has modified the City's standard contract language to allow dispute resolution through arbitration only upon the "mutual written agreement of both parties."

BUDGET

The current budget for the Project is a combination of State Pedestrian and Bike Safety Grant (\$198,000) and City funds (\$214,000) for a total Project budget of \$412,000 (Attachment B). The budget, at the time of award, included a typical 10% construction contingency. The budget, including the contingency, was essentially exhausted through the normal course of the construction, including all payments for the physical work with the first 3 change orders, inspection and project management, public outreach, and the grant required educational element. In addition; however, the City incurred more expenses for additional staff time to defend the claim, arbitration filing fees and outside legal counsel. With the diminished budget, and in order to responsibly negotiate with the contractor's attorney, staff requested and received a City Manager approved interim budget increase, as provided for under Kirkland Municipal Code (KMC) KMC 3.85.220. The interim budget increase of \$21,000 allowed staff to diligently pursue a remedy to the contractor's claim for additional compensation.

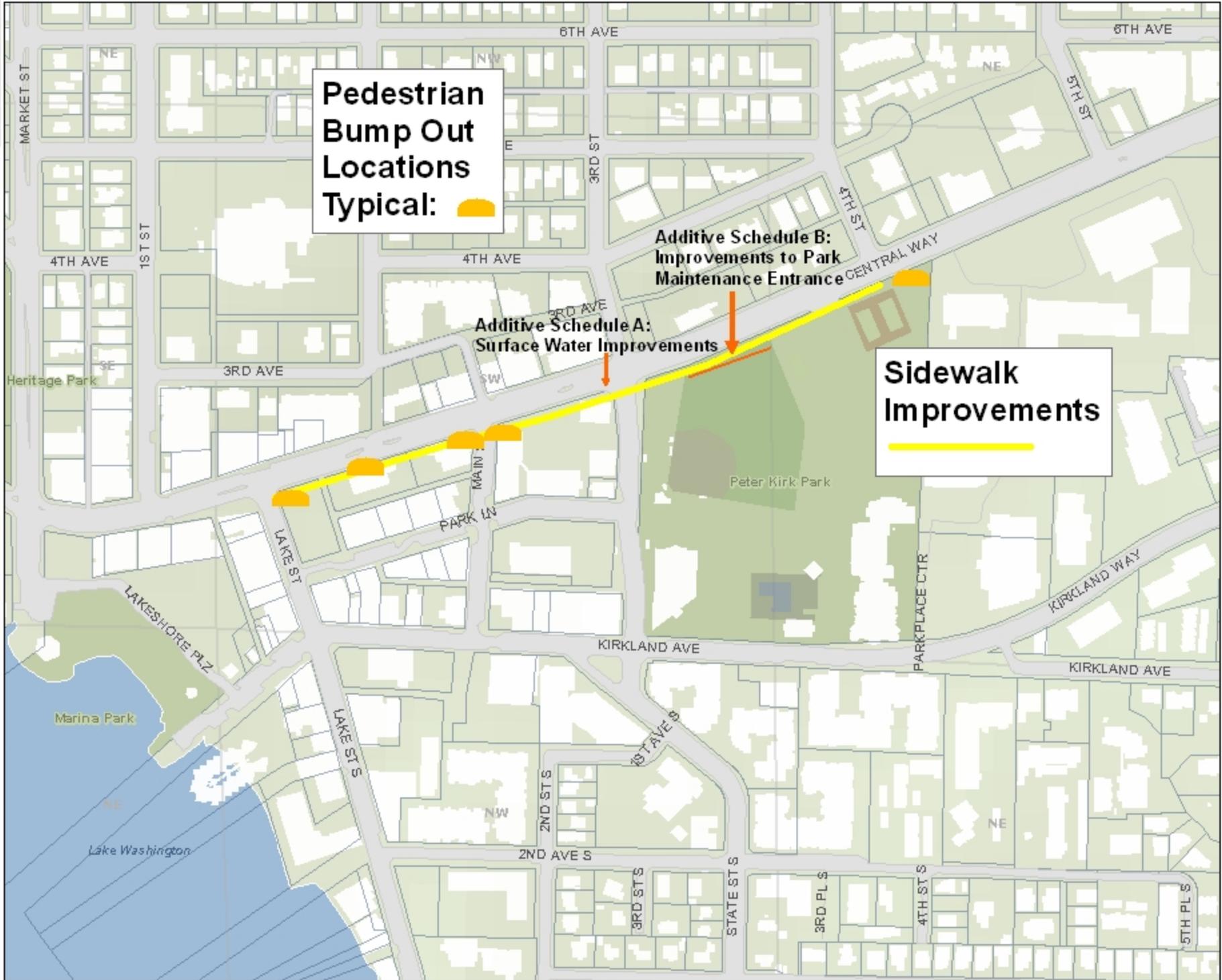
With all costs now known, and in order to formally establish the Project's final budget through City Council action, the Project is in need of a net budget increase of \$29,000. Included within that requested amount is the City Manager approved interim budget increase of \$21,000, plus an additional \$5,000 for increased project management costs, all external legal fees, and the final American Arbitration Association costs. In addition, as approved by City Council at their May 5, 2012 meeting, the Project was to receive an art element. Since the overall Project budget was depleted through the claims proceedings, including the original amount identified for art, an additional \$3,000 is also included in the net of \$29,000 being requested. If re-approved by City Council at their March 5 meeting, the art, consisting of mosaic dots embedded in the new concrete sidewalk at clustered intervals, will be installed by the artist this spring.



The source of the City's portion of the overall project budget includes general government and surface water utility funds. At the time the original budget was established the surface water utility funding portion was estimated to be 24% of the total project costs. Through the course of construction the actual surface water costs attributed to the project came in at a level less than the 24% estimated amount. In addition, as grant reimbursements were received, those reimbursements were proportionally distributed to the two City funding sources. As a result of these two factors, the Project's surface water budget will have a positive balance of \$21,000 while the general government portion of the overall budget will be negative by approximately \$50,000. To fully fund the project for close out staff has identified REET 2 as the funding source. These changes are outlined in the Fiscal Note (Attachment C).

Attachment A: Vicinity Map
Attachment B: Project Budget Report
Attachment C: Fiscal Note

**Central Way
Pedestrian
Enh.
(Phase II-
South Side)
CNM-0065**



- Buildings
- Park
- Water
- Sidewalk
- Pedestrian
- Other

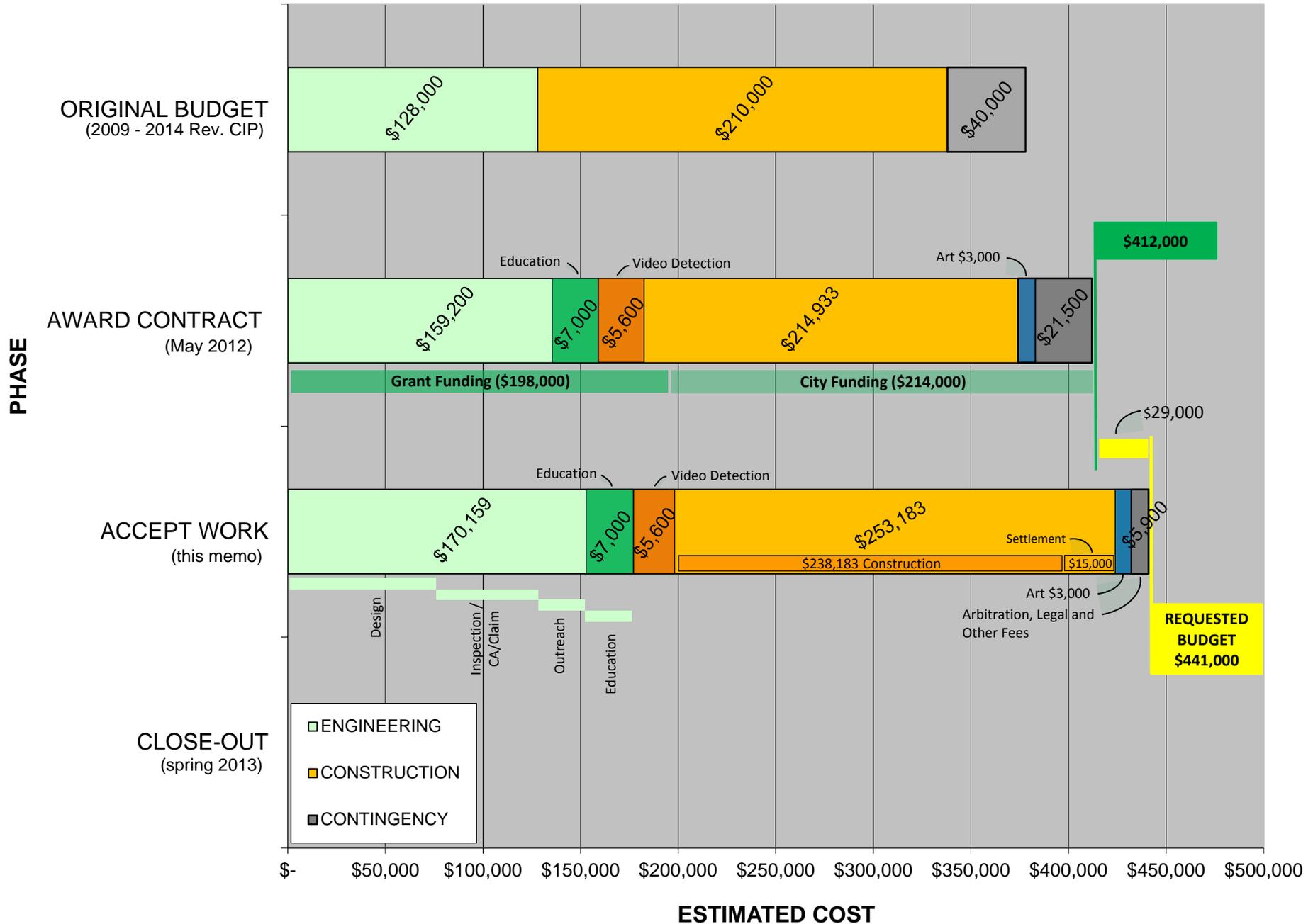


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See product.

Author: [Name]
Date: August 26, 2011

Central Way Pedestrian Enhancements (Phase II- South Side) Project (CNM-0065)

Project Budget Report



FISCAL NOTE*CITY OF KIRKLAND*

Source of Request							
Pam Bissonnette, Interim Public Works Director							
Description of Request							
Request for funding of a net of \$29,000 for the Central Way Pedestrian Enhancements Phase II (CNM 0065) as outlined in the acceptance of work memorandum. The request includes a use of REET 2 Reserves of \$50,000 and a return to Surface Water Transportation Reserve of approximately \$21,000. The total project budget is expected to change from \$412,000 to \$441,000.							
Legality/City Policy Basis							
Fiscal Impact							
One-time use of \$50,000 from REET 2 Reserve. The reserve is able to fully fund this request. Return of funds of \$21,000 to the Surface Water Transportation Reserve.							
Recommended Funding Source(s)							
<i>Reserve</i>	Description	2014 Est End Balance	Prior Auth. 2013-14 Uses	Prior Auth. 2013-14 Additions	Amount Request	Revised 2014 End Balance	2014 Target
	REET 2 Reserves	2,294,806	214,000	0	50,000	2,030,806	N/A
	Surface Wtr. Transportation	3,092,276			(21,000)	3,113,276	N/A
2013-14 Prior Authorized Use of REET 2 reserve: \$214,000 for the NE 112th Street Sidewalk Project.							
<i>Revenue/Exp Savings</i>							
<i>Other Source</i>							
Other Information							
Prepared By	Neil Kruse, Senior Financial Analyst				Date	February 22, 2013	

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

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: February 21, 2013

Subject: Cross Kirkland Corridor – Rail Removal
Pre-Authorize Construction Contract Award

RECOMMENDATION:

The Council's adopted interest statement for the Cross Kirkland Corridor is to "Actively use the corridor in the near future". Kirkland also received a \$2 million grant in 2012 from the State of Washington to construct an interim trail on the Cross Kirkland Corridor (CKC). The state grant must be spent prior to June, 2015. In order to begin construction of the interim trail in the fall of 2013, the existing rail needs to be removed by this summer. This in turn requires rail removal to begin in April. To meet this timeline, it is recommended that the City Council pre-authorize the City Manager to sign a public work construction contract for the removal of the existing rails and miscellaneous hardware along the CKC, provided the following criteria are met:

- the City receives bids from more than one contractor deemed responsive and responsible for performing the specified work, and
- the City receives a net credit for the work because the salvage or re-use of the rail materials exceeds the cost of performing the work or the total cost to the City from the lowest responsive and responsible bid is \$50,000 or less.

BACKGROUND DISCUSSION:

Kirkland purchased 5.75 miles of the former BNSF corridor in April 2012 to become the CKC. Last fall Kirkland citizens approved a permanent levy to begin funding CKC development in 2013 with an interim trail.

The current development strategy for the CKC, as approved by Council, is two-phased:

1. The initial phase is rail removal along with design and construction of an interim trail to allow broad public use of the CKC.
2. The second phase is for the completion of a CKC Master Plan to determine the ultimate vision and development of the Corridor for both trail and transit which will be implemented after Council approval.

Together, the removal of the rails, the construction of an interim trail, and the completion of a Master Plan will support the City Council's goals of Balanced Transportation, Sustainable

Infrastructure, and Parks Open Spaces and Recreational Services. The development of the CKC will:

1. Serve transportation needs of Kirkland;
2. Provide active use of the corridor in the near future;
3. Facilitate maintenance of the corridor; and
4. Spur economic development along the corridor, particularly in the Light Industrial Zones and the Totem Lake Business District.

These actions also help meet the priority goals of the City's Active Transportation Plan to develop the Cross Kirkland Corridor.

To support the first phase, staff and the City's engineering consultant, KPG Engineering, have designed and evaluated the cost of removing the existing rails and associated materials and advertised for contractor bids on February 25.

INTERIM TRAIL DEVELOPMENT -- RAIL REMOVAL

At their August 7, 2012 meeting, the City Council approved removal of the rail followed by the immediate construction of an interim trail. The rail removal construction phase will remove all rail spikes, plates, steel rails, and railroad crossties; the removal contract will also include grading of the existing rail bed ballast (i.e. rock) surface material turning it into a usable trail ahead of the installation of a more universally accessible interim trail consisting of a smaller gravel material more commonly used for trail construction. The rail removal work does not include any excavation or earth moving and, as a result, the rail removal contract will not include the removal of the rails and the repaving of the nine existing street crossing locations. The removal of rail within concrete and pavement at the existing road crossings will be performed as a part of the Interim Trail construction as the contractor selected to perform that future work will be better equipped to accomplish those work efforts.

The work required to remove the steel rail, the miscellaneous hardware and railroad crossties is currently estimated to cost less than the current market value for the salvageable material. A reasonable percentage of the existing rail material is highly sought after by "short-haul" railroad companies across the country and that high value rail should produce a good rate of return for its re-sale. As a result, it is likely that the rail salvage will either come close to "breaking even" or even produce a small credit to the City, currently estimated to be in the range of up to \$35,000. The current engineer's estimate includes a reasonable contingency to cover the risk of low scrap prices or low demand for used materials.

There is at least one rail removal contracting firm in the Puget Sound region; however, most rail removal contractors work on a national basis and are headquartered in states as far away as Florida. As a result, the City's engineering consultant has been soliciting interest from all major rail removal contractors for the past two months in order to stimulate interest and, at this time, interest in the Project appears high.

The City has received several inquiries about the need for environmental review of the rail removal effort. Federal law preempts local environmental review (including SEPA) of the rail removal project. This is based on federal statute (49 U.S.C.10501(b)), which provides that the Surface Transportation Board (STB) has exclusive jurisdiction over (among other things) abandonment of rail lines. Courts interpreting this statute have ruled that the federal preemption extends to state and local environmental regulations. See, e.g. *City of Auburn v United States*, 154 F.3d 1025, 1028 (9th Cir. 1998). In addition, a 1999 Federal District Court

decision involving the East Lake Sammamish trail specifically found that federal law preempts rail salvage from state and local environmental and land use regulation. In addition, it should be noted that, as part of the abandonment proceedings for the Eastside Rail Corridor, the STB conducted an Environmental Assessment and concluded that the abandonment would not significantly affect the quality of the environment. See STB Docket No. AB-6 (Sub-No. 465X). Although environmental review processes are not needed for rail removal, SEPA and NEPA reviews will be conducted for the interim trail project.

SCHEDULE

Key dates and timelines for the rail removal and the construction of the interim trail are discussed in much more detail in the memo for the Council's March 5 Study Session, which will be focused on issues related to the Cross Kirkland Corridor. Under typical bidding and contract award processes where the City pays for the work, the amount of time between a bid opening and City Council award can add between two to four weeks to the schedule. With the reasonable expectation that there will be a net monetary credit owed the City, staff's recommendation to pre-authorize an award subject to the conditions listed previously in the memo. If approved, this will allow the City to save time and to expedite the construction phase. Public Works staff will notify adjacent property owners and businesses in the area, providing project timelines and pertinent contact information, before construction begins.



CITY OF KIRKLAND

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Barry Scott, Purchasing Agent

Date: February 21, 2013

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF MARCH 5, 2013

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

The City's major procurement activities initiated since the last report, dated February 7, 2013, are as follows:

	Project	Process	Estimate/Price	Status
1.	2013 Curb Ramp & Concrete Repairs Project	Invitation for Bids	\$500,000 - \$530,000	Advertised on 2/19 with bids due on 3/5.
2.	Totem Lake Culvert Replacement Project	Invitation for Bids	\$2,480,000 - \$3,160,000	Advertised on 2/25 with bids due on 3/13.

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



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tim Llewellyn, Fleet Supervisor
 Donna Burris, Internal Services Manager
 Ray Steiger, Deputy Public Works Director
 Pam Bissonnette, Interim Public Works Director

Date: February 15, 2012

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 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 by City Council, will be sold or disposed in accordance with the KMC (Kirkland Municipal Code) Chapter 3.86, The Sale and Disposal of Surplus Personal Property.

<u>Fleet #</u>	<u>Year</u>	<u>Make</u>	<u>VIN/Serial Number</u>	<u>License #</u>	<u>Mileage</u>
P07-02	2007	Ford Expedition	1FMFU16507LA63238	44124D	119,748
P08-08	2008	Ford Crown Victoria	2FAHP71V48X148396	46265D	75,513
PU-34	2003	Chevrolet 2500 Pickup	1GCHC24G43E236283	36356D	35,293
PU-50	2004	Chevrolet 1500 Pickup	1GCEC14V74Z262186	37650D	53,811
S06-09	2006	Dodge Sprinter Van	WD0PD444165920455	43218D	174,069

For clarification purposes, P07-02 is a 2007 Ford Expedition which was initially assigned to Police Patrol. It completed its anticipated 4 year life with Patrol, and then was retained and re-assigned to Crime Prevention for an additional 2 years due to its good condition despite high mileage.

P08-08 is a 2009 Ford Crown Victoria assigned to Police Patrol for its anticipated 2.5 year life, and was extended 2.5 years for service as a Crime Prevention vehicle due to lower mileage and good condition.

PU-34 is a 2003 Chevrolet 2500 Pickup assigned to Parks Maintenance. It was retained 2 years beyond its normal anticipated life of 8 years. It may be retained through the summer of 2013 to support additional temporary Park staff.

PU-50 is a 2004 Chevrolet pickup assigned to Parks Maintenance. It was retained 1 year beyond its normal anticipated life of 8 years. It may be retained through the summer of 2013 to support additional temporary Park staff.

S06-09 is a 2006 Dodge Sprinter van assigned to Police Corrections. It was extended 2 years beyond its normal anticipated life of 5 years.

Note: The accounting life of a vehicle is the number of years of anticipated useful life to City operations. It is determined by historical averages and replacement cycles of actual City vehicles. The accounting life provides a timeline basis for the accrual of vehicle Replacement Reserve charges. At end of a vehicle's accounting life, there should be sufficient funds in the Replacement Reserve Fund to purchase a similar replacement vehicle. The accounting life of a vehicle is a guideline only. Actual usage of City vehicles can vary from averages. All vehicles considered for replacement will be evaluated on their individual condition and availability of replacement funding.

**CITY OF KIRKLAND**

City Manager's Office

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

To: Kurt Triplett, City Manager

From: Lorrie McKay, Intergovernmental Relations Manager

Date: February 25, 2013

Subject: 2013 LEGISLATIVE UPDATE #3

RECOMMENDATION:

Council should receive its third update on the 2013 legislative session.

BACKGROUND DISCUSSION:

The 2013 State Legislative Session opened on Monday, January 14 and at the writing of this memo, has completed its sixth week. Friday, February 22 was the last day to read in committee reports in the house of origin, except fiscal committees and Senate Ways and Means and Transportation committees. The last day to read in committee reports from House fiscal committees and Senate Ways and Means and Transportation committees is Friday, March 1. March 13 is the last day to consider bills in house of origin. This is an update on the City's legislative interests as of February 22.

COUNCIL LEGISLATIVE COMMITTEE:

The Council's Legislative Committee (Mayor McBride, Deputy Mayor Marchione and Council Member Asher) meets weekly on Friday's at 3:30pm.

The Council's Legislative Committee met on February 22 to discuss the status of the city's 2013 legislative priorities (Attachment A) and other bills of interest to the City (Attachment B).

Week 5 (2/11 – 2/17)

The primary focus in week 5

1. Follow-up on requests from meetings with legislators Feb. 14
2. As requested by House and Senate district leadership, Finalized Park Lane Pedestrian capital project white paper (Attachment C) and completed House Community Projects Requests form.
3. Monitored transportation funding discussions among legislators and stakeholders.
4. Monitored status of City's legislative priorities.

Week 6 (2/18 – 2/24)

The primary focus in week 6

1. Validated City's acceptance of proposed amendment to HB 1268.
2. Initiated review of proposed Statewide Transportation Package released by House Transportation Chair (Attachment D - Overview).
3. Monitored status of City's legislative priorities.
4. Monitored status of Annexation Sales Tax Credit.
5. Initiated review of Transportation Local Options bills (Attachment E) released and scheduled for hearing. Councilmember Asher's 2/25 draft testimony (Attachment F)

2013 LEGISLATIVE PRIORITIES:

As mentioned above, a detailed matrix tracking the status of Kirkland's legislative priorities (as of February 22) is attached to this memorandum. Below is an at a glance summary:

2013 Legislative Priority	Bill Number	Hearing Status
Support state and local transportation revenue to maintain infrastructure investments and complete projects that enhance economic vitality.	HB 1954 HB 1955 HB 1956 HB 1957 HB 1485 HB 1865 HB 1953 HB 1959 HB 1944 HB 1883	2/20 - House Transportation Chair dropped four bills on Wed. re a transportation package: Includes \$675 million for local government assistance; \$897 million for storm water cleanup; \$61 million for Complete Streets. 2/22 – Six bills related to Local Options scheduled for hearing 2/25.
Support retaining the State Annexation Sales Tax Credit and defend against state revenue reductions or legislation that impact completion of the Finn Hill, Juanita and Kingsgate-area annexation.		Monitoring. Leadership in House and Senate have indicated it is not on the table at this early stage in budget negotiations.
Support \$5 million in funding for the next phase of the NE 132nd Interchange ramp design and for the NE 132nd Interchange to be included in any statewide transportation package.		Formal requests were submitted to the House Transportation Chair by Reps Springer & Habib.
Support eliminating the \$10 million ongoing diversion of liquor taxes and reinstating local share of excess liquor profits.	HB 1368 SB 5703	2/19 – Heard in House Appropriations 2/11 – First read into Senate Ways & Means
Support the development of the Cross-Kirkland Corridor including support of continued state financial assistance (WWRP) and other tools to implement multiple uses including recreation and transportation.		The Cross Kirkland Corridor ranked #2 among the WWRP Proposed Trail Projects to be funded in 2013. \$500,000 with a \$500,000 match. Additional capital project requests provided as requested by House and Senate district leadership.
Support providing cities with financing options to support public/private partnerships.	HB 1306 SB 5293	2/20 –Executive action in Tech & Econ. Dev. 2/26 – Hearing in Finance “in anticipation of other legislative action” 1/25 – Read into Ways and Means. Rep. Springer dropping new bill on 2/22; to be heard in House Finance next week - includes all components up to point where negotiations broke down.
Support allowing local governments the option to award contracts to vendors whose pre-tax bid unit price is lowest.	SB 5110 HB 1268	2/8 - Passed by Senate (48 yeas, 1 excsd) 2/11 – First read, referred to House Local Gov 2/13 – Placed on second reading in Rules. Springer AMD proposed at request of R's to limit to in-state vendors.

HEARINGS AND CORRESPONDENCE:

<u>Bill</u>	<u>Cmte</u>	<u>Dt/Time</u>	<u>City Rep.</u>	<u>SME</u>
HB 1485 , HB 1865 , HB 1953 , and HB 1959	HTr	2/25 1:30pm	Dave Asher	Ray Steiger
Transportation, Local Options Bills				

Cmte (Committee) Legend

HTr = House Committee on Transportation

BILL TRACKING:

Waypoint Consulting is tracking other bills of interest to the City. To date, Waypoint has identified over 150 bills for the City to review, analyze and potentially take positions on. Staff are actively reviewing these bills and assessing their potential impact on the way the city operates, measuring them against our 2013 legislative agenda and providing recommended positions to the Legislative Committee (Attachment G). As mentioned above, a bill tracker on positions that the City has taken (as of February 22) is attached to this memorandum.

Matrices updated February 15, for both Kirkland's legislative priorities and an updated bill tracker will be emailed to Council in advance of the meeting on February 19.

- Attachments:
- A. Status of City's 2013 legislative priorities
 - B. List of bills the City is tracking and positions
 - C. Park Lane Pedestrian capital project white paper
 - D. Overview of proposed Statewide Transportation Package
 - E. List of bills comprising proposed Statewide Transportation Package and Local Options
 - F. Councilmember Asher's 2/25 draft testimony on Transportation Local Options
 - G. Total List of bills reviewed by City and analysis

Updated 2.22

	Legislative Priority	Bill #	Prime Sponsor	Status
1	Support state & local transportation revenue			2/20 - House Transportation Chair dropped four bills on Wed. re a transportation package: 1954, 1955, 1956 and 1957. Includes \$675 million for local government assistance; \$897 million for storm water cleanup; \$61 million for Complete Streets.
2	Retain the State Annexation Sales Tax Credit			Monitoring. Leadership in House and Senate have indicated it is not on the table at this early stage in budget negotiations.
3	\$5M for the next phase of the NE 132nd Interchange ramp design and for it to be included in any statewide transportation package			1/30 - Rep Springer emailed Chair Clibborn formal requests. - Rep Habib sent Chair Clibborn a formal request. 2/14 - Council delegation shared project with Chair Clibborn during AWC lobby day.
4	Eliminate the \$10 million ongoing diversion of liquor taxes and reinstate local share of excess liquor profits	HB 1368 SB 5703	Rep Tharinger Sen Hobbs	2/19 – Heard in House Appropriations 2/11 – First read into Senate Ways & Means
5	The development of the Cross-Kirkland Corridor including support of continued state financial assistance (WWRP) and other tools to implement multiple uses including recreation and transportation			The Cross Kirkland Corridor ranked #2 among the WWRP Proposed Trail Projects to be funded in 2013. \$500,000 with a \$500,000 match. Additional capital project requests provided as requested by House and Senate district leadership.
6	Provide cities with financing options to support public/private partnerships	HB 1306 SB 5293	Rep Wylie Sen Cleveland	2/20 –Executive action in Technology & Econ. Dev. 2/26 – Hearing in Finance “in anticipation of other legislative action” 1/25 – Read into Ways and Means. Rep. Springer dropping new bill on 2/22; to be heard in House Finance next week - includes all components up to point where negotiations broke down.
7	Allow local governments the option to award contracts to vendors whose pre-tax bid unit price is lowest	SB 5110 HB 1268	Sen Tom Rep Springer	2/8 – Amended by Tom on floor. ESSB Passed Yeas, 48; Nays, 0; Excsd, 1 2/11 – First read, referred to House Local Government 2/13 – Placed on second reading in Rules. Springer AMD proposed at request of R's to limit to in-state vendors.

Bill	Title	Position	Status
Support			
HB 1007	Covering of loads on public highways	Support	2/19 - Passed to Rules for second reading
HB 1009	Prohibiting certain liquor self-checkout machines	Support	2/13 - Referred to Rules 2 consideration
HB 1016	Designating facilities and infrastructure of water purveyors as essential public facilities under GMP	Support	2/18 - Passed yeas, 87; nays, 9; abs, 0; excsd, 2
HB 1018	Expanding criminal penalties for assault (specific to HIV infection as a noxious substance).	Support	Heard 1/17 - Public Safety
HB 1020	Prohibiting level III sex offenders from residing in a community protection zone.	Support	Heard 1/23 - Public Safety
HB 1037	Establishing a cost-recovery mechanism for public records sought for commercial purposes	Support	2/21 - Referred to Appropriations
HB 1045	Authorizing certain local authorities to establish maximum speed limits	Support	2/18 - Passed yeas, 86; nays, 10; abs, 0; excsd, 2
HB 1047	photographs, microphotographs and electronic images from traffic safety cameras and toll systems.	Support	2/22 - Passed yeas, 78; nays, 18; abs, 0; excsd, 2
HB 1049	the administration and operation of flood control districts.	Support	2/5 - Passed to Rules for second reading
HB 1052	local government selection of appropriate sewer systems in urban areas.	Support	2/22 - Exec action in Local Gov
HB 1090	Increasing \$ amount for dock construction that does not qualify as a substantial dev under SMA	Support	2/13 - Referred to Rules 2 consideration
HB 1096	juvenile firearms and weapons crimes	Support	2/21 - Heard in Appropriations
HB 1138	Clean energy jobs thru renewable energy incentives	Support	First read 1/16 in Environment
HB 1147	1st degree unlawful possession of firearms	Support	2/13 - Heard in Judiciary
HB 1183	Wireless communications	Support	2/13 - Referred to Rules 2 consideration
HB 1187	Grants for community outdoor/indoor athletic facil	Support	2/7 - Referred to Appropriations
HB 1217	Strengthening the integrity, fairness, and equity in Washington's property assessment system.	Support	2/26 - Scheduled for Exec Session in Finance
HB 1234	Delaying new storm water requirements for phase I jurisdictions	Support	First read 1/21 in Environment
HB 1235	state investments in storm water control	Support	1/30 Heard in Environment
HB 1237	creation of a storm water compliance project	Support	1/30 Heard in Environment
HB 1253	Concerning the lodging tax	Support	2/26 - Scheduled for Exec Session in Finance
HB 1268	Regarding local government purchasing	Support	2/13 - Placed on 2nd reading by Rules
HB 1274	local government practices and procedures	Support	2/13 - Placed on 2nd reading by Rules
HB 1275	Regarding water discharge fees	Support	2/21 - Exec action in Environment
HB 1305	Vehicle prowling	Support	2/8 - Referred to Appropriations Subcomm on Gen Gov
HB 1306	Extending the expiration dates of the local infrastructure financing tool program	Support	2/26 - Scheduled for hearing in Finance
HB 1310	Reducing the littering of retail carryout bags	Support	First read 1/23 in Environment
HB 1315	Criminal justice training funding	Support	First read 1/23 in Appropriations
HB 1324	Transferring ferry & FCZD authorities to MKCC	Support	2/22 - Scheduled for Exec Session in Local Gov
HB 1367	cities and towns	Support	2/7 - Passed to Rules
HB 1368	Distribution of state liquor revenues to cities and counties	Support	2/19 - Heard in Appropriations
HB 1388	Penalties for vehicular homicide & assault	Support	2/7 - Heard in Public Safety
HB 1401	Timing of penalties under the GMA	Support	2/21 - Exec action taken Local Gov
HB 1512	Fire suppression water facilities and services provided by municipal & other purveyors	Support	2/15 - Passed to Rules
HB 1654	Regional fire protection service authority within the boundaries of a single city	Support	2/22 - Exec Session in Local Gov
Neutral			
HB 1717	Incentivizing up-front environmental planning, review, and infrastructure construction actions	Neutral	
Oppose			
HB 1019	Regarding identification of requestors of public records (requiring that identification if warranted).	Oppose	Heard 1/23 - Gov Ops & Elections
HB 1026	Requiring use of resident workers on public works. (public works jobs must use at least 75% of state rez)	Oppose	Heard 1/23 - Labor & Workforce Dev

SHB 1128	Local agencies' responses to public records requ	Oppose (w/conditions)	2/12 - Passed to Rules
HB 1143	Providing accountability to procurement policy	Oppose	2/5 - Heard in Local Government
HB 1165	Prohibiting adopting & developing enviro and dev policies that infringe private property rights w/o due process	Oppose	First read 1/17 Judiciary
HB 1166	Requiring compensation for government required actions on private property	Oppose	First read 1/17 Judiciary
HB 1167	Repealing growth management planning requirements in chapter 36.70A RCW	Oppose	First read 1/17 Local Gov
HB 1232	rental vouchers to a registered sex offender	Oppose	2/21 - Exec action in Public Safety
HB 1239	Concerning the powers of water-sewer districts	Oppose	2/5 - Passed to Rules
HB 1365	Requiring cities and counties to provide security for their courts.	Oppose	2/22 - Exec action in Local Gov
HB 1440	Ensuring fairness to employers by protecting employees	Oppose	2/18 - Heard in Finance
HB 1444	Concerning stewardship of household mercury-containing lights	Oppose	2/7 - Heard in Environment
HB 1559	Requiring crisis intervention training for peace officers	Oppose (w/conditions)	2/21 - Exec action in Public Safety
HB 1652	Establishing a process for the payment of impact fees through provisions stipulated in recorded covenants.	Oppose/amend	2/22 - Exec action in Local Gov
HB 1848	Permitting school siting outside of urban growth areas	Oppose	2/21 - Heard in House Local Gov

Bill	Title	Position	Status
Support			
SB 5005	fiscal relief for cities and counties in times of declining revenues.	Support w/caveat	1/14 - First Read Gov Ops
SB 5020	Modifying indigent defense provisions.	Support	2/8 - Motion to report out failed - Law & Justice
SB 5066	Authorizing certain local authorities to establish maximum speed limits	Support	2/7 - Passed to Rules
SB 5110	Local government purchasing	Support	2/8 - Passed by Senate (48 yeas, 1 xcscd) 2/11 - First read, referred to Local Gov
SB 5053	Modifying vehicle prowling provisions	Support	2/19 - Placed on second reading in Rules
SB 5093	Concerning a transportation benefit district vehicle fee	Support	1/30 - Heard Transportation
SB 5096	Trnsfring ferry & FCZD authorities to MKCC	Support	First read 1/18 - in Governmental Ops
SB 5103	Grants for community outdoor and indoor athletic facilities	Support	1/30 - Heard in Ways & Means
SB 5133	Grwth mngmnt hearings board mmbtrs meet land use experience quals	Support	2/12 - Amended Passed to Rules for 2nd reading
SB 5113	Concerning the enforcement of speed limits on roads within condominium associations	Support	2/8 - Passed by Senate (49 yeas) 2/11 - First read, referred to Transportation
SB 5253	Retail store carryout bags	Support	1/24 - First Read Energy, Enviro & Telecomm
SB 5262	Concerning the lodging tax	Support	2/21 - Exec action Trade & Econ Dev. 2/22 - Referred to Ways & Means
SB 5323	Nuisance abatement assessment	Support	2/19 - Placed on second reading in Rules
SB 5349	Revising alternative public works contracting procedures	Support "strongly"	2/19 - Placed on second reading in Rules 2/21 - Exec Sess sched but no action taken
SB 5435	Creation of a storm water compliance project	Support	Enviro & Telecomm
SB 5441	Prioritizing state investments in storm water control	Support	2/21 - Exec Sess sched but no action taken Enviro & Telecomm
SB 5520	Establishing a regional fire protection service authority formation process for cities	Support	2/11 - Heard in Governmental Ops
SB 5703	Distribution of state liquor revenues to cities and counties	Support	2/11 - First Read into Ways & Means
Neutral			
SB 5741	Allowing the use of lodging taxes for financing workforce housing and tourism promotion activities or facilities.	Neutral	
Oppose			
SB 5011	Prohibiting adopting and developing environmental and developmental policies that infringe private property rights without due process	Oppose	2/20 - Hearing in Law & Justice
SB 5013	Requiring a vote of the people before all annexations.	Oppose	2/5 - Placed on second reading in Rules 2/18 - Exec action taken
SB 5014	Limiting the power of eminent domain.	Oppose	2/19 - Passed to Rules for second reading
SB 5185	Concerning the powers of water-sewer districts	Oppose	2/4 - Heard in Gov Ops

SB 5240	Requiring cities and counties to provide security for their courts.	Oppose	1/24 - First read Law & Justice
SSB 5296	Concerning the model toxics control act.		2/13 - Exec action in Energy, Enviro & Tele
SB 5378	Building code amendments	Oppose	2/20 - Public hearing in Ways & Means
SB 5468	Modifying the definition of tourist for the purposes of the lodging tax.	Oppose	2/13 - Passed to Rules for second reading
SB 5532	Requiring crisis intervention training for peace officers	Oppose	2/19 - Heard in Trade & Econ Dev
SB 5658	Concerning mercury-containing lights	Oppose	2/13 - Exec action in Law & Justice
			2/20 - Public hearing in Ways & Means
			2/21 - Exec action in Energy, Enviro & Tele
			2/22 - Passed to Rules



WORKING TITLE: Park Lane Pedestrian Corridor redevelopment

Kirkland is requesting \$1 million in funding for the final design and construction of an ADA compliant pedestrian connection between the Kirkland Marina, the new Downtown Transit Center, and Peter Kirk Park.

ISSUE BACKGROUND:

There are currently more than 600 businesses in downtown Kirkland with almost 4,000 employees. Downtown Kirkland is renowned for its unique boutiques, world class art galleries, Performing Arts Center, top notch restaurants, entertainment, waterfront parks, and well planned development/redevelopment. Park Lane, located in the heart of downtown Kirkland, is a local and regional destination.

Park Lane is lined with many businesses, sidewalk cafes, restaurants, offices, shops, bakeries, and art galleries. Every Wednesday from May thru October, Park Lane is closed to vehicles to accommodate the Kirkland Farmer's Market, an event that draws over 2000 pedestrians. Park Lane provides a critical and direct connection between the Kirkland waterfront, the Downtown Kirkland Transit Center, Peter Kirk Park, and the commercial center of Park Place. Pedestrian mobility is a core function of the Corridor.

The Park Lane Corridor begins at Lake Street, the north/south arterial through the Downtown that ends at Peter Kirk Park and the Downtown Kirkland Transit Center located on 3rd street. Marina Park, located on Lake Washington, is one block to the west of the Corridor and offers moorage facilities, boat launch access, and a public gathering place. Peter Kirk Park, two blocks to the east, is approximately 12 acres offering a skate park and children's playground, multi-purpose sports courts, lighted baseball fields, the Kirkland Library, the Kirkland Performing Arts Center, the Peter Kirk Community Center (Senior Center), the City pool, and the Kirkland Teen Center which offers a wide range of multi-cultural and at risk youth programs.

Much of the Park Lane corridor is currently dedicated to vehicular activities which, combined with the condition of the aging infrastructure leads to conflicts for pedestrians and vehicles. Between Lake Street and Main Street, Park Lane's mid-point, a single one-way traffic lane with angled parking and failing pavement winds through the corridor. The adjacent 40-50 year old sidewalks, curbs, and gutters continually fail due to mature tree roots that uplift and break the concrete. Exposed aggregate, uneven sidewalks, and years of spot repairs necessitated by tree roots have caused challenging conditions for pedestrians especially children, the elderly, and those with disabilities. From Main Street east to Transit Center and Park, a two-way street with angled parking crowd narrow sidewalks to the edge of the right of way.

A 2010 Park Lane Study provided the opportunity for the Park Lane business owners, property owners, and residents from the adjacent neighborhoods, to participate in developing design themes and to recommend a preferred design concept. The preferred design concept was presented to Council reflecting the Community's feedback and comments.

Total costs for the redevelopment of Park Lane are \$2.99 M. The combined funding of \$75,000 from the King County Department of Natural resources, \$739,000 from the Washington State Department of Ecology, and \$1,176,000 of local funds leaves a shortfall of \$1,000,000 to complete design and construction. Kirkland is seeking this additional funding to complete the project.

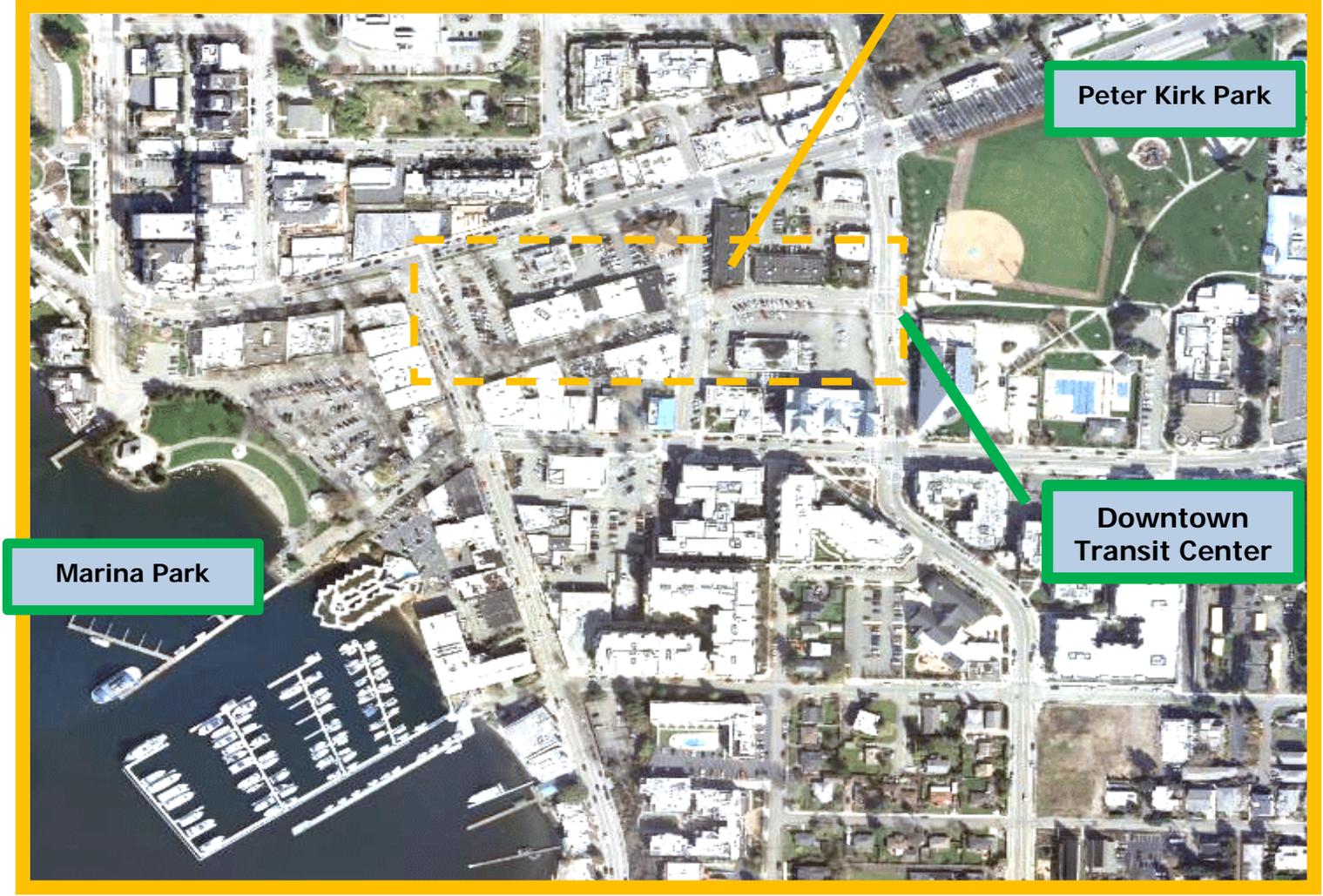
CITY OF KIRKLAND CONTACTS:

[Ray Steiger](#), Deputy Director of Public Works, 425-587-3801

[Lorrie McKay](#), Intergovernmental Relations Manager, 425-587-3009



- ### Park Lane Pedestrian Corridor
- \$1.99 M funding secured
 - \$1.0 M funding needed
 - Funds construction (2015)
 - Low Impact Development
 - Links Kirkland Marina to Downtown Transit Center, Peter Kirk Park, and Park Place
 - Provides ADA compliant connections
 - Fosters economic growth



CONNECTING WASHINGTON

Package Overview:

The 2013 Transportation Package

It has been eight years since the state legislature passed a transportation funding package. The 2003 Nickel package and 2005 Transportation Partnership program generated and have funded critical transportation infrastructure and maintenance since their passage, but the majority of projects have been completed. It is time for Washington to renew its dedication to improving freight and commuter mobility in every corner of the state.

Every day our companies and citizens lose time sitting in traffic, lose money as products wait to get to market, and lose their jobs when construction, freight and economic growth come are halted on our roads and bridges. We can either do nothing as gridlock hurts our wallets and our economy, or we can pass this transportation package to give people transportation choices and create jobs in every corner of our state. Washington cannot wait.

Investments for our Future

The Connecting Washington package will raise nearly \$10 billion for Washington's transportation system while protecting and creating approximately 56,000 jobs over ten years. Investments include a broad new set of projects to alleviate congestion, complete of several outstanding projects, perform much-needed maintenance, manage storm water, fund the complete streets program for bicycle and pedestrian improvements, and provide assistance local governments for safety and transit programs.

Everybody Pays Their Fair Share

Everyone benefits from a transportation system that works, which means that everyone has a stake in investing to improve it. The Connecting Washington package embraces this principle of shared responsibility by ensuring that everybody pays their fair share. Motorists and cyclists, businesses and environment advocates alike are contributing to the revenue in this transportation package.

Broad Coalition of Support

Stakeholders of all political persuasions have come together in support of the Connecting Washington package. Businesses, economic development groups, labor organizations, cyclists, environmentalists and mass transit advocates all agree that it is time to invest in Washington's transportation infrastructure.

CONNECTING WASHINGTON

Package Details:

PROJECTS:

New Projects & Next Steps (\$3,560m)

- SR 167/I-509 Freight Corridor
- SR 167/I-405 Corridor
- I-5 Columbia River Crossing
- I-90 Snoqualmie Pass
- US 395 North Spokane Corridor
- Seed money for additional projects

Transportation System Investments (\$1,790m)

- Freight Mobility Improvements
- Washington State Patrol
- Washington Ferry System
- Transit Agencies

Maintenance and Upkeep (\$635m)

- Ensuring roads and bridges are functional and safe

Stormwater Cleanup (\$909m)

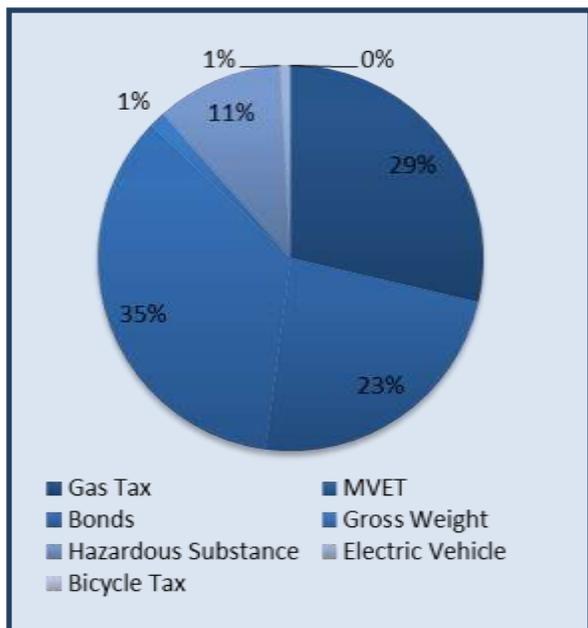
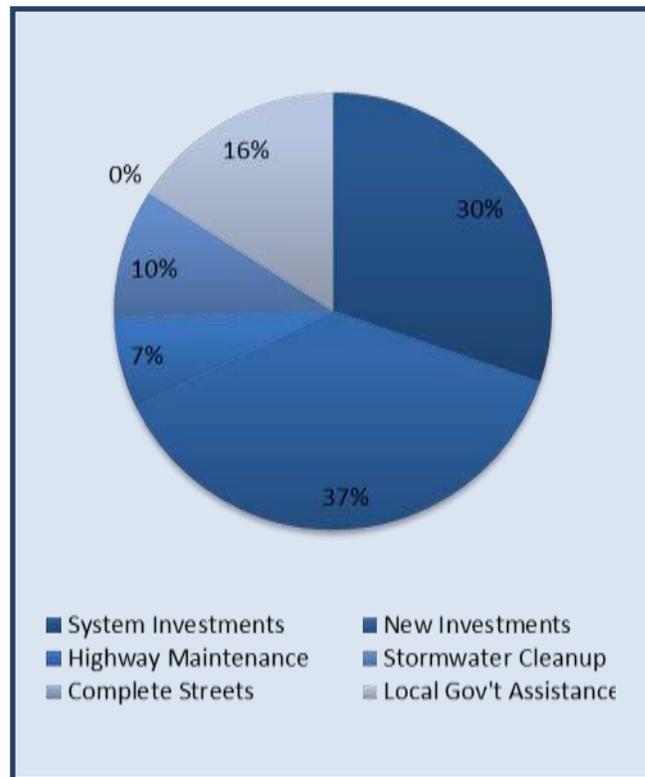
- Protecting neighborhoods and the environment from harmful chemicals

Complete Streets (\$60m)

- Safety and usability improvements for cyclists and pedestrians

Local Government Assistance (\$660m)

- Help for cities and towns for infrastructure and transportation investments



SOURCES:

Gasoline Tax (\$2,455m)

- 2 cents a year for five years

Commercial Gross Weight Fee (\$115m)

- 15 percent increase

Bonds (\$3000m)

- \$1.5 billion in year 5
- \$1.5 billion in year 7

Motor Vehicle Excise Tax (\$2,004m)

- 0.7 percent

Hazardous Substance Tax (\$909m)

- 0.3 percent increase

Bicycle Sales Fee (\$1m)

- \$25 fee on bicycles over \$500

CONNECTING WASHINGTON

Project Breakdown:

Major Freight Corridor (SR 167/SR 509/I-5 HOT)

\$1,000,000,000

Improves freight and commuter mobility by from Puyallup to SeaTac by aligning and adding lanes and interchanges on SR 167, SR 509, R 512, and I-5. Studies the feasibility of converting HOV lanes into Express Toll Lanes on I-5.

I-405 Widening, Express Toll and SR 167 Connector

\$675,000,000

Continues widening of I-405 corridor between Renton and Bellevue and implements Express Toll Lanes on that route. Also begins construction of a north- and south-bound interchange between SR 167 HOT and I-405 express lanes.

Columbia River Crossing – I-5 Bridge

\$450,000,000

Funds the Washington state contribution to complete the bridge and five mile segment improvements between Vancouver and Portland along I-5. Meets the necessary obligation to leverage \$850 million in federal funds.

North Spokane Corridor – US 395

\$420,000,000

Extends the corridor across the Spokane River and connects it with I-90 to form a new interchange. Completes the BNSF rail realignment to improve freight mobility.

JBLM Corridor – I-5 Improvements

\$175,000,000

Reconstructs the Thorne Lane and Berkeley interchanges near Joint Base Lewis-McCord, enabling further widening and accessibility improvements to I-5. Extends eight lanes down to the Berkeley interchange

Snoqualmie Pass – I-90 Widening

\$158,400,000

Widens an additional 2 mile section of I-90 near the Snoqualmie Pass. Reconstructs the Stampede Pass and Cabin Creek interchanges to eliminate current low clearances.

SR 9 Corridor – Snohomish/Mill Creek

\$128,612,000

Widens and extends SR 9 and makes safety and mobility improves at several targeted intersections

**Transportation Package Related Bills
February 22, 2013**

Proposed Statewide Package (Chair Clibborn's Package)

Bill #	Short Title / Description	Recommended Position	Companion Bill	Dept. Notes
HB 1954	Concerning transportation revenue			
HB 1955	Concerning additive transportation funding			
HB 1956	Authorizing bonds for transportation funding			
HB 1957	Concerning department of transportation project delivery			

Proposed Local Options Bills (All six bills scheduled for hearing on Monday, Feb. 25)

Bill #	Short Title / Description	Recommended Position	Companion Bill	Dept./Staff Notes
HB 1485	Increasing the vehicle fee limit under a transportation benefit district's councilmanic authority.	Support		1485 would allow councilmanic increase in TBD from \$20 to \$40. Kirkland advanced community discussion regarding the \$20 Councilmanic TBD in 2012 with some amount of demonstrated community support.
HB 1865	Concerning sales and use tax imposition by public transportation benefit areas.	Support		1865 requires that one member from each jurisdiction in the transportation benefit area have a board member. Kirkland would support having membership on the governing board of the transportation benefit area were one created.
HB 1953	Concerning local option transportation revenue.	Support		1953 would allow a 1% (voter approved) MVET. Revenue must be used for transit.
HB 1959	Concerning local transportation revenue.	Support		1959 most closely aligns with the Mayors TFF letter and the Cities/County "Moving Forward Together" brochure.
HB 1944	Addressing vehicle license plate and registration fraud.	neutral		
HB 1883	Simplifying and updating statutes related to fuel tax administration.	neutral		

Public Testimony

Local Transportation Funding Options

February 25, 2013

House Committee on Transportation
Dave Asher, Councilmember, City of Kirkland

Good afternoon Madame Chair and members of the Committee.

I'm Dave Asher and I am a Councilmember for the City of Kirkland. Thank you for hearing these bills today and thank you for taking time to listen to views on the improvement of all levels of our essential transportation system. Your consideration and your actions are vitally important to my community's quality of life and economic development; which, in turn, contributes to the state's quality of life. So, you're right in the sweet spot of our pursuit of happiness. I'd say that goes for a lot of cities in this state. We need you to come together in order to help all the people of Washington.

My message is very simple, more is better and sooner is better. More money, more modes, more effective environmental impacts, more flexibility, and more results are needed, now. Cities are stepping up too. Kirkland has maintained and even increased our transportation funding over the past four years despite the Great Recession. We also asked our voters in 2012 to approve 3 million dollars a year in street maintenance funding and they said yes. But despite these actions, we still have several hundred million dollars of unmet transportation

needs. If you give us local options, we will use them. All the options you have laid out, in even the most generous combination, will account for less than a quarter of the needs of local governments. So you can be assured that any revenues you authorize will be needed and the money well spent.

You certainly should look for efficiencies, but do that as you move this modest package forward as quickly as you can with as many combinations as you can that contribute to addressing the needs at all levels of responsibility. This is the future of our economic development, the future of job creation, the future of our quality of life - our pursuit of happiness.

Please, BE BOLD in carrying out your responsibilities. We are counting on you to build a better tomorrow. The time is now.

Bill #	Bill Short Title	Position	Companion	Notes	Follow-up
HB 1235	Prioritizing state investments in storm water control	Support	SB 5441	This directs DOE to prioritize its funding assistance methods first to agencies working to comply with the NPDES permit requirements thus somewhat addressing the “unfunded mandate” perception of NPDES.	22-Feb
HB 1237	Regarding the creation of a storm water compliance project	Support	SB 5435	As an alternative to the prescribed LID approach that DOE is taking, best practices and other alternatives ought to be explored and developed. Having pilot projects makes extremely good approach and this will further that cause.	22-Feb
SB 5658	Concerning mercury-containing lights	Oppose		The bill strikes the Legislature’s 2010 determination that lighting manufacturers are responsible for recycling their toxic mercury product, it strikes all stewardship definitions and provisions, and does not provide financing solutions for a statewide recycling program. <ul style="list-style-type: none"> • Under SB 5658, producers’ fees to the state will provide less than \$290,000 towards a projected \$1.1 million cost. • The bill also strikes numerous provisions of the law, resulting in increased costs for schools and other small quantity lamp generators, and striking key requirements to prevent release of toxic mercury while lamps are collected. 	22-Feb
HB 1652	Establishing a process for the payment of impact fees through provisions stipulated in recorded covenants.	Oppose/amend			22-Feb

2013 Legislative Session
 Bills Dropped, Assigned Analysis Recommendations

SB 5468	Modifying the definition of tourist for the purposes of the lodging tax.	Oppose		The new definition of tourist which requires that they be 50 miles plus from Kirkland etc. is unduly restrictive, as our visitors are more often from nearby locations.	22-Feb
SSB 5296	Concerning the model toxics control act.	Oppose		City receives funding from the Department of Ecology Coordinated Prevention Grant (CPG) which was created by the MTCA (Model Toxics Control Act). Our funding for 2012/2013 is \$88,871. For 2013-2015 it's \$121,232. This bill may affect the CPG funding and while it wouldn't be a back breaker for us but for many cities it would. Appears the intent of the bill is not to strip CPG funding but the end result could be just that. This bill also narrows the use of MTCA funds for stormwater projects.	22-Feb
SB 5741	Allowing the use of lodging taxes for financing workforce housing and tourism promotion activities or facilities.	Neutral		Unlikely we would make use of bonds to finance tourism promotion or workforce housing, but not a bad option	22-Feb
HB 1717	Incentivizing up-front environmental planning, review, and infrastructure construction actions	Neutral		This bill will not have a negative impact on Kirkland. However, the first sentence in Section 2 is very long and complicated and hard to understand. but there's something about the simple change of wording from "may" to "must" that appears to give the statute a completely different meaning. It sounds like the only option for government agencies in constructing the applicable facilities is to contract with real estate owners and use a latecomers agreement. Believe it would be better to continue to say that cities may contract with real estate owners and if they do then they have to offer a latecomers agreement.	22-Feb

**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3809

www.kirklandwa.us

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: February 21, 2013

Subject: Totem Lake Culvert Replacement Project
Precast Concrete Culvert Fabrication – Award Contract

RECOMMENDATION:

It is recommended that City Council award the Precast Concrete Culvert Fabrication contract, for the Totem Lake Culvert Replacement Project, to Advantage Precast Company, Kaiser, OR, in the amount of \$490,554.53.

BACKGROUND AND DISCUSSION:**HISTORY**

In the past, the Totem Lake area has experienced a number of flooding events during fall and winter months due primarily to an overflowing of the lake at Totem Lake. Development in the basin, surface water runoff and natural erosion, combined with the growth of invasive vegetation, and the accumulation of sediment along the watercourse, downstream of Totem Lake, have been restricting its natural flow resulting in localized flooding. Fixing the flooding problem was one of the key recommendations of the first Totem Lake Symposium on September 16, 2010 and was identified as an early action item in the subsequent Totem Lake Action Plan that was adopted by the Council on December 7, 2010.

In early 2011, the City contracted with a Bellevue consulting firm, CH2M Hill, to undertake a detailed survey of the drainage system leaving from Totem Lake. The Study limits were the outfall of Totem Lake to approximately Juanita High School where the existing drainage system includes piped conveyance and natural open channels for this Juanita Creek tributary that eventually enters Lake Washington at Juanita Beach Park. Using GIS and survey techniques, the Consultant, in working with City staff, measured the water surface level along the Project limits to ascertain the system and watercourse geometry, providing a profile of the stream/watercourse and channel bottom.

In late 2011, following the results of the Study, the City implemented a 2-pronged approach for dealing with the Totem Lake flooding issue – between July and September, 2011, the City contracted with King County to remove sediment and vegetation accumulated between Totem Lake and I-405, followed by an aggressive fall and winter emergency pumping program to

insure water moved through the natural drainage outfall on the west side of I-405 during high intensity rainfall events (Attachment A). This approach proved successful in that for the 2011/12 rainy season, the lake did not overflow and the local roads did not flood.

In addition to providing flood control for the winter of 2011/12, the pumping operation also provided an opportunity for closer inspection of the existing corrugated metal pipe (CMP) drainage system that leaves Totem Lake. Specifically, there are twin 42-inch CMP culverts that convey water from Totem Lake, extending along the edge of Totem Lake Boulevard and crossing under 120th Avenue NE. These culverts are old and at the end of their anticipated design life. Until the pumping operation of 2011/2012 inspection of these culverts had not been possible due to the high water level and accumulated sediment within the drainage system. The 2011 removal of sediment and vegetation, combined with the subsequent emergency pumping activities, reduced the existing water level allowing City maintenance staff to visually inspect the condition of the twin pipes. From these inspections, three significant conditions were observed:

- one culvert (south side) is severely clogged with sediment,
- one culvert (north side) is partially crushed, and
- sections of both culverts have deteriorated significantly

In addition to past flooding issues in the area a sinkhole has also reoccurred near the northwestern corner of the intersection of Totem Lake Boulevard NE and 120th Avenue NE at various times over the past several years. Though the culvert inspection, as outlined above, the cause of this sink hole was determined to be deterioration of the northern-most of the existing twin culverts. This sinkhole is also near a Washington State Department of Transportation (WSDOT) signal pole and signal control cabinet and it was concluded that, if left unattended, the sink hole could compromise the integrity of the signal pole and controller.

CURRENT PROJECT

For reference, the Totem Lake drainage system has been divided into 4 segments between the outlet of Totem Lake and I-405 (see Attachment B).

On April 17, 2012 staff provided an update to Council regarding measures taken to control flooding in the Totem Lake area and recommended approval of a new Capital Improvement Project (CSD-0075) to replace Segment 1 of the existing twin culverts (Attachment C). That same month, a second sinkhole developed in the center lane of Totem Lake Boulevard shown as Segment 3 (Attachment B). At the time of the sinkhole repair, City maintenance and engineering staff concluded the cause of the new sink hole was also age related deterioration of the twin 42-inch culverts that cross Totem Lake Boulevard. As a result, the scope of work for SD-0075 was expanded to include replacement of existing culvert crossing under Totem Lake Boulevard with a new culvert along the new Segment 3 alignment (Attachment B).

As the design efforts continued many consultations with various regulatory agencies including the Washington State Departments of Ecology and of Fish and Wildlife, the Army Corps of Engineers, the Tribes and WSDOT were conducted. As an outcome of these meetings several types of culvert materials and shapes were considered, and the scope of work was further expanded to include the removal of sediment and vegetation along Segment 4 in order to achieve better hydraulic conditions at the outlet of the new Segment 3 culvert. The

requirements for providing fish passage, of managing the existing utilities, of dealing with existing grade differences for achieving a practical slope for the new conveyance system, and the existing underlying soil types all contributed to the engineering decision to use a concrete box culvert, as outlined within the engineering consultant's design Technical Memorandum (Attachment D).

The cost of the expanded scope of the Project was more fully estimated at \$5,269,000 within the 2013 -2018 Capital Improvement Program process, as approved by City Council on December 7, 2012 (Attachment E). The current Project budget is made up of nearly \$1.6M in utility rate revenue plus \$3.67M in Surface Water Capital Reserves; the currently projected estimated ending year (2014) balance for that Reserve fund is \$2.8M.

The Project is now on track for going to construction this summer, including a permit specified "fish-window" timeline for work within the normal watercourse that leaves Totem Lake. The elements of all work on this Project include:

- The replacement of approximately 700 feet of deteriorated and clogged corrugated metal pipe (CMP) with a new concrete box culvert in two separate sections (Segment 1 and Segment 3).
- The relocation of a WSDOT traffic signal in conflict with the culvert alignment (Segment 1), including the placement of a temporary signal for use during the construction period.
- The cleaning and inspection of 300 feet of 72-inch culvert (Segment 2), and
- Sediment and vegetation removal within an open section of drainage channel (Segment 4).

CONCRETE CULVERTS

Typically, a general construction contract would include culvert procurement and installation by the contractor; however, permitting conditions require that the culvert replacement work be completed between June 1 and September 31, 2013. With fabrication time being a critical path element for the Project's schedule, the culvert procurement was advertised and bid separately in order to pre-order and make the culverts available for the contractor to immediately begin installation in June.

With an engineer's estimate of \$462,000, the Procurement of the concrete culverts was advertised for bids on January 14, 2013. The bid opening was on January 28, 2013 with two bids received, as shown below:

Contractor	Total Bid
<i>Engineers Estimate</i>	<i>\$462,000.00</i>
Advantage Precast Company	\$490,554.53
Oldcastle Precast	\$572,045.52

The total construction budget, including the culvert fabrication cost, is \$3,263,400. With an engineer's estimate of \$2,772,845 for the installation and the \$490,555 for fabrication, the resultant overall Project budget contingency is \$362,600, or 11% of the estimated total construction cost (Attachment E).

A majority of the culvert alignment is on private property, or within the WSDOT controlled access of the I-405 off-ramp at 120th Ave NE and Totem Lake Boulevard. All regulatory agency environmental permits for the work have been secured and the WSDOT utility franchise permit has been issued. The Project does require the acquisition of temporary construction (TCE) and permanent utility easements (UE) from three properties; Bank of America, Totem Lake Mall and Totem Station Mall. Staff has met with each of the property owners, or their representatives, several times throughout development of the Project to discuss their respective concerns. All property owners are currently reviewing copies of the two easement document types (TCE and UE) and the finalizing of the easements is scheduled to be complete on or before March 21, 2013.

SCHEDULE

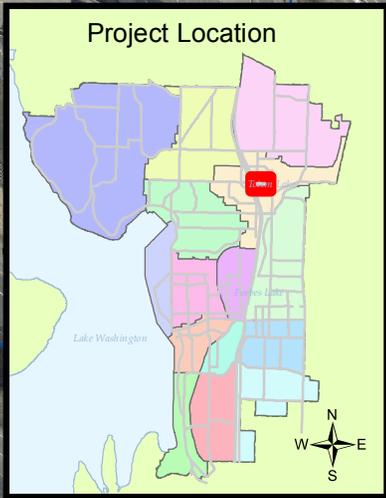
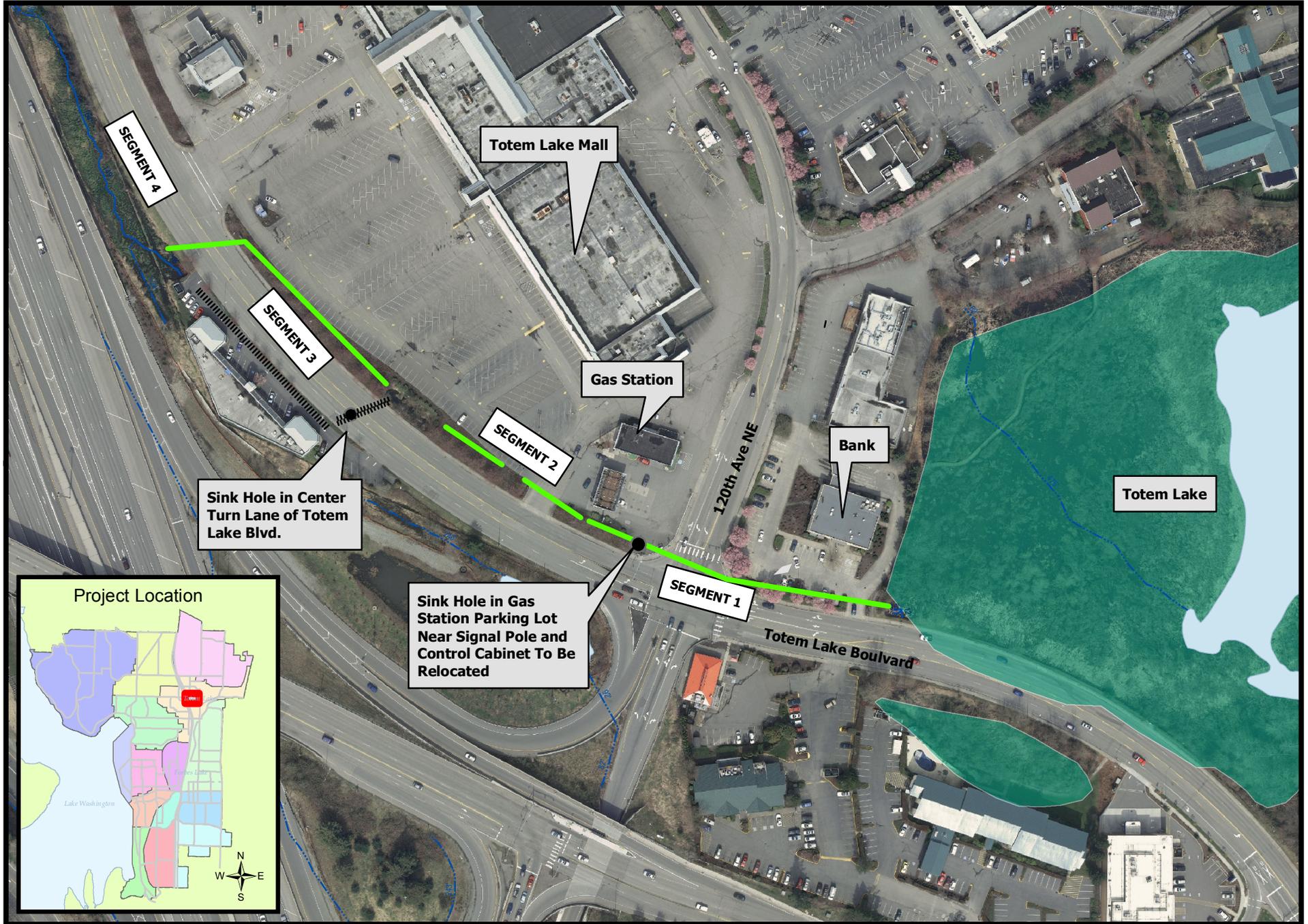
With a contract award, fabrication will begin in March with on-site deliveries starting in June, 2013.

The current schedule for all other related work efforts for this Project is:

Notice to proceed with culvert fabrication	March, 2013
Bid Opening for construction/installation	March, 2013
Easements Secured	March, 2013
Recommend award of construction contract	April, 2013
Notice to proceed with construction	May, 2013
Begin delivery of prefabricated concrete box culverts	June, 2013
Complete delivery and installation of concrete box culverts	September, 2013
Project complete	October, 2013

- Attachment A: Area Map
- Attachment B: Site Map
- Attachment C: 4/10/12 Council Memo
- Attachment D: Technical Memo
- Attachment E: Project Budget Report

TOTEM LAKE CULVERT REPLACEMENT PROJECT SITE MAP





CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: April 10, 2012

Subject: TOTEM LAKE FLOOD CONTROL MEASURES –UPDATE/FUNDING APPROVAL

RECOMMENDATION:

It is recommended that City Council receives an update on measures taken over the fall and winter months to alleviate flooding in the vicinity of Totem Lake. It is also recommended that City Council approve funds for replacement of a series of twin 42-inch culverts that serve as outlets to Totem Lake.

These actions are part of the 2012 City Work Program Item *"Implementing Totem Lake Action Plan regulatory changes, Phase II flooding projects and NE 120th Street construction to revitalize the Totem Lake Business District to further the goal of **Economic Development.**"*

BACKGROUND DISCUSSION:

At their regular meeting on November 3, 2011, City Council received information on summer 2011 activities related to the Totem Lake Flood control measures (Attachment A). That update described the work completed in 2011 and identified the ongoing plan to provide emergency pumping as a means to minimize possible occurrences of Totem Lake flooding through the 2011-2012 winter/wet season. Totem Lake pumping began in November, 2011.

The on-going pumping operations have been successful, and prior to Sunday, April 8th, 2012, there were no lane closures on Totem Lake Boulevard since March, 2011, despite a number of relatively significant rainfall events. The following table compares the outcomes of various storms over the last 30-month period:

Date	Rainfall (inches)	Totem Lake Blvd	Notes
<i>Prior to measures</i>			
October 17, 2009	2.06	Road closed	2-day storm
December 11-12, 2010	4.72	Road closed	3-day storm ("Pineapple Express")
January 13, 2011	1.62	South curb lane closed	2-day storm /1-in. rain/several of snow)
March 14, 2011	1.81	North curb lane closed	3-day storm
<i>After measures</i>			
November 21-24, 2011	3.40	No closure	4-day rain storm
January. 20-22, 2012	1.66	No closure	3-day rain storm / 4-6 in. of snow
March 9-15, 2012	3.39	No closure	7-day rain storm
April 8, 2012	NA	Southbound lane closure	Sink-hole developed

TABLE 1. Storm related closures of Totem Lake Boulevard before and after flood control measures

On April 8th, the southbound center turn lane of Totem Lake Boulevard developed what was reported by Kirkland Police as a "pot hole" (Attachment B). City staff responding to the scene discovered what had developed into a 2-3 foot diameter sinkhole in the road immediately above two large diameter storm drains; the roadway has continued to give way and efforts to shore the cavity and cover the hole have been put in place temporarily. As of this memo, staff had steel plates on the center turn lane of Totem Lake Boulevard and is working with a local contractor to assist in dewatering of the pipes to determine the level of failure. Information will be relayed to City Council at their April 17th meeting along with a likely funding request for storm drain and pipe replacement.

In addition to successfully providing flood control this winter, the emergency pumping operation at Totem Lake has also provided an opportunity for closer inspection of the existing corrugated metal pipe (CMP) drainage system that outlets from Totem Lake. Specifically, there is a series of twin (side by side) 42-inch CMP culverts that convey water from Totem Lake along the northern/eastern edge of Totem Lake Boulevard, under 120th Avenue NE, and then under Totem Lake Boulevard. From there, water is conveyed under I-405 and to the west as Juanita Creek. These twin culverts are approximately 60-years old and are at the end of their anticipated design life. Until this year, inspection of these culverts had not been possible due to depth of the pipes and the high water level in the drainage system. The removal of sediments and vegetation last summer, combined with the on-going pumping activities, has reduced the water level to allow maintenance staff to visually inspect the condition of the twin pipes. Additionally, due to the failure on April 8th, staff has been able to observe three significant conditions:

120th Ave NE culverts --

1. The southern culvert crossing 120th Ave NE is severely clogged with sediment;
2. The northern culvert crossing 120th Ave NE is partially crushed and is the cause of a sink hole on the Chevron property near the intersection of Totem Lake Boulevard and 120th Ave NE; and
3. Sections of each of the culverts show signs of significant deterioration.

The combination of these conditions is cause for taking immediate action to replace the existing culverts. At this time, the culverts are operating at a capacity that is less than half of their original design flow capacity, and their replacement will restore the flow capacity and improve overall drainage out of Totem Lake. In addition to the drainage improvements, replacement will eliminate the potential collapse of 120th Avenue NE or Totem Lake Boulevard were the culverts to fail due to further structural degradation.

Staff requests City Council's authorization to fund this project in order to immediately begin the design and necessary permitting efforts for the replacement of the twin culverts. This is the primary project that was contemplated as the "*Phase II flooding projects*" in the Work Program. The funding needed for the engineering and permitting costs is estimated to be \$390,000 and is available from the 2011 Annual Storm Drain Replacement Program (Attachment C & D). It is anticipated that design will be completed in 2012. Permitting through agencies that include the Washington State Departments of Fish and Wildlife, Ecology, and Transportation, the Army Corps of Engineers, the King Conservation District and the City will be completed by late spring 2013, and construction will follow immediately thereafter. Funding for the construction phase is currently being identified in the 2013-2018 Capital Improvement Program with a total project cost of approximately \$1.5M (CSD-0075).

Given City Council approval, design and permitting will be completed in time to bid the Project for construction during the fish work window of July through September, 2013. Until construction, staff will continue to address sediment, vegetation, and beaver dam removal throughout the Totem Lake drainage system concurrent with ongoing pumping operations. Emergency pumping permits have been secured through 2014.

**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov**MEMORANDUM**

To: Kurt Triplett, City Manager

From: Noel Hupprich, P.E., Senior Project Engineer
Ray Steiger, P.E., Public Works Director

Date: November 3, 2011

Subject: TOTEM LAKE FLOOD CONTROL MEASURES – PROJECT UPDATE

RECOMMENDATION:

It is recommended that City Council receive this update on the Totem Lake Flood Control Measures Project (CSD-0059)

BACKGROUND DISCUSSION:

It was their regular meeting on July 19, 2011, that City Council received an earlier update on the Totem Lake Flood Control Measures Project. That update described analysis and design work completed by staff and the City's consultant, CH2MHill, Bellevue, WA, together with recommendations for maintenance work that would reduce the frequency and severity of flooding in the Totem Lake area. The analysis included a detailed survey of the Totem Lake drainage system and located "stream barriers" where accumulation of sediment, invasive vegetation and beaver dams are impacting the flow of water out of Totem Lake. The recommended maintenance work involved removal of accumulated sediment and vegetation at three locations, and the removal of one active beaver dam (Attachment A).

The original Project budget for 2011 was \$117,000 and estimates to perform the recommended work exceeded that amount. At their regular meeting of August 2, 2011, City Council authorized the use of an additional \$218,000 from the Surface Water Reserve Fund to complete the work, bringing the total available funding for 2011 to \$335,000. Permitting conditions required that the sediment and vegetation removal be completed by August 31, 2011; this was accomplished by an expedited permitting review process, cooperation from private property owners and from WSDOT, along with the City's ability to contract with the King County Rivers Team through an existing interlocal agreement. The sediment and vegetation removal work began in mid August and was complete by the end of August; the beaver dam removal was permitted separately and City crews completed that work in early September.

The following photos show the before (May, 2011) and the after (September, 2011) conditions at the three sediment and vegetation removal locations, including the beaver dam:

1 - Totem Lake Outlet



May, 2011



September, 2011

2 - Settling Basin



May, 2011



September, 2011

3 - Drainage Channel East Side of I-405

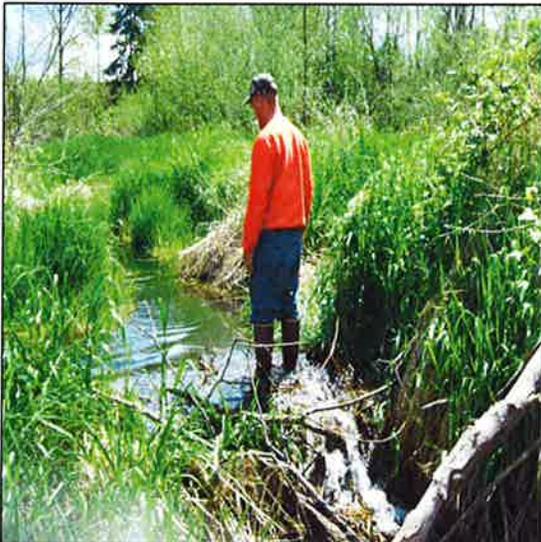


May, 2011



September, 2011

4 - Beaver Dam West of 116th Ave NE



May, 2011



September, 2011

The City's consultant, CH2MHill, conducted a new survey and collected water surface elevations after the maintenance work was finished. The results of that survey showed a decrease in the water surface elevation of three feet within the drainage system, between Totem Lake and the east side of I-405. The drop in water surface elevation exposed culverts within the system that had been submerged for over ten years, providing City crews an opportunity to inspect and repair one culvert known to be damaged, but previously submerged and inaccessible.

The work completed this year focused on "stream barriers" located between I-405 and Totem Lake. These activities allowed for the identification of other barriers not previously evident, particularly the area of drainage channel from the west side of I-405 to 116th Ave NE. The initial survey of the drainage channel found the area to be built up with sediment and vegetation; now that the drainage channel upstream has been cleaned out, it is clear that sediment and vegetation removal in the area between I-405 and 116th Ave NE will further improve flows out of Totem Lake. City staff and the design consultant will be working together to develop a plan for 2012 work to address further maintenance needs in this area.

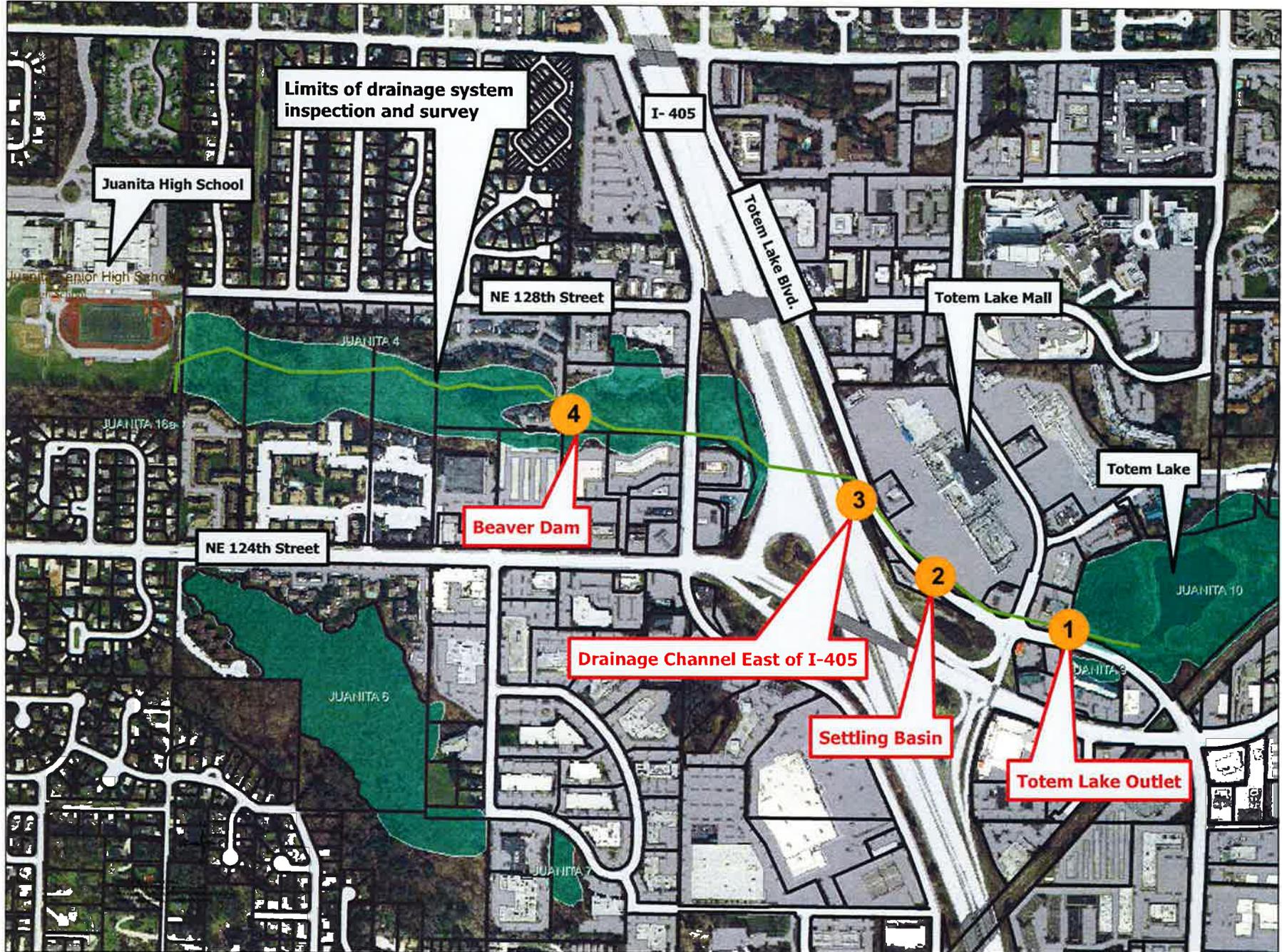
To immediately address the stream barriers on the west side of I-405 during this year's wet season (November through April), staff is currently working on a hydraulic pumping plan to move water around the sediment and vegetation "hump" that exists between I-405 and 116th Ave NE. The strategy for pumping during the wet season is to begin this activity in advance of significant storm events, or when the lake level rises above a determined elevation. The intent is to maintain storage capacity in the Lake to allow for an increase in volume during large storm events. The City's consultant is currently working on the analysis to define a water level that will trigger pumping.

The pumping plan will draw water from culverts beneath I-405 and divert it around the sediment and vegetation between I-405 and 116th Ave NE. The discharge water will be moved downstream where the drainage channel gradient is steeper and water does not typically back up (Attachment B). City maintenance crews are securing all material and equipment needed for the pumping system. The system will be comprised of a rigid intake pipe and a flexible hose discharge line. A large capacity pump will be brought to the site as needed; however, the intake and discharge lines will be left in place to allow for quick and easy set up.

City staff and the consultant have met with representatives from Department of Ecology, the Army Corps of Engineers, and the Washington Department of Fish and Wildlife (WDFW) to secure all necessary environmental permits. Staff has applied for a general Hydraulic Project Approval (HPA) from WDFW and the pumping plan is presently going through a standard SEPA determination process. All formal permits are expected to be received and the pumping system will be in place by the end of November. In the mean time, WDFW has approved temporary emergency pumping through its emergency HPA process, which is based on verbal authorization in the event that flooding is eminent.

Last winter, staff sent out flood preparedness letters to business and property owners who have been affected by flooding in the Totem Lake area. This year staff has prepared a follow up letter to provide an update on the flood control efforts completed to date and to continue to encourage individual preparedness (Attachment C). The letter describes the work the City is doing to reduce the frequency and severity of flooding, and offers flood awareness advice with web based links for additional information.

Attachments: (3)





Prepared by the City of Kenosha.
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No warranty is made by the City of Kenosha for the accuracy
of the information contained herein.

November 16, 2011

[Name]
[Address]

RE: Totem Lake Flood Preparedness

Dear [Property Owner],

The City would like to update you on flood control efforts around Totem Lake. We have made significant progress towards reducing the severity and duration of seasonal flooding. Further work to minimize flooding is planned, which will provide a greater level of protection. In the meantime, we hope for the best, prepare for the worst and encourage you to also be prepared. Along with specifics of how the City has been working on this critical area, we have included our seasonal reminders of steps that individuals can take to minimize potential property impacts due to heavy rains or snow events.

This summer the City completed the first steps in a multi-year process to address flood control in the area near Totem Lake. The work included a detailed survey of 5000 feet of conveyance channel downstream of Totem Lake, water surface level monitoring, and coordination with regulatory agencies. The survey identified several areas along the drainage channel where sediment and vegetation are impacting the outflow of Totem Lake. In August the City partnered with WSDOT and King County to remove built up sediment and vegetation along the conveyance channel between Totem Lake and the east side of I-405. This work increased the conveyance capacity of the drainage channel and lowered the level of the Lake by approximately three feet which will allow for greater storage of runoff from winter rains.

The work completed this year has improved flood control in the area; however, more work is necessary. Currently, the City is completing an emergency pumping plan that will be in place shortly to further reduce the risk of flooding, and Phase II of the multi-year project (scheduled for next construction season) will include the removal of the remaining sediment and vegetation in the conveyance system from I-405 downstream and to the west along the Totem Lake conveyance channel.

In the meantime, the City is continuing to maintain its monitoring of critical drainage structures. When wet weather is anticipated, City Crews are dispatched to ensure that the structures are clean and ready to function as they were designed. In addition, a traffic detour plan has been developed for use if the intersection of Totem Lake Boulevard and 120th Ave NE becomes inundated. With some planning now on your part, your business can continue uninterrupted through the winter rains.

Winter in the Pacific Northwest, especially in a second-in-a-row La Nina year as has been predicted, can mean large amounts of rainfall. The attached map shows areas that may be at risk of flooding when the level of Totem Lake rises in response to rainfall. Your business is located in one of these areas, and we want to assist you in locating sources of information on how to prepare for flooding and how to minimize your risk of damage from it. Because of its urban nature, Totem Lake can rise quickly depending on rainfall patterns (4 feet in about 8 hours during a large storm according to recent modeling), so it is important to be prepared before a rain event starts.

Flood Preparedness

Make Plans:

- Do you have flood insurance? If not, consider purchasing flood insurance. The majority of businesses around the lake are outside the FEMA 100-year flood plain (which is used by the National Flood Insurance Program to set flood insurance premiums), so insurance costs should be relatively low. See www.floodsmart.gov for details.
- Identify areas of your property that may flood. Make a plan to move valuable items, equipment and materials out of range of floodwaters permanently or, if that is not possible, temporarily during an event (i.e. identify alternative storage locations).
- Teach employees how and when to safely turn off gas, electricity, and water lines.
- Stock sandbags and plan for sandbag placement.

During a Flood:

- Watch the weather.
 - Monitor Seattle Rain Watch (www.atmos.washington.edu/SPU/) to get a feel for how much rain has fallen and how much is coming. Totem Lake usually rises the most in response to large storm events (3 inches or more over a 24 hour period).
 - Look at the level of Totem Lake. Totem Lake Boulevard near the intersection of 120th Avenue NE is usually one of the first spots to be impacted by heavy rains, and may indicate that floodwaters are rising toward your property.
- Mark flood elevations on building and take pictures. This will help in filing flood insurance claims, and will assist engineers with modeling conditions and designing flood reduction projects.
- Follow detour routes and do not drive through floodwaters. If your car stalls in a flooded area, abandon it as soon as possible and walk to safety from the direction you came.

After a Flood:

- When re-entering your place of business, be cautious of potential gas leaks, electrical shorts, and live wires.
- Follow procedures for safe cleanup of household items, food, water supply, and property. For more information, go to www.kingcounty.gov/health/preparedness.
- Contact the City of Kirkland Building Department at (425) 587-3600 regarding any questions on repairs that normally require a building permit such as foundation repairs, drywall and insulation replacement.

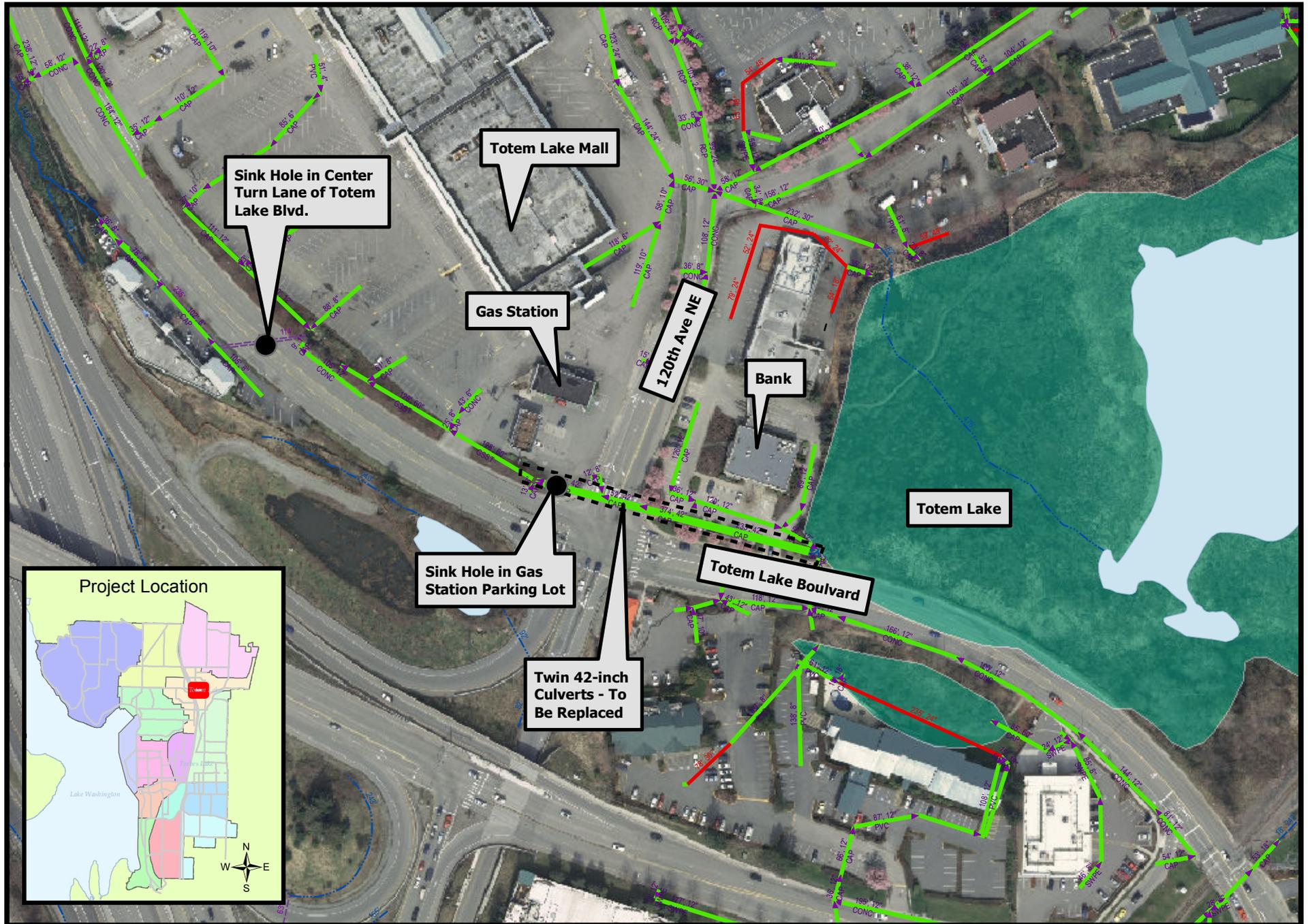
Further information and resources on flood preparedness is available at www.govlink.org/storm/floods.asp.

If you would like further information about Totem Lake or about flood preparedness, please contact Jenny Gaus, Environmental Services Supervisor, at (425) 587-3850 or jgaus@ci.kirkland.wa.us. Thank you for your efforts to protect yourselves through this winter and beyond.

Sincerely,
City of Kirkland

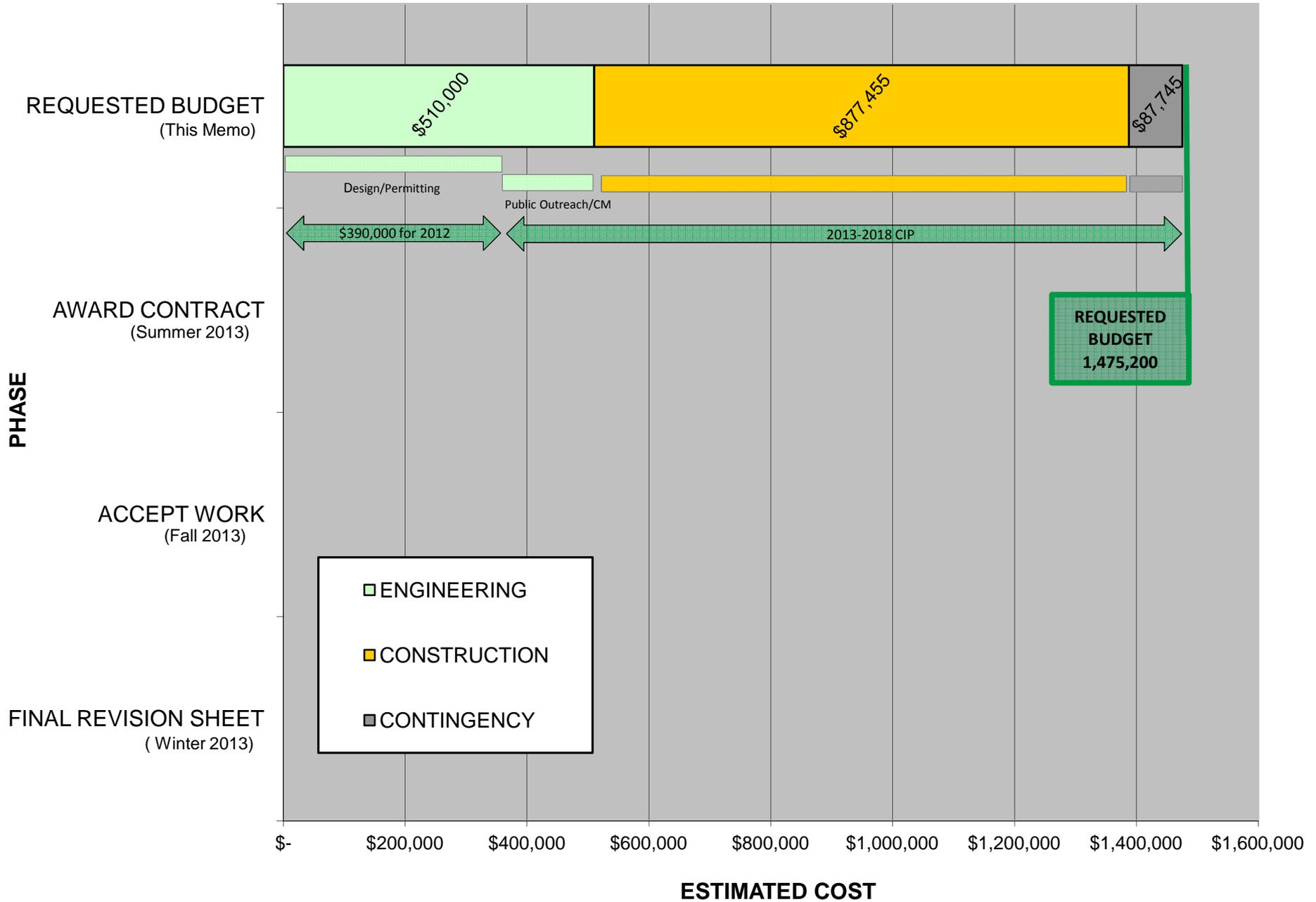
Ellen Miller-Wolfe
Economic Development Manager

Jenny Gaus, PE, CSM
Environmental Services Supervisor



Totem Lake Twin 42-inch Culvert Replacement (CSD-0075)

Project Budget Report



FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Ray Steiger, Public Work Director							
Description of Request							
Request for funding of \$390,000 for a new project to replace culverts in Totem Lake as part of flood control efforts (CSD 0075). This project is funded as a candidate from the Annual Storm Drain Replacement program (CSD 9999). Total project costs for CSD 0075 are estimated to be \$1,475,200. The balance will be funded in the upcoming 2013-18 CIP for completion in 2013.							
Legality/City Policy Basis							
Fiscal Impact							
The Annual Storm Drain Replacement Program project is an approved 2011-16 CIP project with a total 2011-12 budget of \$922,600 funded by utility rates. There is sufficient balance in this project to fund this request.							
Recommended Funding Source(s)							
<i>Reserve</i>	Description	2012 Est End Balance	Prior Auth. 2011-12 Uses	Prior Auth. 2011-12 Additions	Amount This Request	Revised 2012 End Balance	2012 Target
<i>Revenue/Exp Savings</i>							
<i>Other Source</i>	Annual Storm Drain Replacement Project balance. Estimated revised ending 2012 project balance is \$532,600 after funding this request for \$390,000.						
Other Information							

Prepared By	Neil Kruse, Senior Financial Analyst	Date	April 3, 2012
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TECHNICAL MEMORANDUM

CH2MHILL®

Totem Lake Twin 42-Inch Culvert Replacement Project – Conduit Materials Evaluation DRAFT

PREPARED FOR: Noel Hupprich, P.E./City of Kirkland, WA
 PREPARED BY: M. H. VanDerAa, P.E.
 DATE: September 14, 2012
 PROJECT NUMBER: 434855.03.35.40.10



Purpose and Summary

The results of an evaluation of conduit materials for the Totem Lake Twin 42-inch Culvert Replacement Project (Project) are summarized in this technical memorandum. Reinforced concrete box culvert is the recommended culvert replacement material for both Segment 1 and Segment 3.

Site Conditions Summary

The Project is located in a busy commercial area near the intersection of Totem Lake Boulevard and 120th Avenue NE, and near state highway Interstate-405, in Kirkland, Washington. Geotechnical conditions are a major consideration in culvert materials evaluation. The underlying soils along the culvert replacement alignments are peat and other soft compressible soils to depths below ground surface of 30 feet to 40 feet. The groundwater table is shallow, and excavation for culvert replacement will extend 5 feet or more below the groundwater table. Additional information on geotechnical conditions at the Project site is presented in *Totem Lake Twin 42-Inch Culvert Replacement Geotechnical Data Report (CH2M HILL 2012a)* and *Totem Lake Twin 42-Inch Culvert Replacement Geotechnical Design Criteria and Recommendations (CH2M HILL 2012b)*. Avoiding conflicts with existing buried utilities and adjacent facilities is also a major consideration.

Existing Culvert Material

The existing culvert pipes are galvanized corrugated steel. Staff at the City has expressed a strong preference that the galvanized steel not be used for the replacement based on corrosion experience with the existing culvert. Laboratory analysis of soil and groundwater samples confirmed that very corrosive conditions exist at the site, and that galvanized steel would not be an acceptable replacement material.

Fish Passage

Fish passage is an important consideration for design of the replacement culverts. Consultation on September 12, 2012, with the area habitat biologist, Stewart Reinbold, of the Washington Department of Fish and Wildlife resulted in the following criteria being established for the replacement culverts:

- Conduit width will be 8 feet, if possible.
- Because there are vertical restrictions and the slopes of the existing culverts are very flat, the longitudinal slopes replacement culverts will match those of the existing culverts.
- Countersinking and placement of streambed gravel inside culverts will not be required.

Evaluation Considerations

Conduit shape and material must be considered together because some shapes are available in only one material. Service life (corrosion), weight, minimum depth and width of excavation, structural performance in the existing soil conditions, construction issues such as handling and jointing, avoiding conflicts with existing utilities, and costs were considered in the evaluation. Conformance with the fish passage conduit width results in all conduit

alternatives having hydraulic capacity for the design flow; therefore, hydraulic capacity was not a factor in the evaluation.

Materials Evaluated

Circular pipe, pipe arch, and rectangular box shapes were evaluated. Open profile wall high density polyethylene (HDPE) pipe (Spirolite®) was selected for initial evaluation of circular pipe because of its light weight, corrosion resistance, smooth interior wall, and availability in 8 feet diameter. Pipe arch is produced only in corrugated galvanized steel and corrugated aluminum. Corrugated aluminum pipe arch was evaluated because it was determined that it has acceptable resistance to corrosion, but galvanized steel was not acceptable due to susceptibility to corrosion. Rectangular box shapes are produced only using reinforced concrete.

Segment 1

Figure 1 is a cross section showing the existing twin 42-inch culvert pipes and the replacement conduits that were evaluated. Vertical shoring will be needed to limit disruption to Totem Lake Boulevard, Bank of America parking lot, and other adjacent facilities and improvements. An excavation width of approximately 14 feet is needed for removal of the existing culvert and installation of the replacement conduit. Also illustrated in Figure 1 is that the existing culvert passes under utilities (water, gas, electric power, and communications) and over an existing 10-inch sanitary sewer in 120th Avenue NE. It has been determined using information obtained from exploratory excavations and as-built drawings of the existing utilities that the replacement culvert must have approximately 4.5-foot depth of cover (similar to the existing culvert) to avoid possible conflicts with one or more of the utilities it will pass under. Additionally illustrated in Figure 1 are piling supporting the adjacent Bank of America parking lot concrete pavement, some of which are shown on an as-built drawing of the parking lot being very close to the existing culvert.

Circular Pipe

Circular pipe would not be acceptable for several reasons. First and foremost as seen in Figure 1, it would conflict with the existing 10-inch sanitary sewer. In addition, circular pipe would require the deepest excavation of all the alternatives, and the lower half of the pipe would need to be filled.

Pipe Arch

For a given span (width) pipe arch is available only in a single rise (height). The rise of a corrugated aluminum pipe arch having an 8-foot span is 6 feet. The corrugated aluminum pipe arch would, therefore, not be acceptable because of conflict with the existing 10-inch sanitary sewer. A large increase in excavation width would also be required to replace existing soft soil with materials that would provide side support needed for this type of conduit to resist vertical loads. Also similar to circular pipe, the bottom portion would need to be filled.

Box Culvert

Reinforced concrete box culvert sections are produced in several rises (heights) for a particular span (width). For Segment 1, a 3-foot rise and an 8-foot span would be used. The invert of the box culvert can be installed to match the invert or the existing culvert so no fill will be needed in the replacement. Box culverts do not depend on side support of adjacent soils to withstand vertical loads so excavation width would be minimized and limited to that required to remove the existing culvert. The disadvantage of the concrete box culvert is that an 8-foot span and 3-foot rise weighs approximately 2,800 pounds per linear foot. The installation would need to be designed to not increase loading on the underlying soft soils that would cause settling of the culvert and surface improvements.

Recommended Material

Reinforced concrete box culvert sections are the recommended Segment 1 culvert replacement material because it will not conflict with the existing 10-inch sewer in 120th Avenue NE and will require the minimum depth, width, and volume of excavation

Segment 3

Although Segment 3 does not have the conflicts with existing utilities and adjacent facility issues as in Segment 1, other considerations such as minimizing the volume, width, and depth of excavation, and avoiding the need to fill

the lower parts of circular pipe and pipe arch are similar to those for Segment 1. Reinforced concrete box culvert sections are, therefore, the recommended Segment 3 culvert replacement material.

References

CH2M HILL. 2012a. *Draft Totem Lake Twin 42-Inch Culvert Replacement Geotechnical Data Report*. Prepared for the City of Kirkland by CH2M HILL, Bellevue, WA. September 2012.

CH2M HILL. 2012b. *Totem Lake Twin 42-Inch Culvert Replacement Geotechnical Design Criteria and Recommendations*. Prepared for the City of Kirkland by CH2M HILL, Bellevue, WA. September 2012.

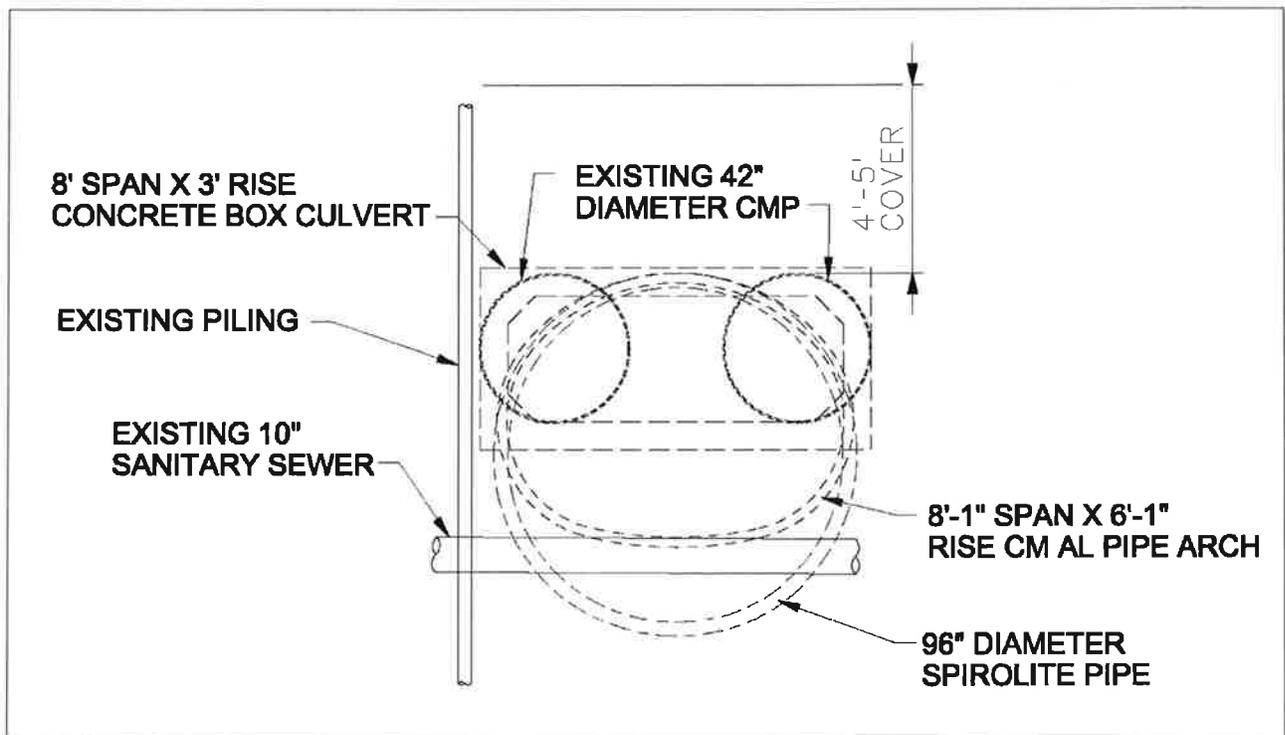
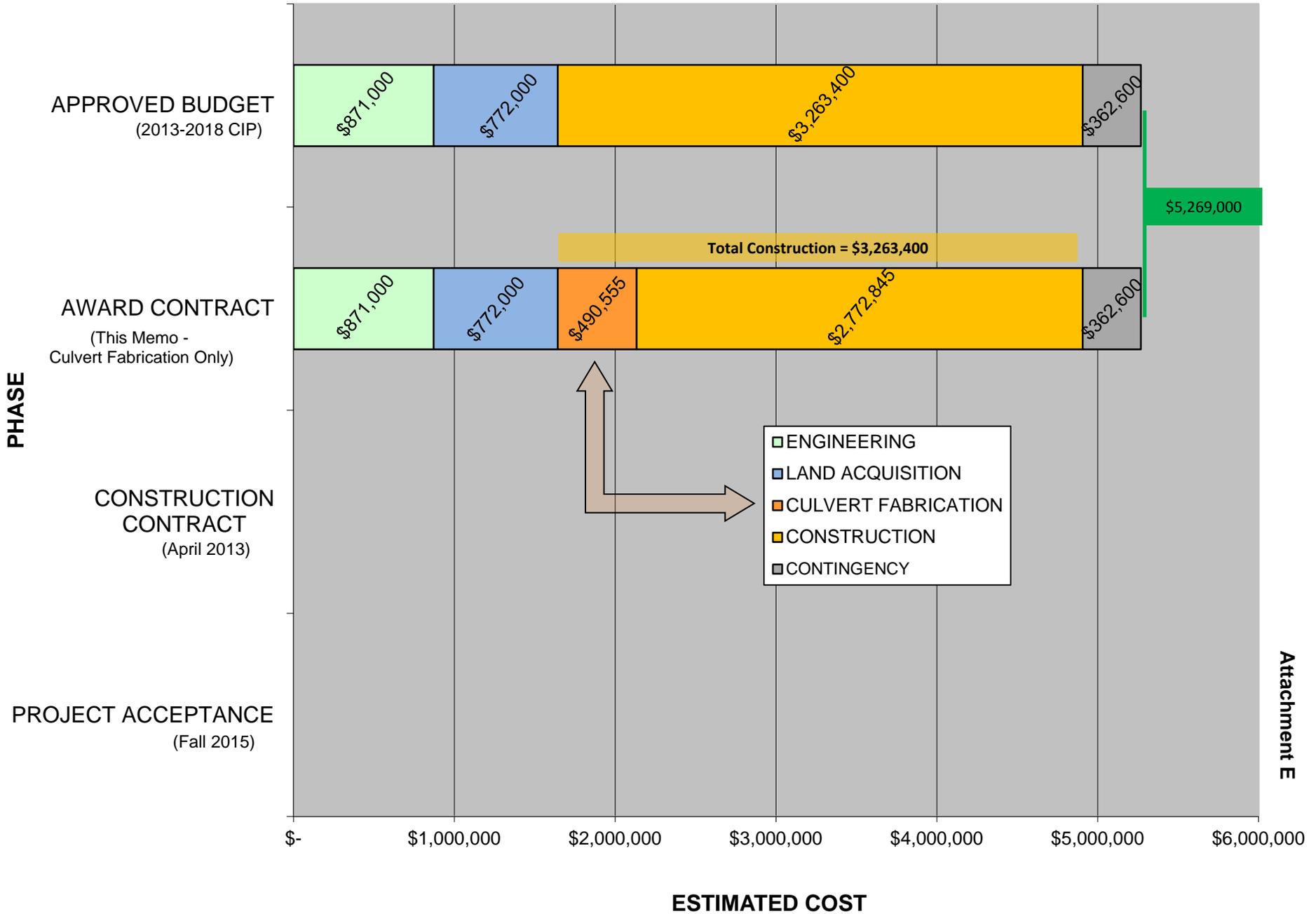


Figure 1
Segment 1 Culvert Replacement Materials Alternatives

TOTEM LAKE CULVERT REPLACEMENT PROJECT (SD-0075)

Project Budget Report





CITY OF KIRKLAND
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Kathi Anderson, City Clerk
Tracey Dunlap, Director, Finance and Administration

Date: February 22, 2013

Subject: Board and Commission Interview Selection Committee Recommendations

RECOMMENDATION:

Council considers the Board and Commission Interview Selection Committee's recommendations.

BACKGROUND DISCUSSION:

At Council's January 15th regular meeting, Council appointed an Interview Selection Committee (Committee) to make recommendations on which applicants to interview in the current recruitment process. At their March 6, 2012 meeting Council adopted Resolution 4911, which updated Council's procedures and reduced the maximum number of applicants to be interviewed per vacancy to three. In some cases this year, there were less than three applicants per vacancy, as reflected in the lists below. Councilmembers Asher, Sternoff and Deputy Mayor Marchione were drawn by lot for appointment to the Committee, have subsequently met, and the Committee's recommendations are:

- not to interview the current members of the Tourism Development Committee, the membership of which is subject to annual review (with the exception of the one new applicant for an ongoing vacancy); and
- that the City Council interview the following applicants:

Cultural Arts Commission (*one adult and one youth vacancy*)

(only one application received)

Dana Nunnelly for position 3

(Ms. Nunnelly is currently serving in a different position on the Commission which is appointed by the CAC)

Youth applicants

(only two applications received)

Camellia Clark

Rachel Roberts (incumbent)

Design Review Board (*two vacancies*)

(only three applications received)

Ting Chen
Tim Olson
Nolan Morgan (incumbent)

Human Services Advisory Committee (*two vacancies*)

(only two applications received)

JoAnn Geer (incumbent)
Karen Turner (incumbent)

Youth Applicant

(only 1 application received)

Penelope Toland

Kirkland Landmark Commission (*one vacancy*)

Robert Burke
Glenn Landguth
Lynette Friberg Weber

Library Board (*one adult and one youth vacancy*)

Eric DeJong (incumbent)
Eric Laliberte
M. Larry McKinney

Youth applicants

Chaodi Blue
Hieu Do
Teleya Pierce-Williams

Park Board (*two adult vacancies and one youth vacancy*)

(only four applications received)

Shelley Kloba (incumbent)
Eric Laliberte
P. Kevin Quille
Adam White (incumbent)

Youth applicant

(only one application received)

Tess Pate

Planning Commission (*two vacancies*)

(only five applications received)

Jay Arnold (incumbent)
Ting Chen
Colleen Cullen
Kurt Hanson
Eric Laliberte

Tourism Development Committee (*one vacancy*)

(only one application received)

Michelle Quisenberry

Salary Commission (*one vacancy*)

Steven Hopkins (incumbent)

M. Larry McKinney

Nick Zangari

Transportation Commission (*two vacancies*)

Glenn Buhlmann

Barbara Langdon

M. Larry McKinney

Tom Neir (incumbent)

Thomas Pendergrass (incumbent)

Dan Speicher

Youth applicant

(only one application received)

Tess Pate